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**Land Use Consent Application**  
**prepared for**

**ROLLESTON  
INDUSTRIAL HOLDINGS  
LIMITED**

**Iport Drive, Rolleston**

**July 2022**



**Land Use Consent Application**  
**prepared for**

**ROLLESTON INDUSTRIAL HOLDINGS LIMITED**

**Iport Drive, Rolleston**

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

TO: The Selwyn District Council

**We:** **Rolleston Industrial Holdings Limited ('RIHL')** ('the applicant'), apply for the Land Use Consent described below.

1. The activity to which the application relates (the proposed activity) is as follows:

Land use resource consent is sought to establish a large format retail development with other commercial activities, buildings, car parking and landscaping on the subject site.

The proposed activities for which consent is sought will be undertaken in accordance with the details, information and plans that accompany and form part of the application, including the Assessment of Effects on the Environment attached.

2. The site at which the proposed activity is to occur is as follows:

The application site forms part of the property legally described as Lot 600 DP 520689. Refer to the Certificate of Title in **Appendix 1**.

The natural and physical characteristics of the site and any adjacent uses that may be relevant to the consideration of the application is set out in further detail within the details, information and plans that accompany and form part of the application, including the attached Assessment of Effects on the Environment ('**AEE**').

3. The full name and address of each owner or occupier (other than the applicant) of the site to which the application relates are as follows:

The applicant owns the site, which is presently unoccupied.

4. There are no other activities that are part of the proposal to which this application relates.

5. No additional consents are required at this time in relation to this proposal.

6. I attach an assessment of the proposed activity's effect on the environment that—

(a) includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and

(b) addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and

(c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

7. I attach an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.





8. I attach an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1) (b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.
9. I attach an assessment of the proposed activity against the resource management matters set out in the relevant planning documents.
10. I attach all necessary further information required to be included in this application by the district plan, the regional plan, the Resource Management Act 1991, or any regulations made under that Act.

**Jeremy Phillips Director & Senior Planner**

**DATED:** 7 July 2022

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

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## **Assessment of Effects on the Environment (AEE)**





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## Introduction

1. Land use resource consent is sought to establish a large format retail development with other commercial activities, buildings, car parking and landscaping on the subject site. Whilst the application seeks consent for activities as defined (or otherwise) in the District Plan, and is not limited to specific tenants, the application is intended to provide for the establishment of the following well-known tenants (or similar) on the site: Bunnings, Harvey Norman Furniture, Harvey Norman Electrical, and Ikea. Several other example tenants that are common to large format centres of the nature proposed are also identified on the plans.
2. Section 88 of the Resource Management Act 1991 ('the Act') sets out the particular requirements for persons making an application to a local authority for a resource consent. Section 88(2)(b) states that:

*"an application must be made in the prescribed form and manner; and include, in accordance with Schedule 4 of the Act, an assessment of environmental effects in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.*

3. The following assessment is made in accordance with these requirements".

## The Site and Surrounding Environment

4. The application site is an (approximately) 18.0931 hectare parcel of land situated north of Jones Road, Rolleston and is legally described as Lot 600 DP 520689. The corresponding Certificate of Title for the relevant land parcel is attached as **Appendix 1** and the site is identified in **Figures 1 and 2** below.
5. The site forms part of the Business 2A zoned area known as Iport, which extends east of Hoskyns Road (to rural land and the Midland Port site) and is being progressively developed as an industrial and logistics centre. The site is largely zoned for large format retail purposes and has been the subject of a number of resource consent applications, obtained to assist the planning and development of a new centre in this location. The subject site has frontage to Hoskyns Road and Jones Road which are arterial roads in the District Plan, and Link Drive and Iport Drive which are new roads through the Iport development.
6. In the vicinity of the site, the established Izone industrial park is located on the western side of Hoskyns Road and is zoned Business 2 or Business 2A. To the north and east of the site is Business 2A zoned land which is largely owned by the applicant (including Move Logistics and a NPD Service Station). Further to the east is the Midland Port inland port facility (owned by Lyttelton Port Company), with associated vehicle and rail connections. To the south of the site beyond Jones Road is the main trunk rail line, Main South Road (State Highway 1), and the urban residential edge of Rolleston township beyond.
7. The site is predominantly zoned Large Format Retail Zone (LFRZ) under the proposed Selwyn District Plan (notified 5<sup>th</sup> October 2020). The northern part of the site adjacent to Link Drive is proposed as a General Industrial Zone (GRZ), albeit the applicant has made submissions on the proposed Plan seeking that this be rezoned to LFRZ.



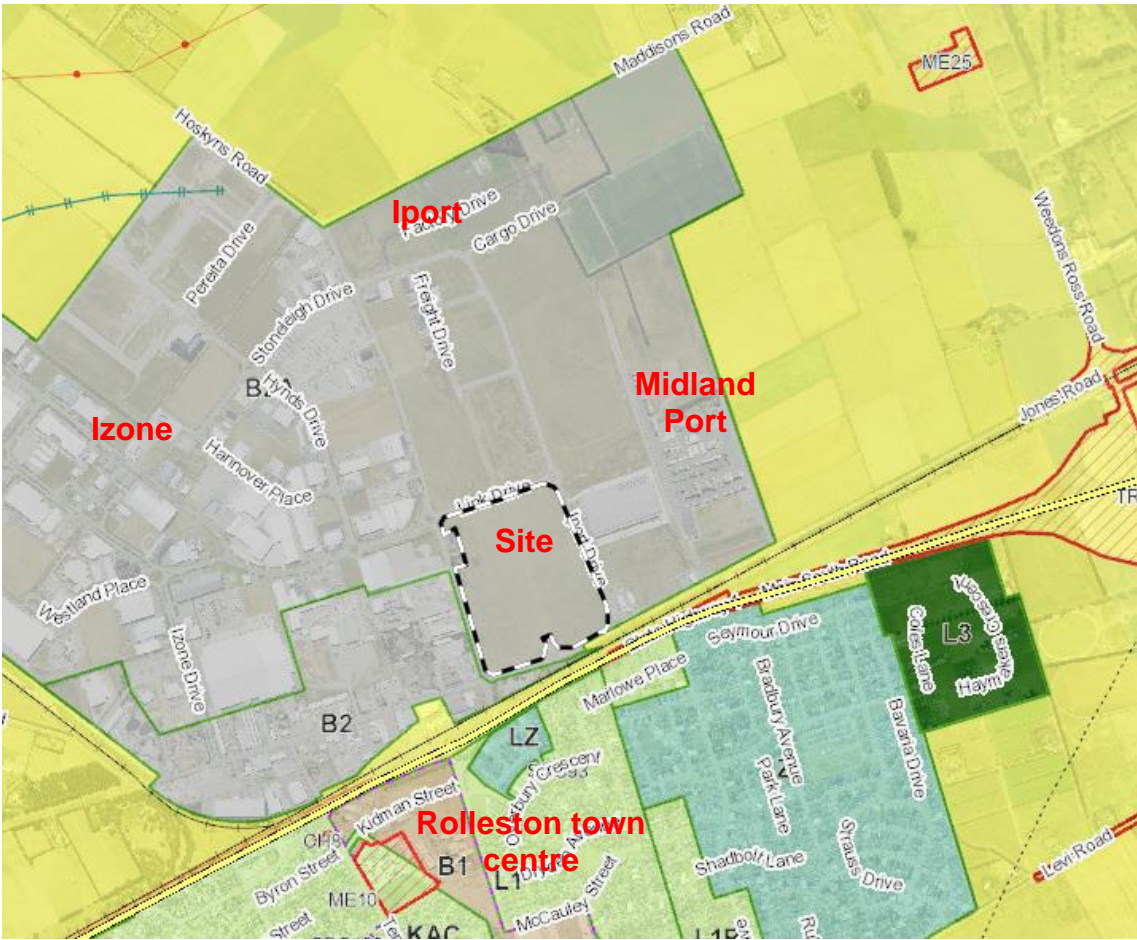


Figure 1: Site location (Source: Selwyn District ePlan)



Figure 2: Site location (Source: Selwyn District ePlan)





## Relevant Background & Context

8. The operative Selwyn District Plan was amended in 2015 in response to Action 27 in the Land Use Recovery Plan (LURP) and this established the Business 2A zone east of Hoskyns Road, including that area that has since developed as the Iport industrial business park and the Midland Port inland port facility. That process also provided for a dedicated large format retail centre in the southwest corner of the zone (adjacent to the intersection of Jones and Hoskyns Roads) with an Outline Development Plan identifying the extent of this and rules in Section 22.10 of the Plan specifying the extent and type of activity permitted in this location.
9. Of relevance to this application, it is noted in the Council's background reports to the LURP Action 27 response, Property Economics (April 2014) anticipated that growth in market demands would, eventually, necessitate an increased supply of commercial floor space including supermarkets and department stores. Whilst those specific activities are not proposed in this application, the statement below provides relevant context to this application, which ultimately seeks to provide for large format demands of the Selwyn District population which are otherwise unable to met within the Rolleston Town Centre.

As the market grows the undersupply grows and is likely to see the ability for The Warehouse to expand. In Property Economics' view department stores should be encouraged to develop within the Rolleston Town Centre given its importance to the centre. This is also why the Rolleston Town Centre expansion is planned for and is attempting to accommodate. Therefore any new department store out to 2021, like supermarkets, should be encouraged and facilitated in the Rolleston Town Centre. If this was not possible then the proposed Rolleston LFR Centre is the logical next location to consider for clustering and economic efficiency reasons, as it is considered better to develop a new department store in the District somewhere than not have a new department store at all.

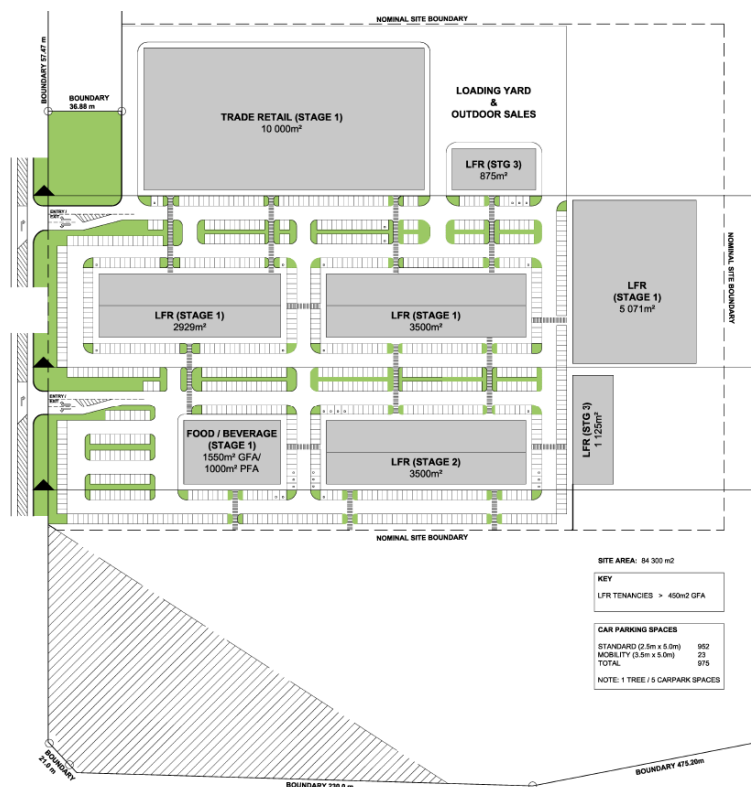
Therefore, the opportunity for a department store to locate within the proposed Rolleston LFR centre should be reviewed around 2021 (sensibly at the same time as supermarkets), unless growth is materially ahead of projected estimates that warrants an earlier review. This also provides time for the commercial reality of the Rolleston Town Centre expansion to 'play out' in the market and give it the opportunity to expand to meet future commercial requirements.

10. Subsequent to the zoning of the land, the applicant has undertaken extensive development planning for the site. This has included assessments of testing market demands for different retail offerings, and engagement with prospective tenants to determine their appetite to establish in Rolleston and their preferences for store size, location and co-location alongside other tenants. As part of this development planning, a number of resource consents have been obtained, to confirm the application of District Plan provisions to large format retail development in this location and to provide certainty ahead of further tenant negotiations and development planning. Consent applications and approvals obtained to date that provide relevant background or context to this application include:





- a. A resource consent (RC 155113) issued in July 2015 (i.e. now lapsed) for a large format retail, trade retail and food and beverage development on the subject site (see **Appendix 2** and figure below).



