

24 June 2024

Inovo Projects
PO Box 7069
Sydenham
CHRISTCHURCH 8240

Dear Sir/Madam

RESOURCE CONSENT APPLICATION – ADVICE OF DECISION

Applicant:	Kainga Ora Homes and Communities
Reference:	LUC23/0103
Site location:	7 Church Street ASHBURTON
Legal description:	Lot 1 DP 16102
Description of application:	Land use consent at 7, 9, 11, 13, 15 Church Street to address the non-compliances associated with the proposed construction of thirteen residential units in Residential C zone, and consent under the NES Contaminated Soil.
Zoning:	Residential C
Status of activity:	Land Use Restricted Discretionary

This application was lodged and formally received with the Ashburton District Council on 18 October 2023.

Following an assessment of your resource consent application under the Resource Management Act 1991 (RMA) and with reference to the Ashburton District Plan a decision has been made under delegated authority to grant your application with conditions.

For your reference a copy of the section 42A report and Council's decision is attached. It outlines the basis for the decision and any associated conditions. A copy of the decision has been forwarded to every person who made a submission. No hearing was held as the applicant did not request a hearing and no submitters wished to be heard.

ASHBURTON DISTRICT COUNCIL

5 Baring Square West
Ashburton

PO Box 94
Ashburton 7740

P (03) 307 7700
E info@adc.govt.nz

www.ashburtondc.govt.nz

If you are the applicant or a submitter, and you disagree with the decision, or parts of it, you can file an appeal with the Environment Court within 15 working days of receiving this decision.

Objections under section 357 of the Resource Management Act 1991 should be addressed to the Planning Manager, Ashburton District Council - within 15 working days of the receipt of the decision. Any objection to additional charges relating to the processing of the application, made under section 357B, shall be made in writing to council (the last mentioned address) within 15 working days of receipt of the invoice.

The applicant and/or any submitter may appeal the council decision under section 120 of the Resource Management Act 1991 to the Environment Court. If an appeal is lodged, any person who made a submission on the application may become a party to the proceedings by lodging a notice under section 274 of the Resource Management Act 1991. The information on objections and appeals in this letter is provided as a guide only and does not constitute legal advice. Information on the appeal process can be found on the Environment Court website www.justice.govt.nz/courts/environment-court.

A copy of the appeal must be served on the council (PO Box 94 Ashburton 74) within 15 working days of the receipt of the decision and on all submitters within 5 working days of lodging the appeal with the Environment Court. Information on the appeal process can be found on the Environment Court website www.justice.govt.nz/courts/environment-court.

Decision

That under Sections 104, 104C, and 108 of the Resource Management Act, consent is **granted** to the Restricted Discretionary activity application by Kainga Ora Homes and Communities to authorise resource consent at 7, 9, 11, 13, & 15 Church Street, Ashburton being Lot 1 DP 16102 Lot 2 DP 16102 Lot 3 DP 16102 Lot 4 DP 16102, Consent Number - LUC23/0103.

The reasons for this decision are as follows:

- Section 104(1)(a) Overall, and on balance, actual/potential effects on the environment will be adverse to a less than minor extent.
- Section 104(1)(b) Overall, the activity is broadly consistent with the relevant objectives and policies in the Ashburton District Plan.
- Section 104(c) No other matters are considered necessary to determine the application.
- Section 104(3)(d) Section 95 A-F assessment concluded that limited-notification is justifiable for determining consent.
- Part II Given the conclusions reached under s104, the proposal is considered to meet the principles and provisions of Part II of the RMA, and to achieve the purpose of the Act.

Conditions

Under section 108 of the Resource Management Act 1991, this consent is subject to the following conditions:

General

1. The activity shall be carried out in accordance with the application held on Council file LUC23/0103 and the approved plans stamped LUC23/0103 including:
 - Assessment of Environmental Effects prepared by Inovo Projects dated 18 October 2023 and supplementary AEE dated 26 May 2024;
 - Architectural Plans labelled “HDS-7-15 Church Street, Ashburton – AR109524” Sheets 00.00, 11.01, 11.02, 11.03, 11.04, and 16.02, Rev No 0 dated 31/08/23 and Sheet 16.01, Rev No A dated 26/04/24;
 - Landscape Plans Sheet RC-LD-1001 Landscape Masterplan Rev B, Sheet RC-LD-1002 Landscape Plan Rev A, Sheet RC-LD-1003 Landscape Plan Rev B, Sheet RC-LD-1301 Fencing Plan Rev A, Sheet RC-LD-1302 Fencing Plan Rev A, Sheet RC-LD-1701 Specimen Tree and Planting Palette Rev B, and Sheet RC-LD-1702 Specimen Tree and Planting Palette Rev B;
 - Outdoor Living Area Supporting Document Sheet 1-31.03 Rev A dated 11/08/23;
 - Preliminary Site Investigation/Detailed Site Investigation Report prepared by Tonkin & Taylor Ltd dated October 2023; and
 - Work Instruction Report prepared by Tonkin & Taylor Ltd dated October 2023 and volunteered conditions in further information response dated 30 November 2023.

