



PLANNING REPORT

PREPARED BY: Nicholas Law

DATE: 17 June 2024

SUBJECT: RESOURCE CONSENT APPLICATION LUC23/0103

Applicant's Name:	KAINGA ORA HOMES AND COMMUNITIES
Street Address:	7, 9, 11, 13, 15 Church Street ASHBURTON
Legal Description of Site:	Lot 1 DP 16102 Lot 2 DP 16102 Lot 3 DP 16102 Lot 4 DP 16102
Zone:	Residential C
Consent number:	LUC23/0103
Application summary:	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.
Status:	Restricted discretionary
Limited notification date:	Friday 8 March 2024
Submissions closed date:	Tuesday 9 April 2024
Number of submissions:	1 submission in opposition and wishing to be heard. Prior to a hearing being arranged, the submission was withdrawn and replaced with a written approval.

1.0 THE PROPOSAL, SITE AND LOCALITY

Refer to notification report.

1.2 Description of the proposal

Refer to notification report.

1.3 Description of site

Refer to notification report.

2.0 REASONS FOR THE APPLICATION

Resource consent/s is/are required under the provisions of the following District Plan and/or National Environmental Standards.

2.1 Ashburton Operative District Plan 2014

Refer to notification report.

2.2 National Environmental Standard (NES)

Refer to notification report.

2.3 Status of the application

Overall, the application is considered to be a restricted discretionary activity.

3.0 STATUTORY CONSIDERATIONS

Subject to Part 2 of the Act, when considering an application for resource consent the Council must, in accordance with section 104(1) of the Act, have regard to:

- Any actual and potential effects on the environment of allowing the activity;
- Any relevant provisions of national environmental standard, other regulations, national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement and a plan or proposed and, and
- Any other matter a council considers relevant and reasonably necessary to determine the application.

As a restricted discretionary activity, section 104C of the Act states that Council:

- (1) *... must consider only those matters which:*
 - (a) *a discretion is restricted in national environmental standards or other regulations*
 - (b) *it has restricted the exercise of its discretion in its plan or proposed plan*
- (2) *... may grant or refuse the application, and*
- (3) *However, if it grants the application, the consent authority may impose conditions under section 108 only for those matters which-*
 - (a) *a discretion is restricted in national environmental standards or other regulations;*
 - (b) *it has restricted the exercise of its discretion in its plan or proposed plan.*

The matters over which the Council has restricted discretion over in this case are set out in 4.11.1 (Residential density) and 10.10.4 (Vehicle crossings) of the District Plan and Regulation 10 of the NES Contaminated Soil. As such, only these matters are addressed below.

The applicant has volunteered to include servicing conditions with the land use consent to make the servicing requirements clear at the time of Building Consent in the absence of a subdivision consent.

4.0 NOTIFICATION

The attached Section 95A-95F assessment report recommended:

Limited-Notification

- The applicant has not requested public notification.
- Pursuant to section 95B of the RMA, this application must be processed with limited notification because there are adversely affected persons. Notice of the application shall be served on those persons who have been identified as being adversely affected (and who have not provided their written approval), as identified in Table 1.
- Special circumstances requiring public notification or notification to other persons do not exist.

Table 1: Potentially adversely affected persons identified in s95 assessment	
Person/Organisation & identifying features	Address for service
Owners and occupants of the dwellings at 2/17, 3/17, and 4/17 Church Street.	2/17, 3/17 and 4/17 Church Street.
Owners and occupants of the dwelling at 14A Oxford Street.	14A Oxford Street.
Owners and occupants of the dwelling at 12 Oxford Street.	12 Oxford Street.
Owners and occupants of the dwelling at 4/10 Oxford Street.	4/10 Oxford Street.

Pursuant to s 104(3)(a), when forming an opinion for the purposes of s 104(1)(a) a council must not have regard to any effect on a person who has given written approval to the proposal, nor any trade competition or effects of trade competition.

Prior to a hearing being arranged the applicant requested that the application was placed on s91D hold so they could liaise with the submitter. The Kāinga Ora communication team connected with the sole submitter being the neighbour at Flat 2, 17 Church Street – Dorothy Morris. As a result of this consultation the plans for the development were adapted and Dorothy Morris provided a signed written approval form. The written approval form was submitted by the applicant on the submitter's behalf on 17/05/24 together with signed amended plans, and the amended plans and updated AEE were submitted on 27/05/24.

