

Ashburton District Council
PO Box 94
Ashburton 7700

Attn: Planning Administration – Sikandar Hirani

20th September 2021

Dear Sir/Madam,

RE: LAND USE CONSENT APPLICATION UNDER RMA 1991 – PROPOSED NEW BUILDING – AK TECH SERVICES LIMITED, ACTON ROAD, RAKAIA

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

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

When possible, please provide a copy of the Council's invoice via email to david@dhconsulting.co.nz.

I trust everything is in order. If you require any further information, please do not hesitate to contact me directly on 027 236 7226 or kevin@dhconsulting.co.nz.

Yours faithfully,



Kevin McLaughlin
Resource Consent Planner



Application for Land Use Consent

AK Tech Services Limited – Proposed New Building.

Acton Road,

Rakaia

September 2021

Ashburton District Council

Reference: 20-168

Revision: Final



TABLE OF CONTENTS

1.0	Introduction	4
1.1	Site Information	4
1.2	Activity Classification	5
2.0	Site and Surrounds	6
2.1	The Application Site and Surrounds	6
3.0	Proposal	7
4.0	District Plan Assessment	9
4.1	District Plan Status	9
4.2	Zoning	9
4.3	District Plan Compliance Table	9
4.4	Activity Status	21
5.0	Assessment of Effects	23
5.1	Assessment of Effects – Rural Character and Amenity	23
5.2	Assessment of Effects – Visual Amenity	23
5.3	Assessment of Effects – Traffic Effects.....	23
5.4	Assessment of Effects – Flood Risk.....	25
5.5	National Environmental Standards.....	28
5.6	Effects Summary	29
5.7	Consideration of Alternatives	19
6.0	Objectives and Policies	20
7.0	Part II of the Resource Management Act	23
7.1	Section 5	23
7.2	Section 7	23
8.0	Sections 104 & 104B - Consideration of Applications	25
9.0	Notification –Sections 95 and 95A-F	26
10.0	Conclusion	29

Annexure A: Form 9

Annexure B: Record of Title

Annexure C: Development Plans

Annexure D: Location Plan

Annexure E: Planning Map

Annexure F: Flood Map 05

Annexure G: LLUR

Annexure H: ECan Flood Hazard Assessment Report

QUALITY ASSURANCE

Project Reference: 20-168

Title: Application for Land Use Consent – Proposed New Building

Client: AK Tech Services Limited

Filename: 20-168 - AK Tech Services Limited – New Building

Version: Final

Lodgement Date: September 2021

Prepared By: Kevin McLaughlin

Checked By: David Harford



1.0 INTRODUCTION

Section 88(2)(b) of the Resource Management Act 1991 requires that any application for a resource 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.

Section 88(2)(b) also 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.

Form 9 as required by Section 88 of the Resource Management Act 1991 is provided as Annexure A to this application. The body of this application addresses the character of the land, the proposed land use activity and the relevant provisions of the Operative Ashburton District Plan. It also includes an assessment of effects on the environment as required by the Fourth Schedule to the Resource Management Act 1991.

1.1 Site Information

Site Address:	Acton Road, Rakaia
Legal Description:	Lot 5 DP 456684
Certificates of Title	590658. Refer Annexure B
Site Area:	2.88ha
Property Owners	AK Tech Services Limited
District Plan Zone:	Rural A
Notable Features	Flood Risk Zone. Refer Annexures F and H Consent Notice and Land Improvement Agreement.

1.2 Activity Classification

Operative Ashburton District Plan

The following are the non-compliances identified;

Rural Zone – Rules

3.8.5 – Discretionary Activities

The following activities shall be Discretionary Activities, provided that they comply with all of the relevant zone standards:

f) Rural Service Activities

Rural Zone – Site Standards

3.9.9 - Flood Risk

a) All new structures, buildings or extensions to existing buildings that are to be constructed on a site identified as being at risk from flooding, shall have a minimum floor height of 150mm above the level of the 1 in 200 year flood event, except for:

- new buildings or extensions to buildings with a gross floor area up to, and including 60m²; or*
- any building with an unsealed or permeable floor.*

Note: A report identifying flood risk and the height of the 1 in 200 year flood event can be obtained from the Canterbury Regional Council or a suitably qualified expert.

Rural Zone – Zone Standards

3.10.4 – High Flood Hazard Areas Rural A and B only

a) No new structures, buildings or extensions to existing buildings shall be erected on a site identified as being at high risk from flooding.

Note: A report identifying flood risk and the height of the 1 in 200 year flood event can be obtained from the Canterbury Regional Council or a suitably qualified expert.

2.0 SITE AND SURROUNDS

2.1 The Application Site and Surrounds

The application site is located approximately 1km east of the Rakaia Town Centre. The site is on the northern side of Acton Road and to the south of the Rakaia River.

As shown on Planning Map R61, the plot is just south of an Outstanding Natural Landscape and falls within the Rural A Zone under the Ashburton District Plan.

As is typical of this Rural A Zone, the land surrounding the application site is largely arable and pastoral and largely open in character. Although the majority of this zone comprises agricultural, crop land, there are sites within the wider setting which feature smaller rural lots with residential units set within spacious plots.

Site access to the subject land will be direct from Acton Road via the existing vehicle crossing to the northern corner of the Lot. Considering the proposed development and the activity anticipated on site, this plot is spacious enough to ensure sufficient vehicle parking and manoeuvring space is readily available.

Acton Road is classified as a collector road within the Operative District Plan

3.0 PROPOSAL

The applicant seeks to construct a new building that will primarily be used as an agricultural workshop for rural machinery and equipment. Due to the nature of the activity, there will be an ancillary storage element to the operation where machinery and implements etc. will occasionally be stored on site for a number of days. It is anticipated that the structure will be used to store various farm implements and machinery, along with various tools and equipment for agricultural servicing purposes. From time to time there may need to be a limited amount of outdoor storage on a temporary basis.

As shown on the proposed site plan and the details included as Annexure C, the established access points (which link the land to Acton Road) will not be altered through this development.

Located towards the site's southern corner, a minimum of 12m from the eastern boundary and at least 10m from the Acton Road, it is considered that this storage facility will be sufficiently removed from adjoining land and boundaries. The 30m x 20.5m building will be separated from the Rakaia River by approximately 300m.

With a floor area of 615m², the development will stand around 7.5m to the apex. The proposal will be finished with lightweight steel sheet roof and corrugated iron wall cladding.

Informal car parking can be provided about the building and the applicant can place aggregates to provide an all-weather surface for this purpose. The proposal is not to seal a car parking area about the building.

As shown on the proposed elevations, four large roller doors are proposed to the northern façade of the structure.

While the proposal involves the erection of additional built form, the activity does not require significant onsite employment. At any one time, there will be 1-2 employees on site. While this may increase over the next 5 years or so, this growth is not expected to warrant more than 3-4 members of staff.

With regards to the proposed hours of operation, these are reasonable given the nature of the activity within this agricultural setting. During the 'off season', the site will be

operational between the hours of 7am and 7pm. In order to accommodate a greater level of seasonal related demand though, these hours will extend to 7am to 11pm during the busier times of the year.

Operating largely on an adhoc basis, the proposed building will provide an onsite facility within which to store farm machinery and vehicles and also to undertake general mechanical repairs as and when required.

Notwithstanding the above, it is important to note the Council's definition for a farming activity:

The use of land and buildings for the primary purpose of the production of vegetative matter and/or commercial livestock.

Farming activity includes the packing, storage, and/or processing of the vegetative matter and/or commercial livestock produced on/in that land or on other land owned or managed by the same person(s). Buildings for this purpose are permitted up to an area of 500m² per site, where they meet all other rules.

Farming activity excludes residential activity, home occupations, intensive livestock management, and forestry activity.

Whilst the building will serve the farming industry, assisting with the servicing of machinery and implements before undergoing the various reparatory works and mechanical repairs necessary. That being said, it is acknowledged that the proposed activity will provide a service to farmers, rather than functioning as a typical farming operation itself. The primary use of the proposed building does not involve the '*production of vegetative matter and/or commercial livestock*'.

The scale of the building (615m²) exceeds the permitted area for a farming activity of 500m²

Accordingly, the proposal is considered as a Rural Service Activity under the Operative Ashburton District Plan. The definition for a Rural Service Activity is as follows:

'any activity that provides a commercial service to a rural activity such as seed cleaning, rural contractors and grain drying.'

In light of the proposed activity, the anticipated vehicle movements are minimal, and estimated to be no greater than approximately 6-8 on an average daily basis. Asphalt or sealed hardstanding is not sought as part of this application and any cars on site will be accommodated on a permeable gravel surface.

It is intended that a modest (domestic) water supply be provided via an onsite bore. The requirement is for less than 10,000litres and the flow will not exceed a rate of 5 litres per second.

With regards to the wastewater, an on site system such as a multi chamber septic tank will be established. The size of the site has been noted and it is appreciated that there will be a requirement for consent from Environment Canterbury.

In addition to the above, the applicant also seeks consent to introduce a portacom to support on site operations for the wider operation. The intended purpose of this structure will be for office/administration purposes relating to the wider site.

As shown upon the plans included as Annexure C, this unit will be positioned to the north west of the main shed building which is proposed within the southern corner of the application site. The portacom will measure 5.85m x 6.4m, covering an area of approximately 37m². It will be separated from the shed by 3.5m and approximately 20m from Acton Road.

A modest kitchen area will be included, including a sink, boiler unit and fridge. In terms of sanitation, this unit will be plumbed with a toilet. This portacom office will have both power and data points.

Although the proposal will introduce built form to the application site, the additional 37m² associated with this structure will represents approximately 0.1% of Lot 5.

Moreover, this aspect of the proposal will not generate additional employment.

Although the applicant seeks to increase the site's built form, the additional structure has been considerably scaled and suitably designed so as not to diminish the character and appearance of this rural environment.

Not only are the dimensions and finish appropriate within this setting, the additional bulk will also be a sufficient distance from all boundaries. It is not anticipated that the works will compromise the level of amenity currently afforded to neighbouring landowners/residents.

4.0 DISTRICT PLAN ASSESSMENT

4.1 District Plan Status

The District Plan is an operative plan and has been so since August 2014.

4.2 Zoning

The application site is zoned Rural A under the Operative Ashburton District Plan.

As shown on Flood Map 05 (included as Annexure F), this site falls within an area at risk of flooding.

4.3 District Plan Compliance Table

In summary the relevant Ashburton District Plan rules for compliance or non-compliance are listed below.

Rule	Requirement	Comment
Chapter 3: Rural Zone		
Rules – Rural Zone		
3.8.2	<p>Permitted Activities</p> <p>Provided that they comply with all the relevant Site and Zone Standards below and all relevant District-Wide Rules and, are not listed as Controlled, Discretionary or Prohibited Activities.</p> <p>a) Farming Activities</p> <p>p) Buildings</p>	<p>As noted above, the proposed building exceeds a floor area of 500m². In addition, the primary use of the building is not for the production of vegetative matter and/or commercial livestock.</p> <p>While the proposed activity serves the farming industry, it is not considered solely a farming activity in its entirety albeit there may be farming occurring on the balance land.</p> <p>Moreover, and as addressed below, the proposed structure does not comply with all relevant Site Standards.</p> <p>It cannot be deemed a permitted activity.</p>

3.8.5	<p>Discretionary Activities</p> <p>The following activities shall be Discretionary Activities, provided that they comply with all of the relevant zone standards:</p> <p>f) Rural Service Activities</p>	<p>As outlined below, the development adheres to the relevant Zone Standards.</p> <p>The development is therefore considered a Discretionary Activity.</p>
Site Standards		
3.9.2	<p>Site Coverage</p> <p>Maximum percentage/area of the net area of any site covered by buildings and impervious surfaces shall be:</p> <p>Rural A 10% of net site area or 2000m², whichever is the lesser</p> <p>Except for: Existing lots in the above zones less than 8ha in area, but greater than 2ha in area, where the maximum percentage of the net area of the site covered by buildings and impervious surfaces shall be 10% of the net area of the site.</p>	<p>Complies</p> <p>The proposed building (615m²) will represent approximately 2.1% of the 28,800m² application site.</p>
3.9.3	<p>Height of Buildings</p> <p>a) Maximum height of any building shall be:</p> <ul style="list-style-type: none"> • 10m in Rural A and B for buildings used other than for the purposes of undertaking a farming activity; • 20m in Rural A and B for buildings for the purposes of undertaking a farming activity; 	<p>Complies</p> <p>The proposed building will not exceed 7.5m in height from ground level.</p>
3.9.4	<p>Setback from Roads</p> <p>a) The minimum setback of buildings from road boundaries shall be 10m</p>	<p>Complies</p> <p>The building is setback from the boundary shared with Acton Road by at least 10m.</p>
3.9.5	<p>Setback from Neighbours</p> <p>a) Minimum setback of buildings from internal boundaries of any site held in separate ownership shall be:</p> <p>3m for all other buildings greater than 5m² in gross floor area.</p>	<p>Complies</p> <p>The proposed structure will be positioned at least 12m from the nearest internal boundary (to the east).</p>
3.9.8	<p>Setback from Stopbanks</p>	<p>Complies</p>

	a) All buildings shall be set back a minimum distance of 100m from the centre line of any stopbank erected by the Canterbury Regional Council.	The proposal will not be sited within 100m of any stopbank.
3.9.9	<p>Flooding</p> <p>a) All new structures, buildings or extensions to existing buildings that are to be constructed on a site identified as being at risk from flooding, shall have a minimum floor height of 150mm above the level of the 1 in 200-year flood event.</p>	<p>Does not Comply</p> <p>Although the site is identified as being at risk from flooding, a letter from ECan (Annexure H) suggests that any flooding (if it occurs) is unlikely to be very deep. While the likelihood of this occurring is impossible to predict exactly, it does appear relatively low. Furthermore, the proposal involves a non-habitable machinery shed that will be less prone to significant material damage if flooded and there is no risk to life associated with the development. Not only is the proposed site elevated, but the development will also not divert floodwater onto other property or out of normal flow paths.</p> <p>It is suggested by ECan that a minimum floor level that is at least 300mm above natural existing ground level is likely sufficient to meet the District Council's minimum floor height requirement.</p>
3.9.13	<p>Earthworks</p> <p>b) Earthworks in the Rural A and B zones (excluding dig and fill for drainage works), shall not exceed a maximum volume of 5000m³ over an area no greater than 2000m² on any one site per annum.</p>	Will Comply
3.9.14	<p>Buildings</p> <p>No buildings shall be erected:</p> <ul style="list-style-type: none"> • in any Area of Significant Nature Conservation Value as identified on the Planning Maps; • in or within 20m of any naturally-occurring wetland; and/or within 100m of any lake, or 20m of any river or stream; • above the Altitudinal Land Use Line shown on the Planning Maps (except within the Mt Hutt ski-field area); 	<p>Complies</p> <p>The proposed building is approximately 300m from the Rakaia River.</p>

