

Before the Hearing Commissioner
appointed by Selwyn District Council

Under	the Resource Management Act 1991
In the matter of	a request by Four Stars Development Limited and Gould Developments Ltd to rezone approximately 53 hectares of Rural Inner Plains Zone to Living Z and Living Z Deferred at Levi, Lincoln Rolleston Roads and Nobeline Drive, East Rolleston (Plan Change 71)

Statement of Evidence of Mark David Allan

31 January 2022

Submitter's solicitor:

Alex Booker
Anderson Lloyd
Level 3, 70 Gloucester Street, Christchurch 8013
PO Box 13831, Armagh, Christchurch 8141
DX Box WX10009
p + 64 3 379 0037

**anderson
lloyd.**

- 1 My full name is Mark David Allan.
- 2 I hold the qualification of Bachelor of Resource and Environmental Planning (Hons) from Massey University.
- 3 I am currently employed as a Director with Aurecon New Zealand Limited (**Aurecon**), an international engineering, surveying and planning consultancy. I have held that position since 2013 and been with Aurecon (and its predecessor Connell Wagner) since 2004.
- 4 My previous work experience includes more than 20 years in the field of resource management, both in the public and private sector. The majority of this has been in land development (residential, commercial and industrial), infrastructure and telecommunications, involving the preparation and oversight of resource management applications and providing expert planning evidence in respect of the same. For the last 13 years I have been involved with plan formulation processes, the rezoning of land and resource consenting for supermarket developments throughout the South Island, including in relation to all of Foodstuffs' existing operations within Greater Christchurch.
- 5 In preparing this statement of evidence I have considered the following documents:
 - (a) Plan Change 71 materials (**PC71**);
 - (b) Foodstuffs' submission and other submissions on PC71;
 - (c) Council Officer's Section 42A Report (**s42A Report**);
 - (d) relevant statutory planning documents, namely the National Policy Statement on Urban Development (**NPS-UD**), Canterbury Regional Policy Statement (**CRPS**), operative Selwyn District Plan (**SDP**) and proposed Selwyn District Plan (**pSDP**), and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill (**the Enabling Bill**);
 - (e) the statements of evidence of Rebecca Parish and Rob Hay (for Foodstuffs) and Pauline Fiona Aston (for the Applicant);
 - (f) Foodstuffs' resource consent application to establish a PAK'nSAVE at 157 Levi Road, Rolleston.
- 6 My evidence is given on behalf of Foodstuffs in relation to its submission on PC71. Foodstuffs own the property at 157 Levi Road (**the Property**). The Property is included within PC71 (referred to in the Officer's Report as

Part B), and directly adjoins the rural land sought by PC71 to be rezoned for residential purposes.

Code of Conduct for Expert Witnesses

- 7 While this is not a hearing before the Environment Court, I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2014 and that I have complied with it when preparing my evidence. Other than when I state I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Scope of Evidence

- 8 My evidence outlines the current and proposed planning and legislative framework as it concerns PC71 and the Property. Foodstuffs' interest in PC71 relates to the creation of an unanticipated and significant change in the environment immediately adjoining the Property, and the consequential impact this may have on the Property given its intended use for a PAK'nSAVE supermarket. I have prepared evidence in relation to:

- (a) Foodstuffs' proposed PAK'nSAVE on the Property;
- (b) the relevant planning and legislative framework
 - (i) NPS-UD;
 - (ii) Enabling Bill;
 - (iii) CRPS; and
 - (iv) SDP and pSDP; and
- (c) potential and future adverse effects.

Rolleston PAK'nSAVE Supermarket Resource Consent Application

- 9 I was engaged by Foodstuffs to provide preliminary planning advice and oversee the preparation of its resource consent application for a proposed PAK'nSAVE (Supermarket Application) on the Property. The Supermarket Application was lodged with Council 17 December 2021 and formally accepted 11 January 2022 (RC216016O).
- 10 The Supermarket Application is supported by a number of specialist technical assessments, including an Integrated Transport Assessment (ITA), Architectural Design Statement, Landscape Visual Assessment,

Urban Design Assessment, Noise Assessment, Economic Assessment and Contamination Assessment, all of which conclude that the actual and potential effects of the proposed PAK'nSAVE are appropriate in the context of the receiving environment given its generous road and internal boundary setbacks, location at the corner of two arterial roads and near the Rolleston Town Centre, combined with the use of appropriate façade materials, colours, architectural design and landscaping.

