

Ashburton District Council  
PO Box 94  
Ashburton 7700

Attn: Planning Administration – Deanna Reynolds

30<sup>th</sup> November 2023

Dear Deanna,

**RE: APPLICATION FOR SUBDIVISION CONSENT UNDER SECTION 88 OF THE RMA 1991 – ASHBURTON RIVERSIDE DEVELOPMENTS LTD, MELROSE ROAD, ASHBURTON, LOT 2 DP 382372.**

Please find enclosed an application for subdivision consent under Section 88 of the Resource Management Act 1991.

The deposit fees for this application will be invoiced upon acceptance.

This application has been filed online.

If you require any further information, please do not hesitate to contact me on the details below.

Yours faithfully,



David Harford

RESOURCE MANAGEMENT PLANNING  
P 029 307 7164 PO Box 603 Ashburton 7740  
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David Harford  
CONSULTING LTD

# Application for Subdivision Consent

**Ashburton Riverside  
Developments Ltd**

**21 Melrose Road,  
Ashburton**

**November 2023**

Reference: 259  
Revision: Final



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**Application prepared by:** David Harford



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**Form 9: Application for Resource Consent**  
**Under Section 88 of the Resource Management Act 1991**

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**TO:** The Ashburton District Council

**Ashburton Riverside Developments Ltd apply** for the subdivision consent described below.

1. **The names and addresses** of the owner and occupier (other than the applicant) of any land to which this application relates are as follows:

The Allenton Rugby Football Club (incorporated)

2. **The location** to which this application relates is:

21 Melrose Road, Ashburton being Lot 2 DP 382372 held in Identifier 329320. The total land is 9.2875ha in area. A location plan is included as Annexure C to this application.

3. **The type of resource consent** being sought is a subdivision consent.

**A description of the activities** to which the application relates is:

The proposal is the Proposed Subdivision of Lot 2 DP 382372 to create two freehold titles as follows.

Lot 1 7.26ha

Lot 2 2.08ha

The application site has a total site area of 9.2875ha and is the sports and recreation facility for the Allenton Rugby Club and affiliated sports.


The subdivision intent is to separate the substantive area of the Allenton Rugby Club from a 2.08ha area which includes, as part of proposed Lot 2, a 10m wide land area adjoining Melrose Road itself for the purpose of future road widening which will ultimately result in the widened road to vest with ADC.

The applicant intends to subdivide the two fee simple lots with Proposed Lot 1 (7.26ha) remaining as The Allenton Rugby Football Club.

A copy of the subdivision scheme plan which illustrates the proposal is included as Annexure D.

The proposed development will be in accordance with the plans accompanying this application and which should be read as part of it. A more detailed description of the proposed activity is to be found in the assessment of effects on the environment which accompanies this application as Annexure A and which should also be read as part of this application.

4. **Attached is an assessment of any actual or potential effects** that the activity may have on the environment.
5. **A land use consent** has been applied for concurrently for the works to widen the road within a scheduled activity area with the associated earthworks.



**DATED:** 26<sup>th</sup> November 2023

(Signature of applicant or person authorised to sign on behalf)

**Address for service:**

David Harford Consulting Limited  
PO Box 603  
**ASHBURTON 7740**

**Attention: David Harford**

Telephone: (03) 3077 164  
Mobile: 029 3077 164  
Email: david@dhconsulting.co.nz

**Address for Applicant and for all Council fees:**

Ashburton Riverside Developments Ltd  
C/ Mr Ben Shearer

Email: ben.shearer@hotmail.com

## **INTRODUCTION**

1. Section 88(2)(b) of the Resource Management Act 1991 requires that any application for a resource consent including a subdivision consent should include an assessment of any actual or potential effects that the activity may have on the environment and the ways in which any adverse effects may be mitigated.
2. Section 88(2)(b) requires that any assessment shall be in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment and shall be prepared in accordance with the Fourth Schedule to the Resource Management Act 1991. This assessment is made in accordance with those requirements.

## **THE SITE & SURROUNDING AREA**

3. The proposal relates to a subdivision of land zoned Rural A under the Operative Ashburton District Plan. The application site is a total area of 9.2875ha in area and is identified on planning map U40 included as Annexure D to this application.
4. The land in question features the rugby football club fields and clubrooms alongside the netball Courts.
5. The site is fenced and established boundary shelter exists along the Allens Road boundary of the site and along the eastern and southern boundaries of the site.
6. The surrounding land is a mix of Rural A and Business D zoned land, with the land eastward of the rugby ground a Business D zone which is a key part of this subdivision as the purpose of creating Lot 2, is so the application can widen the road and provide road access to the Business D zoned land.
7. There is a very low density of residential housing in this area with the only property on Melrose Road with a Residential Unit being the property at 22 Melrose Road and this is a 6.4ha Rural zone parcel of land. The residential unit is setback over 60m from the current road boundary and is screened by trees and other vegetation from the roadside.
8. Melrose Road is defined as a local road within the Ashburton District Plan roading hierarchy, carrying a very low volume of traffic.
9. The site (Lot 2 DP 382372) is currently held in one Record of Title being Identifier 329320. There are encumbrances upon the identifier in the form of a mortgage over the land, a right of way, a right to convey electricity, a right to drain water and a right for river control and protection purposes. A schedule of existing and proposed easements is provided on the subdivision scheme plan.
10. Easement B is for a 2.5m x 2.5m substation easement which has never been established. The easement may have been secured for future development but is currently not required. It could be relinquished if a site elsewhere could be secured.
11. This easement will not have a direct impact on the ability to subdivide the land.
12. A copy of the proposed subdivision scheme for the site is included as Annexure D to this application.

## THE PROPOSAL

13. The intention is to subdivide the application site into two fee simple lots to allow proposed Lot 2 to be utilised as a lot for roading purposes in the future. Lot 2 will be developed by the applicant for road in accord with ADC roading standards whilst Lot 1 will remain as Allenton Rugby Football Club land.
14. Both lots will be less than the minimum allotment area required for the Rural A zone. However, Lot 2 is to be used substantially for the purpose of roading. Proposed Lot 1 is to remain as a recreational lot for the Allenton Rugby Football Club therefore little on the ground will change other than the physical widening of Melrose Road and utilisation of the land at the western end of the recreation grounds which is essentially surplus to the Allenton RFC requirements.
15. The resultant layout is practical and logical, making use of the existing site features. Annexure D provides an illustration of the proposed subdivision scheme plan.
16. The table below shows the proposed lots.

<b>Lot</b>	<b>Net Area</b>
Lot 1	7.26ha
Lot 2	2.08ha

Table 1

### **Easements**

17. There is a schedule of existing easements as shown on the subdivision scheme plan.
18. There is a proposed easement for the right to gain access to Lot 1 over Lot 2 for the existing Rugby Club entranceway.
19. As discussed, earlier Easement B is for a 2.5m x 2.5m substation easement which has never been established. The easement may have been secured for future development but is currently not required. It could be relinquished if a site elsewhere could be secured. This will be dealt with at the time of survey.

### **Existing Services**

20. The site has reticulated services as follows.

### **Water Supply**

21. A water supply from Council reticulation to the Clubrooms exists.



### **Sewer**

22. This property is served by a reticulated wastewater connection according to the rates details for the property. It is assumed this waste is pumped back up to the main via the 100mm lateral on Melrose Road.

### **Stormwater**

23. Stormwater from all hard standing and impervious surfaces will discharge to ground.

### **Electrical and Telecommunications Supply**

24. The property has existing electrical and telecommunication reticulations.

### **Access**

25. There is access to the site via the vehicle crossing into the clubroom's carpark off Melrose Road as well as a gate along Melrose Road further along the road.
26. The subdivision does not require any new vehicle crossings or accessways to be constructed other than the gateway being recessed into the site 10m when the new road widening is undertaken.

### **Section 106 of the RMA**

27. There are no impediments to the development in terms of natural hazards or issues regarding Section 106 of the Resource Management Act 1991 that the applicant is aware of. The site is not within an area identified on the ADC flood map F05. Consultation with Ecan determined that overall flood risk to the property is low. A copy of the Ecan comments is included as Annexure H.
28. A full flood hazard assessment is not considered necessary.
29. The proposed subdivision does not contain any heritage items or trees on the site.
30. Pursuant to section 106 of the Resource Management Act 1991 there are no issues the applicant is aware of regarding effects of natural hazards from erosion, inundation or flood risk that make this site unsuitable for subdivision.

### **Additional Consents**

31. A land use consent is sought in conjunction with this application for works in the Rural A zone.

**COMPLIANCE ASSESSMENT**

32. The compliance assessment table below considers and indicates all relevant site and zone standards in the application. The table below provides the relevant rule and details because the activity is non-compliant.
33. The application has been assessed under the relevant rules within the Rural B Zone of the Ashburton District Plan. The relevant rules are detailed below.