	<ul style="list-style-type: none"> • in the Inland Mountain Outstanding Natural Landscape. 	
Relevant Zone Standards		
3.10.4	<p>High Flood Hazard Areas Rural A and B Only.</p> <p>a) No new structures, buildings or extensions to existing buildings shall be erected on a site identified as being at high risk from flooding.</p> <p>The site is identified (blue) on Flood Map F05 as being at risk of flooding,</p> <p>While a risk of flooding and therefore non-compliance with the zone standard may represent a non-complying activity, ECan have identified this site as being at low risk of flooding. The attached letter covers off the findings of ECan.</p>	<p>Complies</p> <p>Flood Map F05 shows the site within a flood risk area however as shown within Annexure H, it was concluded by ECan that the site is unlikely to be flooded from the Rakaia River. Moreover, given the purpose of the proposed building, it is less prone to significant material damage if flooded. A minimum floor level of 300mm above natural existing ground level is suggested by ECan.</p>
10. Transport		
10.8.1	<p>Minimum parking Space Requirements</p> <p>a) For all zones, except the Business A zone, the minimum number of parking spaces to be provided at all times, within the net area of the site of any activity, shall be as set out in Table 10-1 below:</p> <p>Industrial and Service Activities</p> <p>The minimum of either:</p> <p>1 space per 100m² Gross Floor Area plus 2 spaces for visitors per site; or 2 spaces for every 3 employees likely to be employed on the site (based on the maximum number of employees at any one time) plus 2 spaces for visitors per site.</p>	<p>Complies</p> <p>At any one time, there are expected to be 1-2 employees within the proposed facility.</p> <p>Based on this staff number, a minimum of 4 spaces (2 staff and 2 visitor parks) are required for the rural service activity.</p> <p>Considering the scale of the Lot, it is anticipated that this application site can comfortably accommodate the maximum number of vehicles anticipated.</p>
10.8.3	<p>Car Spaces for people with disabilities</p> <p>a) Where car parking is provided for a non-residential activity, the minimum number of parking spaces for people with a disability shall be as follows:</p> <ul style="list-style-type: none"> • no spaces required for the first 9 car parking spaces provided on site; • 1 space where between 10 and 20 car 	<p>Complies</p> <p>Although no accessible parks are required for a development which includes less than 9 car parks, the scale of the site and the space available means that disabled individuals can be catered for as and when necessary.</p> <p>It is highly unlikely that the activity anticipated on site will necessitate</p>

	parking spaces are provided on site;	the inclusion of formalised accessible parks.
10.8.6	<p>Cycle parking</p> <p>a) All developments, other than residential and farming, are to provide cycle parking at a rate of 1 cycle space for every 20 car parking spaces provided.</p> <p>b) All required cycle parking shall be provided in cycle stands and laid out in accordance with Appendix 10-3.</p>	<p>Does not Comply</p> <p>As with the accessible parking spaces, any cyclists can be accommodated as and when required.</p>
10.8.7	<p>On-site Manoeuvring</p> <p>a) The maneuvering area from the road transport network boundary to any parking space shall be designed to accommodate a 90 percentile car (refer Appendix 10-4).</p> <p>b) Onsite maneuvering for a 90 percentile car (refer Appendix 10-4) shall be provided to ensure that no vehicle is required to reverse either onto or off a site where:</p> <ul style="list-style-type: none"> • any activity has vehicle access and/or vehicle crossings to an arterial road; • any activity provides 4 or more parking spaces having vehicle access and/or vehicle crossings onto a principal or collector road; • any activity provides 10 or more parking spaces; • three or more residential units share a common access. 	<p>Complies</p> <p>The parking areas will meet the minimum requirements.</p> <p>Complies</p>
10.8.8	<p>Loading Space Provisions</p> <p>a) Every site in the Business Zones and in the Commercial Area of the Aquatic Park Zone, except for the Business A Zone, shall provide one loading space and associated maneuvering area.</p>	<p>Complies</p> <p>Loading/unloading can be undertaken within the facility</p>
10.8.9	<p>Loading Areas</p> <p>a) Every loading space provided shall be of a useable shape and in accordance with the</p>	<p>Complies</p> <p>There is provision on site for loading and unloading that exceeds those</p>

	<p>following minimum dimensions:</p> <ul style="list-style-type: none"> • 9m deep • 3.5m wide • 4.5m high <p>Except for: activities not involving the trading of goods (e.g. offices), where the gross floor area is less than 1500m², and on street parking is available for occasional servicing by larger vehicles, then loading space dimensions shall be in accordance with the following minimum dimensions:</p> <ul style="list-style-type: none"> • 6.4m deep • 3.5m wide • 3.5m high <p>b) The manoeuvring area from the road boundary to any loading space shall be designed to accommodate a 90 percentile two axle truck (refer Appendix 10-5).</p> <p>c) Onsite manoeuvring for a 90 percentile two axle truck shall be provided to ensure that no truck is required to reverse onto or off a site where any development provides loading areas or trade vehicle storage having vehicle access and/or a vehicle crossing onto an arterial, principal or a collector road.</p> <p>d) If parking or servicing by a large heavy vehicle, such as an articulated truck, is anticipated to occur on a site, then both b) and c) from above apply for the manoeuvring requirements of the vehicle.</p> <p>e) All loading spaces/areas shall be provided in a location that does not impede any through traffic, or manoeuvring areas, or any pedestrian or cycle access.</p>	<p>minimum dimensions as shown on the site plan.</p>
<p>10.8.12</p>	<p>Queuing Length</p> <p>a) Where car parking is provided within a site, a minimum queuing length shall be provided in accordance with Table 10-4 below for vehicles entering the site: 12m queue length for 21-50 car parks.</p> <p>b) The required queuing length shall be measured from the road boundary at the car park entrance to the nearest vehicle control point or the point where entering cars could conflict with vehicles already on</p>	<p>Complies</p> <p>The location of the Acton Road entry point ensures that a queue space issue will not be created.</p>

	<p>the site.</p> <p>c) Where more than one vehicle crossing is provided to a site, the required queuing length may be assessed for each access point individually, with each parking space allocated to the nearest entry vehicle crossing for the purpose of the assessment.</p>	
10.9.2	<p>Vehicular Access</p> <p>a) All vehicular access to fee simple title allotments, cross leases, unit titles or leased premises shall be in accordance with the standards set out in Table 10-6 below. This rule shall not apply to vehicle crossings directly on to individual sites, which do not involve an access (refer to the definition of “access”).</p> <p>d) All vehicle crossings from sealed roads to vehicular accesses shall be sealed for the full berm width of the adjoining road</p> <p>e) Where an allotment being created by subdivision or a new land use activity establishes on an existing site that has frontage to a state highway as well as to another road, vehicle access and vehicle crossings to the allotment shall be from the other road transport network, rather than the State Highway.</p>	<p>Complies.</p> <p>Will comply.</p> <p>n/a</p>
10.9.3	<p>Distances of Vehicle Crossings from Intersections</p> <p>a) No part of any vehicle crossing shall be located closer to the intersection of any roads than the minimum distances specified in Table 10-7 below:</p> <p>50 metres</p> <p>b) Distances shall be measured from the point at which the legal boundary lines of the two road frontages intersect.</p> <p>c) Where the boundaries of the site do not allow the provision of any vehicle crossing whatsoever in conformity with the above distances, a single vehicle crossing may be</p>	<p>Complies.</p>

	constructed provided it is located in the position which most nearly complies with the provisions of these rules.	
10.9.4	<p>Spacing Between Vehicle Crossings</p> <p>b) On Principal and Arterial Roads where the legal speed limit is less than 100km/hr, the minimum spacing between successive vehicle crossings (either single or combined) on the same side of the road, shall not be less than 15m. This rule shall not apply to vehicle crossings which serve residential activities only.</p> <p>c) The separation distances shall be measured from the centre of one vehicle crossing to the centre of the succeeding vehicle crossing, parallel to the centreline of the transport network.</p> <p>d) Where the boundaries of the site do not allow the provision of any vehicle crossing whatsoever in conformity with the above distances a single vehicle crossing may be constructed in the position which most nearly complies with the provisions of this rule.</p>	<p>Complies</p> <p>N/A – The development does not include vehicle crossings to Principal or Arterial Roads</p>
10.9.5	<p>Maximum Number of Vehicle Crossings</p> <p>a) The maximum number of vehicle crossings to a site per road frontage shall be in accordance with Table 10-8 below:</p> <p>Collector road frontage permits three crossings for over 100m of frontage</p>	<p>Complies</p> <p>The proposal will provide one crossing along its circa 120m frontage</p>
10.9.6	<p>Sight Distances from Vehicle Crossings</p> <p>a) Unobstructed sight distances shall be available from all vehicle crossings, in accordance with the minimum sight distances specified in Table 10-9 below:</p> <p>100km/hr – 160 metres</p>	<p>Complies.</p> <p>The road carriageway width and alignment provides ease of sight visibility and site development. The minimum 160m sightline can be obtained.</p>
10.9.7	<p>Design and Construction of Vehicle Crossings onto Arterial Roads</p> <p>a) The length of any vehicle crossing shall be</p>	<p>n/a</p>

	in accordance with dimensions set out in Table 10-10							
10.9.12	<p>Tree Planting – Shading and Intersection Visibility</p> <p>a) No tree shall be allowed to grow such that it shades the carriageway of a road throughout the hours of 10am and 2pm on the shortest day of the year.</p> <p>b) No tree shall be planted within 30m of a road intersection, measured to the point at which the legal boundary lines of the two road frontages intersect.</p>	Complies						
11.Noise								
<p>11.8.1</p> <p><i>a) The noise level from activities within any other site shall not exceed the limits set out in Table 11-1 below:</i></p> <p><i>When measured at or within the boundary of any site zoned Rural A:</i></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><i>Daytime (0700-2200 inclusive)</i></th> <th style="text-align: right;"><i>Night-time (All other times)</i></th> </tr> </thead> <tbody> <tr> <td style="text-align: left;"><i>LAeq(1hr) LAF,max</i></td> <td style="text-align: right;"><i>LAeq(1hr) LAF,max</i></td> </tr> <tr> <td style="text-align: left;"><i>65dB 85dB</i></td> <td style="text-align: right;"><i>45dB 70dB</i></td> </tr> </tbody> </table> <p><i>Notes:</i></p> <p><i>a) Where there are buildings close to or on a site boundary, compliance with the noise limits shall be assessed 1 metre from any accessible façade of those buildings.</i></p> <p><i>b) Where a fence or other noise control structure is erected on a site boundary, compliance assessment shall consider the effect of such a structure.</i></p> <p><i>c) When applying the notional boundary provision, the notional boundary is a line 20 metres from any residential unit on any neighbouring site, as defined in NZS6802:2008 Acoustics Environmental Noise.</i></p> <p><i>d) The daytime noise limits are intended to provide amenity for outdoor activities. Night-time noise limits are intended to allow for sleep amenity.</i></p> <p><i>e) The noise rule that is applicable to a site is based on the zoning of the site receiving the noise and not the site that is generating the noise.</i></p> <p><i>The proposed activity is not expected to exceed the noise limits provided above. As such, it is anticipated that the development will comply with Noise Standard 11.8.1.</i></p>			<i>Daytime (0700-2200 inclusive)</i>	<i>Night-time (All other times)</i>	<i>LAeq(1hr) LAF,max</i>	<i>LAeq(1hr) LAF,max</i>	<i>65dB 85dB</i>	<i>45dB 70dB</i>
<i>Daytime (0700-2200 inclusive)</i>	<i>Night-time (All other times)</i>							
<i>LAeq(1hr) LAF,max</i>	<i>LAeq(1hr) LAF,max</i>							
<i>65dB 85dB</i>	<i>45dB 70dB</i>							
Will comply								
The proposal involves the servicing, repair and storage of vehicles and machinery within the proposed building. It is not anticipated noise limits will be breached. The level of noise will not exceed that which								