- 11 The Economic Assessment (Insight Economics, 16 December 2021) supporting the Supermarket Application acknowledges that Selwyn District is one of the fastest growing districts in New Zealand, with population growth of 5.4% per annum in the last 10 years (nearly 3.5 times the national average growth rate of 1.6% per annum). It notes that district food retail demand is also growing significantly, with demand up to 2043 capable of supporting approximately eight additional supermarkets under a medium growth scenario, ten additional supermarkets under a high growth scenario, and nine additional supermarkets under an average growth scenario.
- 12 The Economic Assessment concludes that the PAK'nSAVE will help meet recent and projected future district retail demand growth for a supermarket in the District by providing a large-format discount supermarket to meet district and regional grocery needs. It will also generate additional expenditure, employment and incomes during the temporary construction period, provide employment opportunities within Rolleston, and result in numerous consumer benefits, including reduced travel time/cost to access a supermarket, competitive pricing, and access to a wider range of groceries.
- 13 The ITA (Abley, 15 December 2021) concludes the transport network will operate safely and efficiently (including with the cumulative effect of PC71) with the introduction of the PAK'nSAVE¹. The PAK'nSAVE will provide sufficient on-site carparking and efficient two-way vehicle movement throughout the Property. Accesses onto Levi Road and Lincoln Rolleston Road will efficiently distribute traffic across the local network, and separate delivery vehicle routes along the eastern (common boundary with PC71 Part A) and southern boundaries of the Property will minimise conflicts with supermarket customers. Active mode uptake is encouraged with convenient on-site cycle parking provision, safe and legible pedestrian connections through the Property, and new footpaths to integrate with existing pedestrian and cycle networks. Access to public transport is also

¹ Abley Limited, Rolleston PAK'nSAVE Integrated Transport Assessment, Section 9, pg. 49.

available approximately 200m from the Property, with likely improved public transport connectivity in the future delivered through the Christchurch Public Transport Futures Combined Business Case.

- 14 Using a trip generation rate of 12.5 trips/100m², the ITA estimates the 8,105m² PAK'nSAVE will generate 1,013 two-way trips per hour. I note that this traffic generation estimate is lower than the 3,700 two-way trips per hour assumed in the Officer's Report². The ITA assessment is based on Wainoni PAK'nSAVE, which I understand is the largest supermarket within the Trips Database Bureau and, therefore, considered an appropriate comparison for the proposed PAK'nSAVE. Further, I noted that Mr Collins' assessment includes an additional 16,895m² for future retail development on the Property, which is not part of the Supermarket Application³.
- 15 As mentioned in Ms Parish's company evidence, supermarkets are essential services, and have particular operational and functional needs, as well as locational constraints which can be dictated by market and catchment demands. The Property is located near the Town Centre, zoned for urban development purposes and within the Township boundary, proximate to the many planned urban growth areas, on land which is appropriate and not available in existing zoned business land areas, and well-served by existing public transport.
- 16 The location of the PAK'nSAVE was driven by necessary operational requirements, however significant consideration has been given to the design and layout of the PAK'nSAVE to appropriately respond to the surrounding environment, with the involvement of technical specialists to achieve a good design outcome and respect the character and amenity of the residential interface to the north, south and west, and rural interface to the east of the Property.
- 17 The PAK'nSAVE has been considerably designed to provide generous road and internal boundary setbacks and landscaping, including a building setback of approximately 18m from the eastern boundary (common with PC71 Part A) that comprises a 10m-wide biodiversity planting strip contiguous with the boundary.

² Mat Collins, Flow Transportation Specialists, Private Plan Change 71: Four Stars Development Ltd and Gould Developments Ltd Transportation Hearing Report, Section 8.7, pg. 31.

³ Mat Collins, Flow Transportation Specialists, Private Plan Change 71: Four Stars Development Ltd and Gould Developments Ltd Transportation Hearing Report, Section 8.7, pg. 31.