Rule	Requirement	Activity Status / Comments
<b>Subdivision Standards</b>		
<p><i>9.7.4 Restricted Discretionary Activities</i></p> <p>a) <b>Any subdivision</b> in the Residential Zones, Rural A and B Zones, and Aquatic Park Zone. Council shall restrict its discretion to those matters listed under Controlled Activities above and those listed below:</p> <ul style="list-style-type: none"> <li>• Overall subdivision design and layout including connectivity and linkages (both within and beyond the subdivision)</li> <li>- Land and/or Facilities for Open Space and Recreation</li> <li>- Vegetation protection, landscape treatment, and effects on landscape and visual amenity values</li> </ul> <p>The site is zoned Rural A in the Ashburton District Plan.</p> <p>b) <b>Earthworks</b> limited to a maximum volume of 5,000m<sup>3</sup> on any one site per annum, in the Open Space Zones, Business Zones or for utilities. Council has restricted its discretion to the matters listed under Controlled Activities above.</p> <p>Earthworks are required for the roading development and associated stormwater and infrastructure management and although not in a zone listed above, will exceed the 5000m<sup>2</sup> volume.</p>		
<p><i>9.7.6 Non-Complying Activities</i></p> <p>a) Any Activity which is listed as a Controlled or Restricted Discretionary and which does not comply with any of the Critical Standards shall be a Non-Complying Activity.</p> <p>The proposal does not comply with Critical Standard 9.9.1 and therefore falls to be a non-Complying Activity.</p>		

	<b>General Standards</b>	
9.8.1	<p><b>Esplanade Provision</b></p> <p><i>Where any allotment of less than 4 hectares in area is to be created by subdivision on land abutting the mark of Mean High Water Springs of the sea, or the bank of any river or stream whose bed has an average width of 3 metres or more, or the margin of any natural lake with an area of 8 hectares or more, an esplanade reserve of 20 metres in width shall be set aside, except that:</i></p>	The site does not abut the Ashburton Riverbed.
9.8.2	<p><b>Property Numbering and Street Naming</b></p> <p><i>a) All allotments must be numbered in accordance with the New Zealand Standard AS/NZS4819:2003 by the applicant before a 224 certificate is approved.</i></p>	<p><b>Will Comply.</b></p> <p>Numbers will be allocated in accordance with this standard.</p>
9.8.3	<p><b>Allotment Dimensions</b></p> <p><i>c) Notwithstanding the above, there shall be no minimum allotment dimensions or frontage in any zone, for allotments for access, utilities, reserves, or roads.</i></p>	Proposed lot 2 will be utilised for roading purposes. There is some indicative design to use part of Lot 2 for subdivision into smaller lots but that will be dealt with as part of a more substantive subdivision proposal.
9.8.5	<p><b>Earthworks</b></p> <p><i>a) Earthworks associated with subdivisions (the sum of the cut volume plus fill volume on a site during any 12-month period) shall not occur:</i></p> <ul style="list-style-type: none"> <li><i>• in the areas identified on the Planning Maps as being a geoconservation site.</i></li> <li><i>• in the areas identified on the Planning Maps as being of significant nature conservation value;</i></li> <li><i>• within any naturally occurring wetland.</i></li> <li><i>• within 100m of any lake, 20m of any wetland, or 20m of any river or stream.</i></li> </ul> <p><i>b) Earthworks in the Residential Zones shall not exceed 5,000m<sup>3</sup> per subdivision.</i></p> <p><i>c) No earthworks shall create a new ground level more than 150mm above or below the existing ground level</i></p>	<p>n/a</p> <p>n/a</p> <p>n/a</p> <p>n/a</p> <p>n/a- this is not a residential zone.</p> <p>Will Comply</p>

	<p>at the property boundary.</p> <p><i>Note: For the purposes of this rule, earthworks provisions do not apply to any earthworks associated with digging post-holes, cultivation, tending or landscaping gardens, planting trees, or removing dead or diseased trees, or drilling bores.</i></p>	
<b>Critical Standards</b>		
<b>9.9.1</b>	<p><b>Allotment Size</b></p> <p><i>a) No allotments created by subdivision, including balance titles, shall have a net area less than the minimum specified for each zone below, except as provided for in clauses b, c, and d below:</i></p> <p><i>Rural B - 50ha</i></p>	<p><b>Does not Comply</b></p> <p>The proposal is to create two allotments. As shown on the scheme plan, both lots are less than the minimum 8ha for the zone.</p> <p>Non-compliance with this rule is a non-complying activity.</p>
<b>9.9.2</b>	<p><b>Boundary Adjustment</b></p>	n/a
<b>9.9.3</b>	<p><b>Flooding and Overland Flow of Water</b></p> <p><i>a) No subdivision shall occur in any area identified as being at risk from a 1 in 200-year flood event (a 0.5% annual exceedance probability).</i></p>	<p><b>Complies</b></p> <p>The site is shown as flood risk on the Flooding Map F05 of the Operative Ashburton District Plan. Ecan consultation regarding flood risk determined the risk is low and the stop banks are built to withstand a 1 in 200 yr ARI event.</p>
<b>9.9.4</b>	<p><b>Water Supply</b></p> <p><i>a) All new allotments, other than allotments for access, roads, utilities, or reserves, in the Residential and Business Zones where the allotments are in or adjoining areas which are served with a Council reticulated water supply, shall be provided with a connection to a Council reticulated water supply laid to the boundary of the net area of the allotment.</i></p> <p><i>c) All new allotments, other than allotments for access, roads, and utilities, in all zones shall be provided with a firefighting water supply in accordance with New Zealand Fire Service Code of Practice for Fire Fighting Water Supplies, SNZ PAS 4509:2008.</i></p>	<p><b>N/A</b></p> <p>Application site is not located within the Residential or Business Zones</p> <p><b>Will Comply</b></p> <p>Provision for firefighting water supply in accordance with the Code of Practice exists now for the Allenton sports facility</p>

		buildings.
<b>9.9.5</b>	<b>Sanitary Sewage Disposal</b>  <i>a) All new allotments, other than allotments for access, roads, utilities, or reserves, in the Residential and Business Zones of Ashburton, Methven and Rakaia, shall be provided with a piped sewage outfall for disposing of sanitary sewage to a reticulated system, laid at least 600mm into the net area of the allotment.</i>	<b>N/A</b>  Application site is not located within the Residential or Business Zones  The existing building and facilities (within Proposed Lot 1) will continue to be serviced via its existing wastewater disposal method.
<b>9.9.6</b>	<b>Indicative Plan</b>  <i>a) All new subdivisions in areas not serviced by a reticulated water and/or sewerage system shall provide to Council a plan showing the indicative location of building platforms, storm water treatment and disposal areas (including secondary flow paths), and wastewater treatment and disposal areas.</i>	<b>Complies</b>  The subdivision is within an area serviced by a reticulated water and wastewater.
<b>9.9.7</b>	<b>Energy Supply and Telecommunications</b>  a) All new allotments in the Residential A, B and C, Business and Aquatic Park Zones, other than allotments for access, roads, utilities, or reserves, shall be provided with connections to electrical supply to the boundary of the net area of the allotment and a telecommunication system.  b) All new allotments in the Residential D Zone, other than allotments for access, roads, utilities, or reserves, shall be provided with the ability to connect to an electrical supply system at the boundary of the net area of the allotment, and to a telecommunication system.	<b>N/A</b>  The allotments are not located within the Residential A, B and C Zones, the Business Zones, or the Aquatic Park Zones.  n/a
<b>9.9.8</b>	<b>High Voltage Transmission Lines</b>  a) No allotments created by subdivision, including balance titles, shall contain indicative building platforms within 12 metres either side of the centerline of any High-Voltage Transmission line as shown on the Planning Maps:	n/a
<b>9.9.9</b>	<b>Roads</b>  a) All new roads shall be vested with the Council on subdivision.  b) All road reserves in the Residential and Business	The proposal is a widening of an existing road which will vest with Council upon completion.