<p>would be otherwise anticipated in this Rural A Zone – a working machine or agricultural equipment etc.</p> <p>Working hours for a business of this nature will not be beyond 10pm. If there is any activity after 10pm, this will only be in very rare occurrences. Any works will be intermittent and discreet in nature with noisy aspects of the operation being confined to daytime working hours.</p>		
13. Signs		
13.8	<p>General Standards</p> <p>a) All signs shall relate to or be associated with services, products or events available or occurring on the site on which the sign is located, except where specifically provided for as a permitted activity for a temporary sign or traffic sign.</p> <p>b) All signs shall comply with the height, and where applicable recession plane requirements for the zone in which they are located, but shall not be required to comply with rules relating to setbacks from road boundaries in each of the respective zones.</p> <p>c) All signs attached to buildings shall not exceed the highest point of the roof.</p> <p>d) No sign shall be attached to a tree, other than a sign identifying the species of tree and/or its classification in terms of the District Plan.</p> <p>e) No sign shall be erected on or adjacent to a road which will:</p> <ul style="list-style-type: none"> • obstruct the line of sight of any corner, bend, intersection or vehicle crossing; • obstruct, obscure or impair the view of any traffic sign or signal; • physically obstruct or impede traffic or pedestrians • resemble or be likely to be confused with any traffic sign or signal; • use reflective materials that may interfere with a road user's vision; • use flashing or revolving lights; • project light onto the road so as to cause a hazard or distraction to users of the road (including pedestrians). <p>f) The minimum lettering sizes in Table 13-1 shall apply to all signs located within 10 horizontal metres of a road:</p>	<p>Complies. Any proposed signage will comply with the Rural A Zone requirements.</p>
13.9.8	Rural, Residential and Open Space Zones and in the Residential and Recreational	Complies

	areas of the Aquatic Park Zone	
13.9.8.1	<p>Number of Signs</p> <p>a) Signs shall be limited to a single sign for each road frontage of any site.</p>	Will Comply
13.9.8.2	<p>Size of Signs</p> <p>a) The maximum area of any sign shall be:</p> <p>Rural Zones – 2m²</p>	Will Comply
13.9.8.3	<p>Location of Signs</p> <p>a) Signs shall be placed no more than 3 metres above ground level or so that no part of the sign is higher than the eaves of a building to which they relate, whichever is the lesser.</p> <p>b) In Rural Zones, the sign shall be visible from the distances set out below:</p> <p>100km/hr – 250m</p> <p>c) In Rural Zones the minimum distance between successive signs, as read from the one direction and measured parallel to the centre-line of the road, shall be as below:</p> <p>100km/hr – 80m</p>	<p>Will Comply</p> <p>Will Comply</p> <p>Will Comply</p> <p>Will Comply</p>
13.9.8.4	<p>Illumination of signs</p> <p>a) No sign shall be illuminated by any method whatsoever, such that its illumination casts light or reflected light on to any other property or road.</p> <p>b) Signs visible from an arterial road in a 100km/hr legal road speed area shall not be illuminated unless the premises are open for business.</p>	<p>Will Comply</p> <p>Will Comply</p>

Table 1: District Plan Compliance Assessment

4.4 Activity Status

Consent is sought for a **discretionary activity** under the Operative Ashburton District Plan. This is due to the nature of the activity and how it would be akin to a rural service

activity. In addition, this development includes parking related non-compliances. It is also sought upon a site identified as being at risk from flooding.

As the portacom office structure is required in support of the storage/workshop activity (Rural Service Activity), consent is required for a discretionary activity under the Operative Ashburton District Plan.

5.0 ASSESSMENT OF EFFECTS

The following assessment of effects arising from the activity status and non-compliances with site and zone standards is discussed below.

The compliance assessment has assessed compliance with the relevant District Plan criteria earlier in this application and, in so doing, has to a significant degree, addressed associated effects. This part of the Assessment of Effects (AEE) is therefore in the form of a summary of effects under a series of relevant headings.

5.1 Assessment of Effects – Rural Character and Amenity

The wider area surrounding the proposed site is on the fringe of the Rakaia Township which is a mix of rural, residential and business zoned land which is a common situation for smaller rural servicing towns.

The subject land is zoned Rural A which is generally characterised by smaller farming lots. The immediate setting is dominated by arable and pastoral land and there is a very low density of residential units on land surrounding the subject site. Any units are within vegetated surroundings and are generally part of larger farming operations.

It is considered that the proposed building is appropriate for the functionality of the proposed activity. Without overly intensifying the site in question, the suitably scaled storage and workshop facility will ensure an efficient use of the subject land and contribute a valued service within this rural, agricultural environment.

Considerately designed and positioned, the structure is futureproof and will not detract from the locality. As at present, the site will retain the crossing to Acton Road to the south via a break in the boundary hedge. The additional built form presents no issue to the existing access/egress arrangement given the nature of the activity sought within this Rural A zone.

It is submitted that purpose-built storage and workshop facilities such as that proposed are not totally uncommon within the rural environment, or as part of large farming sites. While the overall design will not detract from the surrounding area, it is also worth acknowledging the specific location of the proposal. It is highly unlikely that the development will adversely affect nearby landowners.

The structure has been devised in order to minimise its scale, bulk and mass as perceived from the immediate environment. In doing so, the resulting impact is considered acceptable.

By ensuring a suitable scale and a sufficient separation from site boundaries and neighbouring landowners, this scheme seeks a proposal of limited impact when compared to what could otherwise be achieved in accordance with the Ashburton District Plan.

The land is relatively flat in its topography and as touched upon, there are established areas of shelterbelt planting around paddocks and road boundaries that create a high level of rural amenity. On that note it can be seen that the location of this site is well removed from both Acton Road and the shared internal boundaries.

The closest public viewpoint is Acton Road approximately 10m south of the development. While the height of the structure is well within the permitted building height allowance of the District Plan, the established shelter planting provides significant screening from the surrounding environment.

Above all, the proposed building or the activity anticipated within will not appear out of character with the existing rural environment.

5.2 Assessment of Effects – Visual Amenity

Although this site is within the Rural A zone, the proposed shed structure will not appear notably out of keeping within this agricultural setting. At present, it is noted that the subject site benefits from elements of screening by way of natural vegetation. Should consent be approved, existing boundary foliage will continue to obscure both the application site and the associated access ways to a large degree.

With regards to the proposed facility itself, this will be sufficiently removed from the road and internal boundaries such that it complies with the District Plan standards. The design, scale and finishings will ensure this structure does not appear excessive or imposing upon the local area. Given the storage and workshop activities anticipated, the development as a whole will not represent an incongruous addition to the Rural A Zone. The additional built form will remain inconspicuous towards surrounding properties in the future.

It follows that there are no adverse visual amenity effects arising from the proposed building over what is permitted under the District Plan.

5.3 Assessment of Effects – Traffic Effects

The proposal will generate traffic movements which will be variable throughout the year and largely influenced by seasonal work requirements and the need for equipment repair and maintenance. In any event though, the vehicle movements associated with a modestly scaled storage and workshop service are not expected to notably impact upon the surrounding road network.

Acton Road is a collector road in the District Plan hierarchy. Collector Roads within rural locations are anticipated to carry between 150 and 800 vehicles per day. A storage/workshop facility generates intermittent traffic over the course of a day and moreover, based on the scale of the proposed development, traffic generation on a weekly basis is also expected to be very low. Once a vehicle arrives and unloads machinery or implements for storage/repair, that might be the only visit to the site. While it is appreciated that there may well be additional visits, the anticipated traffic generation is very low and unlikely to exceed 8-10 vehicles on a daily basis (up to 20 trips).

Extrapolating these numbers over the course of a week (discounting the likelihood of quieter days), would not generate an excessive level of movement within this location.

In light of the above, it can be said that (should consent be granted) the anticipated traffic movements to and from the site will not be readily detectable above the local vehicular movement experienced within the area at present.

The level of traffic anticipated is not beyond the capacity or ability of the existing road to cope with this level of traffic.

Considering both the proposal's limited contribution to local traffic volume, and the fact that there is little in the way of extensive development in the vicinity that would likely increase traffic levels greater than the estimated generation, it is not expected that the development will cause excessive traffic or result in a noticeable drop in the level of service for the road.

In the vicinity of the site the road has a carriageway width of approximately 6.8m with a single traffic lane in each direction to serve vehicle movements in both directions. There are grass berms on either side of the road, each measuring approximately 7m in width.

The straight road alignment provides excellent visibility in either direction in excess of District Plan requirements or other relevant design guidelines.

The location of the vehicle crossing in relation to other existing crossings will not compromise the safety and efficiency of the road. The speed limit at this point of the property is 100km/hr however the visibility from the site in each direction exceeds 400m in each direction which is ample to allow vehicles to turn out of and into the site.

The volume of vehicles involved with this proposal will not create any unsafe adverse effects upon existing rural amenity. The vehicle movements are intermittent and limited to hours of operation.

In terms of potential rural amenity effects, it is noted that the estimated peak traffic generation of the proposal is still very low when spread across a general working day and will not add additional traffic that would be detrimental to a reduction in network capacity or operational safety in the vicinity of the site, nor will it result in undue adverse effects on neighbouring properties. On this basis it is considered that the traffic generation related effects of the proposal are less than minor.

5.4 Assessment of Effects - Noise

There is the potential for noise disturbance from the construction and placement of the buildings.

In terms of compliance with the Operative Plan noise standards, the following needs to be considered;

Construction noise shall comply with NZS 6803:1999 Acoustics – Construction Noise.

In terms of the proposed activity, there is potential for a certain level of noise generation. It is a facility where vehicles and agricultural machinery are stored and repaired as and when necessary.

That being said, the proposed hours of operation would limit this activity to a certain degree and the level of noise would not notably exceed that associated with the vehicle and machinery movements anticipated within this rural, agricultural environment and would comply with the District Plan daytime and night-time noise requirements.

5.5 Assessment of Effects – Flood Risk

The relevant assessment matters in this instance are contained within section 3.11.8.

- a) *The likelihood of the proposed activity, including the addition or establishment of any residential unit, being threatened from coastal erosion, flooding or ponding.*

The application site covers a spacious area of approximately 2.9ha. The erection of a storage building measuring roughly 615m² is not expected to increase the likelihood of flooding or ponding locally. The location of the structure ensures it will not be threatened by coastal erosion.

- b) *Any available information regarding coastal erosion rates, flooding and ponding levels, and frequency of flooding events, in relation to the site of the building.*

As indicated within the Flood Hazard Assessment which has been included as Annexure H, Environment Canterbury anticipate that any flooding (if it occurs) is unlikely to be very deep.

The site in question appears to be on one of the areas of higher ground and while impossible to predict exactly, the potential for flooding to occur appears relatively low.

Considering the above, alongside the purpose of the proposed building, it is reasonable to assume that (as suggested by ECan) a floor level that is at least 300mm above natural existing ground level will be sufficient in this instance.

- c) *The likelihood of the proposed activity, including the addition or establishment of any residential unit, being inundated by the sea.*

The proposed activity is positioned approximately 20km from the coast and as such, will not be influenced by the sea.

- d) *The value of assets that will be vulnerable to flooding, coastal erosion or inundation by the sea, as a result of the establishment of the proposed activity.*

Although the structure does increase the level of built form on site and asset value, the development does not represent a significant increase in the applicant's overall asset value. The building will be non-habitable and used to store machinery and implements. There is no risk to life associated with the development and higher level land nearby can be used to temporarily store machinery/equipment if necessary.

- e) *The ability of buildings to be relocated, and estimated cost, and the possible destination of a relocated building.*

The main shed building will be permanently fixed in accordance with the accompanying plans. As mentioned above though, the siting will be appropriate for the proposed activity in order to preserve the productivity and longevity of the established operation. This structure will be easily maintained.

Although the portacom office will technically be relocatable, this unit is not expected to be moved once positioned on site.

On the whole, the development sought will not increase the site's susceptibility to flooding to any notable degree. The land will be able to accommodate the proposal within this location and as such, it is not envisaged that the building will need to be relocated or repositioned in the future.

- f) *Any other matter that is relevant to an activity, or residential unit, being vulnerable to flooding or erosion from a river, coastal erosion or inundation from the sea.*

Having carefully reviewed the scheme and assessed it against District Plan policies, it is not considered that there are any other applicable matters in this instance. The rural service building is sufficiently removed from both the sea and from the Rakaia River.

5.6 National Environmental Standards

The applicant is not aware of any issues of existing or historical contamination on the site that may affect human health.

What is more, the land in question is not listed on ECan's Listed Land Use Register as either having, or having had HAIL activities upon the land. A copy of the LLUR is attached as Annexure G.

The proposal does not include the subdivision of the site and the use of the land will not drastically change other than the building and activities on the site which could be likened to a farm building on the site with agricultural machinery inside and out.

A Preliminary Site Investigation is therefore not required as part of this proposal.

5.7 Effects Summary

Overall, based on the preceding assessment of environmental effects it is considered that although there are non-compliances, the effects of these are less than minor.

The proposal still more than adequately provides for future land users and adverse effects that could be considered significant are not expected to arise.

5.8 Consideration of Alternatives

An assessment of effects has been completed and as stated above; no significant adverse effects are anticipated.