Comment on the completeness of the written approval:

What is provided: The written approval form includes the address of the proposed activity, the full name address and contact details of the signatory (seems to match Ms Morris' handwriting from the submission form), the boxes "I have the authority to sign on behalf of all the other 'owners' and 'occupants'" have been ticked, all declarations have been ticked including the section "I understand that by giving my written approval, the Council when considering the application cannot take account of any actual or potential effects of the activity on my property", the form has been signed "D Morris" and dated 16 May 2024. The box labelled "please tick this box if there are other owners or occupiers of the property who are not represented on this form" has not been ticked, and the updated plans have been signed by D Morris.

What is not provided: The form is missing the applicants name, the consent number, a description of the proposed activity, a record of documents presented to the affected party, a description of what resource consent is being sought for, and the amended plans have not been dated by D Morris.

Explanation from applicant: I asked the applicant on receipt of the written approval: *"Thanks for the written approval. It's a shame that it's not completed on the front page. Is this able to be fixed or is there are reason why it hasn't been filled out? Ideally, there would also be advice from the submitter that they no longer wish to be heard, but I think written approval might cover it if needed"* to which the applicant replied: *"Just inexperience from the team connecting with the neighbour. It would be great if they didn't need to go back. I agree, difficult to convey how the process works."* The submitter is only contactable by phone or in person.

Consideration: D Morris was a submitter on the notified application. As part of being notified of the application were sent a complete copy of the application documents including the AEE, the plans, and the notification assessment report which identified the scope of the activity and the non-compliances under consideration. D Morris' submission in response the notification lists the application number and the applicant's name and comments on design aspects of the proposal. The written approval provided by D Morris includes signed amended plans that include the address of the activity and pictorially show the built form scope of the activity.

Conclusion on completeness of the written approval: The written approval from D Morris on behalf of all owners and occupants of the dwelling at Flat 2/17 Church Street can be treated as complete

for the above reasons. Pursuant to s 104(3)(a), **any effects on the owners and occupants of Flat 2/17 Church Street, including the submitter D Morris, have been disregarded** from assessment under s104(1)(a).

5.1.2 Requirement to hold a hearing

S100 of the RMA states the following:

Hearings

100 Obligation to hold a hearing

A hearing need not be held in accordance with this Act in respect of an application for a resource consent unless—

- (a) the consent authority considers that a hearing is necessary; or
- (b) either the applicant or a person who made a submission in respect of that application has requested to be heard and has not subsequently advised that he or she does not wish to be heard.

Section 100: amended, on 1 August 2003, by [section 95](#) of the Resource Management Amendment Act 2003 (2003 No 23).

In this case the submitter D Morris has provided a written approval to the activity prior to a hearing being arranged. The written approval can be treated as advice to the Council that the submitter does not wish to be heard. The submitter has ticked the box on the written approval form that states “I understand that by giving my written approval, the Council when considering the application cannot take into account of any actual or potential effects of the activity on my property”. It is clear that this would apply to any matters previously raised in the submission, with the inference that those matters were sufficiently addressed in the amended plans. Further, it would be absurd to require a hearing to be held under s100 to hear from a submitter whose views/evidence cannot be taken into account due to the written approval and s104(3)(a) of the Act. I therefore consider that a hearing is not required under s100 of the RMA.

5.1.3 Amended Plans

Amended plans were submitted on 27/05/24 after the applicant had liaised with the submitter. These amended plans differ from the notified plans in the following ways:

- Relocated the fruit trees closer towards House 10, 11, 12 and 13.
- Replaced the specimen trees with small species and specified a root barrier toward eastern neighbours.
- Changed the second-floor windows of House 11 and 13 to ‘high level’ towards eastern neighbours.

The applicant provided an update to their AEE as follows:

“It is considered that increasing the separation distance of the fruit trees from the eastern neighbours and replacing the specimen trees with smaller species (with root barriers) will reduce the possibility of shading, leaves and roots interfering with the existing driveway and homes. The change of the second-floor windows to ‘high level’ windows on House 11 and 13 effectively limits the opportunities for overlooking towards the existing neighbours and combined with a setback of 8.6m to House 10, 11, 12 and 13 (unchanged), will maintain the expected privacy in the residential context.”