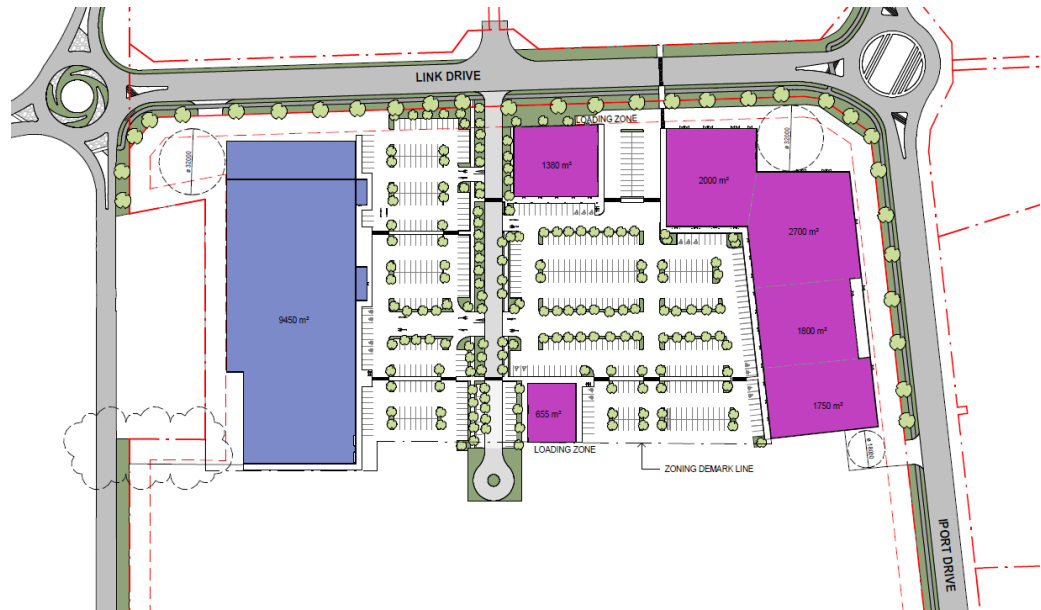
- b. A certificate of compliance (COC 195214) issued in June 2019 for 15,450m² GFA of large format retail and 3765m² GFA of food and beverage activity on the central part of the subject site (within the area identified in the District Plan for large format retail) (see **Appendix 3** and figure below).



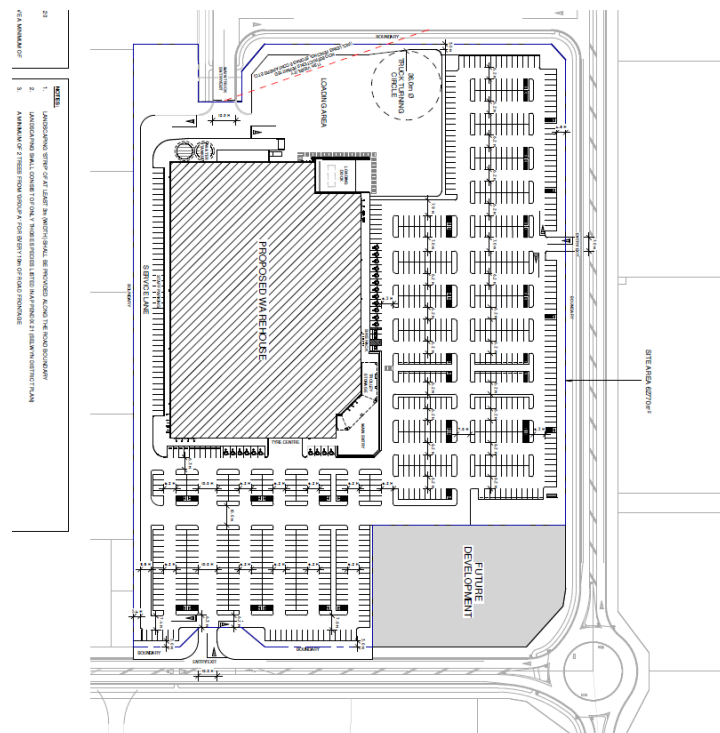




- c. A resource consent (RC 205782) issued in July 2021 for 19,735m<sup>2</sup> GFA of built development, comprised of permitted commercial activities (being trade retail, furniture outlets, and food and beverage activity) on the northern part of the subject site (beyond the area identified in the District Plan for large format retail) (see **Appendix 4** and figure below).



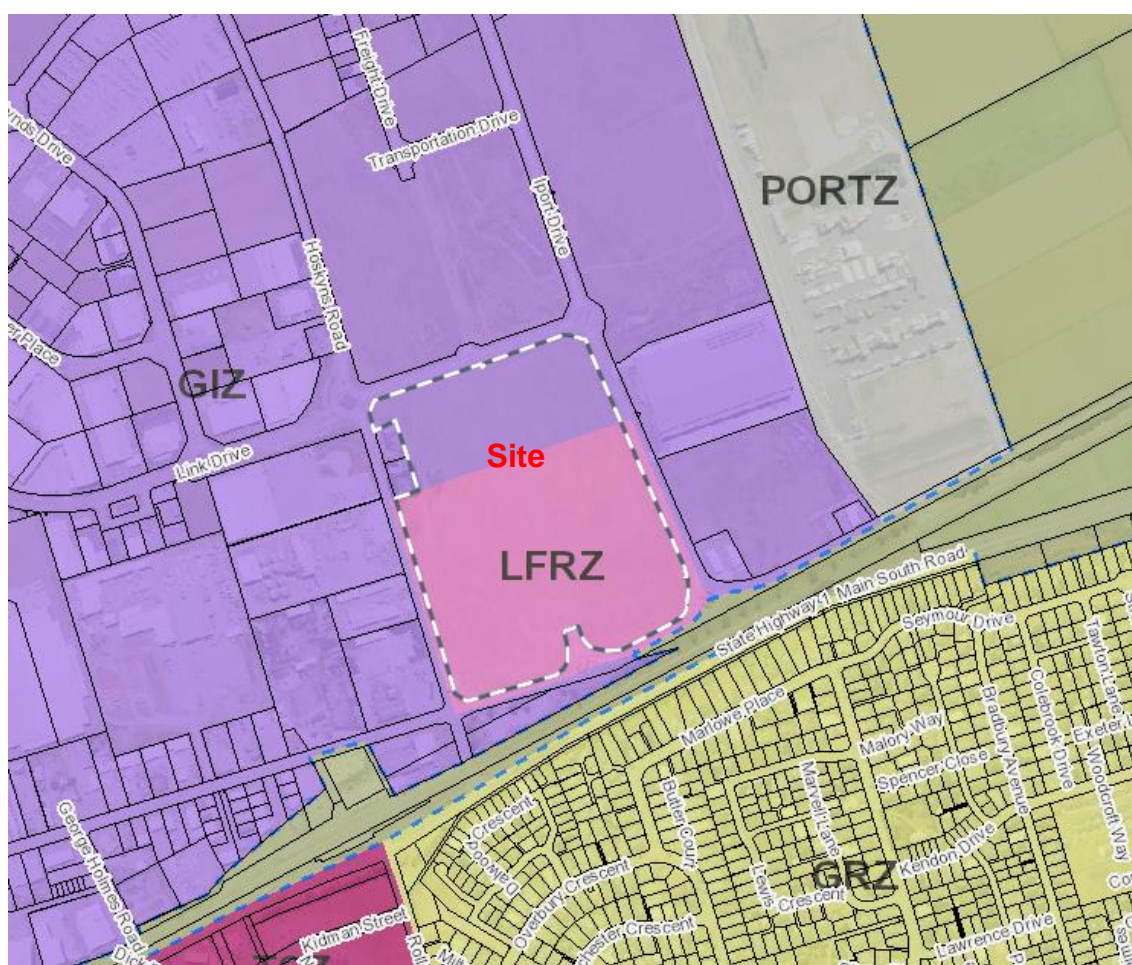
11. Whilst beyond the site of this application, it is also noted that resource consent (RC205509) was issued in September 2020 to establish and operate a large format membership warehouse outlet (e.g. Costco), within a building of 13,900m<sup>2</sup> GFA (see **Appendix 5** and figure below). This site is situated to the north of the subject site, beyond Link Drive.







12. The applications described above and detailed in **Appendices 2-5** illustrate the scale, character and nature of development anticipated to occur on the site and nearby. Such development is broadly comparable to that proposed in this application, albeit the current proposal represents the most up-to-date development planning and provides for a comprehensive and coordinated proposal for the site.
13. Also, in terms of relevant background and context it is noted that the proposed Selwyn District Plan was notified on the 5<sup>th</sup> October 2020 and proposed a Large Format Retail Zone (LFRZ) and General Industrial Zone (GIZ) for the subject site (see **Figure 3**). The applicant has filed submissions seeking that the LFRZ be extended over the full site, recognising the consent approvals obtained to date (as described above) and their desire to comprehensively develop the site (as is proposed in this application).



**Figure 3: Proposed Selwyn District Zoning of the site**

14. Lastly, it is noted that an application for resource consent to establish a supermarket within the site is currently being processed by Council. This application does not propose a supermarket, however it is acknowledged that the outcome of the supermarket consent and subsequent commercial negotiations may necessitate a variation of consent, or further resource consent in future.





## The Proposal

15. This application seeks land use consent to establish a large format retail development with other (non-large format) commercial activities, buildings, car parking and landscaping on the subject site, as shown on the plans in **Appendix 2**.
16. Whilst the application seeks consent for activities as defined (or otherwise) in the District Plan, and is not limited to specific tenants, the application is intended to provide for a number of well-known tenants (or similar) on the site, as illustrated on the application plans and described in further detail below.

### Built Development

17. The buildings proposed in this application **will comply** with all applicable District Plan standards.
18. The built development proposed in this application comprises a number of new, large single storey buildings located around the perimeter of the site, with smaller buildings, extensive car parking and vehicle circulation provided centrally.
19. The scale, form and appearance of the proposed buildings will reflect the functional and operational requirements of tenants and the activities accommodated within buildings. In this respect, the proposed buildings will typically be of a utilitarian nature, with customer entries and retail glazing / frontages provided adjacent to customer car parking areas. Otherwise, unadorned rear or side facades will typically be provided, reflecting the prefabricated concrete panel construction that will be used for most buildings, the 'back of house' nature of these areas, and the need for only limited staff, servicing or loading penetrations into the buildings. The exception to this will be for smaller, centrally-located tenancies and buildings or those seeking exposure to adjacent roads, where a greater extent of glazing and activation will likely be provided to reflect the commercial requirements of tenants.
20. For the purposes of this application, noting the need for design flexibility and the limited regulatory controls for built form in the Business 2A zone, the design and appearance of proposed buildings will be constrained only by way of the application plans (in terms of building position) and the volunteered conditions below (in terms of building bulk and location otherwise).
21. In terms of those conditions, consistent with the conditions of consent imposed by Council in the resource consent issued in July 2021 for the northern part of the subject site (RC205782), the applicant volunteers the following consent conditions in respect of the scale and form of buildings:

*X. That all buildings and structures shall be designed and located to meet the following parameters:*

- a) Maximum height of a building – 15 metres*
- b) Minimum setback of building(s) from roads – 10 metres*
- c) Maximum height of a lighting pole – 25 metres*





## Landscaping

22. Landscaping includes landscaping strips (with trees as required by the District Plan) along the site's road frontage, plus landscaping strips adjacent to car parking spaces. Such landscaping **will comply** with the Plan's requirements for sites in the Business 2A zone, as a minimum.
23. Again, consistent with the conditions imposed by Council in the resource consent issued in July 2021 for the northern part of the subject site (RC205782), the applicant volunteers the following consent conditions in respect of landscaping:

*X. That any building consent application for any buildings on the site shall include a Landscape Plan which shall be submitted to the Council for certification that the landscaping to be undertaken on the site is in accordance with Rule 16.1.2 of the Operative Selwyn District Plan.*

*Y. That landscaping in accordance with the Landscape Plan certified in accordance with condition X shall be planted within the first available planting season following commencement of construction of the buildings and/or car parking areas.*

*Z. All landscaping shall be maintained on an ongoing basis and if dead, diseased or damaged, shall be removed and replaced within the next available planting season.*

## Transport

24. The layout of the vehicle crossings, car parks and internal vehicle circulation areas **will comply** with all relevant transport standards in the District Plan, **with the exception of** Rule 17.3.1.1, as there will be more than three accesses provided.
25. Eight separate vehicle accesses are proposed, as follows:
- a. Hoskyns Road: Two accesses to the car parking areas;
  - b. Jones Road: One access as an extension of the stub road from the existing roundabout;
  - c. Iport Drive: Three accesses. The southern access being egress only for a loading egress bay. The central access leads to car parking and loading and the northern access is for loading;
  - d. Link Drive: Two accesses, being a loading egress and separate car parking access.
26. Parking is provided on site for a total of 1,906 vehicles (including 71 mobility bays) and six HGV loading areas.
27. Staff cycle parking for 93 is provided within the site, spread through a number of locations. There are 88 visitor cycle parks proposed, with 34 of these being centrally located and the remainder spread throughout the site.



## Activities

28. Activities for the development **will comply** with relevant standards in Part C22 of the District Plan. In particular and with reference to rule 22.10.1.3 and the applicable definitions in the District Plan, the application proposes:
- a. Non-retail activity (not subject to rule 22.10), including:
    - i. gymnasium/fitness facilities;
    - ii. drive through facilities;
    - iii. commercial services; and
    - iv. furniture and lighting outlets.
  - b. Food and beverage outlets;
  - c. Trade supplier activity;
  - d. Large format retail activity (not less than 450m<sup>2</sup> GFA per tenancy and not exceeding a total of 17,000m<sup>2</sup> GFA within the location stated in Appendix 43 of the District Plan – see **Figure 4**).