Accordingly, under Schedule 4 clause 1(b) of the Resource Management Act, there is no need for alternatives to be considered.

6.0 OBJECTIVES AND POLICIES

Section 104 (1)(c) of the Resource Management Act does allow for any other relevant matters that the territorial authority sees fit to be considered in determining an application.

It is noted that under Section 104D and Section 104(1) of the RMA, the assessment of a proposal against any relevant objectives and policies is incumbent on the consent authority, not the applicant.

Notwithstanding, an assessment against relevant Operative District Plan objectives and policies has been undertaken to assist the process. Those relevant to the Rural B Zone in this instance are considered to be the following;

Objective 3.5: Rural Character and Amenity

To protect and maintain the character and amenity values of the District's rural areas, considering its productive uses whilst providing for non-rural activities that meet the needs of local and regional communities and the nation.

Policy 3.5B - Provide for the establishment of non-rural activities in the rural areas, whilst managing any potential adverse effects on the character and amenity of the rural environment and rural productive activities.

Policy 3.5D - Protect the visual qualities of the surrounding environment from any adverse effects of night lighting of recreational and business activities.

Policy 3.5E - Retain an open and spacious character to the rural areas of the District, with a dominance of open space and plantings over buildings by ensuring that the scale and siting of development is such that.

- *it will not unreasonably detract from the privacy or outlook of neighbouring properties;*
- *sites remain open and with a rural character as viewed from roads and other publicly accessible places;*
- *the character and scale of buildings is compatible with existing development within the surrounding rural area;*
- *the probability of residential units being exposed to significant adverse effects from an activity on a neighbouring property is reduced.*

From a rural amenity perspective there is no significant effect of establishing the facility as proposed. Under Policy 3.5B the proposal and focus is for rural/agricultural related activities with a potential element of non-rural activity from the site. The overall site will continue to be dominated by open space and as per the plans provided, the proposed building has been designed and positioned considerately so as not to detract from the spacious, rural character of the setting.

The site plan annexed to this application shows the site layout. Essentially the storage/workshop unit will be sufficiently setback from the internal boundaries and the nearest neighbouring properties. Even from Acton Road, the anticipated visual impact will be minor from various vantage points. Being at least 10m from the road boundary, the building is appropriately removed considering the proposed activity and what could potentially be constructed on site.

Under Policy 3.5D the visual quality of the environment is protected through a modestly scaled and considerately designed operation. The level of activity anticipated is limited and moreover, the operation will take place predominantly during hours of daylight. Any incidents of night-time lighting will be very rare and only ever temporary/short term in duration.

Set within such a largely open location, the addition of what is relatively diminutive built form is not expected to negatively impact upon the character and amenity currently experienced within this rural setting to any significant degree.

Under Policy 3.5E open space and character is retained. As addressed in the effects assessment privacy and outlook is not at issue

The proposed building is modestly scaled, appropriately designed and will be very tidy in appearance. It is of low height and benefits from the natural screening which surrounds both this site, and the adjoining land parcels. There is a sense of compatibility within the surrounding rural area.

There are no residential units within close proximity of the site (within 350 metres) and this proposal does not create any significant effects with the key effects being hours of operation, noise, traffic movements and lighting in this environment.

In summary, the assessment of those relevant objectives and policies, the proposal is not contrary or antagonistic to those.

Objective 11.1: Effects of Noise

Minimise the potential for conflict between noise emissions from land use activities and other more sensitive land uses.

As discussed in the assessment provided above, the scale of the activity, number of individuals present on site, anticipated vehicle movements and distance to residential dwellings the applicant is avoiding any adverse effects in terms of noise. In doing so, it is considered that the proposed activity adheres to Objective 11.1.

The ambient noise level in this environment is characterised by the sounds associated with an agricultural setting, Acton Road and other natural effects to a degree including the river flow to the north. This does create a low ambient noise environment. However, the addition of vehicular and machinery related activities occurring on an infrequent basis (which is the situation at present) can be said to form part of the existing environment.

The fact that the majority (if not all movements) are undertaken during the hours of daylight will ensure any noise effect is considered limited in scale.

Therefore, this proposal is not considered contrary to any of the relevant objectives and policies.

7.0 PART II OF THE RESOURCE MANAGEMENT ACT

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.

7.1 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 well-being 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.*

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 aforementioned reasons, it is considered that the proposed development achieves this purpose by avoiding, remedying or mitigating any adverse effects.

7.2 Section 7

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

- (b) *The efficient use and development of natural and physical resources;*
- (c) *The maintenance and enhancement of amenity values;*
- (f) *Maintenance and enhancement of the quality of the environment;*

When assessing a discretionary land use consent application in the Rural A zone, consideration may be given to the effect on amenity values and the maintenance and enhancement of the quality of the environment as a result of the proposed activity.

It is considered that section 7(b), (c) and (f) of the Act are matters that will not be adversely affected by the proposal. The proposal will contribute to the efficient use and development of the land with little or no adverse effect on the roading network or adjoining properties.

In terms of the efficient use of natural and physical resources, it is considered that the proposed activity is suitable and appropriate use of the land.

The proposal is considered to be consistent with these Part II matters in that it will maintain the amenity and enhance it with the provision of a new workshop / storage facility. The development has been sensibly and considerately sited, making good use of land within this agricultural environment. Given the above, it is considered that the proposal is in keeping with Part II of the Act.

8.0 SECTIONS 104 & 104B - CONSIDERATION OF APPLICATIONS

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 statement;*
 - (ii) *a New Zealand coastal policy statement;*
 - (iii) *regional policy statement or proposed regional policy statement;*
 - (iv) *a plan or proposed plan; and*
- (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.”*

Section 104B of the Act states in relation to the determination of applications for discretionary and non complying activities:

“After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority:

- (a) *may grant or refuse the application; and*
- (b) *if it grants the application, may impose conditions under Section 108.”*

Section 104(1)(b)(2) requires the consent authority to have regard to any relevant provisions of the District Plan or 104(1)(c) any other matter the consent authority to determine the application or Section 104(D)(1)(b)(i) the activity not being contrary to the objectives and policies of the District Plan.

In conclusion, we consider that the proposal meets the requirements for having effects that are of low potential effect and is not inconsistent nor contrary to the relevant objectives and policies.

9.0 NOTIFICATION –SECTIONS 95 AND 95A-F

Section 95A Public notification of consent applications

There is a four-step process under Section 95(A) to determine if public notification is required.

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.

Step 2 - Does the application fall within the criteria where public notification is precluded under s95A (5)?

- The activity itself is for a discretionary activity.

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.

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

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 adjacent to, or affects land is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11.

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.

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.

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).

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 considered to be adversely affected by the proposal. It is considered that the application need not be limited notified in accordance with Section 95B of the RMA.

The applicant has sought and secured the written approval of the following three landowners as these are likely to be affected by the proposed development;

- L W Brinsdon & N E Brinsdon, 31 Acton Road - Lot 4 DP 456684
- Burrows, McCorquodale, Morrison, Curran, Chaney, 58, 58A, 60 Acton Road and 24 Burrows Road.
- R A Gibbs, Lot 7 DP 456684

While it has not been possible to obtain written approval from the landowner at 63 Acton Road (Lot 6 DP 456684) it is considered that the impact is of low potential and will create less than minor effects. Other than these landowners, there are no other affected persons under Section 95E. Although the proposal will introduce a discretionary activity when assessed against the Ashburton District Plan, this application can be processed by non-notification.

10.0 CONCLUSION

This application seeks resource consent to establish a building that will be primarily used for workshop purposes. Due to the presence of machinery and farm implements, the activity does have an ancillary storage element. This structure is expected to only temporarily accommodate rural vehicles and machinery/equipment etc whilst awaiting repair or maintenance. Within this particular location, there are flood hazard related non-compliances.

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. The relevant objectives and policies of the Operative Ashburton District Plan were considered which Council must have regard to in its decision making and based on those relevant provisions the proposal is not considered inconsistent with those.

It has been demonstrated by the preceding assessment that the effects on the environment as a result of this proposal will have effects that are of a low impact. 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, promoting the sustainable management of natural and physical resources, with no more than minor environmental effects.

ANNEXURE A – FORM 9

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

TO: The Ashburton District Council

AK Tech Services Limited

applies for the resource consent described below.

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

n/a

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

Acton Road, Rakaia (Lot 5 Deposited Plan 456684)

3. **The type of resource consent** being sought is a Land Use Consent.

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

The applicant seeks to construct a new building on the site for workshop purposes. Operating largely on an adhoc basis, the proposed building will provide an onsite facility within which to undertake general mechanical repairs as and when required for machinery and vehicles associated with the agricultural sector.

Within this location, the development presents flood hazard issues.

The proposal 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 which should also be read as part of this application.

5. **Attached is an assessment of any actual or potential effects** that the activity may have on the environment.
6. **No other information** is required to be supplied by the district or regional plans or regulations.

Address for service:

David Harford Consulting Limited
P O Box 603
Ashburton 7740

Attention: David Harford

Telephone: (03) 307 7164

Email: david@[dhconsulting.co.nz](mailto:david@dhconsulting.co.nz)

Address for Applicant

AK Tech Services Ltd

C/ Azamat Kubanov

Email: [REDACTED]



.....
DATED: September 2021

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

ANNEXURE B – RECORD OF TITLE

Quickmap Title Details



Information last updated as at 27-Jun-2021

RECORD OF TITLE DERIVED FROM LAND INFORMATION NEW ZEALAND FREEHOLD

Identifier **590658**

Land Registration District **Canterbury**

Date Issued 18 September 2015

Prior References

430345

Type Fee Simple
Area 2.8800 hectares more or less
Legal Description Lot 5 Deposited Plan 456684

Registered Owners

AK Tech Services Limited

879772.1 Land Improvement Agreement pursuant to Section 30(3) Soil Conservation and Rivers Control Act 1941 - 6.6.1990 at 11.20 am

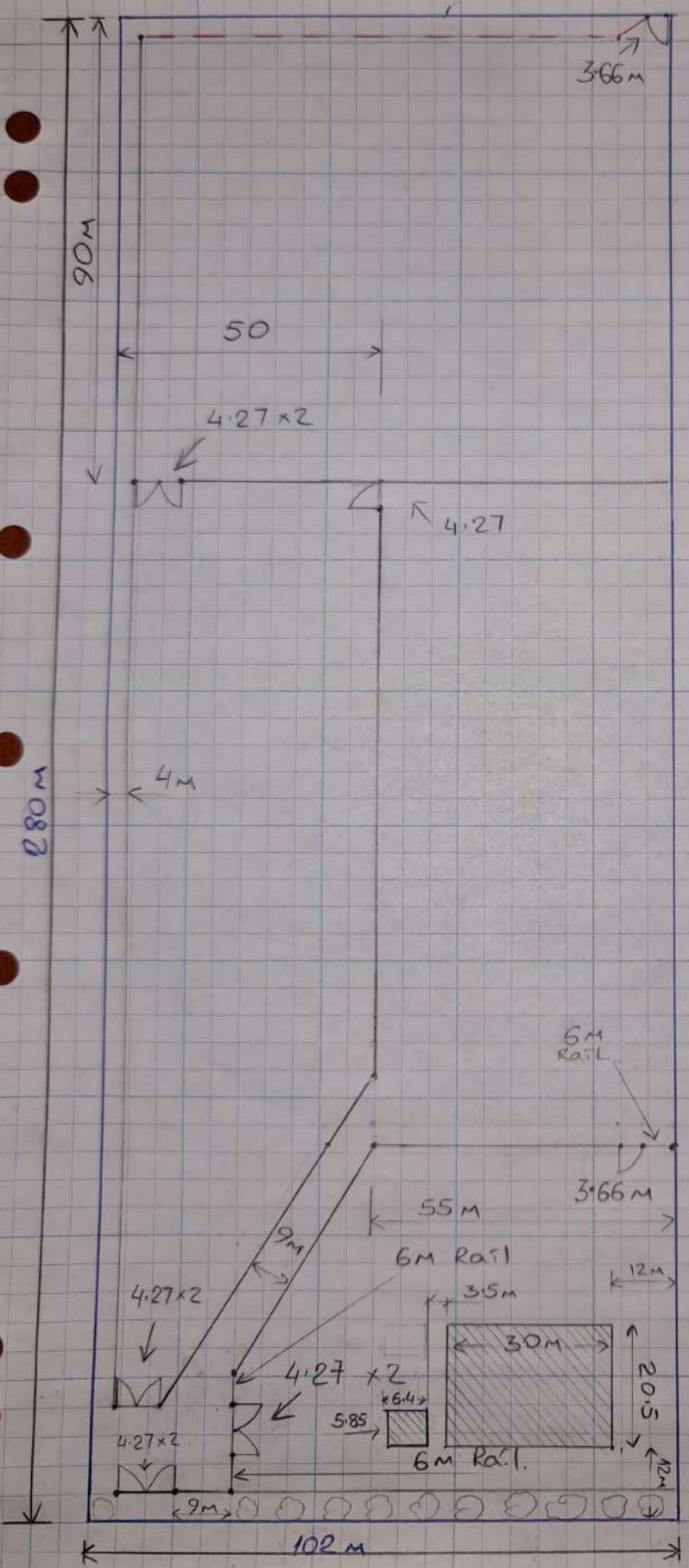
10140227.4 Consent Notice pursuant to Section 221 Resource Management Act 1991 - Produced 5.8.2015 at 5:02 pm and entered 18.09.2015 at 7:01 am

