

6 January 2022



Ashbury Grove Limited
Attn To: Ross Sefton Gibson
54 Cass Street
Ashburton 7700

Customer Services
P. 03 353 9007 or 0800 324 636
200 Tuam Street
PO Box 345
Christchurch 8140
E. ecinfo@ecan.govt.nz
www.ecan.govt.nz

Dear Sir/Madam

Notice of Resource Consent Decision

Record Number(s): CRC222101
Applicant Name: Ashbury Grove Limited
Activity Description: To undertake land subdivision earthworks.
Decision: Granted

Decision

The decision of Environment Canterbury is to grant your application on the terms and conditions specified in the attached resource consent document. The reasons for the decision are:

1. The activity will achieve the purpose of the Resource Management Act 1991
2. Any adverse effects on the environment of the activity will be minor.

Commencement of consent

Your resource consent commences from the date of this letter advising you of the decision.

If you object to or appeal this decision, the commencement date will then be the date on which the decision on the appeal is determined.

Lapsing of consent

This resource consent will lapse if the activity is not established or used before the lapse date specified on your consent document. Application may be made under Section 125 of the Resource Management Act 1991 to extend this period.

Your rights of objection and appeal

■ Objection to Decision

If you do not agree with the decision of the consent authority, you may object to the whole or any part in accordance with Section 357A(1)(g) of the Resource Management Act 1991 (RMA). Notice of any objection must be in writing and

lodged with Environment Canterbury **within 15 working days** of receipt of this decision in accordance with Section 357C(1) of the RMA.

- **Right to Appeal**

You may appeal the decision of the consent authority to the Environment Court in accordance with section 120 of the RMA. The notice of appeal must be lodged with the Court within 15 working days of receipt of this decision, at PO Box 2069, Christchurch. A copy of the appeal should also be forwarded to Environment Canterbury within the same timeframe.

If you are in any doubt about the correct procedures, you should seek legal advice.

- **Objection to Costs**

Section 357B of the RMA allows you to object to costs. Your objection must be received **within 15 working days** of the date on which you receive your invoice. Your objection must be in writing and should clearly explain the reasons for your objection as detailed in section 357C of the RMA.

Monitoring of conditions

It is important that all conditions of consent are complied with, and that the consent holder continues to comply with all conditions, to ensure that the activity remains lawfully established.

You can find online Information regarding the monitoring of your consent at www.ecan.govt.nz/monitoringconsent.pdf.

Charges, set in accordance with section 36 of the Resource Management Act 1991, shall be paid to the Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of resource consents and for the carrying out of its functions under section 35 of the Act.

Further information about your consent

For some activities a report is prepared, with officer recommendations, to provide information to the decision makers. If you require a copy of the report please contact our Customer Services section. You can find online information about your consent document at www.ecan.govt.nz/yourconsent.pdf.

Queries

For all queries please contact Customer Services Section quoting your CRC number noted above.

Thank you for helping us make Canterbury a great place to live.

Yours sincerely

A handwritten signature in black ink, appearing to be a stylized 'G' or 'S' with a horizontal line extending to the right.

Consents Planning Section

cc:
e2Environmental Limited
Attn To: John Wilson
PO Box 31159
Ilam
Christchurch 8444

RESOURCE CONSENT CRC222101

Pursuant to Section 104 of the Resource Management Act 1991

The Canterbury Regional Council (known as Environment Canterbury)

GRANTS TO:	Ashbury Grove Limited
A LAND USE CONSENT (S9):	To undertake land subdivision earthworks.
COMMENCEMENT DATE:	23 Dec 2021
DATE CONSENT NUMBER ISSUED:	06 Jan 2022
EXPIRY DATE:	06 Jan 2027
LOCATION:	6-50 Grahams Road, Tinwald

SUBJECT TO THE FOLLOWING CONDITIONS:

Limits

- 1 The use of land shall be limited to the excavation of material associated with the subdivision, located at Lot 2 DP512062 and Lot 5 DP 376214 located at 68 Grahams Road, Tinwald as shown on Plan CRC222101, attached to, and forming part of this consent.

Prior to works

- 2 The consent holder shall ensure that all personnel working on the site are made aware of and have access to the contents of this consent document, and all associated erosion and sediment control plans and methodology, prior to the commencement of site construction.
- 3 The Canterbury Regional Council (CRC), Attention: Regional Leader – Compliance Monitoring, shall be notified at least five working days prior to the commencement of works undertaken by this consent.

During works

- 4
 - a. Works shall not occur within exposed groundwater; and
 - b. If groundwater is exposed at the base of the excavation, excavations shall cease until groundwater recedes.