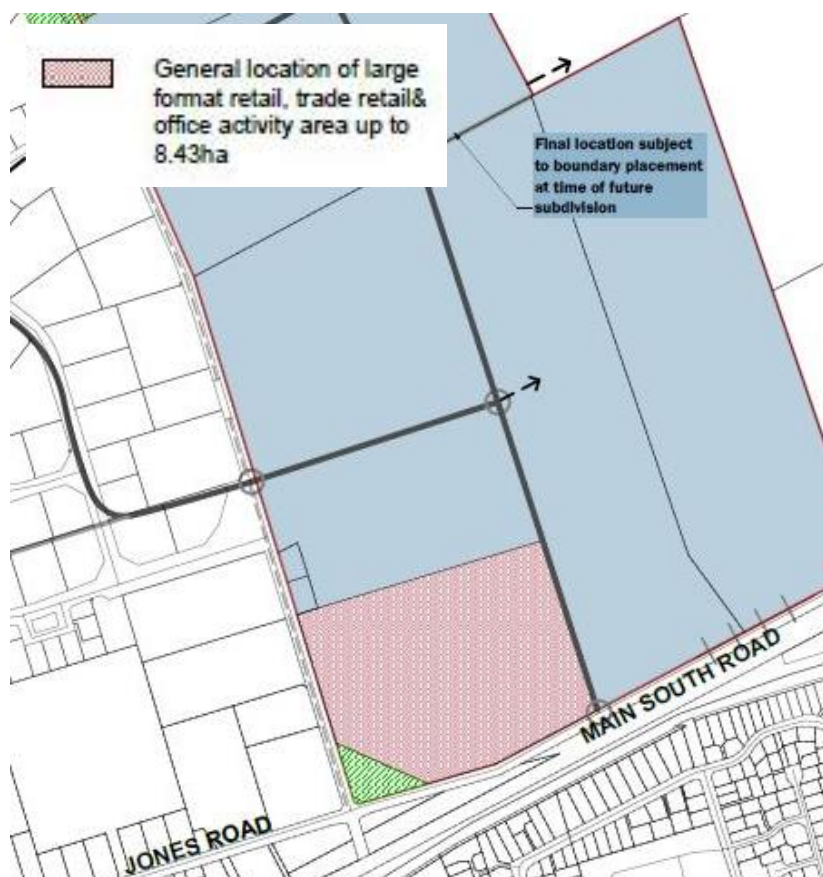


Figure 4: Appendix 43 showing LFR /trade retail area in red (Source: Selwyn District ePlan)





29. The application plans include an 'activity' plan that provides an indication of the activities that will likely establish within the development – both in terms of their general nature, and with colour coding referencing the corresponding District Plan definitions.
30. In addition, an indicative/example tenancy plan is provided to provide a 'real world' scenario of how the centre might develop in accordance with this application. Among those tenants identified on this example plan, the following points are noted specifically regarding the appropriate District Plan definitions for certain tenants:
  - a. Ikea – which is a 'furniture outlet' and is therefore excluded from the applicable definition for 'retail activity'.
  - b. Briscoes – which is a 'large format retail activity'. Notably, it is not a 'department store'. Clearly, Briscoes has a wide variety of goods, there is no predominant activity, and goods are displayed in separate departments. However, Briscoes do not sell clothing; or perfumes, cosmetics and toiletries of any substance; and, aside from some rugs they do not sell textile goods. To the extent that such products may be carried in a limited extent by Briscoes they are certainly not "predominant". As such, Briscoes does not have predominant retail sales in at least four of the six product groups listed in the definition and therefore it does not qualify as a department store.
  - c. Harvey Norman furniture - which is a 'furniture outlet' and is therefore excluded from the applicable definition for 'retail activity'.
  - d. Harvey Norman electronics – which is a 'large format retail activity'.
31. In order to obtain certainty when undertaking commercial negotiations with prospective tenants, the applicant specifically seeks that the named tenants be assessed by Council in the processing and determination of this application and confirmed as to their status as permitted activities, falling within the scope of this consent.
32. However, noting that the final mix of activities and tenants will be subject to commercial negotiations, and over time tenants will change, for the purposes of this application it is proposed that activities will be provided for, or otherwise constrained by, the following conditions of consent. These conditions are volunteered by the applicant and form part of their proposal, and of note, they are equivalent to the conditions imposed by Council in the resource consent issued in July 2021 for the northern part of the subject site (RC205782).

*X. That all future use of the proposed commercial development shall consist of the following:*

- a) Activities that are not 'retail activities' (as defined by the Operative Selwyn District Plan), which are not controlled by Rule 22.10 of the Operative Selwyn District Plan and are unconstrained; and/or*
- b) Trade suppliers, which are unconstrained inside and outside the Large Format Retail ('LFR') area on the Outline Development Plan ('ODP') in Appendix 43 of the Operative Selwyn District Plan; and/or*
- c) LFR activities within the LFR area on the ODP in Appendix 43 of the Operative Selwyn District Plan where the total Gross Floor Area ('GFA') of LFR in the LFR area is <17,000m<sup>2</sup> GFA; and/or*





*d) Food and beverage outlets of <150m<sup>2</sup> GFA, which are unconstrained inside and outside the LFR area.*

*Y. That in giving effect to this consent individually or in conjunction with any previous resource consent for LFR activity, the total GFA of LFR activity within the identified LFR area identified on the Outline Development Plan included as Appendix 43 to the operative Selwyn District Plan shall not exceed 17,000m<sup>2</sup>.*

33. The following advice note is also proposed to ensure the relevant definitions apply to the activity:

*Advice Note: any references in conditions to the rules, defined terms and/or other provisions in the Operative Selwyn District Plan, shall be treated as referring to the corresponding provisions in the Operative Selwyn District Plan as at [the date the application was submitted].*

### **Signage**

34. Signage for the development **will comply** with the relevant standards in Part C19 of the District Plan, or will be the subject of a separate resource consent application(s).

### **Waste Management**

35. The proposal will collectively generate more than 3m<sup>3</sup> of solid waste per week. Accordingly, the applicant proposes to submit a Waste Management Plan to Council for approval, prior to commencement of the activity. Consent conditions are proposed to this effect, consistent with the waste management practices of other land developments consented in Iport.
36. Consistent with the conditions imposed by Council in the resource consent issued in July 2021 for the northern part of the subject site (RC205782), the applicant volunteers the following consent conditions in respect of waste management:

*X. Prior to lodgement of building consent, the Consent Holder shall submit to the Selwyn District Council for the approval of the Planning Manager a Solid Waste Management Plan. The Solid Waste Management Plan shall include, but not be limited to:*

- a) Methods that will be employed to minimise waste generated by the activity*
- b) Methods for the management and disposal of waste that will avoid or mitigate adverse effects on the environment.*

### **Hazardous Substances**

37. The storage or use of hazardous substances is not proposed in this application. Generally, the type, quantity and management/storage of hazardous substances will be designed to comply with relevant standards in Part C20 of the District Plan, or will be the subject of a separate resource consent application(s).

### **Services and Infrastructure**

38. The occupation of the building on the site will not occur until such time that it is able to connect to a reticulated water supply and reticulated sewage treatment and disposal system in accordance with District Plan rules 16.3.1 and 16.4.1. This approach is consistent with the treatment of other land use developments in Iport and it is noted that reticulated infrastructure is now generally established at Iport.





39. Consistent with the conditions imposed by Council in the resource consent issued in July 2021 for the northern part of the subject site (RC205782), the applicant volunteers the following consent conditions in respect of services and infrastructure:

*X. All work shall comply with the engineering code of practice except as agreed with Council.*

*Y. The erection of any buildings on the site shall not occur until such time as they are able to connect to:*

- a) A reticulated water supply; and*
- b) A reticulated sewerage system.*

## **Earthworks**

40. Given the generally flat site contour, earthworks for the proposed development will primarily be preparatory works for the building. However, due to the large size of the site, the earthworks will exceed the 5000m<sup>3</sup> volume limit for earthworks in the Plan.

## **Conditions**

41. In summary, the applicant proposes the following conditions and advice note:

- 1. That the proposed activity shall be carried out in accordance with the attached approved plans and the details submitted with the application submitted on [insert date], except where varied by the conditions below.*
- 2. That all buildings and structures shall be designed and located to meet the following parameters:*
  - a) Maximum height of a building – 15 metres*
  - b) Minimum setback of building(s) from roads – 10 metres*
  - c) Maximum height of a lighting pole – 25 metres*
- 3. That any building consent application for any buildings on the site shall include a Landscape Plan which shall be submitted to the Council for certification that the landscaping to be undertaken on the site is in accordance with Rule 16.1.2 of the Operative Selwyn District Plan.*
- 4. That landscaping in accordance with the Landscape Plan certified in accordance with condition [3] shall be planted within the first available planting season following commencement of construction of the buildings and/or car parking areas.*
- 5. All landscaping shall be maintained on an ongoing basis and if dead, diseased or damaged, shall be removed and replaced within the next available planting season.*
- 6. That all future use of the proposed commercial development shall consist of the following:*
  - a) Activities that are not 'retail activities' (as defined by the Operative Selwyn District Plan), which are not controlled by Rule 22.10 of the Operative Selwyn District Plan and are unconstrained; and/or*
  - b) Trade suppliers, which are unconstrained inside and outside the Large Format Retail ('LFR') area on the Outline Development Plan ('ODP') in Appendix 43 of the Operative Selwyn District Plan; and/or*





- c) *LFR activities within the LFR area on the ODP in Appendix 43 of the Operative Selwyn District Plan where the total Gross Floor Area ('GFA') of LFR in the LFR area is <17,000m<sup>2</sup> GFA; and/or*
  - d) *Food and beverage outlets of <150m<sup>2</sup> GFA, which are unconstrained inside and outside the LFR area.*
7. *That in giving effect to this consent individually or in conjunction with any previous resource consent for LFR activity, the total GFA of LFR activity within the identified LFR area identified on the Outline Development Plan included as Appendix 43 to the operative Selwyn District Plan shall not exceed 17,000m<sup>2</sup>.*
8. *Prior to lodgement of building consent, the Consent Holder shall submit to the Selwyn District Council for the approval of the Planning Manager a Solid Waste Management Plan. The Solid Waste Management Plan shall include, but not be limited to:*
- a) *Methods that will be employed to minimise waste generated by the activity*
  - b) *Methods for the management and disposal of waste that will avoid or mitigate adverse effects on the environment.*
9. *All work shall comply with the engineering code of practice except as agreed with Council.*
10. *The erection of any buildings on the site shall not occur until such time as they are able to connect to:*
- a) *A reticulated water supply; and*
  - b) *A reticulated sewerage system.*

**Advice Note:** *any references in conditions to the rules, defined terms and/or other provisions in the Operative Selwyn District Plan, shall be treated as referring to the corresponding provisions in the Operative Selwyn District Plan as at [the date the application was submitted].*





## Statutory Context

### NES for Contaminants in Soil

42. A preliminary site investigation (PSI) was undertaken for the rezoning of the wider 122-hectare RIHL/RIDL block in 2014. The PSI confirmed that there is no evidence of HAIL uses or activities or contamination risks on the application site and thus the NES does not apply (see resource consent 165366 as an example where this PSI has been accepted by Council).

### Selwyn District Plan

43. We note that the district plan rule interpretation in this application is that of Novo Group and is not a substitution of Council's own assessment. Resource consent is applied in respect of the proposal described in the 'The Proposal' section, including any plans and other information submitted. Resource consent is applied for the rule infringements described in this application and any other resource consents required (whether specifically identified or not) to authorise the proposal.

#### **Planning Map Notations & Definitions**

44. The application site is located within the Business 2A Zone in the District Plan and the following definitions are relevant:

**Retail Activity (in the Key Activity Centres identified in Appendices 29A and 29B and the Business 2A Zones identified in Appendix 22 (Precincts 2-4 only) and Appendix 43):** means the use of land and/or buildings for displaying or offering goods for sale to the public, including Small and Large Format Retail. It excludes food and beverage, drive through facilities, commercial services, service stations, garages and workshops, trade suppliers, and furniture and lighting outlets.

**Large Formal Retail:** means any individual retail tenancy with a gross floor area of 450m<sup>2</sup> or more.

**Trade Supplier:** means a business engaged in sales to businesses and institutional customers and may also include sales to the general public, and wholly consists of suppliers of goods in one or more of the following categories:

- automotive and marine suppliers;
- building suppliers;
- catering equipment suppliers;
- farming and agricultural suppliers;
- garden and patio suppliers;
- hire services (except hire or loan of books, video, DVD and other similar home entertainment items);
- industrial clothing and safety equipment suppliers; and
- office furniture, equipment and systems suppliers.

**Food and beverage:** means a retail activity involving the sale of food and, or beverages prepared for immediate consumption on or off the premises including restaurants, taverns,





*cafes and takeaway bars but does not include supermarkets, dairies or bottle stores. Note: In the Key Activity Centre identified in Appendices 29A and 29B and the Business 2A Zones identified in Appendix 22 (Precincts 2-4 only) and Appendix 43, Food and Beverage is not a retail activity - see applicable Retail Activity definition.*

45. The proposed activities on site will fall within the definitions above, or are excluded from the definition of retail activity.

#### **Applicable Rules**

46. An assessment of the proposal's compliance with relevant rules is set out in **Appendix 3** and based on this assessment, it is concluded that land use consent is required for the proposal as a **discretionary activity**.