12023536.1 Mortgage to Azamat Ruslanovich Kurbanov - 11.5.2021 at 2:06 pm

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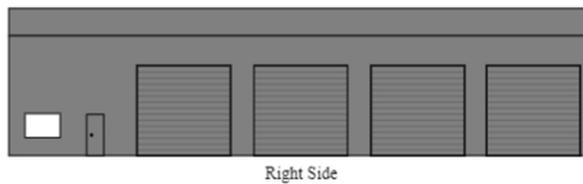
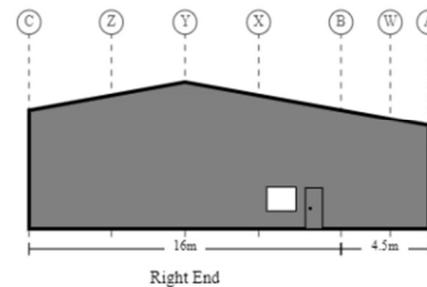
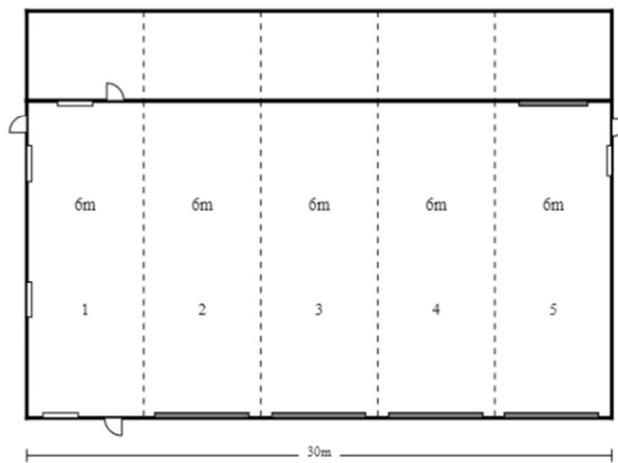
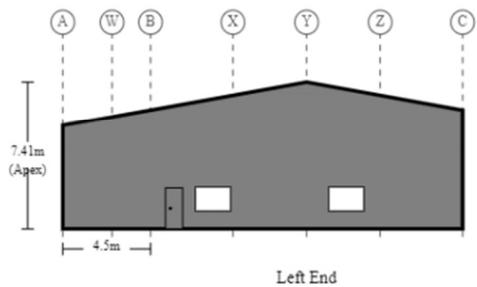
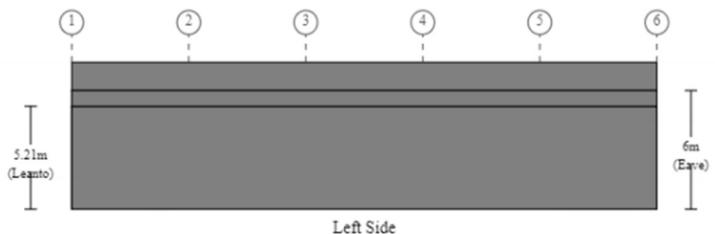
ANNEXURE C - DEVELOPMENT PLANS

Acton Rd.
Lot 5
Site Plan.



- 7 Rolls 80/30/8 netting
- 11 Strainers 2.4m 185-200
- 150 Posts
- 12 2.4 stays 125
- + 7 4.27 gates
- 7 sets through gudgons
- 56 straming Ratchets
- 1 coil 2.5mm wire
- 2 x 5kg 50mm staples
- 140 claw insulators
- 7 end insulators
- 7 insulator Ratchets.

← Acton Rd →

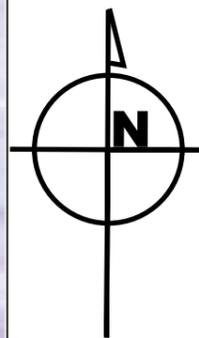




ALL DIMENSIONS TO BE CONFIRMED BY CONTRACTOR ONSITE PRIOR TO STARTING.



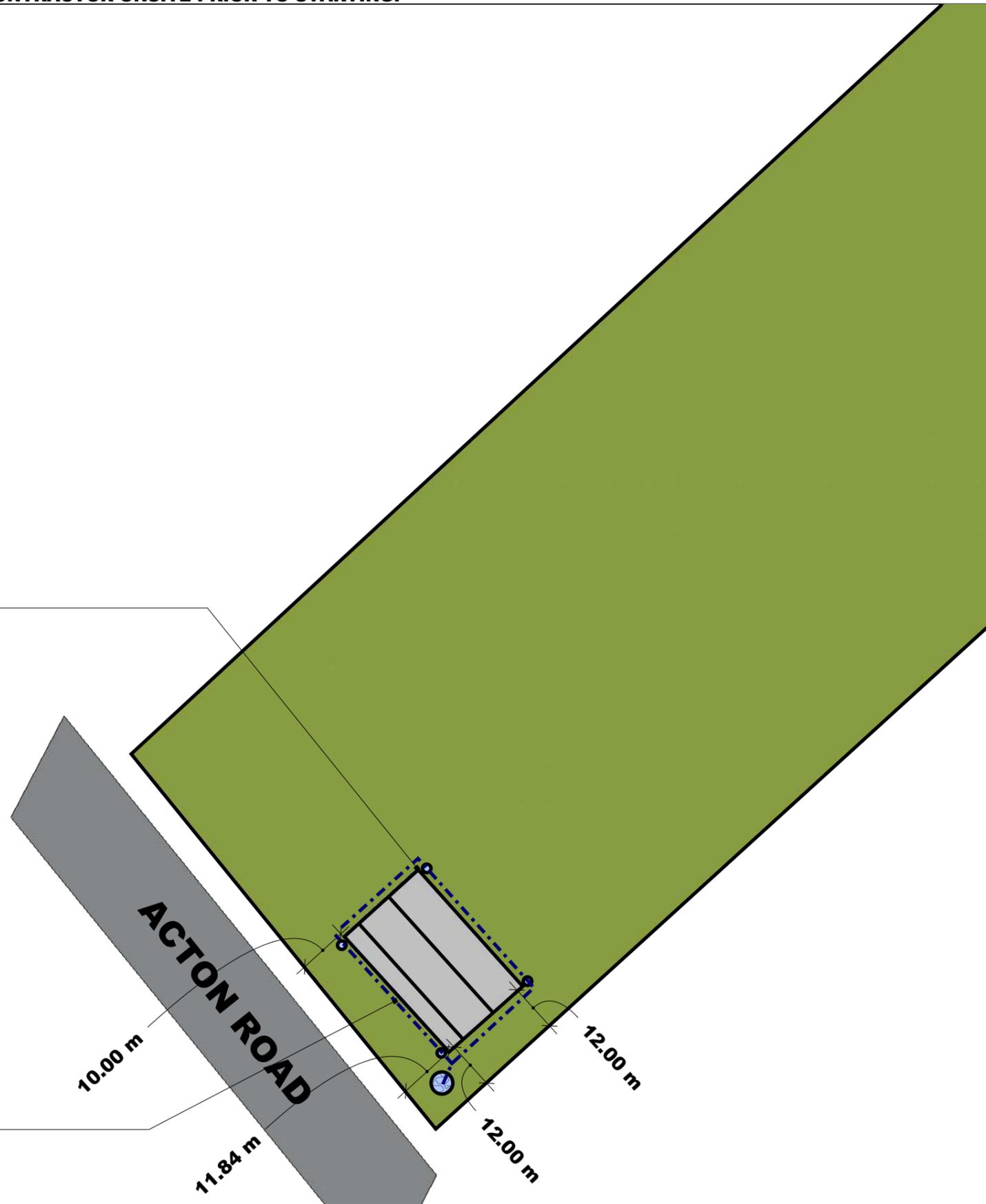
PROPOSED NEW SHED LOCATION.



PROPOSED NEW WIDESPAN SHED.
30.000 m x 16.000 m.
WITH ATTACHED AWNING.
30.000 m x 4.500 m.

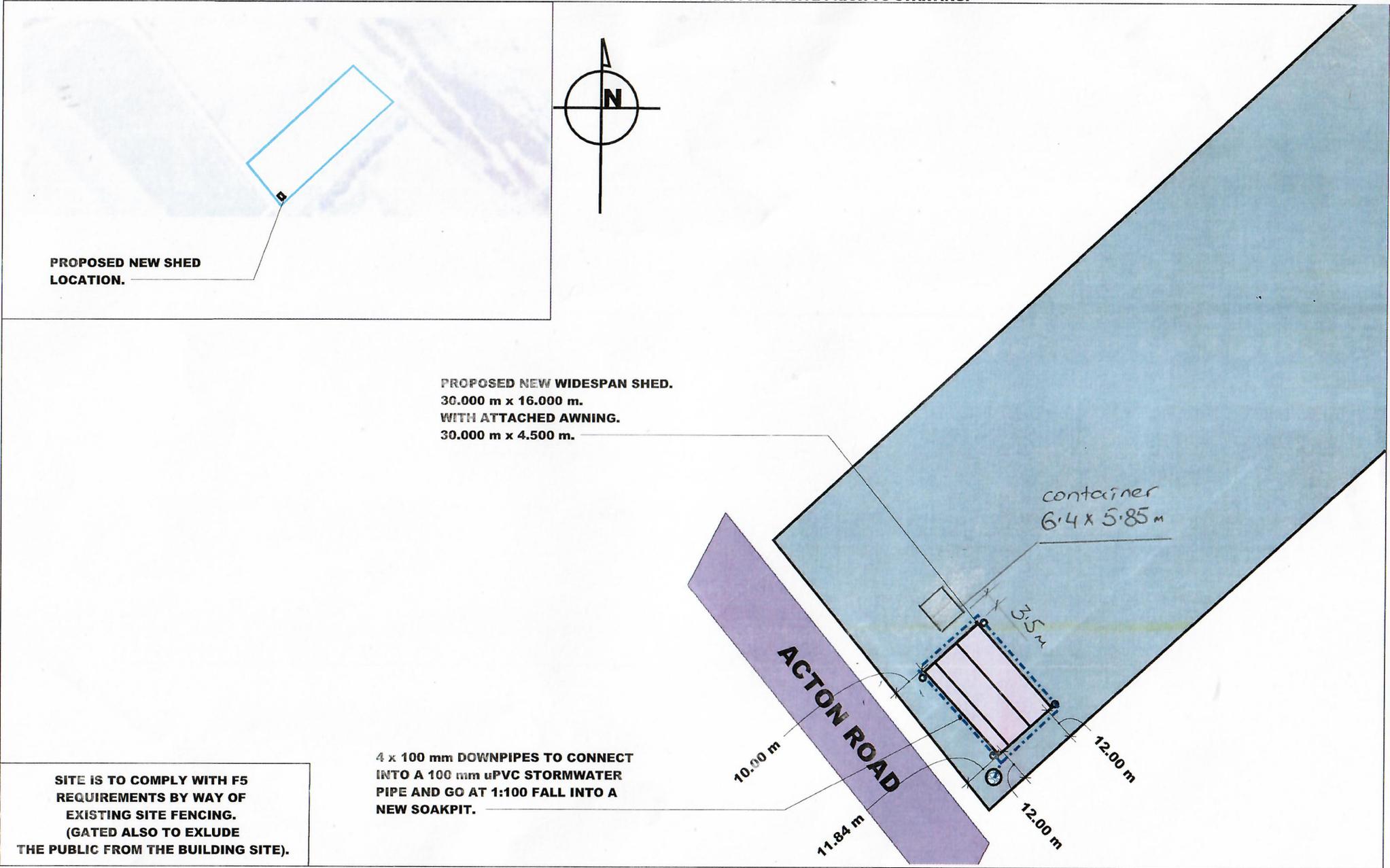
4 x 100 mm DOWNPIPES TO CONNECT INTO A 100 mm uPVC STORMWATER PIPE AND GO AT 1:100 FALL INTO A NEW SOAKPIT.

SITE IS TO COMPLY WITH F5 REQUIREMENTS BY WAY OF EXISTING SITE FENCING. (GATED ALSO TO EXCLUDE THE PUBLIC FROM THE BUILDING SITE).



	<p>Notes: Copyright: These drawings must not be reproduced without express permission of WARREN CONSENTING.</p>	<p>Legal Description: LOT 5 DEPOSITED PLAN 456684</p>	<p>Building Use: PROPOSED NEW SHED & AWNING.</p>	<p>Drawing Title: SITE PLAN</p>	
		<p>Owners: KURBANOV PROJECT</p>	<p>Address: LOT 5 DP 456684, ACTON ROAD, RAKAIA</p>	<p>Scale: 1:1000</p>	<p>Sheet: A1 OF 1</p>
				<p>Date: 2/09/2021</p>	

ALL DIMENSIONS TO BE CONFIRMED BY CONTRACTOR ONSITE PRIOR TO STARTING.