Overall, it is considered that the updated plans incorporate effective design changes to maintain expected residential amenity while enabling new warm and dry homes to be constructed in close proximity to local amenities, and services.”

Comment on scope:

I consider that the changes included in the amended plans are sufficiently in scope of the notification assessment for the application, and the application does not need to be re-submitted and re-assessed under s95 of the RMA.

I agree with the applicant that increasing the separation distance of the fruit trees from the eastern neighbours and replacing specimen trees with smaller species (with root barriers) will be within the ambit of the effects of the proposal that was notified, and the level of adverse effects on the environment and on persons, overall, is likely to be the same or lesser as a result of the change (due to reduced likelihood of overgrowing branches, shading and root interference balanced against the loss of opportunity to benefit from some larger varieties of specimen trees).

I agree with the applicant that changing the second-floor windows to ‘high level’ windows on Houses 11 and 13 will be within the ambit of the effects of the proposal that was notified, and the level of adverse effects on the environment and on persons is likely to be lesser as a result of the change (due to improved privacy).

The changes to the plans are demonstrated as follows:



- Property boundary
- Existing tree to be removed
- Proposed specimen tree
- Proposed fruit tree
- Proposed garden bed
- Lawn
- Existing Easement to remain
- Standard concrete, broom finish (U5), saw cuts as shown
- Exposed aggregate concrete with black oxide additive (8kg/m3), saw cuts as shown
- 200 x 100W Precast concrete paver threshold (ex. Firth Holland 80°, colour black sands). To be laid in a herringbone pattern
- 200 x 100mm L Precast concrete paver band (ex. Firth Holland 80°, colour black sands)
- No parking zone
- Austral 'Compact 3P' fold down washing line (or similar approved)
- Austral 'Compact' fold down washing line (or similar approved)
- Medium Garden Master Shed/ bike storage (1530W x 1080D x 1830Hmm), 'Grey Friars' colour
- Bin storage area
- Heat pump unit on concrete pad (by Architects)
- Single letterbox on post
- Letterbox bank
- Visibility splay - all fencing and planting to be max. 1.0m high in visibility splay
- Gate access - 0.95m wide - gate to match adjacent fencing
- Suburban Timber Wheelstop (ex. Street Furniture)
- Step location (by Architects)
- 2 x Step risers
- Ramp and handrails (by Architects)
- Revisions to RC 14.05.24

REV	DATE	BY	ISSUE
B	14.05.24	AZ	RESOURCE CONSENT
A	14.08.23	AZ	RESOURCE CONSENT

Kamo Marsh

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Design AZ	Date 04.09.23
Drawn AZ/DN	Scale 1:500@A3
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Figure 1: Proposed amended landscape plan