- 18 The PAK'nSAVE will result in significant benefits and positive effects to the immediate community and the District, and the specialist assessments supporting the Supermarket Application conclude that any actual and potential adverse effects will be appropriate in the context of the receiving residential and rural environment.
- 19 As Ms Parish has outlined, construction of the PAK'nSAVE could be completed by October next year, and that it could be operating before any residential activity associated with PC71 (if approved) was established⁴.

Current and Proposed Planning and Legislative Framework

- 20 I am aware that the district and regional planning and national legislative frameworks are undergoing considerable transformation in response to unprecedented population growth and demand for increased housing and business development capacity. The following focuses on the planning and legislative frameworks (including key objectives and policies) of relevance to Foodstuffs' submission.

National Policy Statement on Urban Development

- 21 PC71 must have regard to any relevant provisions of the NPS-UD, most relevantly:
- Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*
- 22 PC71 has the potential to impact the ability of the Property to fulfil its intended use efficiently and effectively, in a manner in which it has been considerably planned. PC71 will threaten the potential contribution the intended use of the Property could have towards a well-functioning urban environment that enables people and communities to provide for their wellbeing, health and safety, as it will result in an inappropriate interface with the Property. I note that this objective is forward looking, with reference to the future. In its current form, I do not consider PC71 appropriately manages potential and future adverse effects on the intended use and development of the Property.
- 23 The existing (anticipated) interface between the Property and PC71 Part A is characterised by a transition between urban and rural activities. PC71

⁴ Statement of Evidence of Rebecca Jayne Parish, para. 4.

will introduce concentrated residential development, more sensitive permitted noise limits, and 1-2m permitted internal boundary setbacks immediately adjacent the Property, and impractical and incompatible road and pedestrian linkages through the Property. For these reasons, I consider PC71 does not adequately consider the intended development outcome on the Property, and has the potential to result in an inappropriate interface with the same.

Objective 7: Local authorities have robust and frequently updated information about their urban environments and use it to inform planning decisions.

- 24 Through the Supermarket Application, it is readily apparent that Foodstuffs intend to establish a supermarket on the Property. The Supermarket Application is therefore relevant information to consideration of PC71. I note that PC71 takes into account the proposed future reserve which is rural zoned land in both the SDP and pSDP, with no designation making it lawfully established.

Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:

...

(d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets;

- 25 As previously stated, the proposed changes in PC71 will create adverse impacts on what Insight Economics' specialist economics assessment has identified is a much-needed supermarket in the District. The potential for concentrated residential development at the interface with the Property will constrain the supermarket's ability to operate day and night in order to serve as a reliable source of food and essential items for the community. I do not consider PC71 contains appropriate provisions that will support, and limit potential and future adverse effects on, the competitive intended operation of the Property.

Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill

- 26 The Enabling Bill (passed into law 15 December 2021) proposes to rapidly accelerate the supply of housing in Tier 1 local authorities by introducing medium density residential standards and further intensifying activity (in addition to the NPS-UD) around centres.

- 27 If PC71 is approved, the Enabling Bill will further intensify potential future adverse effects on the Property as it would permit (i.e. no resource consent) medium density residential housing (up to 11m high⁵) with only 1m setback from the common boundary with the Property⁶, subject to daylight recession planes. Rules which enable this will take effect at a time when a plan is notified on or before 20 August 2022. These rules will apply before any subdivision or development occurs on the land, and quite likely before any final decision is received on PC71 (if appealed). Resource consent for subdivision would only be required as a controlled activity with limited matters of discretion and no ability to decline (or for Foodstuffs to be involved in expressing concerns)⁷.

Canterbury Regional Policy Statement

- 28 The CRPS provides an overview of the resource management issues in the Canterbury region, and sets out the framework to address those issues and to achieve the integrated management of resources. This includes avoiding, remedying or mitigating effects⁸ which is of particular concern for the Region as a whole⁹, and the primary concern for Foodstuffs in relation to PC71.
- 29 To accommodate current and forecasted population growth and demand for housing and business development, the CRPS identifies existing urban areas, greenfield priority areas and Future Development Areas in Rolleston. The Property is located within the existing urban area, while PC71 Part A is not.
- 30 Map A – Greenfield Priority Areas and Future Development Areas (**Map A**)¹⁰ identifies PC71 Part B/ODP4 (the Property) as a Greenfield Priority Area – Residential. The southern portion of PC71 Part A, north of Nobeline

⁵ Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill, Schedule 3A, Part 2, Clause 9

⁶ Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill, Schedule 3A, Part 2, Clause 11

⁷ Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill, Schedule 3A, Part 1, Clause 2A.