	<p>Zones, to be vested with Council, shall be planted with trees to be placed no more than 50 metres apart.</p> <ul style="list-style-type: none"> <li>• At maturity, trees shall be a maximum height of 8 metres.</li> <li>• Trees shall be a minimum height of 1 metre at the time of planting.</li> <li>• Trees shall be planted with root barriers of at least 1.5 metres in depth.</li> <li>• Trees should be planted away from any existing services within the footpath.</li> <li>• Trees of the following species shall not be planted:</li> </ul> <table border="0"> <tr> <td>Lodgepole pine</td> <td><i>Pinus contorta</i></td> </tr> <tr> <td>Scots Pine</td> <td><i>Pinus sylvestris</i></td> </tr> <tr> <td>Corsican Pine</td> <td><i>Pinus nigra</i></td> </tr> <tr> <td>Dwarf mountain pine</td> <td><i>Pinus uncinata</i></td> </tr> <tr> <td>Mountain Pine</td> <td><i>Pinus mugo</i></td> </tr> <tr> <td>Douglas fir</td> <td><i>Pseudotsuga menziesii</i></td> </tr> </table> <table border="0"> <tr> <td>All poplars</td> <td><i>Salicaceae species (except Lombardy Poplars (male clones))</i></td> </tr> <tr> <td>Rowan</td> <td><i>Sorbus aucuparia</i></td> </tr> <tr> <td>Ash</td> <td><i>Fraxinus excelsior</i></td> </tr> <tr> <td>Holly</td> <td><i>Rex aquifolium</i></td> </tr> </table>	Lodgepole pine	<i>Pinus contorta</i>	Scots Pine	<i>Pinus sylvestris</i>	Corsican Pine	<i>Pinus nigra</i>	Dwarf mountain pine	<i>Pinus uncinata</i>	Mountain Pine	<i>Pinus mugo</i>	Douglas fir	<i>Pseudotsuga menziesii</i>	All poplars	<i>Salicaceae species (except Lombardy Poplars (male clones))</i>	Rowan	<i>Sorbus aucuparia</i>	Ash	<i>Fraxinus excelsior</i>	Holly	<i>Rex aquifolium</i>	
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<p><b>9.9.10</b></p>	<p><b>Open Space and Recreation</b></p> <p>a) All subdivision in the Residential or Business Zones for the purpose of residential activities shall provide a contribution of either:</p> <ul style="list-style-type: none"> <li>• 5% of the market value of additional residential lots created by the subdivision; or</li> <li>• A land area equivalent to 30m<sup>2</sup> of land for each additional residential lot created by the subdivision; or</li> <li>• A combination of the above to the equivalent value/area.</li> </ul> <p>c) Where land is provided it shall be of a shape, location, and configuration suitable to meet the needs of the residents of the subdivision.</p>	<p><b>N/A</b></p> <p>This subdivision is not sought within the Residential or Business Zones</p>																				
<p><b>Transport Standards</b></p>																						
<p><b>10.9</b></p>	<p><b>Site Standards – Accessibility and Safety</b></p>																					

<p><b>10.9.1</b></p>	<p><b>Roading, Access and Vehicle Crossings</b></p> <p>All new roads shall be laid out and vested in the Council, in accordance with Standard NZS4404:2010...</p> <p>a) Where a new road transport network is proposed that is located in a manner that makes it capable of being extended in the future to service additional land, the future potential daily traffic volume for the extended road shall be used to determine the minimum and maximum widths required in Table 10-4 above. This determination shall be based on the greater of the actual number of allotments served or the potential number of allotments that could be served as a permitted or controlled activity.</p> <p>b) The carriageway of all new road transport networks laid out and vested in accordance with a) above shall be formed and sealed.</p> <p>c) Footpaths shall be constructed as a sealed strip of 1.5m width within the berm.</p> <p>d) All areas of berms not sealed in footpath are to be formed in grass.</p> <p>e) Cul-de-sac shall be constructed with turning heads of the following radii, measured from the centre of the turning head to the kerb face:</p> <ul style="list-style-type: none"> <li>• Residential zones and the Residential and Rural-Residential Areas of the Aquatic Park Zone – 9.5m</li> <li>• All other zones – 15m</li> </ul> <p>f) If the corner lot is included in any subdivision, the corner at the road intersection shall be splayed with a diagonal line reducing each boundary by at least 4 metres from the corner, except that in a Business or Rural Zone or if the highest speed limit on either frontage road is greater than 50km/h, then the diagonal line reducing each boundary shall be at least 6 metres from the corner. The corner rounding or splay shall be vested in the Council.</p> <p>h) Where a subdivision adjoins land not yet subdivided, provision shall be made for pedestrian, cyclist, and vehicle access linkages between the areas, including vesting of land for future road transport network reserves for the purpose of facilitating connections to future roading extensions</p>	<p>The road for most part is a widening of an existing road except for when it reaches the point where it needs to branch off to the south toward the Business D zone. This is where it will connect to this land which is the point of the road widening and access.</p> <p>Will comply.</p> <p>Will comply.</p> <p>Will comply.</p> <p>n/a – no cul-de-sac is required for this subdivision proposal. The future Stage 2 subdivision within the Business D zone will address this.</p> <p>The subdivision is not on a corner.</p> <p>The subdivision does adjoin land that the applicant owns which will be further subdivided and the road will make provision for all of those required linkages.</p>
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	to serve surrounding land, or planned road links that may need to pass through the subdivision.	
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**ACTIVITY STATUS**

- 34. As stated within the above table, this proposal seeks to establish two separate allotments for the purpose of roading access (Lot 2) and the substantive land area (lot 1) will remain as The Allenton Rugby Football Club Incorporated.
- 35. The proposed lots do not meet the minimum 8ha per allotment requirement however Lot 2 is proposed to be substantially used for roading purposes.
- 36. Pursuant to section 104D of the Resource Management Act 1991 the consent sought is for a Non-Complying Activity under the Ashburton District Plan.
- 37. The extent of the non-compliances will not be significant, and an assessment of the effects should demonstrate that the subsequent impact will be less than minor.



## **ASSESSMENT OF ACTUAL OR POTENTIAL EFFECTS ON THE ENVIRONMENT**

38. When applying for resource consent under section 88 of the Act an assessment of environmental effects must be included, in accordance with Schedule 4. Schedule 4(2) requires the following matters to be addressed.
- a) *Any effects on those in the neighbourhood and, where relevant, the wider community including any socio-economic and cultural effects:*
  - b) *Any physical effects on the locality, including any landscape or visual effects:*
  - c) *Any effects on ecosystems.....*
  - d) *Any effects on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural, or other special value for present and future generations:*
  - e) *Any discharge of contaminants into the environment, including any unreasonable emission of noise and options for the treatment and disposal of contaminants:*
  - f) *Any risk to the neighbourhood, the wider community, or the environmental through natural hazards or the use of hazardous substances or hazardous installations.*
39. Subsection (1) of the fourth schedule to the Act lists matters that should be included in an assessment of effects on the environment.
- *Where it is likely that an activity will result in significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity.*
  - *An assessment of the actual or potential effects on the environment of the proposed activity*
  - *A description of mitigating measures to help prevent or reduce the actual or potential effects.*
  - *Identification of the persons affected by the proposal, the consultation undertaken, if any and any response to the views of any person consulted*

An assessment of effects on the environment relevant to this proposal follows and addresses the assessment matters relevant to the proposal.

### **Rural Amenity**

40. The site is located within the Rural A Zone however this is not a proposal to create separate lots for the purpose of erecting residential units but one to widen an existing road by utilising land from the Allenton Rugby Club and create a separate 2ha lot at the southern end which will connect to the applicants existing Business D zoned land.
41. At present, the subject site features private sports grounds with the narrow Melrose Road running along the northern boundary of the grounds separated by shelter trees and fencing.
42. Melrose Road is a low use road and is an access to the Ashburton River walk and cycleway and likewise the Allenton Rugby Club has very limited use in term of all year-round usage. It is predominantly the months of March through to September that results in most use and then that is sports practices during the week and Saturday sports (rugby) itself.
43. The various activities work in harmony at present and have been located and managed to avoid the potential for reverse sensitivity. The proposal will retain the rural amenity of the site and surrounds and all that results is a wider road for the purpose of greater use to provide the connection to the Business D zoned land.

44. The character of the rural area is not affected by subdivision as the spaciousness and vistas will still be retained however the roading development will create ability for a higher standard of access to the Business zoned area which in turn will increase the level of traffic generation for this area.
45. Whilst it is Rural zoned land it is a scheduled activity and not land that has been used for pastoral or arable use.
46. The subdivision is merely the creation of separate Records of Title on land for roading purposes.
47. The site's low development density will be retained with nothing physical being altered other than the road widening and movement of some existing infrastructure whilst installing new infrastructure.
48. As additional built building form is not sought through this application, potential effects associated with future development relates to effects of construction and road traffic movements.
49. The Rural A zone is generally characterised by small farming lots. There is a small farming operation on the northern side of Melrose Road and other properties further north however the site of the subject development was possibly rural several decades ago but has not been utilised as such for some time.
50. There is only one residential unit within 100m of the proposed road widening.
51. On this basis, it is considered that the proposed rural development and subdivision will have a less than minor effect on the rural character and amenity of the area.
52. Considering the above, our opinion is that a subdivision of the site into two separate titles will not create a situation where the site density is inconsistent or out of character with the surrounding environment.

#### **Allotment Size and Location**

53. While both proposed allotments do not meet the minimum area requirements for subdivision within the Rural A zone, the purpose of the subdivision is key here. The resultant lots are created for a new use (roading and curtilage purposes) and the balance lot is retained for its Allenton Rugby Football club and associated uses. The small loss of land of the Allenton Club creates minimal effect and disruption to the club.
54. The location of the site and the arrangement of the subdivided land is such that the addition of one allotment would not be out of character.
55. There is no proposal to amalgamate Lot 2 with adjoining land (namely Section 1 SO 18829) in the applicant's ownership as part of this subdivision unless Council consider there is specific reason to consider this approach.
56. There will be no apparent difference when the site is observed from the public realm or adjoining properties. The relatively isolated site will appear very much as it does at present. The proposed road widening is not considered a significant matter to be out of character for this existing environment.
57. On that basis the creation of two separate titles over the existing site does not jeopardise the integrity of the District Plan given the surrounding environmental factors that exist and limited physical changes on the land i.e., recreational activities and better traffic movement will continue as it does at present.