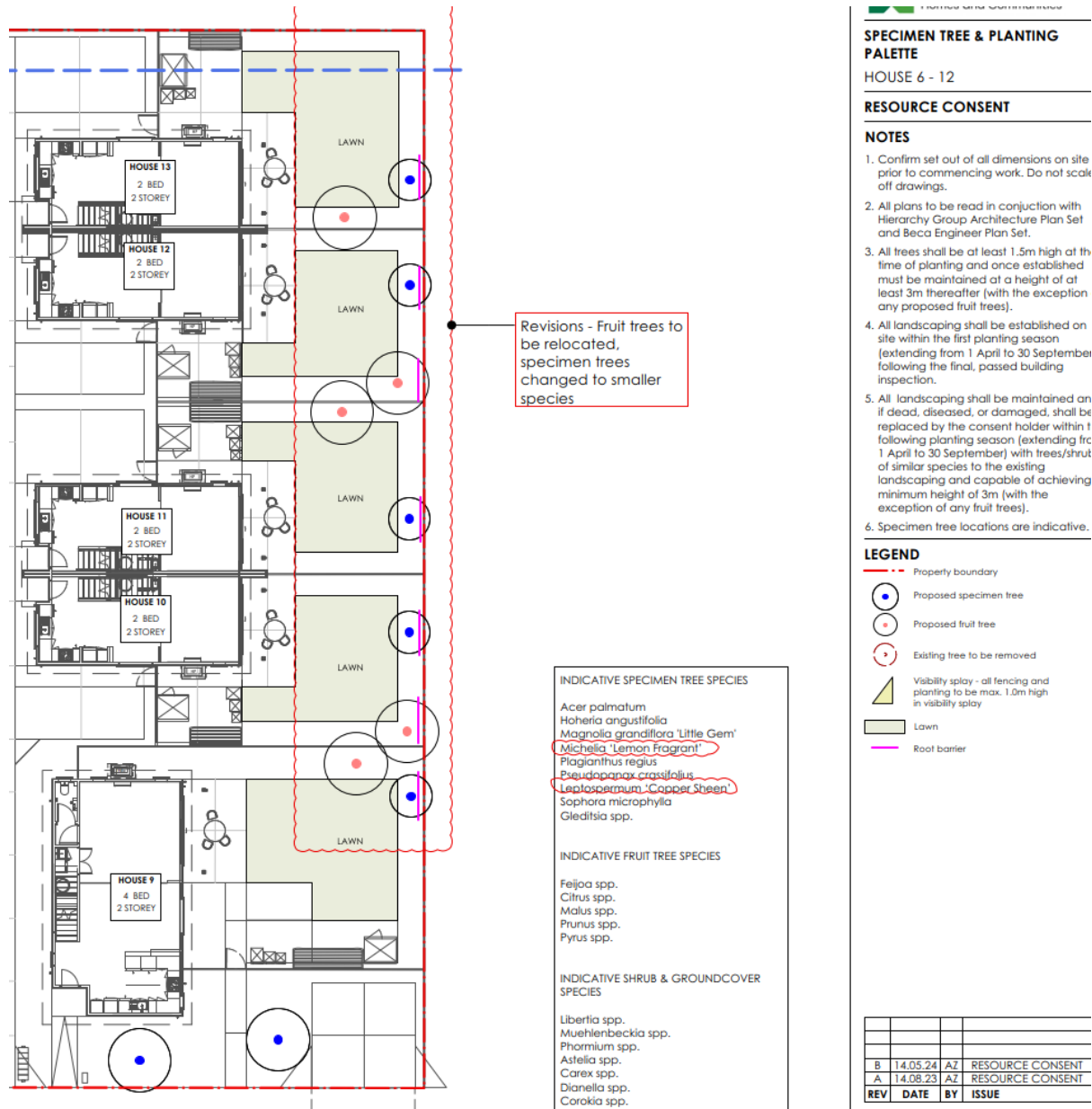


Figure 2: Proposed amended specimen tree & planting palette

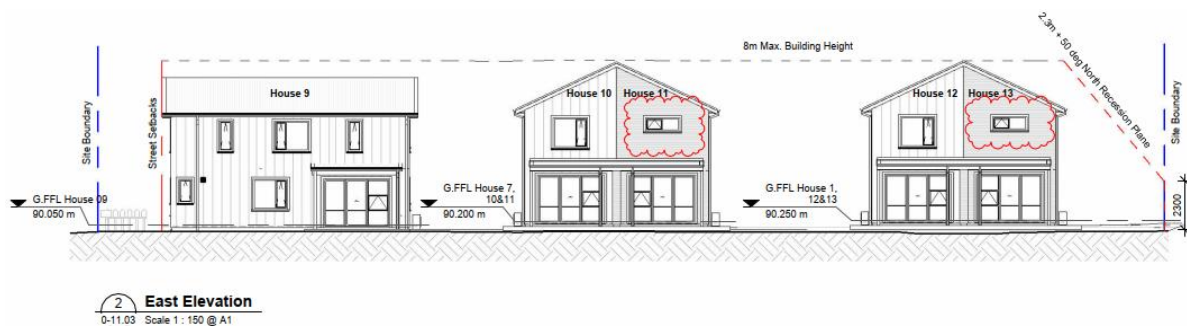


Figure 3: Proposed amended elevations Houses 11 and 13

5.1.4 Assessment under s104(1)(a)

The assessment of adverse effects in the notification report sections 3.0 and 4.0 undertaken for the purpose of notification concluded that adverse effects on the environment were less than minor, and adverse effects on persons identified were minor, and adverse effects on all other persons were less than minor. It is considered that this assessment is also largely relevant for the purposes of the assessment required under s104(1)(a), noting that the ‘*effects to be disregarded*’ in assessing effects on the environment are different (i.e. effects on adjoining land can now be considered) and that s104(1)(a) allows for consideration of positive as well as adverse effects. The following additional assessment matters are relevant under s104(1)(a):