Erosion and Sediment Control Plan

- 5 The discharges during the construction-phase of the development shall occur in accordance with the Erosion and Sediment Control Plan (ESCP). The ESCP shall:

- a. Detail best practicable sediment control measures that will be taken to ensure compliance with this consent.
- b. Be prepared in accordance with:
 - i. Canterbury Regional Council's "Erosion and Sediment Control Toolbox for the Canterbury Region" (ESCT), which can be accessed under <http://esccanterbury.co.nz/>; or
 - ii. an equivalent industry guideline. If an alternative guideline is used, the ESCP shall provide details of the relevant alternative methods used and an explanation of why they are more appropriate than the ESCT.

6 No later than ten days prior to the commencement of the construction works authorised by this consent, the consent holder shall prepare and submit to the Canterbury Regional Council, Attention: Regional Leader - Compliance Monitoring, an Erosion and Sediment Control Plan.

The objectives of the Plan shall be:

- a. To ensure that the construction activities achieve compliance with the conditions of this resource consent;
- b. To avoid, where practicable, adverse environmental effects and, where not practicable, to ensure appropriate mitigation or appropriate remediation is undertaken;
- c. To minimise the release of sediment, either to water or to air, during construction activities;
- d. To provide methods to ensure that persons under its control respect and apply the ESCP; and
- e. To integrate good environmental practice into construction activities.

7 In achieving the objectives described in condition (6), the Plan shall be prepared in consultation with the Canterbury Regional Council and shall include, but not be limited to, the following:

- a. A map showing the location of all works;
- b. Detailed plans showing the location of sediment control measures, on-site catchment boundaries, and sources of runoff;
- c. Drawings and specifications of designated sediment control measures;
- d. A programme of works, which includes but is not limited to, a proposed timeframe for the works;
- e. Inspection and maintenance of the sediment control measures;
- f. The methodology for stabilising the site if works are abandoned; and

- g. The methodology for stabilising the site and decommissioning erosion and sediment control measures after works have been completed.

8 All practicable measures shall be taken to avoid spills of fuel or any other hazardous substances within the site. These measures shall include:

- a. Refuelling of machinery and vehicles shall not occur within 20 metres of
 - i. open excavations;
 - ii. exposed groundwater; and
 - iii. surface water bodies;
- b. A spill kit shall be kept on site that is capable of absorbing the quantity of oil and petroleum products that may be spilt on site at any one time, remains on site at all times.
- c. In the event of a spill of fuel or any other hazardous substance, the spill shall be cleaned up as soon as practicable, the stormwater system shall be inspected and cleaned, and measures taken to prevent a recurrence;
- d. The Canterbury Regional Council, Attention: Regional Leader – Monitoring and Compliance, shall be informed within 24 hours of a spill event and the following information provided:
 - i. the date, time, location and estimated volume of the spill;
 - ii. the cause of the spill;
 - iii. the type of hazardous substance(s) spilled;
 - iv. clean up procedures undertaken;
 - v. details of the steps taken to control and remediate the effects of the spill on the receiving environment;
 - vi. an assessment of any potential effects of the spill; and
 - vii. measures to be taken to prevent a recurrence.

Contaminated Material Discovery

9 In the event that any unexpected contaminated soil or material is uncovered by the works, an accidental discovery protocol shall be implemented, including but not limited to the following steps:

- a. Earthworks within ten metres of unexpected contaminants shall cease immediately;

- b. All practicable steps shall be taken to prevent the contaminated material becoming entrained in stormwater. Immediate steps shall include, where practicable:
 - i. diverting any stormwater runoff from surrounding areas away from the contaminated material; and
 - ii. minimising the exposure of the contaminated material, including covering the contaminants with an impervious cover;
- c. Notification of the Canterbury Regional Council, Attention: Contaminated Sites Manager, within 24 hours of the discovery;
- d. Earthworks within ten metres of unexpected contaminants shall not recommence until a suitably qualified and experienced contaminated land practitioner (SQEP) confirms to Canterbury Regional Council, Attention: Regional Leader - Monitoring and Compliance that continuing works does not represent a significant risk to the environment;
- e. All records and documentation associated with the discovery shall be kept and copies shall be provided to the Canterbury Regional Council upon request.