⁸ Canterbury Regional Policy Statement (July 2021), Chapter 5: Land Use and Infrastructure, Policy 5.3.1: Regional Growth (Wider Region), p. 49.

⁹ Canterbury Regional Policy Statement (July 2021), Chapter 5: Land Use and Infrastructure, Issue 5.1.2: Adverse Effects of Development (Wider Region), p. 44.

¹⁰ Canterbury Regional Policy Statement (July 2021), Chapter 6: Recovery and Rebuilding of Greater Christchurch, Map A – Greenfield Priority Areas and Future Development Areas, p. 92.

Drive and Brendean Drive, is identified as Future Development Area. The remainder of PC71 Part A, including the land immediately adjoining the Property, is not identified as either a Greenfield Priority Area or Future Development Area in Map A.

- 31 Of particular relevance to Foodstuffs' submission is Policy 5.3.2, which states.

"To enable development including regionally significant infrastructure which... avoid or mitigate reverse sensitivity effects and conflicts between incompatible activities..."¹¹

- 32 Supermarket and residential activities are not by default incompatible activities, and can and do successfully operate adjacent to one another provided appropriate mitigation measures are implemented to provide an appropriate residential/non-residential interface which enables supermarkets to operate successfully whilst maintaining residential character and amenity.

- 33 I consider PC71 is inconsistent with Policy 5.3.2 as it will enable concentrated residential development at the common boundary with the Property with no appropriate mitigation, creating an inappropriate residential/non-residential interface that will impact on the Property's intended use for a PAK'nSAVE. Consequently, it is my opinion that PC71 does not avoid or mitigate adverse potential and future effects on the Property and its intended use.

Operative Selwyn District Plan

- 34 I consider Objective B3.4.3 of the SDP to be of particular relevance to Foodstuffs' submission:

"Reverse sensitivity" effects between activities are avoided."¹²

- 35 As discussed in Mr Hay's noise evidence, PC71 has not considered the intended use of the Property, and does not address the potential for likely future incompatibility of a PAK'nSAVE and residential activities due to noise effects, particularly during the night-time. PC71 has not sought to avoid potential and future adverse effects in accordance with Objective

¹¹ Canterbury Regional Policy Statement (July 2021), Chapter 5: Land Use and Infrastructure, Policy 5.3.2: Development Conditions (Wider Region), p. 50.

¹² Operative Selwyn District Plan, Township Volume, B4: Growth of Townships, Policy B3.4.3.

B3.4.3 of the SDP, with no noise mitigation measures being proposed to ensure appropriate integration of activities from a noise perspective.

- 36 I note that in Ms Aston's evidence, she gives no weight to Foodstuffs' submission on the matter of potential reverse sensitivity effects on the basis that the PAK'nSAVE is a proposed activity as opposed to an existing activity that may be affected by the rezoning¹³. I consider it a significant presumption to make that PC71 will be established first, which is not certain to occur. Ms Aston has also stated that minor modifications to ODP4 could resolve concerns¹⁴. I consider that with the modifications sought by Foodstuffs, including the removal of all connections to the Property (leaving the existing ODP4 unchanged), and setbacks for noise, etc Foodstuffs' concerns would be appropriately resolved.