Assessment Matter/Non - compliance	Comment
Density 4.11.1(g) The extent to which there is a need for the decreased site size or increased building coverage in order to undertake the proposed activities on the site.	There is a clear need to undertake the proposed activities on the site in a way that provides for efficient use of the site. This is for the benefit of the tenants of the social housing. The site has been laid out in accordance with the standards and policies of Kainga Ora.
Density 4.11.1(m) Whether the residential units are to be used for elderly persons housing [...]	While the units are not restricted to elderly persons, they have been designed to cater for a range of demographics that includes the elderly and those with limited mobility, and six of the units meet Kainga Ora’s Universal Design standards.
Transport – number of vehicle crossings	This will be resolved when the site is subdivided in the future. The number of vehicle crossings. The frontage road is low volume. There are five existing vehicle crossings across the four sites, and five crossings are proposed to be utilised for this development. Assets have reviewed the proposal and have not raised a concern. The safety and efficiency of the frontage road is not likely to be adversely affected by the number of crossings proposed.

Consideration of submissions:

The single submission that was received at submissions close was superseded by a written approval prior to a hearing being arranged.

In considering the application under s104(1)(a) no submissions are available for consideration, so no further details on potential effects on the notified persons who haven’t provided written approval are available. In the absence of further details, I will take the conservative approach and assume the adverse effects on those persons (persons notified under s95 who haven’t provided

written approval) will be minor. Adverse effects on the 'environment' (which includes the aforementioned people) are considered to be no more than minor.

I consider that, on balance, the amended plans do not generate any additional level of adverse effects beyond those identified in the s95 report.

Positive environmental effects:

To the extent that there is discretion to consider it, the social housing in the proposed location is likely to provide significant benefits to the tenants, and to have indirect benefits for the wider community. The housing is likely to enable tenants both now and into the future to provide for their social, economic, and environmental wellbeing and for their health and safety in a way that they may not be able to provide for without the support of Kainga Ora.

Discretion to consider positive effects comes from the following assessment matters in 4.11.1:

g) The extent to which there is a need for the decreased site size or increased building coverage in order to undertake the proposed activities on the site.
--

m) Whether the residential units are to be used for elderly persons housing...
--

It is my opinion that, overall and on balance, effects on the environment will be adverse to a less than minor extent.

5.2 Section 104(1)(b)(i) and (ii) Relevant provisions of National Environmental Standards and other regulations

The National Environmental Standard – Contaminated Soil is appropriately addressed through the comprehensive PSI/DSI, Work Instruction, and volunteered conditions.

5.3 Section 104(1)(b)(iii) Relevant provisions of National Policy Statements

The National Policy Statement on Urban Development 2020 is relevant to this application. I agree with the applicant's assessment as below:

"The National Policy Statement on Urban Development 2020 (NPS-UD) came into effect 20 August 2020. The proposal is considered to contribute to the well-functioning environment of the Ashburton District as it will create additional housing in close proximity to commercial areas, open space reserves and education facilities. It is considered that the proposal is consistent with the Objectives and Policies of the NPS-UD. It is noted that the District Plan was made fully operative in May 2014, and therefore does not give full effect to NPS-UD."

5.4 Section 104(1)(b)(iv): Relevant provisions of the New Zealand Coastal Policy Statement 2010

The New Zealand Coastal Policy Statement is not applicable to this application.

5.5 Section 104(1)(b)(v) Relevant provisions of the Canterbury Regional Policy Statement

The subject application is not considered to be of a nature or scale that it challenges any of the policies therein.

5.6 Section 104(1)(b)(vi) Provisions of the relevant regional/district plan objectives, policies and rules

5.6.1 Relevant objectives and policies

The following objectives and policies of the Ashburton District Plan are considered relevant:

Objective 4.1: Residential Amenity Values and Character

To protect and enhance the amenity values and character of residential areas, recognising the potential for some growth, whilst considering the particular characteristics of each residential area, the need to provide for a diversity of residential lifestyles, and making provision for non-residential services and activities that meet community needs.

