



7 November 2020

The Expert Consenting Panel  
c/- Environmental Protection Authority  
Level 10/215 Lambton Quay,  
Wellington Central  
Wellington 6011

**Attention: June Cahill**

**By Email: [June.Cahill@epa.govt.nz](mailto:June.Cahill@epa.govt.nz)**

**cc. [klee@doc.govt.nz](mailto:klee@doc.govt.nz)**

Kia ora June,

## **Re: Draft Conditions – LP13 Rāpaki Papakāinga Housing Development**

On behalf of Te Mahi Korowai Trust (“the Trust”), this letter is a formal response to the draft resource consent conditions received on 30<sup>th</sup> October 2020. Each condition is stated in *italics*, with a corresponding response below.

1. *Except as required by subsequent conditions, the development shall proceed in accordance with the information and plans submitted with the application, including the further information submitted on 14 February 2020 and the amended Site Plan, contained in the Matapopore Landscape Plan, dated 21 April 2020, as follows:*
  - *Solarchitect Limited / Homeco, Rāpaki Papakāinga, Rev F, sheet A0.0 to A3.7, (16 pages).*
  - *Matapopore Landscape Plan dated 21 April 2020 (5 pages). The Approved Consent Plans have been entered into Council records as RMA/2019/2629 (21 pages).*

The Trust accepts this condition and confirms that development will proceed in accordance with Plans.

### **Accidental Discovery**

2. *Should any archaeological material or sites be discovered during the course of work on the site, work in that area of the site shall stop immediately and the appropriate agencies, including the Mana Whenua and Heritage New Zealand Pouhere Taonga, shall be contacted immediately in accordance with the Accidental Discovery Protocol set out in Appendix 3 of the Mahaanui Iwi Management Plan: [http://www.mkt.co.nz/wp-content/uploads/2016/05/Mahaanui-IMP-web\\_Part32.pdf](http://www.mkt.co.nz/wp-content/uploads/2016/05/Mahaanui-IMP-web_Part32.pdf)*

The Trust accepts this condition. An accidental discovery protocol will be a Contract condition relating to all civil and building works.



## Earthworks

- 3. All filling and excavation work shall be carried out in accordance with a site specific Erosion and Sediment Control Plan ('ESCP'), prepared by a suitably qualified and experienced professional, which follows the best practice principles, techniques, inspections and monitoring for erosion and sediment control contained in ECan's Erosion and Sediment Control Toolbox for Canterbury <http://escscanterbury.co.nz/>. The ESCP must be held on site at all times and made available to Council on request.*

The Trust accepts this condition. An Erosion and Sediment Control Plan (ESCP) will be prepared by the appointed Engineer to Principal, being a suitably qualified and competent professional. The ESCP will be implemented prior to any works occurring on-site. The induction of all staff working on the Site will include details of the ESCP. A copy of the ESCP will be held on-site, at all times, and a copy will be made available to Christchurch City Council on request.

- 4. Run-off must be controlled to prevent muddy water flowing, or earth slipping, onto legal road, neighbouring properties and the adjoining waterway. Sediment, earth or debris must not fall or collect on land beyond the site or enter the Council's stormwater system. All muddy water must be treated, using at a minimum the erosion and sediment control measures detailed in the site-specific Erosion and Sediment Control Plan, prior to discharge to the Council's stormwater system.*

The Trust accepts this condition, and it will be complied with in accordance with the ESCP.

- 5. The ESCP shall be implemented on site and maintained over the construction phase, until the site is stabilised (i.e. no longer producing dust or water-borne sediment). The ESCP shall be improved if initial and/or standard measures are inadequate. All disturbed surfaces shall be adequately top soiled and vegetated as soon as possible to limit sediment mobilisation. Photographs of the completed site works shall be emailed within 10 working days of completion to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz).*

The Trust accepts this condition. The ESCP shall be implemented and maintained for the duration of the construction phase and until the site is stabilised (i.e. no longer producing dust or water-borne sediment).

The Trust agrees to improve the ESCP should the initial and/or standard measures be found to be inadequate.

All disturbed surfaces shall be adequately top soiled and vegetated as soon as possible to limit sediment mobilisation.

The Trust will commission a Pre-works Dilapidation Survey, detailing the pre-works condition of the Site, the local roading infrastructure and any other relevant features. The Survey will be repeated post-works and a copy of both Surveys will be emailed within 10 working days of completion to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz).