### **Roading, Access and Vehicle Crossings**

58. Melrose Road is classified as a local road within the Ashburton District Plan and (when coupled with its semi-rural setting) does not on average carry more than 200 vehicles per day on weekdays, weekends could reach that level of traffic generation due to the walk and cycle track and vehicles accessing the river.
59. Although partly sealed until the Allenton Rugby grounds, this metalled road is formed to just provide 2-way traffic movements via a carriageway of approximately 5 metres.
60. Melrose Road is straight in alignment with good visibility in either direction and this will not change as result of the proposed road widening and connection to the Business D zone.

### **Site Servicing**

61. Each of the sites will be accessed via Melrose Road. There are existing services to the Rugby Club now and this will not change other than so repositioning of easements and fencing and gateway realignment due to the subdivision.
62. The scheme plan shows the position of the existing inground services on Melrose Road.
63. The substantial subdivision which will be applied for over the Business D zone once consents for this application and the concurrent land use consent are approved by Council.

### **Stormwater**

64. Stormwater disposal from the roading will be factored into the construction detail for the road post consent approval.

### **Electricity and Telephone**

65. It is noted that both telephone and electric power connections to Proposed Lot 1 are currently available via existing services along Melrose Road.
66. Suitable connections for both essential services will be retained through this subdivision.

### **Natural Hazards**

67. With regards to natural hazards, the site is located within a flood risk area however consultation with Ecan determined the potential risk is low based on the large stop banks constructed to prevent inundation of the land.
68. Pursuant to Section 106 of the Resource Management Act 1991 there are no known issues regarding effects of natural hazards from high flood risk or erosion that make this site unsuitable for subdivision.

### **Construction**

69. The subdivision is proposed to be constructed in one stage as per the Scheme Plan included in Annexure C.

### Cultural and Heritage effects

70. There are no cultural or heritage sites identified on the Council planning maps for the subject site. An Accidental Discovery Protocol advice note could be applied and included as a condition of the consent as no significant development is proposed as part of this subdivision at this time.

### **POSITIVE EFFECTS**

71. The local environmental impact resulting from the subdivision comprising two lots, is minimal and in terms of the demarcation of the boundaries in terms of a subdivision, other than road widening, will largely be unnoticed by the neighbouring area.
72. Accordingly, the application site will remain in keeping with the established character and will not appear incongruous when viewed alongside the adjoining Lots.
73. The creation of separate titles as per the scheme plan will not appear notably different to the existing situation when viewed from the public realm. As such, the development sought will not appear incoherent or inappropriate within this location.

### **NATIONAL ENVIRONMENTAL STANDARDS**

74. The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (the NES) came into effect on 1 January 2012.
75. The Resource Management Act for, (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 or 'NES', provides guidance on testing in instances such as this.
76. The area is not identified on Environment Canterbury's LLUR as having had or has a HAIL activity. A copy of the LLUR is included as Annexure F to this application.
77. Although this application involves the subdivision of land, the proposal will not result in a distinguishable change of use.
78. The proposal seeks consent for two fee simple lots.
79. The proposed subdivision does not subdivide production land or changes the use of the land in question in a way that causes the land to stop being production land and therefore does not trigger the NES.
80. This proposal will not create any potential effects where the NES could be an issue.
81. Moreover, the applicant is not aware of any other issues of existing or historical contamination on the site that may affect human health.

## **OTHER MATTERS**

82. This subdivision proposal will require a land use consent which has been lodged concurrently.
83. Having said that, the applicant will seek any necessary additional approvals if required to undertake works for the provision of any services for the subdivision. This would follow subdivision approval and survey plan certification.
84. All construction and control measures will be undertaken within Codes of Practice for subdivision development and in accordance with the New Zealand Standard NZ4404.

## **REVERSE SENSITIVITY**

85. The notion of reverse sensitivity can be summarised as; *'Reverse sensitivity arises where a new incompatible activity is introduced into an environment which has the potential to limit the operation of existing activities'* ([www.qualityplanning.co.nz](http://www.qualityplanning.co.nz))
86. In this instance the adjacent activities are rural, industrial, and recreational. It is anticipated that should this subdivision be approved, Proposed Lot 1 and Proposed Lot 2, will not appear notably different to the current situation.
87. Given the existing situation and the absence of notable alterations, other than the road widening and sealing it is not considered that there is any potential for reverse sensitivity issues because of the proposal.

## **CONSIDERATION OF ALTERNATIVES**

88. The preceding assessment of effects shows that the proposal will not have any significant adverse effects on the environment. The fourth schedule of the Resource Management Act 1991 at section (1) (b) does not require an assessment of alternatives unless the activity is likely to have significant adverse effects. It is therefore submitted based on the assessment of effects provided in this application that the effects are not significant and therefore an assessment of alternatives is not required.
89. Accordingly, under Schedule 4 clause 1(b) of the Resource Management Act, there is no need for alternatives to be considered.

## **PRECEDENT AND CUMULATIVE EFFECTS**

90. The proposal is for a non-complying activity due to the minimum lot size to be created for subdivision within the Rural A zone. It is therefore appropriate under section 104(1)(c) of the Resource Management Act for consideration to be given to whether it may give rise to precedent effects and cumulative effects.
91. It is not considered that the proposal will generate any precedent effect as the location of the new allotments is essentially a demarcation of boundaries over a recreational facility which provides for an improved road network to service industrial land, which is currently not served by any legal road connection at all.

92. The ODP Riverside provides for road connections from the south via both Range and Robinson Streets. Neither of those connections are easily achieved currently albeit Robinson St in the future may prove more feasible based on ability to pass through conservation and land with other activities upon it. This proposal is more achievable and, in the future, still enables ability for a future Robinson St connection with future investigation and planning.
93. There is some unusual quality to this application. There are potentially very few other properties that have the situation of a large area of Business zoned land situated in an area that does not have frontage to a legal road other than via the right of way.
94. The likelihood of other developments utilising private recreational land to undertake road widening for the betterment of providing suitable roading access is not common at all.
95. This creates a situation with some constraints but not so insurmountable that this proposed subdivision would increase or create any potential effects based on creating two holdings of land. The proposal is not for the purposes of trying to create two separate Rural lots for the purpose of individual ownership and residential units erected on both.
96. Therefore, there is some comfort to the Council that the proposed subdivision is not going to create openings for other landowners to undertake a similar subdivision. The smaller parcel is limited to this area and few other subdivisions in the locality like this could occur.
97. Non-compliance with a plan cannot of itself create a precedent effect. The integrity of the plan is not always placed at issue simply because an activity is classified as non-complying. Precedent effect only ever arises for consideration if the proposal runs up against the District Plan's objectives and policies.
98. Furthermore, it does not have to be shown that the proposal is a "true exception" to the requirements of the zone. It is understood that for some time the proposal should show an "unusual quality", rather than it having to be shown that the proposal is unique or exceptional.
99. Even if there is an element of precedent, it does not automatically follow that the grant of consent will threaten the integrity of the plan or confidence in its administration. The application does not create a serious conflict with the objectives and policies of the District Plan. Confidence will only be affected if a decision-maker ignores a district plan's policies and objectives and allows an activity with major effects, and which would be contrary to those objectives and policies.
100. It is not considered that this application gives rise to any cumulative effects should consent be granted. This proposal is not considered contrary to the relevant objectives and policies of the Plan when viewed in entirety. Therefore, by granting this application the administration and integrity of the District Plan is not undermined and the potential effects of this on the rural environment within the district are less than minor.
101. The Applicant does not consider that granting consent will create a significant adverse cumulative effect. The finding of a cumulative effect requires evidence of a particular effect that would add to an effect of the same kind arising from other activities.
102. In terms of cumulative effects there is an older Court of Appeal case which is understood to still be good law; *Dye v Auckland Regional Council* [2001] NZRMA 513 (CA). To apply this proposal to that case the immediate environment has the capacity to absorb this subdivision as it does not compromise activities existing at present. It is an efficient and sensible proposal for this location. There is no relevant threshold in place that will be reached, or exceeded, should consent be granted. Therefore, the issue of cumulative effect does not arise in this case.

## **OBJECTIVES AND POLICIES**

103. The proposal is a non-complying activity and as such, consideration of the relevant objectives and policies is required.
104. The objectives and policies considered relevant are.

### ***Objective 9.1: Effects of Subdivision and Development***

*To ensure that subdivision and associated development maintains and enhances amenity, character, and natural and visual qualities of the environment, while enabling the effective and efficient use of land.*

#### ***Policy 9.1B***

*Ensure that the size, shape, and location of the boundaries of allotments is compatible with the physical characteristics of the site including the underlying topography.*

105. Although both allotments fall short of the minimum size required within the District Plan, this is for the purposes explained in the application. The division of the existing Lot, as per the scheme plan, will not significantly alter its appearance when viewed externally. As such, the shortfall in area will not be detectable from the public realm. The boundaries of the allotments will remain compatible with the physical characteristics of the site which is a flat parcel of land.