Proposed Selwyn District Plan

- 37 The Urban Growth section contained in Part 2 – District Wide Matters of the pSDP seeks to provide ongoing urban development capacity through the identification of new urban areas that are subject to the Urban Growth Overlay and by enabling existing sites to be intensified or redeveloped¹⁵. The Property is zoned General Residential Zone and within the Township Boundary under the pSDP. It is subject to the Rolleston 1 Development Area. Accordingly, the pSDP anticipates the Property to be developed for urban purposes.
- 38 PC71 Part A is in conflict with the intent of the pSDP as it is in the General Rural Zone and outside of the Proposed Township Boundary. It is not identified as a Development Area and is therefore not an area of land anticipated for urban development under the pSDP. PC71 Part A is also subject to the Inner Plains/Te Urumanuka ki Ana-ri overlay (SCA-RD1), which is an area of the General Rural Zone primarily controlling residential density of the area to a minimum site area of 4ha per residential unit¹⁶. The Christchurch Airport - 50 dBA Contour also covers part of PC71 Part A.
- 39 Policies UG-P3 and UG-P12 of the pSDP are of particular relevance to Foodstuffs' submission, stating:

¹³ Statement of Evidence of Pauline Fiona Aston, para. 145.

¹⁴ Statement of Evidence of Pauline Fiona Aston, para. 145.

¹⁵ Proposed Selwyn District Plan, Part 2: District Wide Matters, UG – Urban Growth.

¹⁶ Proposed Selwyn District Plan, Part 3: Area Specific Matters, GRUZ-SCHED2 – Residential Density – Specific Control Areas.

“Avoid the zoning of land to establish any new urban areas or extensions to any township boundary in the Greater Christchurch area of the District outside the Urban Growth Overlay;”¹⁷

and

“Ensure the zoning of land to extend township boundaries to establish new urban areas demonstrates how it will integrate with existing urban environments, optimise the efficient and cost-effective provision of infrastructure, and protect natural and physical resources...”¹⁸

- 40 I consider PC71 conflicts with the intent of the proposed district planning framework as it seeks to rezone land for residential purposes outside the Urban Growth Overlay and will create an inappropriate and incompatible residential/non-residential interface with the Property, with the proposed ODP4 road and pedestrian linkages unable to be achieved, and conflicting with heavy vehicles servicing the PAK’nSAVE. PC71 will create unanticipated adverse effects on the intended use of the Property as Foodstuffs have designed and laid out their proposed PAK’nSAVE to comply with the existing (and anticipated) surrounding environment as far as practicable.

Potential and Future Adverse Effects

- 41 As noted, the district and regional planning and national legislative frameworks are undergoing considerable transformation, with a presumption of significant and intensified built form in the urban environments of Tier 1 Councils. How we have planned in the past is no longer appropriate and provisions should be put in place now to control and manage adverse effects on the environment. I do not consider the potential and future adverse effects of PC71 on Foodstuffs have been appropriately provided for in PC71 and cannot simply be worked out at the detailed design phase.
- 42 If approved, PC71 will result in potential and future adverse effects on the Property, enabling residential housing (up to 8m high¹⁹) with only a 2m setback²⁰, subject to daylight recession planes, from the common boundary with the Property as a permitted activity. In addition, the Enabling

¹⁷ Proposed Selwyn District Plan, Part 2: District Wide Matters, UG – Urban Growth, UG-P3.

¹⁸ Proposed Selwyn District Plan, Part 2: District Wide Matters, UG – Urban Growth, UG-P12.

¹⁹ Operative Selwyn District Plan, Chapter C4: LZ Buildings, Rule 4.8.1

²⁰ Operative Selwyn District Plan, Chapter C4: LZ Buildings, Rule 4.9.2

Bill will further intensify adverse effects on the Property as it would permit medium density residential housing (up to 11m high²¹) with only 1m setback from the common boundary with the Property²², subject to daylight recession planes..