	Notes: Copyright: These drawings must not be Reproduced without express permission of WARREN CONSENTING.	Legal Description: LOT 5 DEPOSITED PLAN 456684	Building Use: PROPOSED NEW SHED & AWNING.	Drawing Title: SITE PLAN
		Owners: KURBANOV PROJECT	Address: LOT 5 DP 456684, ACTON ROAD, RAKAIA	Scale: 1:1000 Sheet: Date: 2/09/2021 A1 OF 1

ANNEXURE D – LOCATION PLAN

2
684
7
5
udin
Gaudin

Lot 3
DP 456684
2.4507
590656
B G Charlton

21

Lot 4
DP 456684
2.9895
590657
L W Brinsdon
N E Brinsdon

31

Lot 5
DP 456684
2.8800
590658
AK Tech Services Limited

Lot 7
DP 456684
2.4976
590660
R A Gibbs

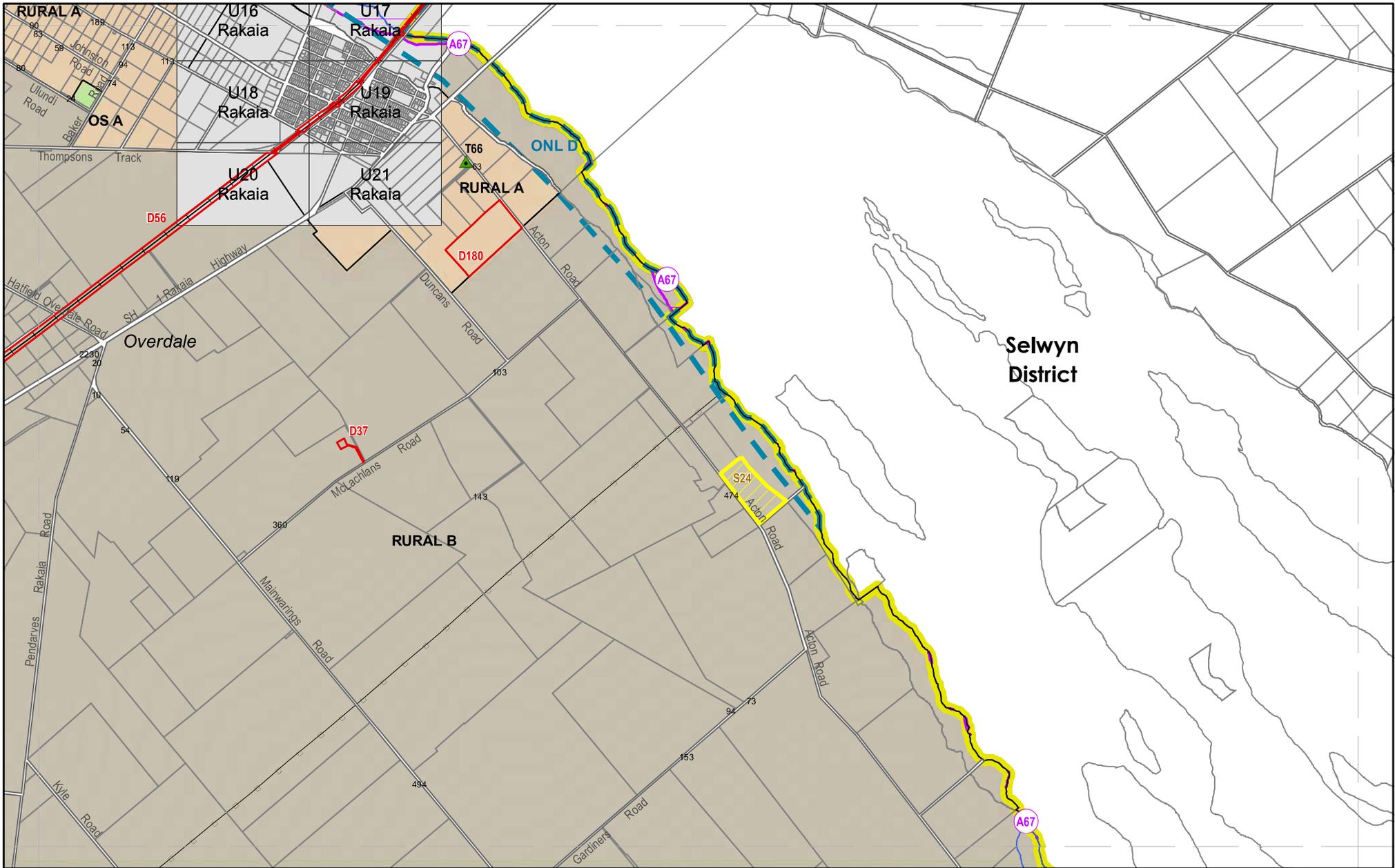
Lot 6
DP 456684
2.2182
590659
T A Mewes
W V Mewes

63

Lot 9
DP 456684
2.2185
590662
J M Kennedy
N P Kennedy

89

ANNEXURE E – PLANNING MAP



Ashburton District Plan Rural Series



Scale 1: 50,000 (A4)

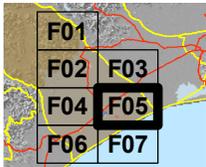
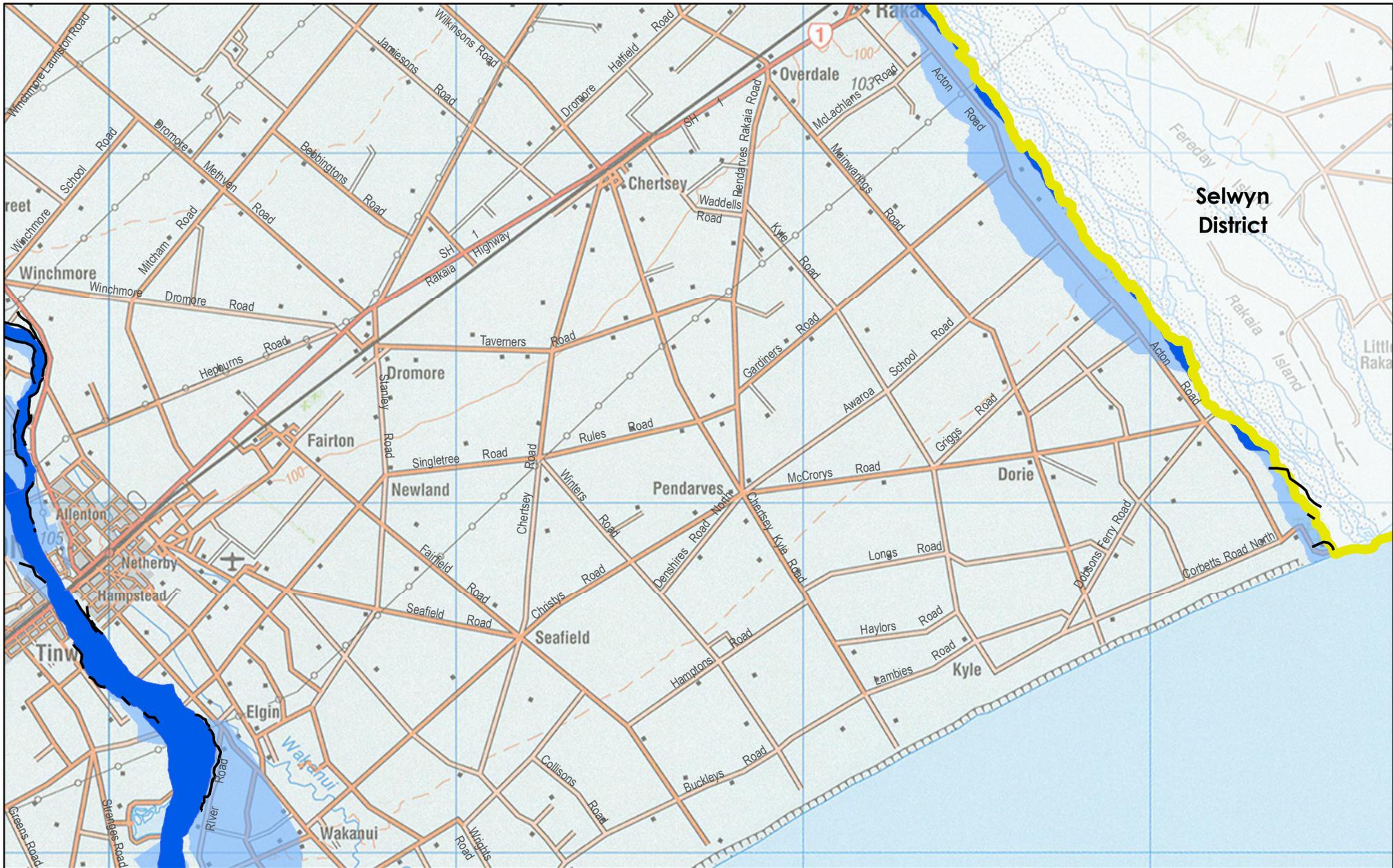
- [Street Index](#)
- [Rural Index](#)
- [Urban Index](#)
- [Legend](#)

R53	R54	
R60	R61	
R66	R67	R68



Map
R61
25-Aug-14

ANNEXURE F - FLOOD MAP 05



Ashburton District Plan



Floodable Areas

Refer to Floodable Areas Map Index for Disclaimer

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



Map F05

08-Mar-10

ANNEXURE G - 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

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.

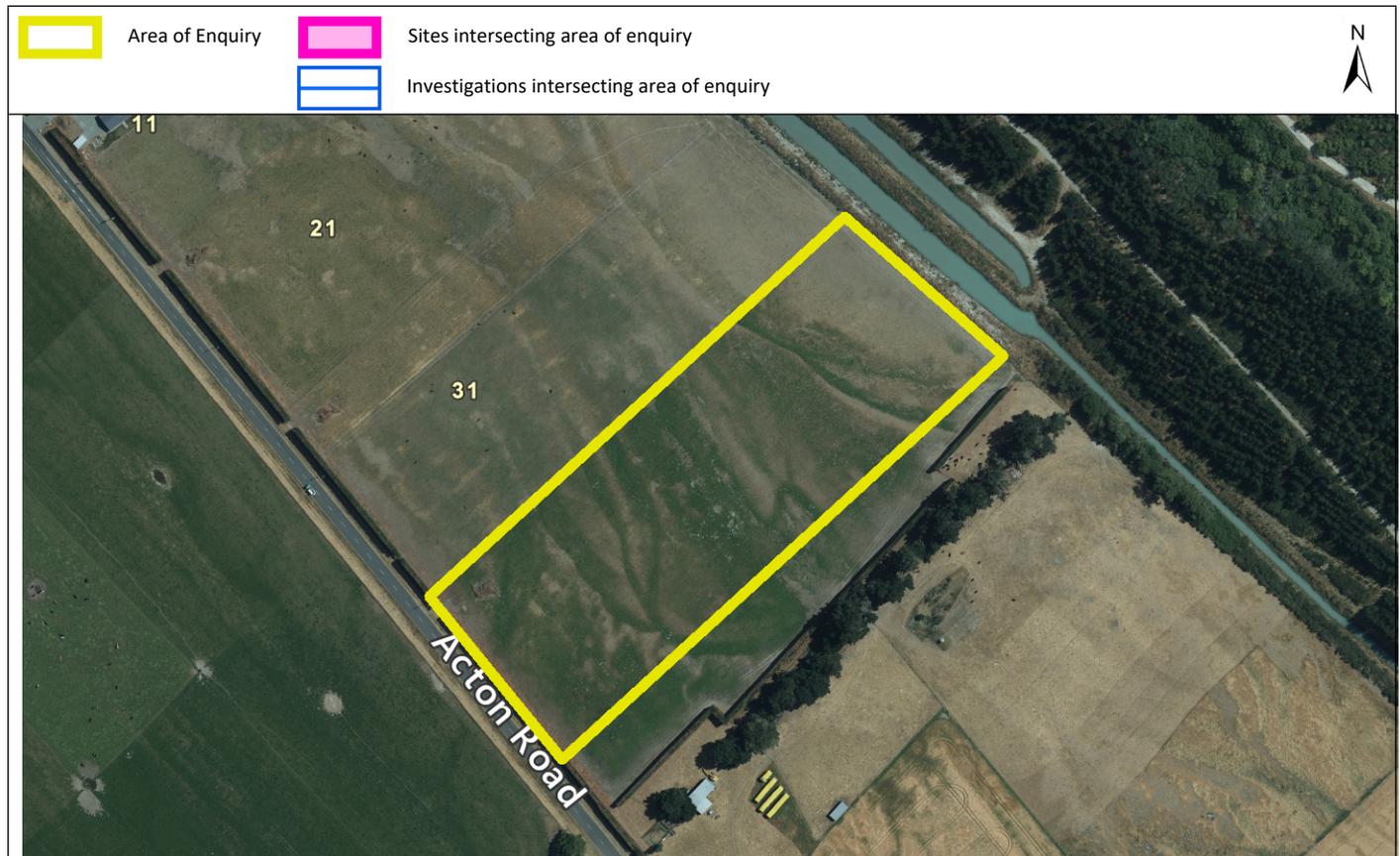
Yours sincerely

Contaminated Sites Team

Property Statement from the Listed Land Use Register

Visit ecan.govt.nz/HAIL for more information or contact Customer Services at ecan.govt.nz/contact/ and quote ENQ287267

Date generated: 01 July 2021
Land parcels: Lot 5 DP 456684



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.

Any person receiving and using this information is bound by the provisions of the Privacy Act 1993.

Listed Land Use Register

What you need to know



What is the Listed Land Use Register (LLUR)?

The LLUR is a database that Environment Canterbury uses to manage information about land that is, or has been, associated with the use, storage or disposal of hazardous substances.

Why do we need the LLUR?

Some activities and industries are hazardous and can potentially contaminate land or water. We need the LLUR to help us manage information about land which could pose a risk to your health and the environment because of its current or former land use.