47. In summary, land consent is only required for the following non-compliance:

*Rule 14.1.2 - Earthworks for the proposed development will be designed and undertaken in compliance with the requirements set out in rule 14.1.1, however they will likely exceed 5000m<sup>3</sup>. Resource Consent is required as a Discretionary Activity.*

*Rule 17.3.2 – Any activity which does not comply with Rule 17.3.1.1, Rule 17.3.1.2 and Rule 17.3.1.4 shall be a restricted discretionary activity. Eight separate vehicle crossings are proposed, whereas 3 are permitted under Rule 17.3.1.1 (and Standard E13.2.4.3). Resource Consent is required as a Restricted Discretionary Activity.*

*Rule 21.1.2 - The proposal will generate greater than 3 cubic metres of solid waste on average per week over a year. Resource Consent is required as a Restricted Discretionary Activity.*

48. There are no rules in the Proposed District Plan (notified 5<sup>th</sup> October 2020) that have immediate legal effect in relation to the proposal.

#### **Activity Status**

49. Overall, land use consent is required for the proposal as a **discretionary activity** under the District Plan

#### **Resource Management Act 1991- s95-95E and s104-104D**

50. In terms of notification considerations in sections 95A-95E of the Resource Management Act 1991 ('the Act') the following matters are noted:

- a. public notification is not requested by the applicant;
- b. there are no special circumstances necessitating public notification;

51. As a discretionary activity, the provisions in sections 104 and 104B direct the substantive determination of applications and the following sections of this AEE have regard to the relevant provisions referred to therein, including Part 2 of the Act.





## Greater Christchurch Regeneration Act 2016

52. Section 60 of the Greater Christchurch Regeneration Act 2016 ('GCR Act') requires that:

*Any person exercising powers or performing functions under the Resource Management Act 1991 must not make a decision or recommendation relating to all or part of greater Christchurch that is inconsistent with the Plan on any of the following matters under the Resource Management Act 1991:*

*(a) an application for a resource consent for a restricted discretionary, discretionary, or non-complying activity (whether or not the application was first lodged after the Plan was gazetted)*

53. In determining the application, Council must be satisfied that the application is not inconsistent with any recovery plans relevant to the application.





## Assessment of Actual or Potential Effects on the Environment

### Permitted baseline

54. Section 104(2) of the RMA directs that the decision maker may disregard an adverse effect on the environment of an activity if a rule in the District Plan permits an activity with that effect, a concept known as the permitted baseline. The application of the permitted baseline is discretionary and case law has established that the permitted baseline test relates to the effects on non-fanciful hypothetical activities which could be carried out as of right under the District Plan, as well as any existing lawfully established activity on the site or any activity for which resource consent has been granted. It is considered that in general terms the permitted baseline should be applied unless there is a resource management reason not to do so.

55. For an earlier application entailing a similar development proposal, but on a smaller northern part of the subject site (RC205782), the Council's decision addressed the permitted baseline and stated:

*65. In the context of this application, the permitted baseline extends to the allowance provided by the standards to which the proposal does not comply,; so the effects of this proposal are limited to the:*

- *Generation of solid waste exceeding 3m<sup>3</sup> on average per week over each year;*
- *Earthworks exceeding 5,000m<sup>3</sup> in volume;*
- *Provision of an additional vehicle crossing on the site; and*
- *The road safety effects of the reduced visibility available from the western access point onto Lin Drive.*

*66. On that basis it is considered appropriate that the focus of the assessment be on the effects of the activity above those permitted thresholds. There are considered to be no other relevant permitted baseline to consider in relation to this proposal.*

56. The exact same circumstances apply to this application, albeit the traffic non-compliances in this application (also restricted discretionary activities in their own right) are of a slightly different nature.

### Relevant effects

57. As a discretionary activity, the Council's assessment of the application's effects is unrestricted. However, having regard to the discrete nature of the matters requiring consent and the permitted baseline described above and applied by Council to RC205782, it is considered that only the following effects are of relevance to the application:

- a. Waste management;
- b. Earthworks effects; and
- c. Transport.





## Waste management

58. The District Plan (section B2-051) notes that the most common forms of waste in Selwyn District are:
- household rubbish and garden waste;
  - hardfill;
  - sewage and septic tank sludge;
  - animal effluent and offal;
  - crop residue and horticultural waste;
  - containers of hazardous substances – particularly agricultural chemicals; and
  - sawdust.
59. The Plan also notes that the effects on the environment from disposing of waste include:
- contaminants leaching into groundwater;
  - creating unstable or contaminated land;
  - odour, vermin or litter; and
  - effects on the aesthetic or amenity values of areas around disposal sites.
60. To manage the effects described above, the District Plan requires resource consent for developments that produce in excess of three cubic metres of waste per week on average. Applications under this rule are restricted discretionary activities, with discretion confined to the approval of a management plan to minimise waste and provide for disposal in a way that mitigates adverse effects.
61. Given the nature of the proposed development, most of the forms of waste and types of adverse effects described by the Plan are unlikely to arise. Waste will most likely entail solid waste from retailing and ancillary food and beverage activity, and sewage.
62. Sewage waste from the site will be removed from the site, treated and disposed of appropriately by way of Council's reticulated wastewater infrastructure.
63. Noting the characteristics of the proposed activity in respect of other forms of waste and the ability to readily manage and dispose of this, none of the effects described by the Plan are considered to arise to any significant degree. A consent condition requiring provision of a waste management plan prior to the commencement of activity on the site is proposed by the applicant.
64. Any adverse effects in respect of waste management are considered to be **less than minor** and acceptable. For completeness, it is recorded that Council reached the same conclusion in comparable circumstances on the application RC205782.





## Earthworks

65. In the first instance, it is noted that the majority of earthworks will be subject to assessment and control through the building consent process insofar that the building works require approval through that process. Resource consent is required however due to the volume of earthworks proposed.
66. In terms of potential effects, it is noted that noise nuisance or disturbance effects (from truck movements, site works, etc associated with the earthworks) will be short term and temporary, and indistinguishable from general building construction works which are permitted.
67. Visual amenity effects will not be significant noting that the earthworks are distant from sensitive receptors, are alongside other areas that will be subject to construction works, will be short term and temporary, and will provide for the site improvements proposed.
68. Given the nature of the earthworks and the generally flat contour of the site, the works will not affect the stability of adjoining land or surface drainage patterns.
69. The proposed earthworks will not alter existing ground levels to the extent that the resultant levels are inconsistent with the surrounding environment. Nor will the earthworks result in changes to visual amenity, landscape context and character, views, outlook, overlooking and/or privacy from other properties.
70. Potential nuisance impacts associated with sedimentation and dust will be controlled by an Erosion and Sediment Control Plan (ESCP), which will be prepared in accordance with Environment Canterbury's guidelines and required as part of the building consent for the balance of the works.
71. Based on the above assessment, it is considered that the earthworks associated with the proposal will have **less than minor and acceptable** effects. For completeness, it is recorded that Council reached the same conclusion in comparable circumstances on the application RC205782.

## Transport

72. A review of the District Plan transport rules has identified a non-compliance in relation to Rule 17.3.1.1, as the site is permitted three vehicle crossings, whereas eight are proposed (refer to Standard E13.2.4.3). The three assessment matters for this non-compliance listed in Rule 17.3.3 are addressed in turn in the following paragraphs.

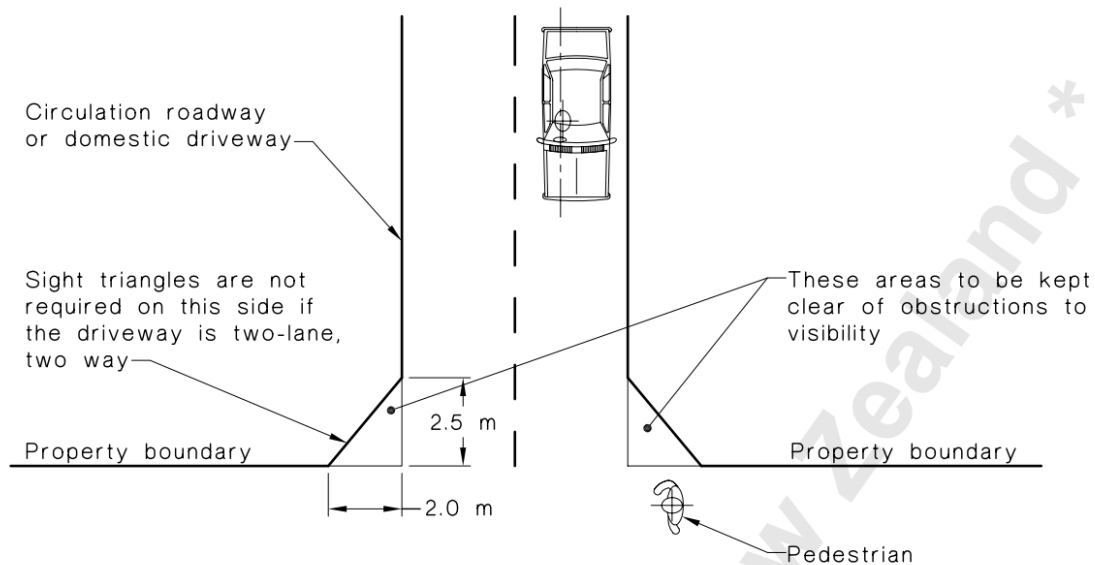
*17.3.3.1 Any adverse effects on the ease and safety of vehicle manoeuvres, and on the visibility and safety of pedestrians, cyclists and motorists.*

73. It is considered that the number of accesses is commensurate with the scale of the application site. Overall, the site has approximately 1.5km of road frontage and the provision of eight accesses is not excessive. Furthermore, three of the accesses are for loading vehicles only and two of those either only provide ingress or egress.
74. With regards to the ease of access, the Hoskyns Road, Link Drive and Iport Drive accesses all have the ability to use the existing flush median to accommodate right turns. This assists



drivers in entering the site. The Jones Road access is an extension of an existing road, so there will be no issues turning into / out of the site at this location.

75. Compliant sightlines are provided from all accesses to traffic on the road network. Vehicle exits will also comply with the pedestrian visibility requirements of AS/NZS2890.1 (NZ Standard for off-street car parking) Figure 3.3 (refer to **Figure 5** below).



**Figure 5: Pedestrian Visibility Splay**

*17.3.3.2 Any potential increase in the cost or difficulty of maintaining the road and vehicle crossings, including transporting of mud and chip on to any sealed road, if the vehicle crossing or vehicle accessway is not sealed.*

76. No significant additional cost or difficulty is anticipated with regards to maintaining the road and vehicle crossings. The accesses and car parking / loading areas will be sealed, so no material will be deposited on the road.

*17.3.3.3 Any visual effects on street design and residential amenity values from not forming the vehicle crossing or vehicle accessway to the specified standards.*

77. The number of crossings is not considered excessive particularly given the surrounding industrial land use. We also note that the site is not in or adjacent to a Residential Zone or any other zones that would be 'sensitive' to the visual or amenity effects of vehicle accessways.

### Transport Summary

78. The transport related adverse effects relating to the identified non-compliance are concluded to be **acceptable** and **less than minor**.





## Summary of actual and potential effects

79. In summary, the actual and potential adverse effects of the proposal are concluded to be **acceptable** and **less than minor**.
80. For completeness, no other adverse effects are considered relevant noting compliance with the applicable rules. Furthermore, the proposal will have significant positive effects, in terms of employment and economic benefits to the District and by way of catering locally for the commercial needs (demands) of the district.





## Notification Tests

81. Sections 95A and 95B set out the steps that must be followed to determine whether public notification or limited notification of an application is required. These steps are considered in the tables below.

**Table 1: Public notification tests (section 95A)**

<b>Step 1: Mandatory notification – section 95A(3)</b>	
Has the applicant requested that the application be publicly notified?	No
Is public notification required under s95C (following a request for further information or commissioning of report)?	No
Is the application made jointly with an application to exchange reserve land?	No
<b>Step 2: If not required by Step 1, notification is precluded if any of these apply – section 95A(5)</b>	
Does a rule or NES preclude public notification for all aspects of the application?	No
Is the application a controlled activity?	No
Is the application a boundary activity?	No
<b>Step 3: Notification required in certain circumstances if not precluded by Step 2 – section 95A(8)</b>	
Does a rule or NES require public notification?	No
Will the activity have, or is it likely to have, adverse effects on the environment that are more than minor (refer to the preceding assessment of effects)?	No
<b>Step 4: Relevant to all applications that don't already require notification – section 95A(9)</b>	
Do special circumstances exist that warrant the application being publicly notified?	No

82. Accounting for the conclusions in **Table 1** above and in accordance with the provisions of section 95A, the application must not be publicly notified.





**Table 2: Limited notification tests (section 95B)**

<b>Step 1: Certain affected groups/persons must be notified – sections 95B(2) and (3)</b>	
Are there any affected protected customary rights groups or customary marine title groups?	No
If the activity will be on, adjacent to, or might affect land subject to a statutory acknowledgement – is there an affected person in this regard?	No
<b>Step 2: If not required by Step 1, notification is precluded if any of the following apply – section 95B(6)</b>	
Does a rule or NES preclude limited notification for all aspects of the application?	No
Is this a land use consent application for a controlled activity?	No
<b>Step 3: Notification of other persons if not precluded by Step 2 – sections 95B(7) and (8)</b>	
Are there any affected persons under s95E, i.e. persons on whom the effects are minor or more than minor, and who have not given written approval (refer to the preceding assessment of effects)?	No
<b>Step 4: Relevant to all applications – section 95B(10)</b>	
Do special circumstances exist that warrant notification to any other persons not identified above?	No

83. In accordance with the provisions of section 95B, as detailed in Table 3, the application must not be limited notified.