#### ***Policy 9.1D***

*Set a minimum allotment size in Rural A and B Zones to:*

- *protect the rural resource and productive activities by requiring:*
  - *sufficient distance between existing and potential residential unit sites and rural activities, and vice versa,*
  - *a low density of development.*

106. While the subdivision does not achieve the minimum allotment sizes for the Rural a Zone, the alteration will retain a low density. The low density of development will be preserved, and the subdivision will not diminish the areas existing land uses, in fact, it is more likely to improve them.
107. In all, the proposal will not impact upon the level of amenity currently experienced. Within this Rural A Zone, the sense of openness will not be compromised.

### ***Objective 9.2: Providing for Servicing of Subdivisions***

*To ensure the provision of the necessary services to subdivided allotments in anticipation of the likely use of land, while managing adverse effects on the environment.*

108. The existing connections will be retained, and the subdivision will enable extension of existing services and provision of safer and wider roading and footpath for the public.

**Policy 9.2C**

*Require that all new lots be provided with a means of connection to a reticulated potable water supply system, where such a system is available, or alternatively can be supplied from a bore or community supply, and ensure that water supplies are of a sufficient capacity and a potable standard, and there is capacity and sufficient water pressure for fire-fighting requirements.*

109. This development is a step to enable greater services installation for the proposed Business D zone development.

**Policy 9.2D**

*Ensure disposal of stormwater in a manner which maintains or enhances the quality of surface and ground water, as well as avoids inundation of land within or beyond the subdivision.*

110. There will be the requirement for treatment and disposal of hardstand stormwater from the road network. This will be undertaken prior to road construction and any necessary permits secured.
111. Overall, there is sufficient land area within the development to treat future stormwater.

**Policy 9.2E**

**Policy 9.2H**

*Avoid, remedy, or mitigate the adverse effects of the provision and use of infrastructure on the natural and physical environment beyond the subdivided land.*

112. There is limited or no potential effects on the land beyond the subject site.
113. The assessment of the objectives and policies above determines that this proposal will not be inconsistent or contrary with those.

**RESOURCE MANAGEMENT ACT 1991- PART II**

114. Part II of the Act contains Sections 5 – 8 and relates to the purpose and principles of the Act. It is considered that the proposal should be assessed against Sections 5 and 7.

**Section 5**

Section 5 outlines the purpose of the Act as follows:

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, “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 wellbeing and for their health and safety while:*

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

115. Section 5 of the Resource Management Act 1991 identifies the purpose of the Act as being the promotion of sustainable management of natural and physical resources. For the reasons, it is considered that the proposed development achieves this purpose by avoiding, remedying, or mitigating any adverse effects.

### **Section 7**

116. Section 7 outlines other matters that need to be considered. Matters of relevance are:

- (c) The maintenance and enhancement of amenity values;*
- (f) Maintenance and enhancement of the quality of the environment;*

117. Section 7(c) and (f) of the Act are matters to which Consent Authorities should give particular regard to when making informed decisions. When assessing a non-complying activity for subdivision consent in the Rural zone, consideration may be given to the effects on amenity values and maintenance and enhancement of the quality of the environment as a result of the proposed activity. There are deemed to be no effects on these principles.

118. The proposal is also considered to be consistent with these Part II matters in that the proposal will maintain the amenity of the surrounding environment, in accordance with Section 7c and 7f.

119. Given the above, I consider that the proposal is in keeping with Part II of the Resource Management Act 1991.

120. The proposal is considered to have less than minor adverse effects and therefore can be approved in accordance with section 104D of the Resource Management Act.

### **SECTIONS 104 & 104D - CONSIDERATION OF APPLICATIONS**

121. Section 104 sets out those matters that must be considered when assessing an application for a resource consent. Subject to Part 2 of the Act, Section 104(1) requires a consent authority to have regard to the following matters:

- (a) any actual and potential effects on the environment of allowing the activity; and*
- (b) any relevant provisions of-*
  - (i) a national policy statements.*

- (ii) a New Zealand coastal policy statement.
- (iii) regional policy statement or proposed regional policy statement.
- (iv) a plan or proposed plan; and

- o any other matter the consent authority considers relevant and reasonably necessary to determine the application.”

122. Section 104D of the Act states in relation to the restrictions of applications for non-complying activities:

*Despite any decision made for the purpose of section 95A(2)(a) in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—*

- (a) *the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
  - (b) *the application is for an activity that will not be contrary to the objectives and policies of—*
    - (i) *the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
    - (ii) *the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
    - (iii) *both the relevant plan and the relevant proposed plan if there is both a plan and a proposed plan in respect of the activity.*
- (2) *To avoid doubt, section 104(2) applies to the determination of an application for a non-complying activity*

123. This application provides an assessment of environmental effects, and it is considered those effects are less than minor. The objectives and policies have been addressed and on balance it is not considered this proposal is contrary to those as detailed above.

124. Therefore, in accordance with section 104D both gateway tests can be satisfied with regards to this proposal, and it is appropriate that consent be approved and if necessary, any appropriate conditions are imposed on this application.

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## **NOTIFICATION - SECTION 95 AND 95A-F OF THE RESOURCE MANAGEMENT ACT 1991**

### **Section 95A Public notification of consent applications**

125. There is a four-step process under Section 95(A) to determine if public notification is required.
126. Step 1 - Does the application fall within the criteria for mandatory public notification under s95A (3)?
- The applicant has not requested public notification.
  - Public notification is not required under s95C.
  - The application has not made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.
127. Step 2 - Does the application fall within the criteria where public notification is precluded under s95A (5)?
- The activity itself is for a non-complying activity.
128. Step 3 – Does the application fall within the criteria where public notification is required under s95 (8)?
- The application is not for an activity subject to a rule or national environment standard that requires public notification.
  - the activity will not have or is not likely to have adverse effects on the environment that are more than minor.
129. Step 4 – Are there any special circumstances under s95A (9) which requires public notification?
- There are no special circumstances which require the application to be publicly notified.
  - The application does not meet the criteria for public notification under the provisions of s.95A. Therefore, the application does not need to be publicly notified.

### **Section 95B Limited notification of consent applications**

130. Step 1 – Are there certain affected groups and affected persons who must be notified under s95BA (2-3)?

- There are no affected customary rights groups or affected marine title groups in relation to this proposal.
  - The proposed activity is not on or affect land is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11. The adjoining land to the west is part of the Ashburton River (Hakaterere) area however these proposed roading works are separated by over 100 metres from the riverbed and on the landward side of the stopbank.
131. Step 2 - Does the application fall within the criteria where limited notification is precluded under s95B (6)?
- No. The application is not for an activity subject to a rule that precludes limited notification.
  - The application is not for either or both the following activities, but for other activities:
  - The activity is not for a controlled activity,
  - The activity is not for a prescribed activity.
132. Step 3 – Does the application fall within the criteria for other affected persons to be notified under s95B (7-8) and s95E?
- The above assessment of environmental effects concludes the proposal will have less than minor adverse effects. Therefore, there are no persons who should be notified albeit the property owners at 22 Melrose Road and other property owners along Melrose Road will be made aware of this proposal however ultimately a better level of roading formation is achieved.
133. Step 4 – Are there any special circumstances under s95B (10) which requires limited notification?
- There are no special circumstances that would warrant the limited notification to any other persons not already deemed to be affected parties (excluding persons assessed under s95E as not being affected persons).
134. Based, on the above, and the preceding assessment of effects any adverse effects on the environment are less than minor and as such, no parties are adversely affected by the proposal. It is considered that the application need not be limited notified in accordance with Section 95B of the RMA.
135. Although the proposal will introduce a non-complying activity when assessed against the Ashburton District Plan, it is considered that the impact is of low potential and will create less than minor effects. Accordingly, this application can be processed by non-notification.

## **CONCLUSION**

136. This application seeks consent for the subdivision of Lot 2 DP 382372 at 21 Melrose Road, as shown on the scheme plan included with this application. The proposed subdivision will result in one additional smaller rural lot being created for the purpose of use for roading connection.
137. Section 104 of the Act sets out the matters to be considered when assessing an application for resource consent. These matters require consideration of any actual and potential effects on the environment arising from the proposal, together with an assessment as to whether the proposal is consistent with the relevant objectives, policies, and rules of the Operative Ashburton District Plan.
138. It has been demonstrated by the preceding assessment that the effects on the environment because of this proposal will be minor. The relevant provisions of Part II of the Resource Management Act 1991 have been satisfied and it is considered that the proposed development is consistent with the purpose of the Act by promoting the sustainable management of natural and physical resources, with no more than minor environmental effects.
139. The proposal is consistent with the sustainable management of Ashburton Council's natural and physical resources and is in accordance with the purposes and principles of the Resource Management Act 1991. It is therefore requested that consent be granted for this application.