- 6. Dust emissions shall be appropriately managed within the boundary of the property in compliance with the Regional Air Plan. Dust mitigation measures such as water carts or sprinklers shall be used on any exposed areas. The roads to and from the site, and entrance and exit, must remain tidy and free of dust and dirt at all times.*



The Trust accepts this condition, and the construction contractor will be required to manage dust emissions associated with the works, ensuring compliance with the Canterbury Air Regional Plan (CARP).

7. *All loading and unloading of trucks with excavation or fill material shall be carried out within the subject site.*

The Trust accepts this condition. The contractor undertaking the works will ensure that loading and unloading of trucks occurs on 2 Rāpaki Drive.

8. *The consent holder must notify Christchurch City Council no less than three working days prior to works commencing, (email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz)) of the earthworks start date and the name and contact details of the site supervisor.*

The Trust accepts this condition and will notify Christchurch City Council of works at least three working days prior to the commencement of works.

9. *All areas of exposed soils will be grassed as soon as practicable, in order to provide a vegetative cover which mitigates fugitive dust and enhances the amenity of the Site pending completion of the landscape works.*

The Trust accepts this condition and agrees that that grassing of exposed areas will mitigate any fugitive dust and enhance amenity as the landscape works are completed.

10. *At the completion of the works:*
  - a. *Any public road(s), footpath, landscaped areas or service structures that have been affected/damaged by earthwork or vehicles and machinery used shall be reinstated to the relevant Council Construction Standard Specification (CSS) at the expense of the consent holder and to the satisfaction of the Council's Engineer;*
  - b. *Surplus or unsuitable material from the project works shall be removed from site and disposed at a facility authorised to receive such material.*

The Trust accepts this condition.

### **Landscaping**

11. *The landscaping shall be established in accordance with the Matapopore Landscape Plan, dated 21 April 2020 (5 pages) but subject to such amendments as are required to meet Condition 12.*

The Trust accepts this condition.

12. *The subfloor area of Units 1-6 along the southwestern elevation shall be screened from view from Rāpaki Lane or adjacent properties by either additional shrub planting below the balconies or fixed screens such as trellis.*



With respect, we propose that the draft condition is corrected to read: *“The subfloor area of Units **1-5** along the southwestern elevation shall be screened from view from Rāpaki **Drive** or adjacent properties by either additional shrub planting below the balconies or fixed screens such as trellis.”*

The Trust accepts this condition and agrees to provide additional planting or fixed screens along the subfloor area of Units 1 – 5, located on the southwestern area of the site. It is agreed that this will provide additional screening that will mitigate adverse effects on visual amenity for surrounding properties.

*13. The landscaping shall be established on site within the three planting seasons (extending from 1 April to 30 September) following the final, passed building inspection.*

The Trust accepts and agrees with this condition as it will allow time for the Trust to finance the planting and for the locally sourced plant species to be propagated.

*14. All landscaping required for this consent shall be maintained. Any dead, diseased, or damaged landscaping shall be replaced by the consent holder within the following planting season (extending from 1 April to 30 September) with trees/shrubs of similar species to the existing landscaping.*

The Trust accepts and agrees that planting is required to be replaced if any plants are damaged, diseased or dead to ensure visual amenity is maintained.

**Advice notes:**

- **Landscape Planting**

*To enhance indigenous biodiversity values, the applicant is encouraged to consider planting locally sourced indigenous vegetation as part of any landscaping planting.*

The Trust agrees that locally sourced plant species is consistent with *tikanga* and will contribute to an overall enhancement of the Banks Peninsula environment and provide habitat for native fauna species.

- **Earthworks**

*The consent holder has advised that no ground disturbance works will start until such time as building consent has been obtained. On this basis the earthworks exemption under Christchurch District Plan Rule 8.9.3 iv has been applied to earthworks within the building footprint (extending to 1.8m from the outer edge of the wall).*

*It is the consent holder’s responsibility to ensure that the activity, including where carried out by contractors on their behalf, complies with the following noise limits:*

- *Rule 6.1.6.1.1 P2 - All earthworks related construction activities shall meet relevant noise limits in Tables 2 and 3 of NZS 6803:1999 Acoustics - Construction Noise, when measured and assessed in accordance with that standard.*

The Trust accepts this Advice Note and will ensure that:



1. No ground disturbance works will commence until such time as a Building Consent has been granted by Christchurch City Council; and
2. Te Mahi Korowai Trust will ensure adhere with the noise limits in the Christchurch District Plan is a contractual requirement with the civil works and building construction contracts.