## Relevant Provisions of Planning Instruments

84. The planning documents of relevance to this application and the provisions therein are listed and assessed in turn below:

### Operative Selwyn District Plan

85. The objectives and policies in the plan of relevance to this application are assessed below in **Table 3**:

**Table 3: Assessment of relevant objectives and policies**

District Plan provision	Comment / Assessment
<i>Objective B2.1.1 - An integrated approach to land use and transport planning to ensure the safe and efficient operation of the District's roads, pathways, railway lines and airfields is not compromised by adverse effects from activities on surrounding land or by residential growth.</i>	The application is considered to achieve consistency with these objectives and the supporting policies, noting the proposal's compliance with relevant transport standards and the assessment of transport effects provided above.
<i>Objective B2.1.2 - An integrated approach to land use and transport planning to manage and minimise potential adverse effects of transport networks on adjoining land uses, and to avoid "reverse sensitivity" effects on the operation of transport networks.</i>	
<i>Objective B3.4.2 A variety of activities are provided for in townships, while maintaining the character and amenity values of each zone.</i>	The proposal provides for a variety of activities and will maintain the character and amenity values of the zone – as sought by this objective.
<i>Objective B3.4.3 "Reverse sensitivity" effects between activities are avoided.</i>	Given the proposed activities are permitted, and are therefore anticipated, by the Plan in this location issues of incompatibility or reverse sensitivity will not arise.
<i>Policy B3.4.2 To provide for any activity to locate in a zone provided it has effects which are compatible with the character, quality of the environment and amenity values of that zone.</i>	Policy B3.4.2 aligns with objective B3.4.2 insofar as it is enabling and seeks 'To provide for any activity to locate in a zone' subject to the management of effects. The effects of the proposed activity have been assessed above and it is considered that these effects will be compatible with the character, quality of the environment and amenity values of the zone. Accordingly, the proposal is consistent with this policy.
<i>Policy B3.4.5 (b) To provide a Business 2A Zone which can cater for business activities requiring large footprint buildings and/or sites but which have sufficient provisions to safeguard people's health and well-being and avoid pollution of natural resources or potential 'reverse sensitivity' effects.</i>	In terms of policy B3.4.5 and B3.4.22, the proposal will not diminish people's health and well-being, it will avoid pollution of natural resources, and potential 'reverse sensitivity' effects will be no greater than those contemplated by the Plan. Therefore, the proposal is consistent with these policies.
[Explanation to B3.4.5]: <i>The Business 2A Zone at Rolleston provides for a range of business activities in particular those requiring larger allotment sizes with good access to State Highway 1 and/or the Main Trunk Railway Line. In this regard this zone has an important role in the economic prosperity of the Greater Christchurch area as well as providing significant employment opportunities for Selwyn District residents.</i>	
<i>Policy B3.4.22 Allow people freedom in their choice of the design of buildings or structures except where building design needs to be managed to:</i>	
<ul style="list-style-type: none"> <li>– Avoid, remedy or mitigate adverse effects on adjoining sites; or</li> <li>– Maintain the character of areas with outstanding natural features or landscapes values or special heritage or amenity values; or</li> <li>– Maintain and establish pleasant and attractive streets and public areas in the Business 1 zone.</li> </ul>	





*Policy B4.3.105 Control commercial activities within the Business 2A Zones in Appendix 22 and Appendix 43 in order to avoid individual or cumulative adverse distributional or urban form effects on the viability and function of the Rolleston Key Activity Centre, including the efficient and effective implementation of the Rolleston Town Centre Masterplan.*

The proposed activities are permitted in the Business 2A zone in this location and as such, consistency with this policy is achieved – noting that the rules are the means of controlling commercial activities and avoiding the effects described in this policy.

86. In summary, for the reasons set out in **Table 2** and otherwise having regard to the assessment of effects, the proposal is concluded to be consistent with the relevant provisions of the Plan.

## Proposed Selwyn District Plan

87. The Proposed Plan was notified on the 5<sup>th</sup> October 2020 and the objectives and policies must be considered.
88. The relevant objectives and policies of the Proposed Plan are assessed below in **Table 4**:

**Table 4: Assessment of relevant objectives and policies in the proposed Plan**

District Plan provision	Comment / Assessment
<p>TRAN-O1</p> <p><i>People and places are connected through safe, efficient, and convenient land transport corridors and land transport infrastructure which is well integrated with land use activities and subdivision development.</i></p> <p>TRAN-P7</p> <p><i>Recognise and protect the function of the District's land transport network and systems by managing land use activities and subdivision development to ensure the safe and efficient movement of people and goods by:</i></p> <ol style="list-style-type: none"> <li><i>1. Managing adverse effects from activities on land transport corridors and land transport infrastructure, particularly where it may reduce safe and efficient traffic flows within the strategic transport network and links with Christchurch City;</i></li> <li><i>2. Ensuring land transport corridors and land transport infrastructure can support the volume and type of transport movements based on the network road classifications; and</i></li> <li><i>3. Requiring the design, positioning, and maintenance of accessways, corner splays, vehicle crossings, intersections, footpaths, plantings, and signs to ensure appropriate sightline visibility is provided to road users to support safe and efficient vehicle, pedestrian, and cycle movements.</i></li> </ol>	<p>Based on the preceding assessment, the proposed development's access is not considered to detract from the safe and efficient operation of the roading networks and will maintain sufficient visibility in the road environment.</p>
<p>GIZ-O1 <i>The General Industrial Zone contains a range of industrial and other compatible activities, as well as activities that support the functioning of industrial areas.</i></p> <p>GIZ-O3 <i>The Scale and proportion of buildings and spaces reflect the character of the industrial zone and the requirements of activities operating within the zone.</i></p> <p>GIZ-P1 <i>Enable a range of industrial activities to establish and operate.</i></p> <p>GIZ-P2 <i>Provide for other activities to establish and operate within the General Industrial Zone where they are:</i></p> <ol style="list-style-type: none"> <li><i>1. of a similar scale and nature to industrial activities; or</i></li> <li><i>2. ancillary to the main industrial activity on site; or</i></li> </ol>	<p>The proposal will enhance rather than diminish the character and amenity values of the zone, noting the high quality site and building design proposed. The activity is not incompatible with surrounding land use noting the anticipated development of the area for LFR purposes and the existing consent approvals authorising non-industrial activity on the site (and further north).</p> <p>In respect of policies P2 and P4, the operative Plan clearly contemplates trade retail and food and beverage</p>





3. necessary to support the needs of workers within the zone.

*GIZ-P3 Avoid activities that are incompatible with the character and function of the industrial area.*

*GIZ-P4 Avoid commercial activities that will undermine the viability and function of the Town Centre and Local Centre Zones.*

*GIZ-P5 Manage the adverse visual effects of development, while recognising the functional and operational requirements of industrial activities.*

*GIZ-P6 Manage the adverse effects of activities within the General Industrial Zone to maintain the character and amenity of adjoining residential and rural zones.*

outlets (noting their permitted status) indicating that they are appropriate to the locality and will not undermine the viability and function of the Town Centre and Local Centre zones. To the extent that other activity is proposed in this location (furniture outlets), this is already authorised by way of RC205782.

89. Overall, the development is concluded to be not inconsistent with the relevant objectives and policies contained within the proposed Selwyn District Plan, noting especially the permitted status of the proposed trade retail and LFR activities and resource consent RC205782. In any event, as decisions on submissions on the proposed Plan (including those seeking LFRZ over the full subject site) are yet to be issued, **very limited weight** should be given to these provisions, relative to those of the Operative Plan

## Canterbury Regional Policy Statement

90. The Canterbury Regional Policy Statement and regional plans have not been considered further in this assessment, noting the more specific direction set out in the District Plan which gives effect to the higher order planning documents as relevant.





## **Relevant Other Matters**

### **Consultation**

91. No consultation has been undertaken in respect of this proposal, noting the conclusion that no other persons will be adversely affected.

### **Consideration of Alternatives**

92. The preceding assessment of effects shows that the proposal will not have any significant adverse effects on the environment. Therefore, an assessment of alternatives is not required.

### **Mitigation Measures**

93. Based on the assessment of effects in the previous section, no mitigation measures (other than the conditions proposed earlier in this AEE) are considered necessary for this proposal.

### **Monitoring**

94. The scale and significance of the activity's effects are such that specific monitoring (beyond Council's standard consent monitoring programme) is not considered to be necessary.

### **Hazardous Substances & Installations**

95. This application does not propose the use of hazardous substances and installations. Accordingly, this proposal will not result in any new or increased risks to the neighbourhood, wider community, or the environment as a result of the use of hazardous substances and/or installations on the site.





## Resource Management Act 1991 Part 2

96. Taking guidance from recent case law<sup>1</sup>, the operative District Plan is considered to be the mechanism by which Part 2 is given effect to in the Selwyn District. The Proposed Selwyn District Plan has recently been notified and has not been through an independent hearing and decision-making process in a manner that appropriately reflects the provisions of sections 5-8 of the Act. Accordingly, further assessment against Part 2 has been provided below.
97. Part 2 of the Act sets out its purpose and principles which are “to promote the sustainable management of natural and physical resources”. This is defined to mean:
- “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 wellbeing 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.”*
98. The proposal will provide for the use and development of the site in a way that enables the applicant to provide for their wellbeing, without detracting from the wellbeing of the wider community. Importantly, the activity will not result in any adverse effects that would conflict with section 5(2)(a) – (c). Whether the purpose of the Act is being met also involves an assessment informed by reference to the matters set out in sections 6, 7 and 8.
99. Section 6 sets out matters of national importance – none of which are relevant to this application.
100. Section 7 requires particular regard to be had to ‘other matters.’ Of relevance to this application are:
- (c) The maintenance and enhancement of amenity values; and*
- (f) The maintenance and enhancement of the quality of the environment.*
101. In respect of subsections (c) and (f), the proposal will deliver a development consistent with that anticipated by the Plan and which therefore maintains and enhances the amenity and quality of the environment.
102. Section 8 requires the principles of the Treaty of Waitangi to be taken into account. There are also no known cultural values that need to be taken into account in respect of this proposal.
103. Overall, the proposal is consistent with the requirements of Part 2 and therefore it is considered that the purpose of the Act would be better achieved by the granting of consent.

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<sup>1</sup> R J Davidson Family Trust v Marlborough District Council [2018] NZCA 316





## **Greater Christchurch Regeneration Act 2016**

104. The Greater Christchurch Regeneration Act 2016 ('GCRA') provides a new legal framework to support the regeneration of greater Christchurch, following the expiry of the Canterbury Earthquake Recovery Act 2011 on 18 April 2016. Amongst other things, the new Act provides for the continuation of existing Recovery Plans (such as the Land Use Recovery Plan).
105. The District Plan was amended in response to Action 27 and the corresponding objectives, policies and rules have been assessed earlier in this AEE. Based on that assessment the proposal is concluded to be not 'inconsistent with' the LURP.





## Conclusion

106. The proposal is consistent with the purpose and principles of the Act in that it enables people to provide for their economic and social well-being, while maintaining and enhancing the quality and amenity of the local environment and avoiding significant adverse effects.
107. The proposal is consistent with the relevant objectives and policies of the District Plan, and will have actual or potential effects on the environment which are no more than minor.
108. In terms of section 104(1) of the Act and section 60(2) of the GCRA, the proposal is not inconsistent with the environmental outcomes envisaged by the relevant statutory planning framework.
109. Overall, we consider that consent ought to be granted in accordance with sections 104 and 104B of the Act, subject to appropriate conditions.