## **ANNEXURE A: RECORD OF TITLE**

# Quickmap Title Details



Information last updated as at 26-Nov-2023

## RECORD OF TITLE DERIVED FROM LAND INFORMATION NEW ZEALAND FREEHOLD

**Identifier** 329320

**Land Registration District** Canterbury

**Date Issued** 12 June 2007

### Prior References

CB38C/1080

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**Type** Fee Simple  
**Area** 9.2875 hectares more or less  
**Legal Description** Lot 2 Deposited Plan 382372

### Registered

#### Owners

The Allenton Rugby Football Club (Incorporated)

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Subject to a right of way over part marked A on DP 382372 specified in Easement Certificate A204542.7 - 13.11.1995 at 11:41 am

The easements specified in Easement Certificate A204542.7 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey electric power over part marked B on DP 382372 in favour of Electricity Ashburton Limited created by Transfer 5042038.1 - 16.5.2001 at 9:00 am

Subject to a right (in gross) for river control and protection purposes over part marked A,B,C on DP 382372 in favour of Canterbury Regional Council created by Transfer 6724321.1 - 20.1.2006 at 9:00 am

9189903.2 Mortgage to Nelson Building Society - 1.10.2012 at 2:12 pm

Subject to a right to drain water and a slope and batter easement over part marked X on DP433407 created by Easement Instrument 9418109.8 - 6.6.2013 at 11:34 am

## **ANNEXURE B: SUBDIVISION SCHEME PLAN**





**Notes:**

Owners: The Allenton Rugby Football Club (Incorporated)

Address: 21 Melrose Road, Allenton, Ashburton

Appellation: Lot 2 DP 382372

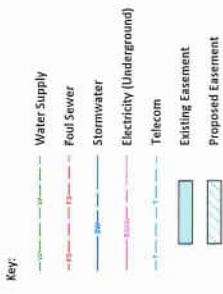
RT Reference: 329320

Total Area: 9.2875 ha

Applicant: Ashburton Riverside Development Limited

c/- Ben Shearer

- All dimensions in metres unless shown otherwise;
- Existing boundaries adopted from LINZ online database;
- Aerial Photography: Sourced from LINZ Database <https://data.linz.govt.nz/layer/111403-ashburton-0075m-urban-aerial-photos-2021-2022/> under Creative Commons Attribution 4.0 International;
- This plan is in terms of NZGD2000 Gaurier Circuit;
- This plan has been prepared for the sole purpose of obtaining subdivision consent pursuant to Section 88 of the Resource Management Act 1991;
- Use of this plan for other purposes or its reproduction in part or full is not permitted without the prior consent of Davis Ogilvie (Koraki) Ltd;
- A full assessment of easements will be undertaken prior to final survey and subsequent to proposed servicing and engineering requirements;
- All dimensions and areas are subject to final legal survey;
- Services are sourced from Canterbury Maps and are indicative only;



Schedule of Proposed Easements			
Purpose	Shown	Servient Tenament	Dominant Tenament
Right of Way	D	Lot 2	Lot 1

Schedule of Existing Easements			
Purpose	Shown	Servient Tenament	Document
Right of Way	A	Lot 2	EC A204542.7
	AB	Lot 1	
Right to Convey Electric Power	B	Lot 2	T.5042038.1
	Lot 1 and 2	Lot 1 and 2	T.6724321.1
River Control and Protection	X	Lot 1	E.I.9418109.8

**FOR DISCUSSION ONLY**

Scale: 1:1000

Drawn: 01/23

Checked: 30/01/19

PL01 A

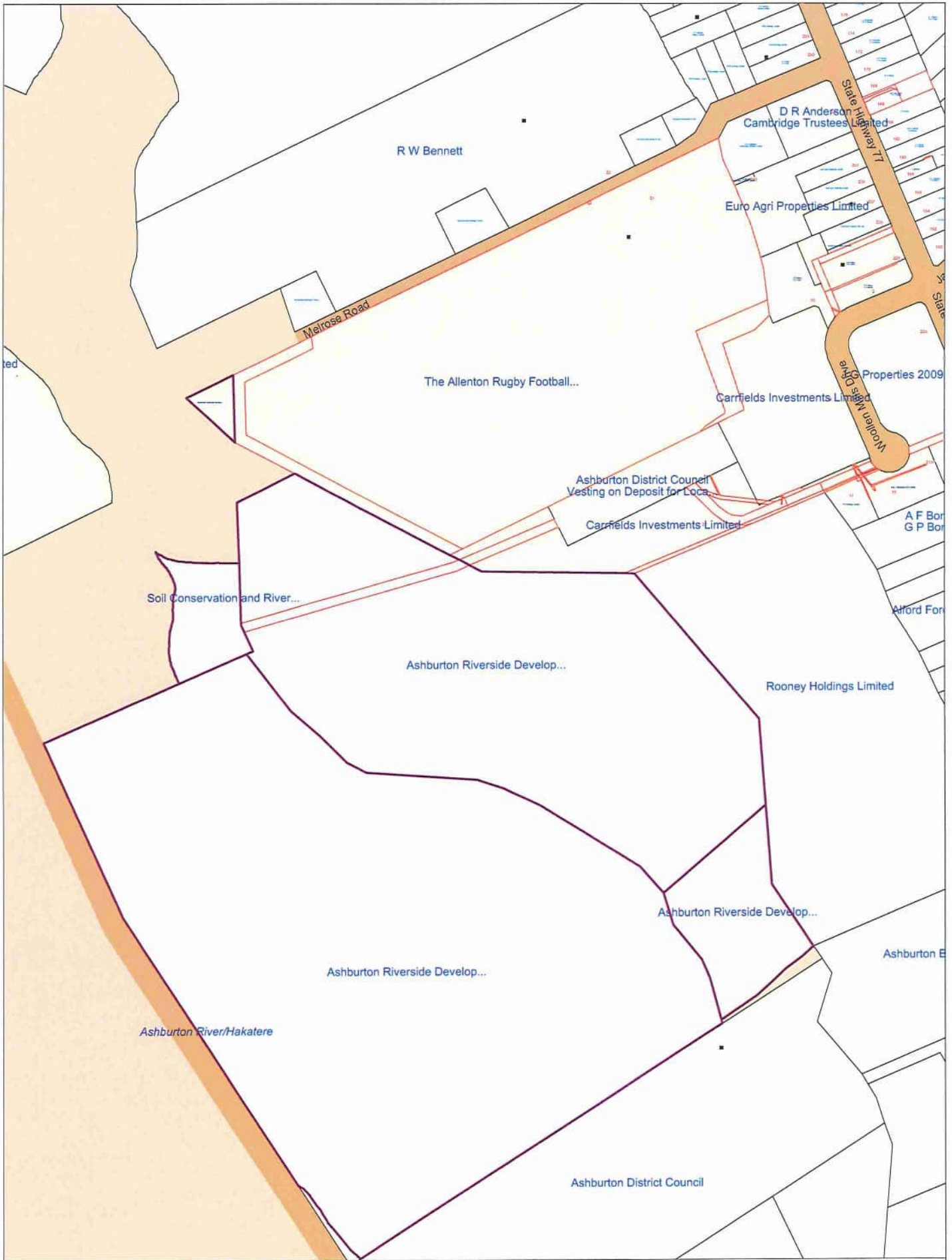


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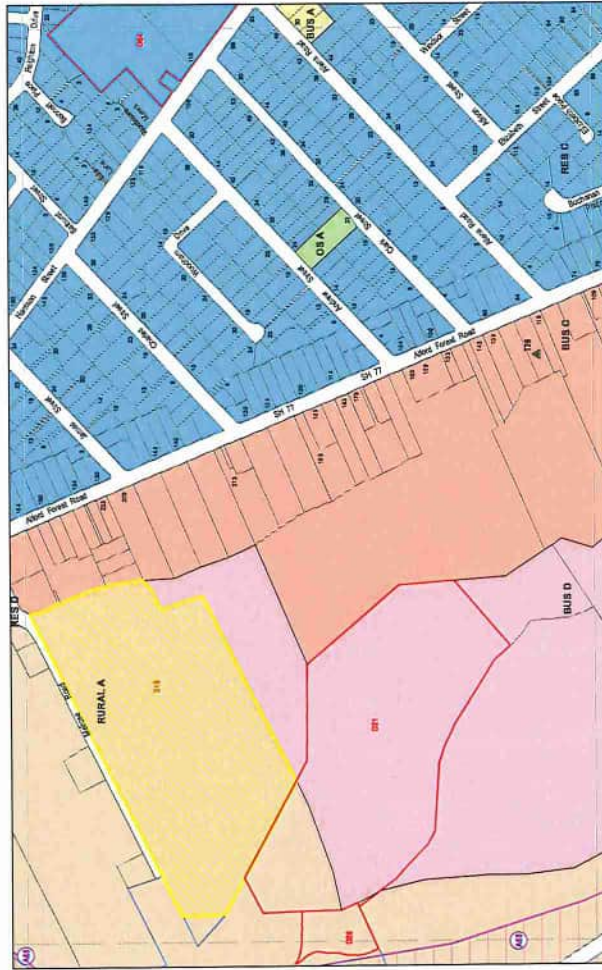
0 50 100 Metres