- 43 Due to the nature of Foodstuffs' operations, the intended use of the Property will require operating day and night in order to serve as a reliable source of food and essential items for the community. As discussed in Mr Hay's evidence, Foodstuffs has designed and laid out the PAK'nSAVE to ensure community noise exposure is as low as practicable, with the selection of the Property and the design and layout of the supermarket intended to minimise the potential for noise effects on neighbours (including existing residential properties opposite the Property)²³.
- 44 The loading and unloading area for service vehicles is located adjacent to the existing rural zoned land (PC71 Part A) at the rear of the PAK'nSAVE. Foodstuffs' daily operations will see two large delivery vehicles drive down the accessway along the common boundary with PC71 Part A in the early morning to carry out deliveries. I am informed by Mr Hay that, other than brief and acceptable exceedances of the night-time permitted SDP residential noise limits at residential properties closest to the vehicle access points during these deliveries, the PAK'nSAVE will comply with the permitted SDP residential noise limits. Compliance along the common boundary with PC71 Part A is based on the existing rural zoning, which requires compliance with the permitted SDP rural noise limits measured at the notional boundary of the existing dwelling at 139 Levi Road, and a 2m high noise control fence.
- 45 The proposed changes in PC71 do not consider the intended use of the Property and fail to address the potential for likely future incompatibility of supermarket and residential activities due to noise effects, particularly during the night-time. No potential noise mitigation measures have been proposed as part of PC71, including in response to Foodstuffs' submission despite measures being necessary to ensure appropriate integration of activities from a noise perspective.
- 46 As discussed in Mr Hay's evidence, PC71 will result in future residential properties being exposed to noise levels exceeding the permitted SDP

²¹ Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill, Schedule 3A, Part 2, Clause 9

²² Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill, Schedule 3A, Part 2, Clause 11

²³ Statement of Evidence of Rob Lachlan Hay, para. 20.

residential noise limit at the common boundary with the Property with the presence of a 2m high noise control fence. This noise exposure will increase the risk of residents complaining to Foodstuffs and/or the Council, which may lead to pressure on Foodstuffs to restrict their operations to mitigate the noise.

- 47 As noted in Ms Parish's evidence, the changes to the ODP4 road and pedestrian linkages proposed by PC71 will preclude the proposed layout of the PAK'nSAVE, create conflict with heavy vehicles servicing the supermarket along the common boundary of the Property with PC71, and allow supermarket traffic to run through the PC71 network²⁴.
- 48 As it currently stands, I consider PC71 to be inappropriate and incompatible with the Property due to the unanticipated and significant change it will create in the surrounding environment. The potential and future adverse effects resulting from the form of development enabled by PC71 will not be appropriately controlled and managed.
- 49 In my opinion, for PC71 to be appropriate and compatible with the Property, it would need to be amended to exclude the Property and retain the status quo of the existing ODP4. In addition, appropriate mitigation measures should be put in place to provide a 'buffer' at the interface between the Property and PC71 Part A to enable the Property to efficiently and effectively operate in its intended manner, without compromising the future residential environment that would be enabled by PC71. Mr Hay has outlined what he considers to be necessary measures to facilitate an appropriate interface between the Property and future residential development, which I summarise in conclusion.

Conclusion

- 50 While resource consent is yet to be obtained for a PAK'nSAVE at the Property, a decision on PC71 needs to consider whether the new zoning proposed will be more appropriate than the existing zoning, and whether future effects of the change enabled by PC71 can be appropriately managed, in light of Foodstuffs' intentions for the Property.
- 51 There is a demonstrated need for a large-format supermarket in Rolleston and the Property is considered appropriate (based on specialist assessments supporting the Supermarket Application). If residential activity is to be enabled adjacent to the Property, it needs to be subject to appropriate controls at the common boundary with the Property to ensure

²⁴ Statement of Evidence of Rebecca Jayne Parish, para. 11.

effects are appropriate in the context of the new interface. I consider this all the more important given the scale and intensity of future development that will be permitted by the Enabling Bill.

52 In its current form, I consider PC71 will generate effects that will not be appropriately controlled and managed, thus leading to an unanticipated and significant change in the environment surrounding the Property.

53 If the Commissioner is of a mind to approve PC71, I consider the following amendments are required, as informed by Mr Hay's evidence:

- (a) excluding the Property and retaining the existing ODP4, unchanged;
- (b) introducing a combination of a 2m high noise control barrier along the common boundary with the Property and a minimum internal boundary setback of 45m, comprising of a greenway and/or 'no build area' within PC71 Part A;
- (c) increasing the permitted night-time noise limit at the common boundary between the Property and PC71 Part A to 45 dB LAeq (15 min) where the combination of a noise barrier and minimum internal boundary setback cannot reduce the noise level received in residential lots to below 40 dB LAeq (15 min); and
- (d) any other appropriate rules, standards and policies to protect the residential/non-residential interface.

Mark David Allan

Dated this 31st day of January 2022