## **Appendix 1**

### **Certificate of Title**





**RECORD OF TITLE**  
**UNDER LAND TRANSFER ACT 2017**  
**FREEHOLD**  
**Search Copy**



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **821779**  
**Land Registration District** **Canterbury**  
**Date Issued** 20 November 2019

**Prior References**  
801491

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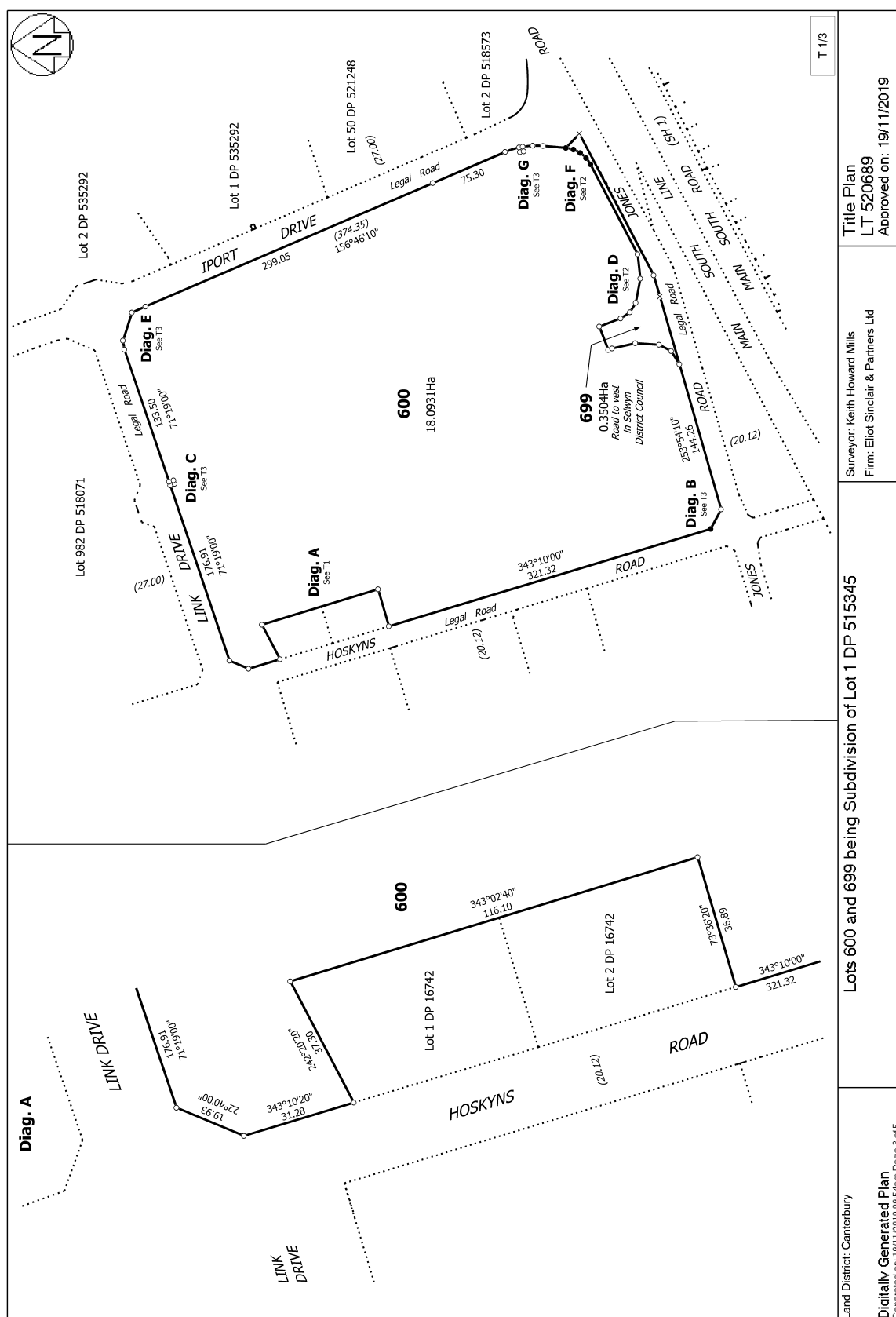
**Estate** Fee Simple  
**Area** 18.0931 hectares more or less  
**Legal Description** Lot 600 Deposited Plan 520689

**Registered Owners**  
Rolleston Industrial Holdings Limited

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**Interests**  
10895243.4 Encumbrance to Selwyn District Council - 23.1.2018 at 2:29 pm  
11613614.8 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 20.11.2019 at 8:48 am









## **Appendix 2**

### **Resource Consent RC1555113 (LFR)**



## PLANNING REPORT

**BY:** Senior Resource Management Planner: Emma Larsen  
**DATE:** 14 July 2015  
**SUBJECT:** **RESOURCE CONSENT APPLICATION 155113**

Applicant:	Rolleston Industrial Holdings Limited
Proposal:	To establish and operate a trade retail and large format retail development
Location:	Hoskyns Road, Rolleston
Legal Description:	Lot 1 DP 475847 being 63.5040 hectares in area more or less, as contained in Certificate of Title 656372. The proposal will occupy an area of approximately 8.4300 hectares.
Zoning:	The property is zoned Business 2A under the provisions of the Partially Operative District Plan (Townships) Volume
Status:	This application has been assessed as a land use consent for a Discretionary activity under the Partially Operative District Plan. As such the relevant provisions of the Partially Operative District Plan (Townships) Volume and the Resource Management Act 1991, have been taken into account
This application was formally received by the Selwyn District Council on 05 March 2015. Assessment and approval took place on 13 July 2015 under a delegation given by the Council.	

### 1. **Proposal**

1.1 The proposal is to establish and operate a trade retail and large format retail development.

#### *Activities*

1.2 The proposed development would occupy a total area of 8.4300 hectares and will comprise of 10,000m<sup>2</sup> gross floor area (GFA) of trade retail, 17,000m<sup>2</sup> GFA of large format retail and 1000m<sup>2</sup> public floor area (PFA) of food and beverage retailing.

1.3 The applicant proposed the following definitions for trade retail and large format retail:

- *'trade retail' shall be defined as those activities falling within Division F, Group 391, Group 392, Group 400, Class 4212, Class 4214 and Group 423 of the Australian and New Zealand Standard Industrial Classification (ANZSIC) 2006 (cat no. 1292.0) ("ANZSIC").*
- *'large format retail shall not include the following activities as defined in ANZSIC:*



- *Class 4110- Supermarkets;*
- *Group 412- Specialised food retailing;*
- *Class 4242 – Entertainment media retailing;*
- *Class 4243 – Toy and game retailing;*
- *Class 4244 – Newspaper and book retailing;*
- *Group 425- Clothing, footwear and personal accessory retailing;*
- *Class 4260- Department stores;*
- *Group 427- Pharmaceutical and other store based retailing.*

- 1.4 The applicant proposes that the development would be undertaken in the following stages:

	<b>Stage 1 (up to 1 Jan 2021)</b>	<b>Stage 2 (1 Jan 2021 to 1 Jan 2026)</b>	<b>Stage 3 (beyond 1 Jan 2026)</b>
<b>Food &amp; beverage (GFA)</b>	1,000m <sup>2</sup> cap	no additional (1,000m <sup>2</sup> total cap)	no additional (1,000m <sup>2</sup> total cap)
<b>LFR (GFA)</b>	11,500m <sup>2</sup> cap	3,500m <sup>2</sup> additional (15,000m <sup>2</sup> total cap)	2,000m <sup>2</sup> additional (17,000m <sup>2</sup> total cap)
<b>Trade retail (GFA)</b>	10,000m <sup>2</sup> cap	no additional (10,000m <sup>2</sup> total cap)	no additional (10,000m <sup>2</sup> total cap)

### *Buildings*

- 1.5 The applicant proposes eight separate buildings, which are shown on the site plan included with the application (Appendix 2).
- 1.6 A large (10,000m<sup>2</sup>) trade retail building is proposed along the northern boundary of the application site, adjoined by a loading and outdoor yard sales area to the east.
- 1.7 The loading and yard areas will be separated from the central carpark by a small (875m<sup>2</sup>) LFR building. Two additional LFR buildings (1125m<sup>2</sup> and 5071m<sup>2</sup>) will be situated along the site's eastern boundary, with a further three buildings for LFR located centrally within the carpark.
- 1.8 A building of 1550m<sup>2</sup> is proposed in the southeast quadrant of the site for food and beverage retailing.
- 1.9 The buildings will each have a height of no more than 10 metres and will each be set back at least 10 metres from the property boundaries. The buildings will be of a pre-cast concrete panel and steel roof construction, with glazing and prominent building entries for each tenant will be provided on the frontages.



### *Carparking and Access*

- 1.10 The applicant proposes to vehicle accesses to and from Hoskyns Road and a total of 975 carparking spaces.
- 1.11 The application was received on 05 March 2015.

## **2. Site and Locality**

- 2.1 The property subject to this application is situated on Hoskyns Road, approximately 180 metres north of the Jones Road intersection. The site is legally described as Lot 1 DP 475847 being 63.5040 hectares in area more or less, as contained in Certificate of Title 656372. The proposal will occupy an area of approximately 8.4300 hectares.
- 2.2 The site is currently vacant and has a rural character.
- 2.3 The application site is situated on the property at the north eastern side of Jones Road and Hoskyns Road intersection, Rolleston. It comprises 8.43 hectares of the site legally described as Lot 1 DP 475847, which totals 63.5 hectares. The site is currently vacant and has a rural character.
- 2.4 This land, and land extending to Maddisons Road to the north and approximately 700m east of Hoskyns Road are part of a Greenfield Priority – Business Area and is zoned Business 2A.
- 2.5 Business 2 Zones are essentially industrial zones and are described in the Selwyn District Plan as “...*areas where activities likely to be considered less pleasant are located. Aesthetic and amenity standards are less than those in Living or Business 1 Zones. Activities are still managed to protect natural resources and people’s health or well-being. Activities likely to cause ‘reverse sensitivity’ issues are discouraged in Business 2 Zones e.g. residential activities.*” Generally, industrial activities are permitted in this zone provided the relevant performance standards are met such as those in relation to earthworks, building bulk and location, access and parking, hazardous substances, signage, noise and landscaping.
- 2.6 The established Izone industrial park is situated on the western side of Hoskyns Road. To the south of the site on the opposite side of Jones Road is the main trunk rail line, State Highway 1 and the urban residential edge of Rolleston township.
- 2.7 The Rolleston town centre is situated further to the south, approximately one kilometre from the application site. The town centre has a Business 1 zoning under the District Plan. The District Plan describes the Business 1 Zone as having “...*environments which are noisier and busier than Living zones, with more traffic, people, signs and building coverage. Business 1 zones are still pleasant areas for people to live and work in, with good amenity/aesthetic values. They are also areas where higher density housing can be established as a permitted activity.*” Generally, retail and commercial activities are permitted in this zone, provided they comply with rules relating to matters such as building design and position and waste management. It is noted that commercial buildings over 450m<sup>2</sup> are restricted discretionary activities.
- 2.8 Currently, nearly 7 hectares of Business 1 land has been developed for retail and commercial activities. This activity is anchored around the Countdown and New World supermarkets and the Warehouse department store in the southern part of the town centre. Approximately 3.4 hectares of the Business 1 zone is undeveloped in this area, although there is a resource consent for a further 4930m<sup>2</sup> of retail/commercial development on Masefield Drive (RC115310), and a resource consent for a new Pak n Save supermarket with a gross floor area of approximately 6600m<sup>2</sup> (this proposal is intended to replace the existing New World supermarket and some other commercial tenants).



- 2.9 A further 7.3 hectares of land zoned Business 1 is situated immediately to the south of the State Highway 1. This land is vacant with the exception of the Selwyn District Council offices, which occupy approximately 1.7 hectares. All of this land is owned by the Selwyn District Council and has been tagged for various purposes. Of this land, approximately 1.5 hectares would currently be available for retail or commercial development, being part of the area to the north of Kidman Street.

### 3. District Plan

- 3.1 The property is zoned Business 2A under the District Plan (Townships Volume).

### 4. Weighting of Plans

- 4.1 The District Plan was made Partially Operative on the 10 June 2008. Those parts of the District Plan relevant to this proposal are operative. Accordingly the Transitional District Plan has been disregarded in this instance.

### 5. Relevant Rules

#### *Partially Operative District Plan – Landuse*

- 5.1 Rule 13.1.7.2(g) specifically provides for hospitality activities as discretionary activities.
- 5.2 Rule 21.1.2 provides for any activity that generates more than 3m<sup>3</sup> of solid waste per week as a restricted discretionary activity.
- 5.3 Rule 22.11.2 provides for retailing within the Business 2A zone that does not comply with rule 22.11.1.1 as a discretionary activity.
- 5.4 The proposal will meet all of the relevant District Plan requirements in terms of earthworks, buildings (including landscaping), roads and transport.
- 5.5 Overall, the landuse proposal is a **Discretionary** activity in terms of the Partially Operative District Plan.

#### *National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health*

- 5.6 Although the proposal is a change of use of the site, the application states that a Preliminary Site Investigation (PSI) was undertaken for the rezoning of the wider Rolleston Industrial Holdings Limited/Rolleston Industrial Developments Limited block in 2014. The PSI confirmed that there is no evidence of HAIL uses or activities on the application site. Therefore the NES for Assessing and Managing Contaminants in Soil to Protect Human Health does not apply.

### 6. Statutory Requirements

- 6.1 The statutory requirements of the Resource Management Act 1991 in respect of this application are Sections 95 – 95E, 104, 104B and 108.



## **7. Notification**

- 7.1 A decision to process this resource consent application on a non-notified basis was made by an independent commissioner on 13 July 2015. The report recording this decision and the reasons for it is held on the resource consent file.

## **8. Section 104 Matters**

- 8.1 Section 104(1) of the Resource Management Act 1991 sets out the matters which must be considered by Selwyn District Council in considering an application for resource consent. In this case the relevant matters include:

- Any actual and potential effects of allowing the activity (s104(1)(a));
- The Canterbury Regional Policy Statement (s104(1)(b)); and
- Any Plan or Proposed Plan (s104(1)(b)).

- 8.2 All matters listed in s104(1) are subject to Part 2 of the Act which contains its purposes and principles.

## **9. Assessment of Effects on the Environment**

- 9.1 As a discretionary activity the consent authority is not limited in the resource management matters that can be considered in making a decision on this application. I consider that the potential for adverse effects arising from the proposed trade retail and large format retail development lie with retail distribution, amenity values, traffic and access, construction, reverse sensitivity and waste disposal. These matters are assessed below:

### Retail Distribution

- 9.2 The development of a trade and large format retail centre on the northern side of Rolleston has the potential adversely affect established businesses in the Business 1 zone and may slow the uptake of the remaining undeveloped land.

- 9.3 Since this application was lodged the applicant has made some changes to the scope of the application as a result of peer reviews of the proposal by retail specialists engaged by the Council and its own professional advice. The application as submitted did not exclude any activities (aside from supermarkets and department stores) from the LFR component of the proposed development.