Section 30 of the Resource Management Act (RMA, 1991) requires Environment Canterbury to investigate, identify and monitor contaminated land. To do this we follow national guidelines and use the LLUR to help us manage the information.

The information we collect also helps your local district or city council to fulfil its functions under the RMA. One of these is implementing the National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil, which came into effect on 1 January 2012.

For information on the NES, contact your city or district council.

How does Environment Canterbury identify sites to be included on the LLUR?

We identify sites to be included on the LLUR based on a list of land uses produced by the Ministry for the Environment (MfE). This is called the Hazardous Activities and Industries List (HAIL)¹. The HAIL has 53 different activities, and includes land uses such as fuel storage sites, orchards, timber treatment yards, landfills, sheep dips and any other activities where hazardous substances could cause land and water contamination.

We have two main ways of identifying HAIL sites:

- We are actively identifying sites in each district using historic records and aerial photographs. This project started in 2008 and is ongoing.
- We also receive information from other sources, such as environmental site investigation reports submitted to us as a requirement of the Regional Plan, and in resource consent applications.

¹The Hazardous Activities and Industries List (HAIL) can be downloaded from MfE's website www.mfe.govt.nz, keyword search HAIL

How does Environment Canterbury classify sites on the LLUR?

Where we have identified a HAIL land use, we review all the available information, which may include investigation reports if we have them. We then assign the site a category on the LLUR. The category is intended to best describe what we know about the land use and potential contamination at the site and is signed off by a senior staff member.

Please refer to the Site Categories and Definitions factsheet for further information.

What does Environment Canterbury do with the information on the LLUR?

The LLUR is available online at www.llur.ecan.govt.nz. We mainly receive enquiries from potential property buyers and environmental consultants or engineers working on sites. An inquirer would typically receive a summary of any information we hold, including the category assigned to the site and a list of any investigation reports.

We may also use the information to prioritise sites for further investigation, remediation and management, to aid with planning, and to help assess resource consent applications. These are some of our other responsibilities under the RMA.

If you are conducting an environmental investigation or removing an underground storage tank at your property, you will need to comply with the rules in the Regional Plan and send us a copy of the report. This means we can keep our records accurate and up-to-date, and we can assign your property an appropriate category on the LLUR. To find out more, visit www.ecan.govt.nz/HAIL.



My land is on the LLUR – what should I do now?

IMPORTANT! Just because your property has a land use that is deemed hazardous or is on the LLUR, it doesn't necessarily mean it's contaminated. The only way to know if land is contaminated is by carrying out a detailed site investigation, which involves collecting and testing soil samples.

You do not need to do anything if your land is on the LLUR and you have no plans to alter it in any way. It is important that you let a tenant or buyer know your land is on the Listed Land Use Register if you intend to rent or sell your property. If you are not sure what you need to tell the other party, you should seek legal advice.

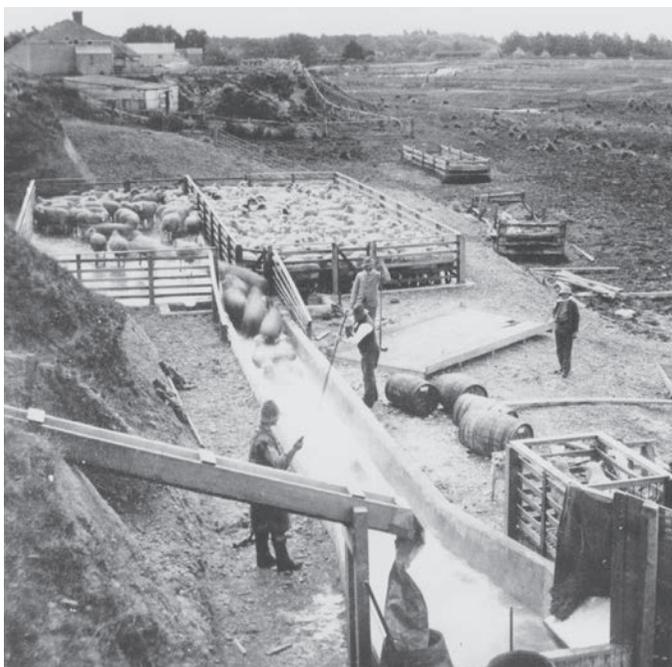
You may choose to have your property further investigated for your own peace of mind, or because you want to do one of the activities covered by the National Environmental Standard for Assessing and Managing Contaminants in Soil. Your district or city council will provide further information.

If you wish to engage a suitably qualified experienced practitioner to undertake a detailed site investigation, there are criteria for choosing a practitioner on www.ecan.govt.nz/HAIL.



IMPORTANT!

The LLUR is an online database which we are continually updating. A property may not currently be registered on the LLUR, but this does not necessarily mean that it hasn't had a HAIL use in the past.



Sheep dipping (ABOVE) and gas works (TOP) are among the former land uses that have been identified as potentially hazardous. (Photo above by Wheeler & Son in 1987, courtesy of Canterbury Museum.)

I think my site category is incorrect – how can I change it?

If you have an environmental investigation undertaken at your site, you must send us the report and we will review the LLUR category based on the information you provide. Similarly, if you have information that clearly shows your site has not been associated with HAIL activities (eg. a preliminary site investigation), or if other HAIL activities have occurred which we have not listed, we need to know about it so that our records are accurate.

If we have incorrectly identified that a HAIL activity has occurred at a site, it will be not be removed from the LLUR but categorised as Verified Non-HAIL. This helps us to ensure that the same site is not re-identified in the future.

Contact us

Property owners have the right to look at all the information Environment Canterbury holds about their properties.

It is free to check the information on the LLUR, online at www.llur.ecan.govt.nz.

If you don't have access to the internet, you can enquire about a specific site by phoning us on (03) 353 9007 or toll free on 0800 EC INFO (32 4636) during business hours.

Contact Environment Canterbury:

Email: ecinfo@ecan.govt.nz

Phone:

Calling from Christchurch: (03) 353 9007

Calling from any other area: 0800 EC INFO (32 4636)



Everything is connected

Promoting quality of life through balanced resource management.

www.ecan.govt.nz

E13/101

Listed Land Use Register

Site categories and definitions

When Environment Canterbury identifies a Hazardous Activities and Industries List (HAIL) land use, we review the available information and assign the site a category on the Listed Land Use Register. The category is intended to best describe what we know about the land use.

If a site is categorised as **Unverified** it means it has been reported or identified as one that appears on the HAIL, but the land use has not been confirmed with the property owner.

If the land use has been confirmed but analytical information from the collection of samples is not available, and the presence or absence of contamination has therefore not been determined, the site is registered as:

Not investigated:

- A site whose past or present use has been reported and verified as one that appears on the HAIL.
- The site has not been investigated, which might typically include sampling and analysis of site soil, water and/or ambient air, and assessment of the associated analytical data.
- There is insufficient information to characterise any risks to human health or the environment from those activities undertaken on the site. Contamination may have occurred, but should not be assumed to have occurred.

If analytical information from the collection of samples is available, the site can be registered in one of six ways:

At or below background concentrations:

The site has been investigated or remediated. The investigation or post remediation validation results confirm there are no hazardous substances above local background concentrations other than those that occur naturally in the area. The investigation or validation sampling has been sufficiently detailed to characterise the site.

Below guideline values for:

The site has been investigated. Results show that there are hazardous substances present at the site but indicate that any adverse effects or risks to people and/or the environment are considered to be so low as to be acceptable. The site may have been remediated to reduce contamination to this level, and samples taken after remediation confirm this.

Managed for:

The site has been investigated. Results show that there are hazardous substances present at the site in concentrations that have the potential to cause adverse effects or risks to people and/or the environment. However, those risks are considered managed because:

- the nature of the use of the site prevents human and/or ecological exposure to the risks; and/or
- the land has been altered in some way and/or restrictions have been placed on the way it is used which prevent human and/or ecological exposure to the risks.

Partially investigated:

The site has been partially investigated. Results:

- demonstrate there are hazardous substances present at the site; however, there is insufficient information to quantify any adverse effects or risks to people or the environment; or
- do not adequately verify the presence or absence of contamination associated with all HAIL activities that are and/or have been undertaken on the site.

Significant adverse environmental effects:

The site has been investigated. Results show that sediment, groundwater or surface water contains hazardous substances that:

- have significant adverse effects on the environment; or
- are reasonably likely to have significant adverse effects on the environment.

Contaminated:

The site has been investigated. Results show that the land has a hazardous substance in or on it that:

- has significant adverse effects on human health and/or the environment; and/or
- is reasonably likely to have significant adverse effects on human health and/or the environment.

If a site has been included incorrectly on the Listed Land Use Register as having a HAIL, it will not be removed but will be registered as:

Verified non-HAIL:

Information shows that this site has never been associated with any of the specific activities or industries on the HAIL.

Please contact Environment Canterbury for further information:

(03) 353 9007 or toll free
on 0800 EC INFO (32 4636)
email ecinfo@ecan.govt.nz

ANNEXURE H - ECAN FLOOD REPORT

26 August 2021

Kevin McLaughlin
PO Box 603
Ashburton 7740
New Zealand

Dear Kevin

**Flood Hazard Assessment – New Build
Acton Road, Rakaia
Lot 5 DP 456684
Valuation No: 24410-126-37**

This 2.9-hectare property extends between Acton Road to the southwest and the Rakaia Riverbed to the northeast and is around 580 m east of Rakaia Township. The property has large variations in ground level. Higher parts of the property are 3 – 4 metres above the gravel bed of the Rakaia River. The general area between Acton Road and river (particularly closer to the river) is traversed by numerous historic flood channels and other depressions.

Environment Canterbury has not carried out a detailed investigation into flooding in this area and has little information on flooding specific to this property.

Flood Mapping carried out by the South Canterbury Catchment Board (Publication 51) indicates the property may be flooded due to upstream breakouts from the Rakaia River. The mapping was carried out at a high level and should be considered as indicative only. In the unlikely event that river breakouts did affect the property, it can be expected that floodwaters would mostly be restricted to the low areas and historic flood channels that riddle the area. Flooding over ground of average or slightly higher elevation will be shallow only.

During significant rainfall events water is likely to collect and pool in the swales, However Environment Canterbury has no specific information about this.

As defined by the District Plan, the minimum floor height required for new dwellings by the Ashburton District Council is 150 mm above the expected 200-year Average Recurrence Interval (ARI) flood level.

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

The site you have selected appears to be on one of the areas of higher ground, though not the highest. However, the 200-year ARI flood is an extreme event and the unpredictability of the large, gravel bearing, and braided Rakaia River makes it difficult to completely rule out flooding.

Flooding (if it occurs) is unlikely to be very deep. A minimum floor level that is at least 300 mm above natural existing ground level is likely sufficient to meet the District Councils minimum floor height requirement.

Overall, the flooding at the property can be described as low risk.

Key Ref: 21180

Contact: Oliver Hermans

Predicting site-specific flooding is not an exact science and requires many assumptions. This is particularly true when dealing with a large, braided river like the Rakaia. Any additional height you choose to add to the floor (above the recommended minimum) will provide further protection against the risk of floodwaters affecting the dwelling in an extreme flood event.

When using the flood information provided in this letter it is important the following points are understood:

- The information provided is the best information Environment Canterbury has at this time. The District Council or other residents may have further information about flooding at the property.
- Environment Canterbury's understanding of flooding at the property may change in the future as further investigations are carried out and new information becomes available.
- It is assumed that flood protection works will be maintained to at least their current standard in the future.
- Flooding can occur in smaller floods if stop banks are breached at lower than design flows. A breach can occur through lateral or internal erosion of the stop bank. The location of a stop bank breach or overtopping may affect flood depths at the property.
- Flood flow paths and depths can be affected by changes on the floodplain such as:
 - Altering swales, roads, or irrigation features
 - Property development including buildings, fencing and hedges
 - Blockages in culverts, drains and bridges
 - Seasonal vegetation growth
 - Antecedent soil moisture conditions

The prediction of flood depths requires many assumptions and is not an exact science.