Diagram A  
Scale 1:250

## **ANNEXURE C: LOCATION PLAN**



**ANNEXURE D: PLANNING MAP U40**



**Ashburton District Plan** Ashburton Scale 1:5,000 (A4)

0 0.05 0.1 0.2 0.3 km

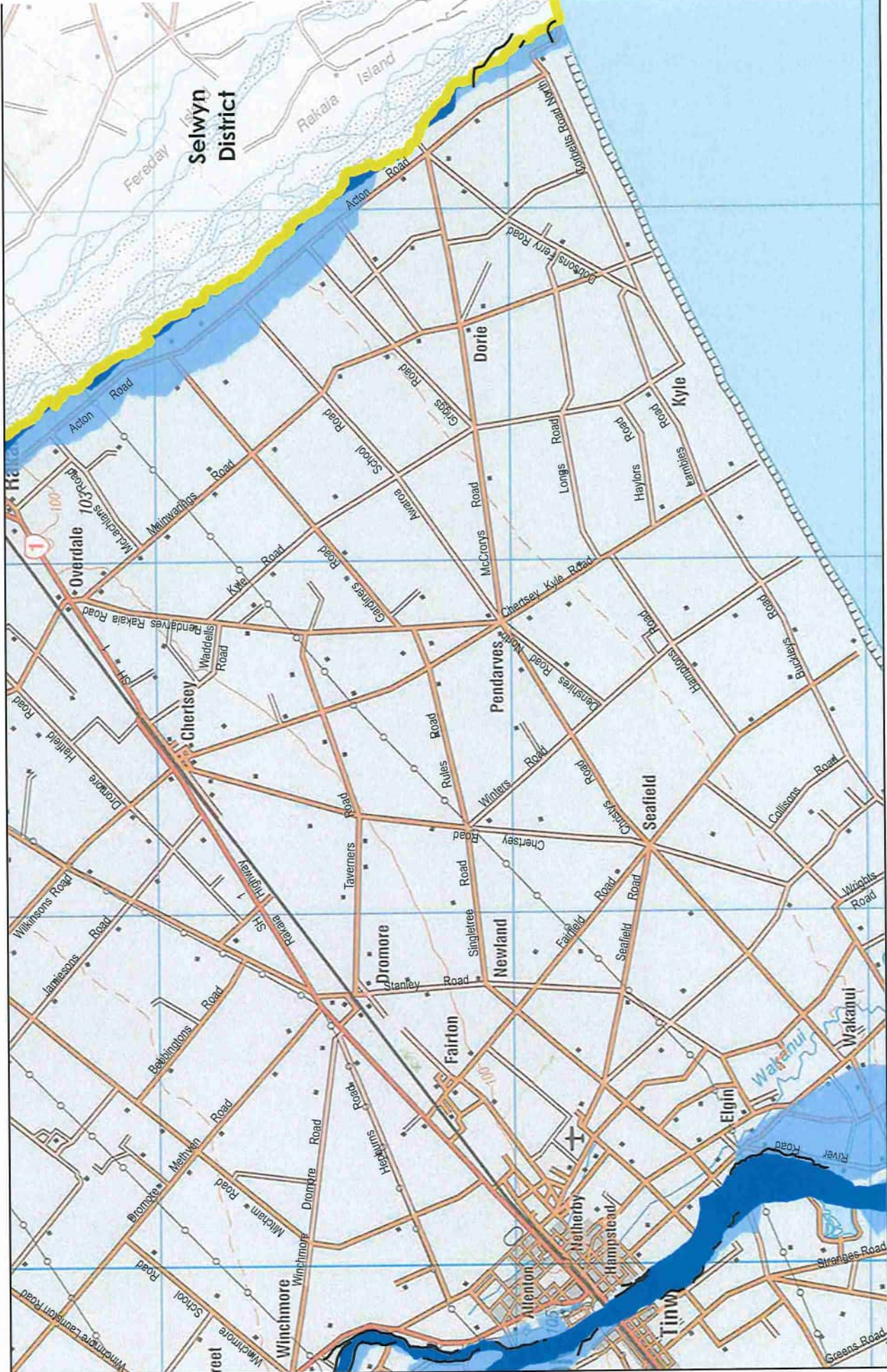
**Ashburton** DISTRICT COUNCIL

**Map U40** 25-Aug-14

U40  
 U41  
 U42  
 U43  
 U44  
 U45  
 U46

R05  
 Street Index  
 Rural Index  
 Urban Index  
 Legend

## **ANNEXURE E: FLOOD MAP F05**



**Ashburton District Plan Floodable Areas**  
 Refer to Floodable Areas Map Index for Disclaimer

-  Stop Bank
-  Flood Risk
-  River Channel
-  District Boundary



## **ANNEXURE F: LLUR**





Customer Services  
P. 03 353 9007 or 0800 324 636

PO Box 345  
Christchurch 8140

P. 03 365 3828  
F. 03 365 3194  
E. [ecinfo@ecan.govt.nz](mailto:ecinfo@ecan.govt.nz)

[www.ecan.govt.nz](http://www.ecan.govt.nz)

Dear Sir/Madam

Thank you for submitting your property enquiry from our Listed Land Use Register (LLUR). The LLUR holds information about sites that have been used or are currently used for activities which have the potential to cause contamination.

The LLUR statement shows the land parcel(s) you enquired about and provides information regarding any potential LLUR sites within a specified radius.

Please note that if a property is not currently registered on the LLUR, it does not mean that an activity with the potential to cause contamination has never occurred, or is not currently occurring there. The LLUR database is not complete, and new sites are regularly being added as we receive information and conduct our own investigations into current and historic land uses.

The LLUR only contains information held by Environment Canterbury in relation to contaminated or potentially contaminated land; additional relevant information may be held in other files (for example consent and enforcement files).

Please contact Environment Canterbury if you wish to discuss the contents of this property statement.

Yours sincerely

**Contaminated Sites Team**

# Property Statement from the Listed Land Use Register

Visit [ecan.govt.nz/HAIL](http://ecan.govt.nz/HAIL) for more information or  
contact Customer Services at [ecan.govt.nz/contact/](http://ecan.govt.nz/contact/) and quote ENQ362006

Date generated: 01 December 2023  
Land parcels: Lot 2 DP 382372



The information presented in this map is specific to the property you have selected. Information on nearby properties may not be shown on this map, even if the property is visible.

## Sites at a glance

 Sites within enquiry area

There are no sites associated with the area of enquiry.

## More detail about the sites

There are no sites associated with the area of enquiry.

## Disclaimer

The enclosed information is derived from Environment Canterbury's Listed Land Use Register and is made available to you under the Local Government Official Information and Meetings Act 1987.

The information contained in this report reflects the current records held by Environment Canterbury regarding the activities undertaken on the site, its possible contamination and based on that information, the categorisation of the site. Environment Canterbury has not verified the

accuracy or completeness of this information. It is released only as a copy of Environment Canterbury's records and is not intended to provide a full, complete or totally accurate assessment of the site. It is provided on the basis that Environment Canterbury makes no warranty or representation regarding the reliability, accuracy or completeness of the information provided or the level of contamination (if any) at the relevant site or that the site is suitable or otherwise for any particular purpose. Environment Canterbury accepts no responsibility for any loss, cost, damage or expense any person may incur as a result of the use, reference to or reliance on the information contained in this report.

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## **ANNEXURE G: EA NETWORKS CONSULTATION**

## David Harford

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**From:** Chris Cunneen <ccunneen@eanetworks.co.nz>  
**Sent:** Wednesday, 22 November 2023 12:45 pm  
**To:** David Harford  
**Cc:** Martin Hickman  
**Subject:** RE: Proposed Subdivisions - Melrose Road/Allenton Rugby Football Club and Business D zone  
**Attachments:** ME0137.pdf

Hi David

Easement B is for a 2.5m x 2.5m substation easement which has never been established. The easement may have been secured for future development but is currently not required. It could be relinquished if a site elsewhere could be secured.

The concrete block building contains the main switchboard for the Allenton Rugby Club and is not owned by EA Networks.

The pillar/link box in front of the building could be relocated.

EA Networks will be able to provide power connections to all lots of the proposed subdivision. EA Networks does not currently have fibre in that area.

Regards

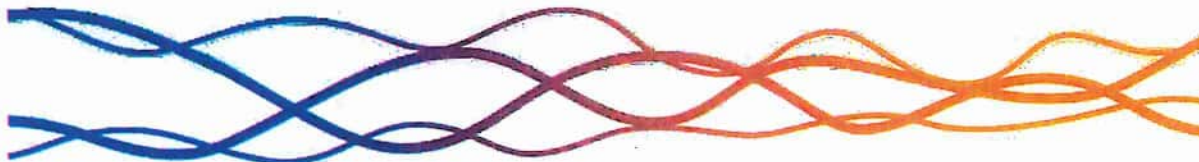
**Chris Cunneen**  
Underground Manager

D 03 307 9841  
M 027 274 3441

22 JB Cullen Drive, Ashburton Business Estate  
Ashburton 7700, New Zealand



[www.eanetworks.co.nz](http://www.eanetworks.co.nz)



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**From:** David Harford <david@dhconsulting.co.nz>  
**Sent:** Tuesday, November 21, 2023 8:48 PM  
**To:** Chris Cunneen <ccunneen@eanetworks.co.nz>  
**Subject:** Proposed Subdivisions - Melrose Road/Allenton Rugby Football Club and Business D zone

Hello Chris

Applications for land use and subdivision consents are being lodged for the attached subdivision scheme plan.