Water

2. All units shall be provided with a water supply connection to a Council reticulated water supply laid to 600 mm inside the net area of the allotment. Each lateral shall be fitted with a water manifold and smart meter in accordance to Council' standards and Policies. Water manifold shall be installed in the road reserve only. Existing meters that are re-used must be upgraded to smart meters. Existing connections that are not being used must be cut and capped at the main.

Sewer

3. All units shall be provided with a piped gravity sewage outfall for disposing of sanitary sewage to Council reticulated sewer system, laid at least 600mm into the net area of the allotment. All existing connections not being used must be cut and capped at the main.
4. Where sewer mains (size 150 mm and above) are required in rights of way, easements in gross in favour of Council shall be provided.

Existing vehicle crossings

5. Where existing vehicle crossings are not being re-used, they shall be decommissioned, and the berm and kerb & channel shall be reinstated to match the existing.

Shared driveway

6. The shared driveway shall be formed to an all-weather standard, to the design standards shown on the approved plan.

Vehicle crossing

7. The vehicle crossings for the shared driveways shall be formed and sealed in accordance with the Council's standards and policies in the locations shown on the approved plan.

Engineering Approval

8. Engineering plans and specifications of all works, including water, water races, irrigation, sewer, Roading, Stormwater and landscaping, shall be submitted to the Council for approval. Engineering approval of complying documents shall be given in writing and work shall not commence until this has been received from the Council. Any subsequent amendments to the plans and specifications shall be submitted to Council for approval.
9. The consent holder shall forward with the engineering plans and specifications, copies of any other consents required and granted in respect of this subdivision, including any certificate of compliance or consent required by Canterbury Regional Council.
10. All work shall comply with the conditions set out in the Engineering Approval and be constructed in accordance with the approved engineering plans.
11. All work shall comply with ADC's Standard Specifications, except as agreed in the Engineering Approval.

Landscaping

12. Planting and fencing shall be established and maintained as per the approved Landscape Plans and shall be completed within 6 months of first occupancy. Any dead or dying plants shall be replaced within the next planting season.

Surveyor's Certificate

13. A surveyor's certificate confirming that Houses 10-11 and 12-13 comply with the permitted height standard and that House 1 complies with the permitted recession line standard at the west boundary, shall be provided to the Planning Manager, Ashburton District Council, prior to occupation of the units.

Contaminated Soil

14. The redevelopment earthworks shall be undertaken in accordance with the controls and procedures detailed in Tonkin & Taylor Ltd's Work Instruction 7-15 Church Street, Ashburton (WI) dated October 2023, reference 1018898.2000 v3.
15. After the demolition of the existing dwellings and sheds on site, the soils within the existing dwelling footprint shall be inspected and cleared by a Competent Person as defined in the Health and Safety at Work (Asbestos) Regulations 2016 (Regulation 41(3)) prior to soil disturbance in these areas. This shall include observation for the presence of (potential) asbestos containing materials (PACM) in surficial soils post demolition of the structures. If PACMs are observed, an additional asbestos in soil investigation shall be carried out including sampling and laboratory analysis, data assessment commensurate to the procedures reported in the PSI/DSI, and an updated Preliminary Site Investigation/Detailed Site Investigation (PSI/DSI) Report Tonkin & Taylor Ltd, October 2023 (reference 1018898.2000 v2) prepared.
16. The additional asbestos in soil investigation shall be undertaken and reported by a suitably qualified and experienced practitioner (SQEP) with respect to contaminated land.
17. The updated PSI/DSI (per Condition 15) shall be provided to Ashburton District Council within 10 working days of receiving the final laboratory results.

18. Subject to the updated PSI/DSI findings (re. Condition 17), the WI shall be updated to incorporate requisite controls and procedures to manage the ground contamination conditions encountered. The updated WI shall be provided to Ashburton District Council at the same time as the updated PSI/DSI (re. Condition 17).
19. A ground contamination work completion report shall be prepared and supplied to the Ashburton District Council, and a copy sent to the Contaminated Land team at the Canterbury Regional Council, within three months of completing the project's earthwork. This document shall record the quantity and destination of the soils disposed offsite, summarise any ground contamination related environmental, and/or health and safety incidents, and summarise the post-earthwork ground contamination conditions.