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

Yours sincerely



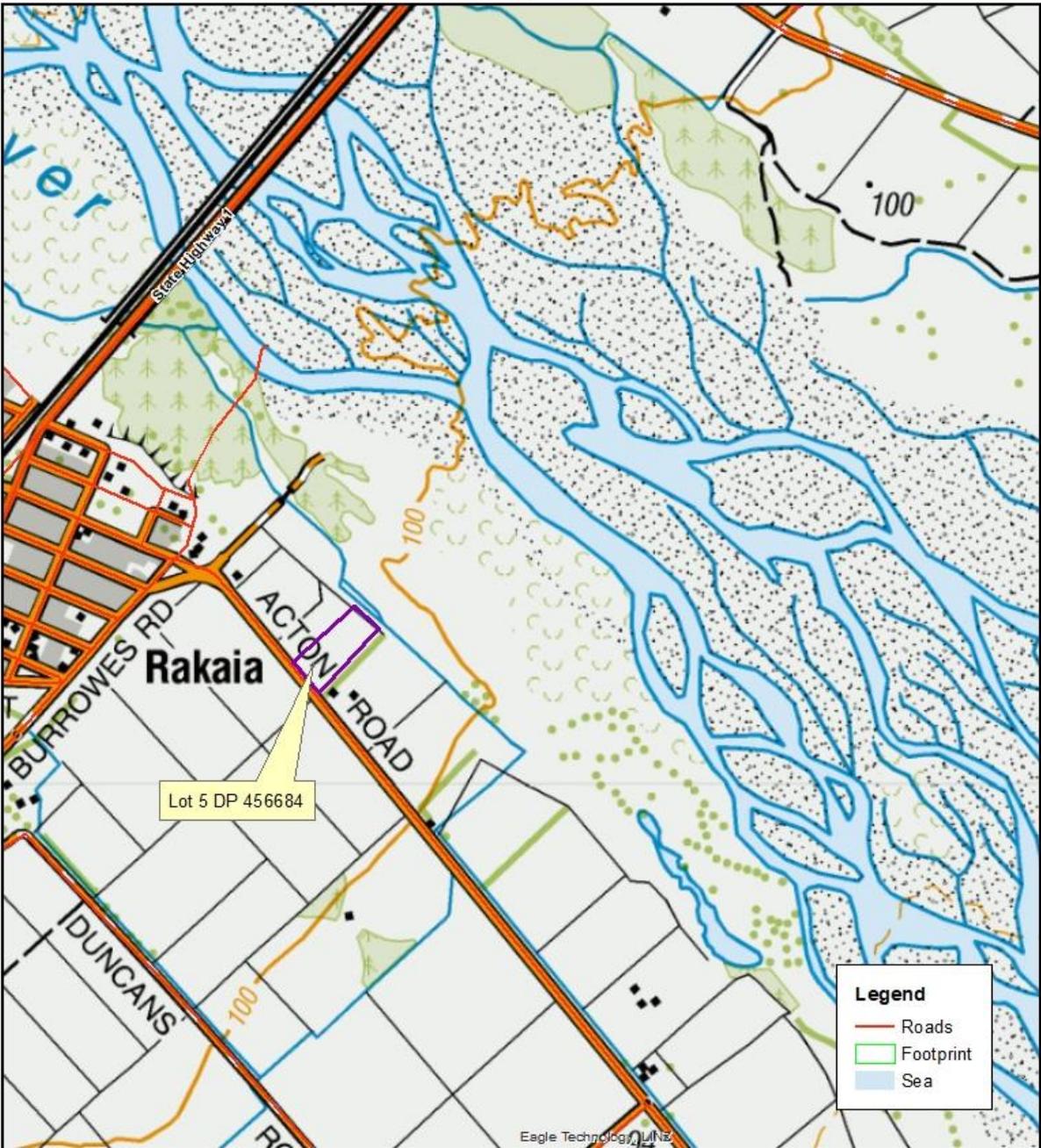
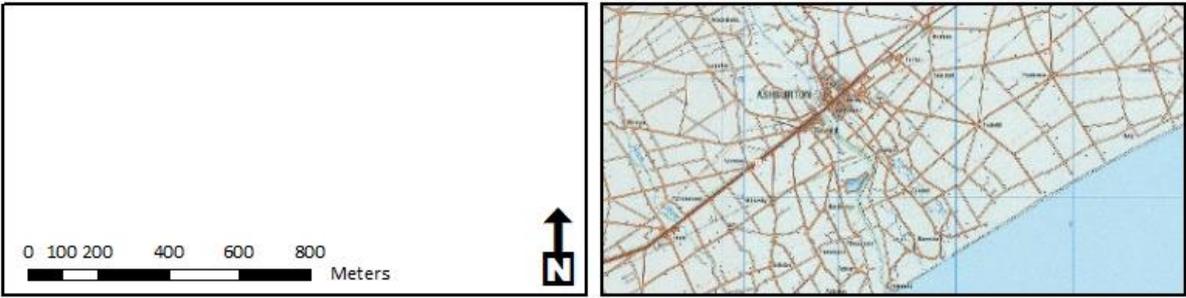
Oliver Hermans
Science Analyst (Natural Hazards)

cc: info@adc.govt.nz
Ashburton District Council

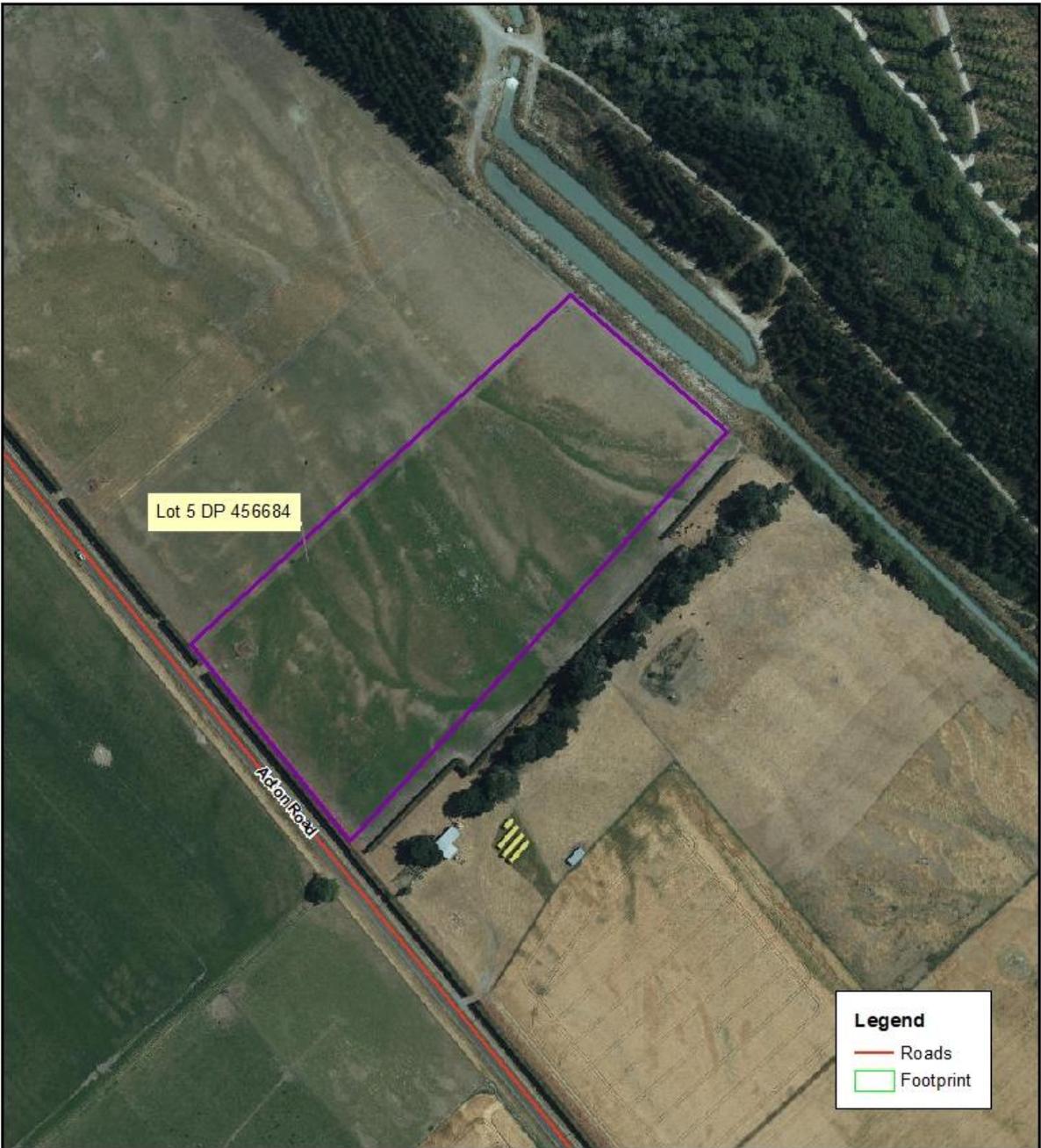
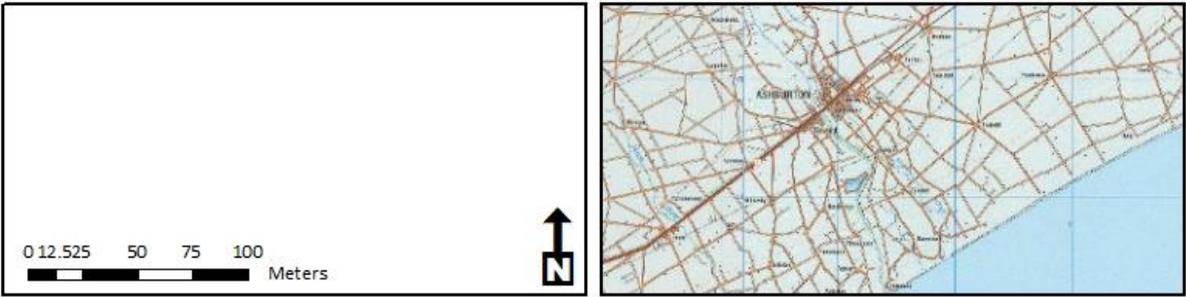
Attachments:

- Topographic Map of the Property
- Aerial photograph of the property
- Proposed site plan

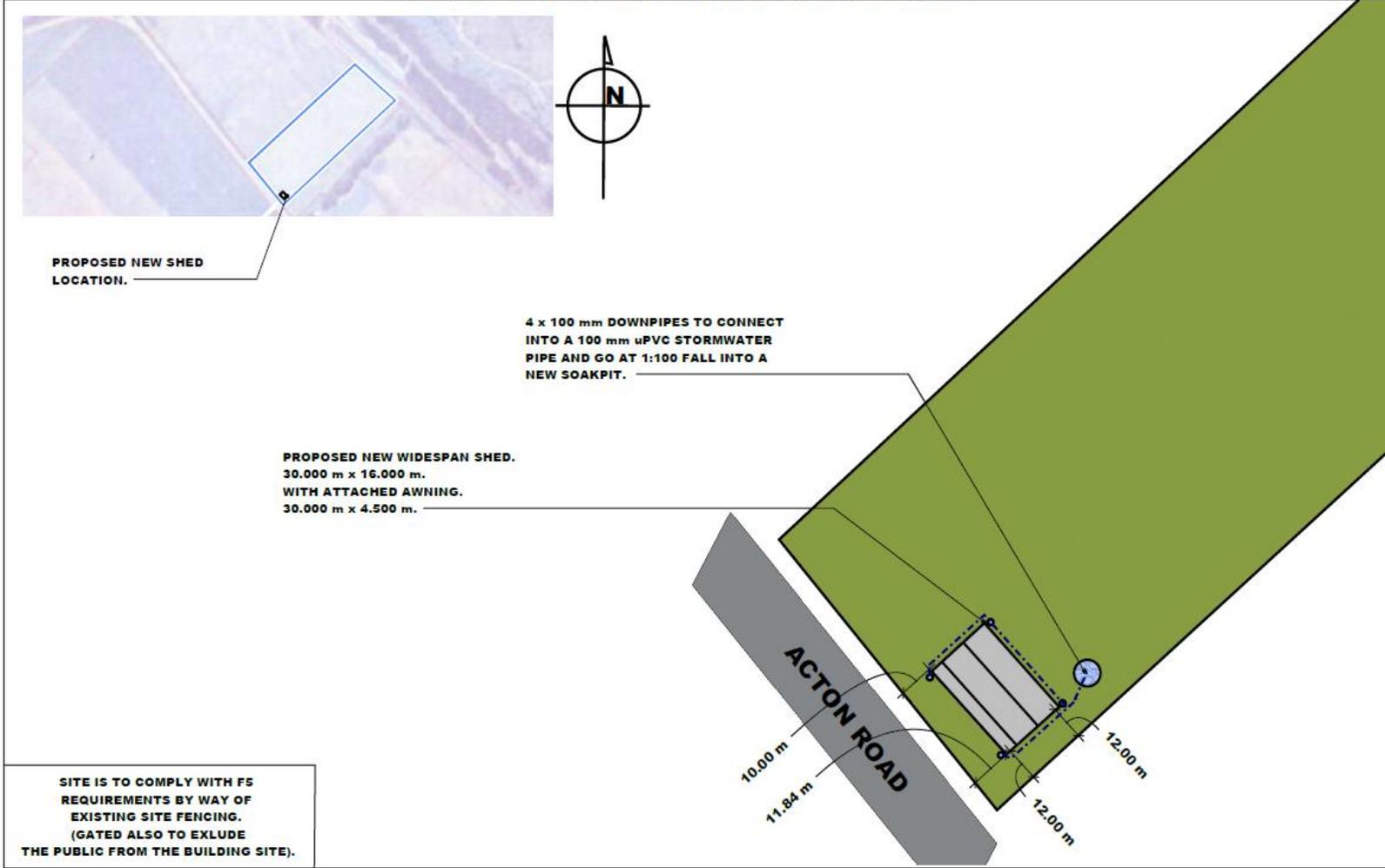
Acton Road - Topo



Acton Road - Aerial



ALL DIMENSIONS TO BE CONFIRMED BY CONTRACTOR ONSITE PRIOR TO STARTING.



SITE IS TO COMPLY WITH F5 REQUIREMENTS BY WAY OF EXISTING SITE FENCING. (GATED ALSO TO EXCLUDE THE PUBLIC FROM THE BUILDING SITE).

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	<p>Owners: KURBANOV PROJECT</p>	<p>Address: LOT 5 DP 456684, ACTON ROAD, RAKAIA</p>	<p>Scale: 1:1000</p>	<p>Sheet: A1 OF 1</p>