### *McDermott Miller Strategies Report*

- 9.4 The application included a retail assessment prepared by McDermott Miller Strategies with the application. The applicant's assessment draws the following conclusions:

1. *There is potentially sufficient spend, through a combination of increased retention and market growth, to support the "Home and Trade Retail centre proposed by RIHL/RIDL;*
2. *Maximising economic benefit to Selwyn District of LFR development on the RIHL/RIDL site requires its management as a megacentre; this includes development of an attractive retail mix and joint marketing.*
3. *The proposed RIHL/RIDL development would not preclude realization of the Council's aspirations for retail development in Rolleston Town Centre; and*



4. *There would be economic benefits to the District, and mutual commercial benefits, from retail development and marketing proceeding in tandem in on both sides of State Highway 1."*

- 9.5 The McDermott Miller Strategies report was written on the basis that there would be no restrictions as to the type of activities that could establish as part of the LFR component of the application (aside from supermarkets and department stores).

*Property Economics Report*

- 9.6 The MMS report also references a report prepared by Property Economics Limited titled *Rolleston Large Format Retail Centre Market Assessment* dated March 2014. This report was commissioned by the Sewlyn District Council to assist in making policy decisions regarding the zoning of the application site. This report found that a LFR centre could be developed on the application site provided that appropriate controls were in place to protect the function and viability of the Rolleston Town Centre.

*Market Economics Limited Peer Review*

- 9.7 The Council commissioned Market Economics Limited to undertake a peer review of the application and the McDermott Miller Strategies report submitted with the application. This draft peer review is dated March 2015 and titled *Supplementary Review of Consent Application 155113*. The peer reviewer expressed some concerns with the proposal. In summary the peer review found that:

- The proposed conditions would allow the development of a retail complex with a broader role than a "Home and Trade" LFR megacentre.
- There should be some limitation on the type of stores that could locate in the proposed development, with a focus on trade retail (e.g. building supplies).
- The applicant's retail assessment overstated the attractiveness of retail in Rolleston, and so understated the likely impacts of the proposed development on the town centre. This is especially true because the Rolleston town centre is still only in the early stages of its development, and this development may be delayed if a significant competing development establishes elsewhere in Rolleston.
- The proposed staging should be conditions of consent.
- The quantum of GFA proposed in each tranche in the proposed staging is too high.
- The proposed food and beverage component of the development would increase the competitive overlap between the megacentre and the town centre, and less space is required to feed megacentre shoppers.
- The proposed development is of a large size and for a broad range of activities that would be very likely to significantly adversely affect the Rolleston town centre. These attributes would mean that the megacentre would develop as a significant retail destination in Rolleston and act as an alternative to the town centre. A preferable outcome would be for as much retail as possible to be focussed into the town centre, rather than split across two centres.

- 9.8 The peer review concluded that given the large size of the proposed development and the broad range of activities that could establish there, the proposal is likely to have a significant adverse effect on the Rolleston Town Centre, as the proposed development would be a significant retail destination and act as an alternative town centre. Therefore the development of the town centre may be delayed and the types of activities that establish there may be limited.

- 9.9 On receipt of a draft of the peer reviewers report and discussion with the applicant the Council sought clarification from the author of the Property Economics Limited report.



Property Economics Limited advised that the following store types, in addition to supermarkets and department stores should be excluded from the proposed LFR centre:

- *Recreational Goods Retailing – ANZSIC 2006 codes 4242 (Entertainment Media Retailing), 4243 (Toy and Game Retailing) and 4244 (Newspaper and Book Retailing)*
- *Specialised Food Retailing – ANZSIC 2006 code 412. This excludes Fresh Meat, Fish and Poultry retailing (4121), Fruit and Vegetable retailing (4122), Liquor retailing (4123), and Other Specialised retailing (4129)*
- *Clothing, Footwear and Personal Accessory Retailing – ANZSIC 2006 code 425. This would exclude Clothing (4251), Footwear (4252), Jewellery (4253) and Fashion and Personal Accessory (4259) retailing*
- *Pharmaceutical and Other Store Based Retailing – ANZSIC 2006 code 427. This exclusion encompasses Pharmaceutical, Cosmetic and Toiletry retailing (4271), Stationery Goods retailing (4272), Antique and Used Goods retailing (4273), Flower retailing (4274), and Other Store based retailing not easily classified*

- 9.10 Property Economics Limited concludes that if the following exclusions were adopted by the applicant in conjunction with the conditions proposed by the applicant then it would represent a more rounded and appropriately balanced framework that would mitigate the potential for adverse effects on the Rolleston Town Centre.
- 9.11 For completeness, Property Economics Limited's response was reviewed by Market Economic Limited, who agreed with Property Economics Limited that if the above exclusions were adopted by the applicant then their concerns would be addressed.
- 9.12 On this basis, I consider that the proposed trade and large format retail development will have adverse effects on the environment that are less than minor. I recommend that the conditions of consent contain the exclusions listed above.

### Amenity Values

#### *Visual Amenity*

- 9.13 The proposal involves the construction of large buildings and the formation of a large carparking area and accessways that have the potential for adverse visual effects.
- 9.14 The applicant proposes eight new buildings of various floor areas as shown on the plans included in Appendix 2 of the application. The buildings will have maximum height of 10 metres and will comply with all District Plan boundary setback requirements. The buildings will be of a design and appearance common to other trade retail and large format retail centres, that is, steel framing and roofing and pre-fabricated concrete panel construction. The side and rear facades of the buildings will be of a simple form/appearance while prominent building entries will be provided for each tenant within the buildings.
- 9.15 A landscaping plan is also included in Appendix 2 of the application. The applicant proposes landscaping to comply with the rules of the Business 2A Zone (rule 16.1.2). These rules require a landscaping strip of at least 3 metres in width along the Hoskyns Road frontage. This strip will include a mix of plantings in terms of species, height and form as required by the rules. The applicant also proposes to provide landscaping across the carparking area as shown on the landscaping plan.
- 9.16 The proposed activity is unlikely to cause any significant adverse effects in terms of dust, noise or glare that is incompatible with the surrounding Business 2A zoning.



- 9.17 Although the proposed buildings will be large and functional in appearance, I do not consider that they will be out of character in terms of the Business 2A Zone. The Business 2A Zone is an industrial zone with very few limitations on building design. Any industrial buildings could similarly be expected to be large and functional in appearance. The applicant proposes to undertake landscaping in accordance with the District Plan requirements and additional landscaping within the proposed carparking area. This will serve to screen and soften the appearance of the site when viewed from Hoskyns Road.
- 9.18 Overall I consider that any adverse visual effects will be less than minor. I recommend that the conditions of consent require that a detailed landscape plan be submitted to the Council and that the landscaping be undertaken and maintained on an ongoing basis. I also recommend a condition be included in the consent requiring that any building(s) comply with the District Plan requirements in terms of building position and maximum building height.

#### *Operational Noise*

- 9.19 Large scale activities have the potential to affect amenity values in terms of noise. Retail activities do not generally generate significant levels of noise and it is not expected that the proposed activity will result in any adverse noise effects that will be incompatible with the Business 2A zoning. To ensure this outcome, I recommend that the conditions of consent include a condition that limits the noise generated by the activity to those permitted by the District Plan in Business 2A zone.

#### Traffic, Access and Carparking

- 9.20 The proposal will generate a significant level of vehicle movements to and from the site. This has the potential to cause adverse effects in terms of traffic safety and efficiency.
- 9.21 The applicant has submitted a revised Transport Assessment prepared by Novo Group (dated July 2015) in support of the application. This assessment finds that from a transport perspective, the proposal complies with the District Plan, the proposed parking supply is more than sufficient to meet the predicted parking demand for the activity and the proposed accesses are found to be acceptable with no adverse safety effects identified. The proposal has been staged to correspond with planned road network upgrades in the vicinity of the proposal to ensure that adverse traffic safety and efficiency effects are minimised. The Council's Roading Asset Manager has reviewed the application, including the Transport Assessment and has not raised any concerns in terms of adverse effects on the environment.
- 9.22 I recommend that the conditions of consent require that the development occurs in the stages as proposed and that for each stage of the proposed development, sufficient carparking to meet the District Plan requirements be provided.

#### Construction Effects

- 9.23 The proposal will involve the construction of buildings and the formation of carparking and accessways. This has the potential to cause adverse effects in terms of dust, noise, vibration and visual amenity.
- 9.24 The applicant proposes a condition of consent that requires a Construction Management Plan be submitted prior to the commencement of construction on the site to ensure that construction effects such as noise dust and sedimentation are avoided or mitigated. Given that there are no sensitive land uses in the vicinity and that a construction management plan will be prepared, I consider that the construction effects will be less



than minor. I recommend that the proposed Construction Management Plan condition is included in the consent.

### Reverse Sensitivity

- 9.25 The application notes that the proposed activity will only occupy a portion of the total site area, and therefore the applicant can control the types of activities that establish around the application site. The applicant proposes to orientate the proposed buildings such that the activities will not be exposed to surrounding sites and activities, or their potential effects. The majority of activities would not be highly sensitive to industrial activities. There is sufficient separation between the application site and the activities on the western side of Hoskyns road with the 20 metre wide road reserve plus landscaping strips on the application site and those activities on the western side of Hoskyns Road. On this basis I do not consider there is any significant potential for reverse sensitivity effects to arise.

### Waste Management

#### *Solid Waste*

- 9.26 The proposed activity will generate more than 3m<sup>3</sup> of solid waste per week and therefore triggers a restricted discretionary status in accordance with the District Plan. The matters for discretion are restricted to the approval of a management plan to minimise waste from the activity and to dispose of waste in a way that mitigates adverse effects on the environment.
- 9.27 The applicant notes that given the types of activities proposed, the bulk of solid waste is likely to be packaging (pallets, plastic shrink wrap and cardboard). These waste streams are unlikely to cause contaminant leaching to groundwater, contaminate land or have an offensive odour. I consider that the potential for any adverse effects can be addressed by appropriate management. The applicant has proposed a condition requiring that a waste management plan be submitted prior to the activity commencing. I recommend that this condition be included in the consent.

#### *Wastewater and Stormwater Disposal*

- 9.28 The applicant proposes to connect to the Council owned and operated sewerage system. The Council's Asset Management Department has advised that this is an acceptable proposal. It is likely that the applicant will require a stormwater discharge permit from Environment Canterbury to discharge stormwater from the site. The applicant intends to apply for this consent once a decision on the land use consent has been issued. The applicant expects that standard stormwater management solutions will be acceptable and that it is likely that a consent would be considered on a non-notified basis.

### Summary

- 9.29 In summary I consider that the proposed trade and large format retail development will have adverse effects that are less than minor.



## **10. Objectives and Policies**

### *Partially Operative District Plan*

10.1 The objectives and policies that I consider relevant are:

#### *Transport Networks*

##### *Objective B2.1.1*

*An integrated approach to land use and transport planning to ensure the safe and efficient operation of the District's roads, pathways, railway lines and airfields is not compromised by adverse effects from activities on surrounding land or by residential growth.*

##### *Objective B2.1.2*

*An integrated approach to land use and transport planning to manage and minimise adverse effects on transport networks on adjoining land uses, and to avoid "reverse sensitivity" effects on the operation of transport networks.*

##### *Objective 2.1.3*

*Future road networks and transport corridors are designed, located and protected to promote transport choice and provide for: a range of sustainable transport modes; and alternatives to road movement of freight such as rail.*

##### *Policy B2.1.2*

*Manage effects of activities on the safe and efficient operation of the District's existing and planned road network, considering the classification and function of each road in the hierarchy.*

##### *Policy B2.1.3*

*Recognise and protect the primary function of roads classified as State Highways and Arterial Roads in Part E, Appendix 7, to ensure the safe and efficient flow of 'through' traffic en route to its destination.*

##### *Policy B2.1.4(a)*

*Ensure all sites, allotments or properties have legal access to a legal road which is formed to the standard necessary to meet the needs of the activity considering:*

- The number and type of vehicle movements generated by the activity;*
- The road classification and function; and*
- Any pedestrian, cycle and public transport or other access required by the activity.*

##### *Policy B2.1.6(a)*

*Require activities to have adequate onsite carparking and loading facilities to minimise potential adverse effects from roadside parking and to require adequate onsite manoeuvring area to avoid the need for reversing onto or off roads particularly State Highways and Arterial Roads.*

##### *Policy B2.1.7*

*Provide for pedestrian safety, security, circulation and access within parking areas by considering the interaction of vehicle access and manoeuvring, circulation, loading and parking, with likely pedestrian routes onto the site, including for users of public transport, and between car and cycle parks, and building entrances.*

##### *Policy B2.1.10*



*Ensure vehicle crossings, intersections, pathways, roadside signs and noticeboards are designed and positioned to ensure good visibility for all road users , and to allow safe passage, access and egress.*

*Policy B2.1.12*

*Address the impact of new residential or business activities on both the local roads around the site and the District's road network, particularly Arterial Road links with Christchurch City.*

*Policy B2.1.13*

*Minimise the effects of increasing transport demand associated with areas identified for urban growth by promoting efficient and consolidated land use patterns that will reduce the demand for transport.*

Comment

- 10.2 The Transport Assessment submitted with the application has shown that on-site carparking and circulation provision will be appropriate for the activity and that traffic to and from the site can flow in a safe and efficient manner. Therefore I consider the proposal to be consistent with the District Plan objectives and policies relating to transport networks.