- **Acoustic Insulation**

*The proposal is a sensitive activity located within 40m of Governors Bay Road, a minor arterial Road. Design details in accordance with the construction requirement of Appendix 6.11.4 of the District Plan have been provided. On the basis of these design details, the buildings will comply with the minimum external to internal noise reduction requirements specified in Rule 6.1.7.2.1. Any changes of materials or design will be required to demonstrate compliance with Rule 6.1.7.2.1.*

The architectural design provides for the requirement for acoustic insulation.

- **Monitoring**

*The Council will require payment of its administrative charges in relation to monitoring of conditions, as authorised by the provisions of section 36 of the Resource Management Act 1991. The current monitoring charges are:*

- i. A monitoring programme administration fee of \$102.00 to cover the cost of setting up the monitoring programme; and*
- ii. A monitoring fee of \$116.80 for the first monitoring inspection to ensure compliance with the conditions of this consent; and*
- iii. A monitoring fee of \$60.45 for verification of documents / photos submitted to confirm compliance with conditions; and*
- iv. Time charged at an hourly rate if more than one inspection, certification of conditions, or additional monitoring activities (including those relating to non-compliance with conditions), are required.*

*The monitoring programme administration fee and initial inspection fee / documentation fee / inspection fees will be charged to the applicant with the consent processing costs. Any additional monitoring time will be invoiced to the consent holder when the monitoring is carried out, at the hourly rate specified in the applicable Annual Plan Schedule of Fees and Charges.*

The applicant accepts the consent monitoring programme and reserves the right to negotiate the consent monitoring fees due to the charitable status of Te Mahi Korowai Trust.

- **Development contribution assessment**

*The proposal may require a development contribution under the provisions of the Christchurch City Council Development Contributions Policy. A Development Contribution assessment will be provided separately.*

The applicant understands the Christchurch City Council policy relating to development contributions. The applicant is also aware that development contributions may be waived as a result of the development meeting the definition of a “social housing complex” in the Christchurch District Plan. This will be discussed further with Christchurch City Council.



- **License to occupy Council Road Reserve**

*The vehicle access, car parking spaces 1 - 7 and part of car parking spaces 8 - 9 are located on Governors Bay Road reserve land. The use of this land is the subject of a licence to occupy agreement with Council. The deed of licence must be finalised prior to construction works being undertaken.*

Te Mahi Korowai Trust has negotiated a License to Occupy the legal road with Christchurch City Council.

We would advise that in the last week the Council Transport Policy Engineer, Mr Philip Basher, has contacted Elrick and Co Ltd, on behalf of the applicant, regarding the proposed retaining wall with a fencing / railing for pedestrians in the road reserve. Council has requested that the engineering plans are updated to show the full height and length of the retaining wall and the height of the fencing railing. Elrick and Co are currently liaising with Cosgroves Ltd, the design engineers, and are updating the relevant engineering drawings. The License to Occupy agreement will be re-drafted to provide for the amended engineering drawings.

The Licence to Occupy will be signed by Te Mahi Korowai Trust and the Christchurch City Council prior to construction works being undertaken.

- **Building consent**

*This resource consent has been processed under the Resource Management Act 1991 and relates to District planning matters only. You will also need to comply with the requirements of the Building Act 2004 and any other legislative requirements, including but not limited to Environment Canterbury Regional Plans and Record of Title restrictions such as covenants.*

A Building Consent application has been drafted. A Building Consent will be obtained prior to any construction works commencing on-site.

As proposed the Papakāinga Development does **not** require a resource consent pertaining to the Environment Canterbury Regional Plans; however, in the event that there are any changes to the proposed development which would result in a requirement for a resource consent, Te Mahi Korowai Trust will suspend works and obtain the requisite consent(s).

Overall, the applicant, Te Mahi Korowai Trust, accepts the consent conditions, subject, with respect, to the proposed amendment to Condition 12. Furthermore, Te Mahi Korowai Trust will ensure that all contractors engaged for the project are fully familiar with these conditions. A copy of the Conditions of Consent will be kept on-site and will be available as a reference tool, at all times.

Ngā manaakitanga

**Elrick & Co Limited**

Simon Hedley

Technical Director – Planning

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