Accidental Discovery Protocol

10 In the event of any discovery of archaeological material:

- a. the consent holder shall immediately:
 - i. cease earthmoving operations in the affected area and mark off the affected area; and
 - ii. advise the Canterbury Regional Council of the disturbance; and
 - iii. advise Heritage New Zealand Pouhere Taonga of the disturbance.
- b. If the archaeological material is determined to be Koiwi Tangata (human bones) or taonga (treasured artefacts) by Heritage New Zealand Pouhere Taonga, the consent holder shall immediately advise the office of the appropriate runanga (office contact information can be obtained from the Canterbury Regional Council) of the discovery.
- c. If the archaeological material is determined to be Koiwi Tangata (human bones) by Heritage New Zealand Pouhere Taonga, the consent holder shall immediately advise the New Zealand Police of the disturbance.
- d. Work may recommence if Heritage New Zealand Pouhere Taonga Trust (following consultation with runanga if the site is of Maori origin) provides a statement in writing to the Canterbury Regional Council, Attention: Regional Leader - Monitoring and Compliance that appropriate action has been undertaken in relation to the archaeological material discovered. The Canterbury Regional Council shall advise the consent holder on written receipt from Heritage New Zealand Pouhere Taonga that work can recommence.

Advice Note:

This may be in addition to any agreements that are in place between the consent holder and the Papatipu Runanga. (Cultural Site Accidental Discovery Protocol).

Advice Note:

Under the Heritage New Zealand Pouhere Taonga Act 2014 an archaeological site is defined as any place associated with pre-1900 human activity, where there is material evidence relating to the history of

New Zealand. For sites solely of Maori origin, this evidence may be in the form of accumulations of shell, bone, charcoal, burnt stones, etc. In later sites, artefacts such as bottles or broken glass, ceramics, metals, etc, may be found or evidence of old foundations, wells, drains, tailings, races or other structures. Human remains/koiwi may date to any historic period.

It is unlawful for any person to destroy, damage, or modify the whole or any part of an archaeological site without the prior authority of Heritage New Zealand Pouhere Taonga. This is the case regardless of the legal status of the land on which the site is located, whether the activity is permitted under the District or Regional Plan or whether a resource or building consent has been granted. The Heritage New Zealand Pouhere Taonga Act 2014 provides for substantial penalties for unauthorised damage or destruction

After works

- 11 If the consent holder abandons work on-site, adequate preventative and remedial measures shall be taken to control sediment discharged from exposed or unconsolidated surfaces. These measures shall be maintained for so long as necessary to prevent sediment discharges from the earth worked areas.
- 12 On completion of works all disturbed areas shall be stabilised.

Advice Note: *for the purposes of this consent "Stabilised" means an area inherently resistant to erosion such as rock (excluding sedimentary rocks), or rendered resistant to erosion by the application of aggregate, geotextile, vegetation or mulch. Where vegetation is to be used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once 80 percent vegetation cover has been established.*

Administration

- 13 The Canterbury Regional Council may, once per year, on any of the last five working days of May or November, serve notice of its intention to review the conditions of this consent for the purposes of:
 - a. Dealing with any adverse effect on the environment that may arise from the exercise of the consent or
 - b. Requiring the adoption of the best practicable option to remove or reduce any adverse effect on the environment.
- 14 If this consent is not exercised before 31 December 2026 it shall lapse in accordance with section 125 of the Resource Management Act 1991.

Advice Note:

'Exercised' is defined as implementing any requirements to operate this consent and undertaking the activity as described in these conditions and/or application documents

Issued at Christchurch on 6 January 2022

Canterbury Regional Council



Exercising of Resource Consent CRC222101

It is important that you notify Environment Canterbury when you first start using your consent.

GRANTED TO:	Ashbury Grove Limited
A LAND USE CONSENT (S9):	To undertake land subdivision earthworks.
LOCATION:	6-50 Grahams Road, Tinwald

Even if the consent is replacing a previous consent for the same activity, you need to complete and return this page.

A consent can only be made active after the activity has commenced and all pre-requisite conditions have been fulfilled e.g. installation of water meter and/or fish screen. If you require further advice, please contact our Customer Services section on 0800 324 636 or by email at ecinfo@ecan.govt.nz.

Providing this information will:

- Validate your consent through to its expiry date
- Minimise compliance monitoring charges
- Help provide an accurate picture of the state of the environment.

If consent CRC222101 is not used before 06 January 2027 this consent will lapse and no longer be valid.

Declaration:

I have started using this resource consent.

Action taken (e.g. pasture irrigated, discharge from septic tank/boiler/spray booth etc):

Date I started using this resource consent (Note: this date cannot be in the future): _____

Signed: _____ **Date:** _____

Full name of person signing (please print): _____

Please return to:

**Business Support
Environment Canterbury
PO Box 345
Christchurch 8140**

**Fax: (03) 365 3194
Email: ecinfo@ecan.govt.nz**

**File: CRC222101
Customer No: EC420559**