Policy 4.1A

Manage the different residential areas located within the Ashburton District, whilst considering:

- *existing character;*
- *any anticipated change in character;*
- *the need for diversity of residential lifestyles;*
- *a demand for growth over time.*

The proposal will recognise existing and zoned/anticipated character in terms of detached single and two storey dwellings, spaced with garden and landscape plantings. 41% of the site will be dedicated to landscaping (lawn, garden bed, shrubs, fruit and specimen trees). The proposal is consistent with Policy 4.1A.

Policy 4.1B

Impose environmental standards on development and land use in the Residential Zones that provide the community with a level of certainty, and protect and enhance residential character and amenity values.

While the proposal exceeds the dwelling density standard, it will meet the site coverage, height, setbacks and recession lines standards which also provide certainty on the level of built form anticipated and protect residential character and amenity values. Despite the density proposed, there is an opportunity for the proposal to enhance amenity values through the

substantial landscaping. The provision of high-level windows for the second storey of Houses 11 and 13 will help to ensure privacy of neighbouring residents to the north east. In summary, the proposal is not entirely consistent with Policy 4.1B (due to the density exceedance) but is not contrary to it (due to the character and amenity values).

Policy 4.1D

Promote variety and innovation in residential development to meet the changing needs of current and future generations, including opportunities to incorporate sustainable practices in housing design and siting that result in enhanced amenity, sustainable energy use and increased efficiency of site utilisation.

The proposal includes variation in residential development to provide for the needs of the social housing tenants into the future. Six of the house designs include Kainga Ora's Universal Design features to allow for future limited mobility use. The redevelopment of the four existing adjoining Kainga Ora sites in a comprehensive way allows for efficient site utilisation such as allowing for efficient provision of access and on-site parking, and allowing for the houses and outdoor living spaces to be located to maximise access to sunlight and daylight.

Overall, the writer agrees with the applicant's assessment that there will be a high degree of residential amenity achieved through an appropriate balance of open space and plantings to built form. While the number of units on the site goes beyond the dwelling density provided for by the site standard, the anticipated character and amenity for the zone will be maintained and there is the opportunity to enhance the local amenity through landscape plantings. The Residential C Zone anticipates space between dwellings and the opportunity for garden and tree plantings and outdoor living areas which this proposal demonstrates (setbacks & outdoor living area standards are met and there is substantial landscaping proposed). It will undoubtedly provide for a range of residential lifestyles by adding to social housing supply.

Transport and contaminated soil objectives and policies are considered to be met by the proposal and appropriately addressed through conditions.

Overall, the proposal is broadly consistent with the relevant Objectives and Policies in the Ashburton District Plan.

5.7 Section 104(1)(c) Any other matters considered relevant and reasonably necessary to determine the application

The applicant has volunteered to include servicing conditions with the land use consent to make the servicing requirements clear at the time of Building Consent in the absence of a subdivision consent. The draft conditions have been reviewed and agreed to by the applicant.

Assets have provided relevant conditions, and these have been included in conditions of this consent in the Planning report. Based on the agreed servicing approach, there ought to be no issues in servicing the development appropriately for three waters and roading, despite there being multiple houses proposed over the single development site.

6.0 Summary of Section 104 RMA Matters

- 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.

7.0 Purpose and Principles (Part II) of the Resource Management Act

Overall, given the conclusions reached in section 6.0 above, the application is considered to meet the relevant principles and provisions of Part 2 of the RMA and to achieve the purpose of the Act.

8.0 RECOMMENDATIONS

It is recommended that consent for the above application LUC23/0103 be granted under delegated authority and pursuant to Sections 104, 104C, and 108 of the Resource Management Act 1991 subject to the following conditions being completed to the satisfaction of the Council and at no cost to Council, with the following advice notes, and for the following reasons:

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, Roding, 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.

REASONS FOR THE DECISION

Pursuant to sections 104, 104C, and 108 of the Resource Management Act 1991, this non-notified restricted-discretionary activity application is granted for the following reasons:

- 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.

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

Recommended for Approval



Signed: _____

Date: 20/06/2024

Nicholas Law
Planning Officer

DECISION:

Recommendation for LUC23/0103 adopted under Delegated Authority

Signed _____ **Date** _____

Ian Hyde
District Planning Manager

Signed _____ **Date** _____

Jane Donaldson
Group Manager Compliance & Development