Firstly, a two lot subdivision of the Allenton Rugby football club is being undertaken to enable a road widening of Melrose Road to provide suitable road connection to the Business D zoned land as shown on the attached plans.

Part of the road widening includes a request for the repositioning of the electricity building within the Allenton Rugby Club (shown as existing easement B).

The other key aspect is the ability for electricity and fibre to serve the proposed subdivision of the Industrial land.

Kind Regards

David Harford  
David Harford Consulting Ltd  
Resource Management Planning  
Aon House  
2 Queens Drive  
PO Box 603  
ASHBURTON 7700  
PH 03 3077 164  
MOB:029 3077 164  
Email:[david@dhconsulting.co.nz](mailto:david@dhconsulting.co.nz)  
[www.dhconsulting.co.nz](http://www.dhconsulting.co.nz)



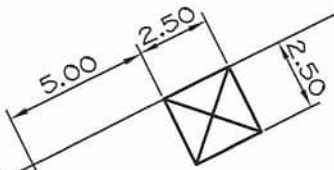


MELROSE ROAD

LOT 1  
DP 888

A.F.C.  
SWITCHBOARD  
BUILDING

PROPOSED SUBSTATION SITE



20  
15  
10  
5  
0  
1:1

100  
90  
80  
70  
60  
50  
40  
30  
20  
10  
0  
1:5

<b>PROPOSED SUBSTATION SITE</b> <b>Melrose Rd 25 SUBSTATION</b> <b>25 MELROSE ROAD ASHBURTON</b>	FILE NO	ME0137	DWG NO	<b>ME0137</b>	
	DESIGNED	CCD	01:05:2000	SIZE	SHEET
	DRAWN	GTT	01:05:2000	A4	1 OF 1
	CHECKED	CCK	01:05:2000		
	RECOM'D	CCD	01:05:2000		
SCALE 1:250 AT A4 DO NOT SCALE OFF DRAWING			APPROVED	KF	02:05:2000
			AMENDED		

## **ANNEXURE H: ECAN CONSULTATION**



## David Harford

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**From:** Oliver Hermans <Oliver.Hermans@ecan.govt.nz>  
**Sent:** Friday, 24 November 2023 8:59 am  
**To:** David Harford  
**Subject:** 23207: Ashburton Riverside Developments Ltd- Business D zone and Melrose Road redevelopment  
**Attachments:** Aerial.jpg; Topo.jpg

Hi David,

See the following:

- The property is located on the southeast side of Melrose Road, 110 metres from the intersection with Alford Forest Road and 148 metres from the Ashburton River. The property is best described as flat. The property is located on land that forms part of the Ashburton River floodplain and is protected by the Ashburton Scheme Stop banks which are located roughly 50 metres from the property boundary.
- The stopbanks are designed and built to protect Ashburton from floods up to and including the 200-year Average Recurrence Interval (ARI) flood. In floods larger than this or in circumstances where the stopbanks are breached as a result of lateral erosion, breakouts onto the floodplain where this property is located may occur. Depths on the property in such an event would be heavily dependent on the nature, location and scale of the breach.

Note: Average Recurrence Interval (ARI) represents the average time period between floods of a certain size.

- The only other source of potential flooding is a result of stormwater runoff following periods of very heavy or prolonged rainfall, though Environment Canterbury has no specific information regarding this.
- Overall flood risk to the property is low.

When considering the figures and comments given above, it is important you understand the following matters:

1. The information provided is the best information Environment Canterbury has available at this time. Flood depths, flows and return periods may change as further investigations into flooding in this area are completed.
2. Environment Canterbury is not the only organisation holding information on flooding. The Ashburton District Council or neighbours may have further details of flooding which has occurred at this property.
3. Environment Canterbury has collected flood information for the Ashburton River since 1967. When information has been collected and analysed for a longer period the estimated flows for given return periods may change.
4. This assessment assumes that river control works are maintained at least in their present standard in the future.
5. Many uncontrollable factors influence flooding. The prediction of flood depths requires many assumptions and is not an exact science.

I hope this information is of assistance. Please do not hesitate to contact me if you require any clarification.

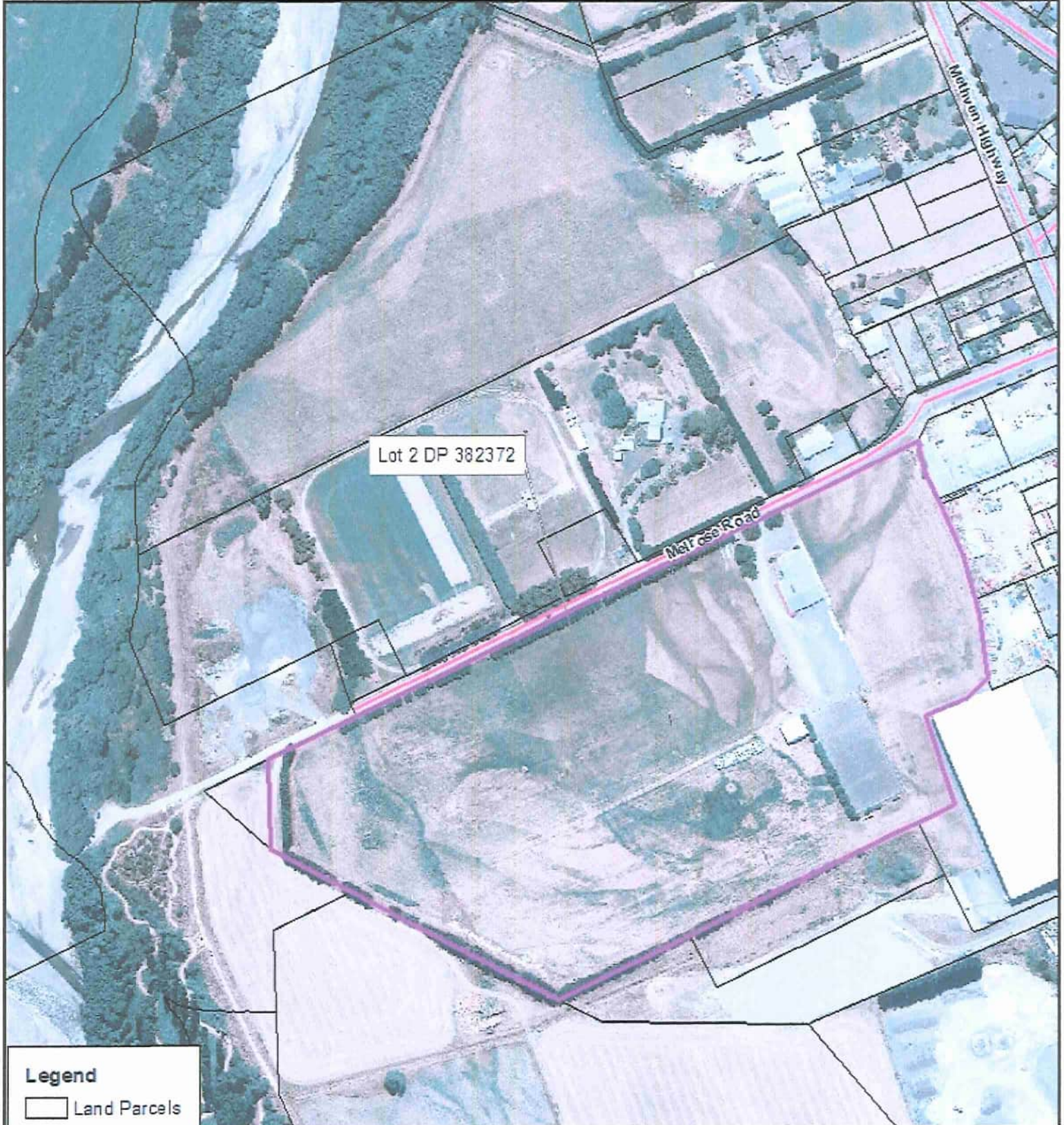
Yours sincerely,

Oliver Hermans

**From:** David Harford <david@dhconsulting.co.nz>  
**Sent:** Monday, November 20, 2023 12:20 PM  
**To:** Oliver Hermans <Oliver.Hermans@ecan.govt.nz>; Chris Fauth <Christopher.Fauth@ecan.govt.nz>  
**Subject:** FW: Ashburton Riverside Developments Ltd- Business D zone and Melrose Road redevelopment



0 25 50 100 150 200  
Meters



Lot 2 DP 382372

Melrose Road

Melton Highway

**Legend**

 Land Parcels