Notification of works

20. At least 10 days prior to commencing works on site the consent holder shall give notice to adjoining landowners of the intended start date and duration of works and provide contact details for the site manager or suitable contact person.

Advice Notes

- 1) Pursuant to section 125 of the Resource Management Act 1991, if not given effect to, this resource consent shall lapse five years after the date of this decision unless a longer period is specified by the Council upon application under Section 125 of the Act.
- 2) Please read the conditions of this resource consent carefully and make sure that you understand all the conditions that have been imposed before commencing the development.
- 3) This consent does not constitute authority to build or undertake private drainage works and it may be necessary for you to apply for a Project Information Memorandum and Building Consent if you have not already done so.
- 4) There is no public Stormwater network available to serve this property. Stormwater from this property may not be directed to the kerb and channel/road side drainage. Stormwater must be disposed on site to the satisfaction of Ecan.
- 5) The Council has adopted New Zealand Standard 4404:2010 Land Development and Subdivision Engineering for all water services, Roading works and documents requirements, unless otherwise mentioned. Compliance with this standard will be treated as a minimum by the Council.
- 6) Checklist of Documents Required Upon Completion of Engineering Work
 - Provide As-Built Plans as stated in Schedule 10 (Hard Copy and dxf files
 - o Stormwater, Wastewater and Water reticulations layout plans
 - o Roads layout with road names and location of street lights. This plan is to include the road cross sections showing dimensions of roads constructed
 - o Earthwork plan where Engineering filling (soil replacement) has taken place
 - o Table of pipe characters, size, material, class and joint type
 - o Coordinates of manholes, inverts of manholes and pipes and lid levels for SW & SS. This is to be on the As Built plans.
 - o Coordinates and location of hydrants, valves, fees, bends, reducers and any special feature such as water stop for Water and SS if pressurised. This is to be on the As Built plans.
 - o Laterals and tobies are to be referenced to boundary pegs by distance
 - o List of the lots water meters, Serial and Radio Numbers

- o Notate the Survey Bench Mark level and location that was referred to throughout progress
 - o Sewer laterals distance from downstream manholes
 - o Labelling of pipes and ducts (diameter, class, material and jointing type)
 - o Cross-sectional plan of any built structure such as pump station, interceptor, detention ponds, etc. Shows the real dimensions
 - o Two A1 hard copies of the plans and an electronic copy
 - o Manhole Inventory Form, listing the manhole co-ordinates, invert, dia, material, lid level and pipe branches inverts with a top plan indicating branches pipes directions
- Provide a priced "Schedule of Items" as executed in the Subdivision (Council Template - as supplied)
 - Provide a RAMM Spreadsheet to be filled out (Council Template - as supplied)
 - Issue a GST Invoice with the value of the provided Schedule of Assets
 - Provide a Completion certificate from the Contractor, Schedule 1B
 - Provide a Completion certificate from the Professional Supervision Services Provider, Schedule 1C
 - Provide a Statement of Professional Opinion on suitability of Land for Building Construction, Schedule 2A
 - Provide operation, maintenance manuals, warranties and electrical diagrams of all mechanical and electrical facilities are to be handed (if required)
 - Provide Compliance Certificate(s) from ECAN if Permit(s) were issued for a Stormwater Management Plan for the Subdivision
 - Provide a Geotechnical completion report and As-Built drawings for earthworks and subsoil drains
 - Provide Statements from all network utility operators such as Ashburton Electricity, Telecom, etc. that work is done according to their standards
- 7) The standard domestic water connection sizes are:
- 15mm internal diameter for front lot dwellings; and
 - 20mm internal diameter for rear lot dwellings.
- 8) The standard domestic sewer connection sizes are:
- 100mm for a single residential dwelling; and
 - 150mm for more than one residential dwelling.
- 9) If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application you have the right of objection under sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to Council within 15 working days of notification of the decision.
- 10) The consent holder is requested to notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencement. Such notification should be sent to info@adc.govt.nz and include the following details:
- i. Name and telephone number of the project manager and the site owner;
 - ii. Site address to which the consent relates;
 - iii. Activity to which the consent relates; and
 - iv. Expected duration of works
- 11) The consent holder is requested to notify Council, in writing, once they have completed the works authorised by this resource consent. Such notification should be sent to info@adc.govt.nz including the following details:
- i. Resource consent number
 - ii. Site address to which the consent relates

- iii. Statement outlining how the applicant has complied with each of the conditions

Yours faithfully,

A handwritten signature in blue ink that reads "J. Donaldson". The signature is written in a cursive style with a large initial "J".

Jane Donaldson

Group Manager Compliance & Development