Waste Disposal

*Objective B2.4.2*

*Adverse effects on the environment from the collection, treatment and storage or disposal of waste are reduced.*

*Policy B2.4.1*

*Promote initiatives to reduce waste generated in the District and to reuse and recycle goods.*

*Policy B2.4.3*

*Ensure any services or facilities for collecting or storing of waste in townships to protect the amenity values of the area.*

Comment

- 10.3 The applicant proposes to develop a waste management plan which will ensure the proposal minimizes adverse effects in terms of waste generation. Therefore I consider the proposal to be consistent with the District Plan objectives and policies relating to waste disposal.

Quality of the Environment

*Objective B3.4.1*

*The District's townships are pleasant places to live and work in.*

*Objective B3.4.2*

*A variety of activities are provided for in townships, while maintaining the character and amenity values of each zone.*

*Objective 3.4.3*

*"Reverse sensitivity" effects between each activity are avoided.*

*Policy B3.4.1*



*To provide zones in townships based on the existing quality of the environment, character and amenity values, except within Outline Development Plan areas in the Greater Christchurch are where provision is made for high quality medium density housing.*

*Policy B3.4.2*

*To provide for any activity to locate in a zone provided it has effects which are compatible with the character, quality of the environment and amenity values of that zone.*

*Policy B3.4.6(b)*

*To provide the Business 2A Zone which can cater for business activities requiring large footprint buildings and/or sites but which have sufficient provisions to safeguard people's health and well-being and avoid pollution of natural resources or potential "reverse sensitivity" effects.*

*Policy B3.4.10*

*Ensure noise in all zones does not adversely affect the health or well-being of people.*

*Policy B3.4.11*

*Maintain background sound levels which are appropriate to the quality of the environment and amenity values of each zone.*

*Policy B3.4.12*

*Avoid night lighting and, where practical, glare from reflections shining directly into adjoining sites, in all zones.*

*Policy B3.4.4*

*Avoid nuisance effects caused by dust from stockpiled material or construction work in Living and Business zones.*

*Policy 3.4.19(a)*

*Ensure all activities have appropriate car-parking facilities to avoid, remedy or mitigate any adverse effects of car-parking on:*

- The amenity value of streets;*
- The privacy of residents; and*
- Safe and convenient access to sites*

*Policy B3.4.19(b)*

*Ensure that a high level of amenity, safety and accessibility is achieved for pedestrians, users of public transport and cyclists when carparking is provided*

*Policy B3.4.19 (c)*

*Ensure that access by sustainable transport modes, such as public transport, cycling and walking, is considered when assessing parking needs for new activities.*

*Policy 3.4.23*

*Allow people freedom in their choice of the design of buildings or structures except where building design needs to be managed to:*

- Avoid, remedy or mitigate adverse effects on adjoining sites; or*
- Maintain the character of areas with outstanding natural features or landscape values or special heritage or amenity values; or*
- Maintain and establish pleasant and attractive streets and public areas in the Business 1 Zone*



*Policy B3.4.25*

*In all zones in townships, ensure buildings:*

- *Do not shade adjoining properties; and*
- *Maintain a predominantly low rise skyline.*

*Policy B3.4.26*

*Ensure buildings are setback an appropriate distance from road boundaries to maintain privacy and outlook for residents and to maintain the character of the area in which they are located.*

Comment

- 10.4 As assessed in section 9 of this report the, proposal will have adverse effects on the environment that are less than minor in terms of amenity, visual effects and reverse sensitivity. The scale, form and design of the proposed buildings will be in keeping with that anticipated for the Business 2A zoning.
- 10.5 The proposal is unlikely to generate significant adverse noise, lighting, glare, dust or other nuisance effects.
- 10.6 The application demonstrates that the proposal will not generate any significant adverse effects in terms of traffic safety and efficiency.
- 10.7 I therefore consider that the proposal is consistent with the objectives and policies of the District Plan relating to the quality of the environment.

**11. The Regional Policy Statement**

- 11.1 The Canterbury Regional Policy Statement as amended by the Land Use Recovery Plan includes provisions concerning the recovery and rebuilding of Greater Christchurch following the Christchurch earthquakes. These provisions are contained in Chapter Six of the Regional Policy Statement and are consistent with the Recovery Strategy for Greater Christchurch and the Land Use Recovery Plan.

- 11.2 The following provisions have direct relevance to the application:

*Objective 6.2.4 – Integration of transport infrastructure and land use*

*Prioritise the planning of transport infrastructure so that it maximises the integration with the priority areas and new settlement patterns and facilitates the movement of people and good and provision of services in Greater Christchurch, while:*

- (1) Managing network congestion*
- (2) Reducing dependency private motor vehicles*
- (3) Reducing emission of contaminants to air and energy use*
- (4) Promoting the use of active and public transport modes*
- (5) Optimising the use of existing capacity within the network; and*
- (6) Enhancing transport safety.*

Comment

- 11.3 The proposal will contribute to the realization of this objective through the staging of the development and the provision of local retail activity that is otherwise accessed through private vehicle travel to Christchurch City.



*Objective 6.2.5 – Key activity and other centres*

*Support and maintain the existing network of centres below as the focal points for commercial, community and service activities during the recovery period:*

*...(2) Key Activity Centres...*

*These centres will be high quality, support a diversity of business opportunities including appropriate mixed-use development, and incorporate good urban design principles.*

*The development and distribution of commercial activity will avoid significant adverse effects on the function and viability of these centres.*

Comment

- 11.4 The retail assessments confirm that the proposed trade and LFR centre will support the Rolleston town centre (a KAC) and will avoid significant adverse effects of the function and viability of this centre.

*Objective 6.2.6 – Business land development*

*Identify and provide for Greater Christchurch's land requirements for the recovery and growth of business activities in a manner that supports the settlement pattern brought about by objective 6.2.2, recognizing that:*

- (1) The greenfield priority areas for business in Christchurch City provide primarily for the accommodation of new industrial activities;*
- (3) New commercial activities are primarily directed to the Central City, Key Activity Centres, and neighbourhood centre;*
- (4) A range of other business activities are provided for in appropriate locations...*

*Policy 6.3.1 – Development within the Greater Christchurch area*

*In relation to recovery and rebuilding for Greater Christchurch:*

- (6) avoid development that adversely affects the function and viability of, or public investment in, the Central City and Key Activity Centres.*

Comment

- 11.5 The subject site is considered to be an appropriate location for the proposed business activity noting the conclusions of the retail assessments, notwithstanding the preference for commercial activity primarily within Key Activity Centres. In respect of the preference for Greenfield Priority Areas for business to be used primarily for industrial activities it is noted that the subject site occupies a small proportion of the 122 hectare greenfield block on the eastern side of Hoskyns Road which will otherwise be developed for this industrial activity.

*Policy 6.3.3 – Development in accordance with outline development plans*

*Development in greenfield priority areas and rural residential development, is to occur in accordance with the provisions set out in an outline development plan or other rules for the area. Subdivision must not proceed ahead of the incorporation of an outline development plan in a district plan.*

Comment

- 11.6 The proposal is consistent with the Outline Development Plan contained in Appendix 43 of the District Plan which governs this greenfield priority area.



### *Policy 6.3.6 – Business Land*

*To ensure that provision, recovery and rebuilding of business land in Greater Christchurch maximises business retention, attracts investment, and provides for healthy working environments; business activities are to be provided for in a manner which:*

- (3) Reinforces the role of the Central City, as the city's primary commercial centre, and that of the Key Activity Centres;*
  - (4) Recognises that new commercial activities are primarily to be directed to the Central City, Key Activity Centres and neighbourhood centres where these activities reflect and support the function and role of those centres; or in circumstances where locating out of centre, will not give rise to significant adverse distributional or urban form effects;*
  - (8) Ensure reverse sensitivity effects and conflicts between incompatible activities are identified and avoided or mitigated against*
  - (9) Ensures close proximity to labour supply, major transport hubs and passenger support networks;*
  - (10) Encourages self-sufficiency of employment and business activities within communities*
- 11.7 The proposal supports policy 6.3.6 by: providing for business and retail expenditure retention; attracting investment; offering employment opportunities in proximity to labour supplies; avoiding significant adverse distributional or urban form effects; and promoting greater employment and business self-sufficiency for the Rolleston township and Selwyn District generally.

### Summary – Regional Policy Statement

- 11.7 Overall I consider the proposal to be consistent with the objectives and policies of the Regional Policy Statement.

## **12. The Recovery Strategy for Greater Christchurch**

- 12.1 The Strategy's approach to recovery will guide and co-ordinate the work of all central government agencies involved in recovery activities in Greater Christchurch, and the strategic partners. A number of documents including district plans, regional policy statements and regional plans must not be interpreted or applied in a way that is inconsistent with the Recovery Strategy (S15 and 26(2) of the CER Act).
- 12.2 The Recovery Strategy is supported by the Land Use Recovery Plan which is assessed below. I do not consider the proposal will compromise any of the visions and goals for the recovery as listed in Section 4 of the document.

## **13. The Land Use Recovery Plan (LURP)**

- 13.1 The LURP has been approved by the Minister for Canterbury Earthquake Recovery and was gazetted on 6 December 2013.
- 13.2 The LURP sets a policy and planning framework necessary to:
- Rebuild existing communities
  - Develop new communities
  - Meet the land use needs of businesses
  - Rebuild and develop the infrastructure needed to support these activities
  - Take account of natural hazards and environmental constraints that may affect rebuilding and recovery.



13.3 The LURP identifies what needs to be done in the short and medium term to co-ordinate land use decision-making, identifies who is responsible and sets timelines for carrying out actions. It directs amendments to be made to Environment Canterbury's Regional Policy Statement, the Christchurch City Plan, the Selwyn District Plan and the Waimakariri District Plan.

13.4 The CER Act requires that any decisions on resource consents or notices of requirement, or changes to planning documents must not be inconsistent with the Land Use Recovery Plan.

13.5 Actions to achieve the LURP outcomes include Action 27:

*Selwyn District Council is directed, pursuant to section 24(1)(c) of the CER Act, to change or vary the objectives, policies and methods of its district plan to the extent necessary to provide for:*

**...Greenfield priority areas for business**

- iv. *greenfield priority areas for business at Lincoln and Rolleston shown on map A, appendix 1*
- v. *rezoning of other greenfield priority areas for business shown on map A, appendix 1*
- vi. *thresholds for commercial activities in greenfield priority areas where these are considered necessary to avoid reverse sensitivity effects or effects on the viability of key activity centres.*

13.6 The explanation to Action 27 notes:

*Commercial floorspace (both office and retail) outside Christchurch central city must be made available in a way that complements the new compact city core.*

*...The Recovery Plan identifies greenfield priority areas for business (figure 4). To ensure there is sufficient and suitable industrial land for the recovery through to 2028, this land has been identified primarily for industrial use.*

*The Recovery Plan recognises that some types of commercial businesses – for example, yard based retailing – may also be appropriate in these areas.*

13.7 Based on the nature of the retail activity proposed, the absence of reverse sensitivity effects, the findings of the retail assessments, and the predominant use of the greenfield block for industrial purposes, it is considered that the proposal will be generally consistent with the provisions in the Land Use Recovery Plan. This conclusion extends to include Action 27 vi noting that the development of district plan 'thresholds for commercial activities in greenfield priority areas' are required 'where these are considered necessary to avoid reverse sensitivity effects or effects on the viability of key activity centres'. The assessment of effects has established that the proposal will not adversely affect 'the viability of' the Rolleston Key Activity Centre and therefore this proposal will not undermine Action 27vi.

## **14. Purposes and Principles (Part 2)**

14.1 The purpose of the Resource Management Act 1991 is to promote the sustainable management of natural and physical resources. In summary enabling people and communities to provide for their well being, while sustaining resources and addressing any adverse effects.

14.2 Based on the assessment in this report, it is my opinion that the proposal is in accordance with the purpose and principles of the Resource Management Act 1991.



## **15. Lapse Date**

- 15.1 The applicant's proposal is a long term development with stage 3 commencing beyond January 2026. The staging of the proposal is associated with planned roading improvements. A lapse date of July 31 2026 is considered appropriate in this instance to give certainty to the applicant and for the Council to retain the ability to revisit the consent in the event that it is not given effect to within the consent term. An eleven year term is approximately the expected life of the District Plan so any significant policy changes will be able to be considered in the event an extension or new resource consent is sought.

## **16. Development Contributions**

- 16.1 Relevant development contributions will be required in accordance with the Local Government Act 2002. These contributions will be obtained through the Council's Development Contributions Policy under the community plan (LTCCP). Advice on the value of the development contributions and the way in which they will be paid will be forwarded to the applicant during the week following the issue of this consent.

## **17. Summary**

- 17.1 The proposal is to establish and operate a trade retail and large format retail development.
- 17.2 The application is considered to be in accordance with the objectives and policies of the District Plan (Townships Volume), the provisions of the Canterbury Regional Policy Statement, the Canterbury Recovery Strategy and the Land Use Recovery Plan. Effects on the environment are considered to be less than minor.
- 17.3 In summary, it is recommended that the application is in order for approval subject to certain conditions to mitigate potential effects on the environment.

## **18. Recommendation**

Resource consent 155113 is granted pursuant to sections 104 and 104B of the Resource Management Act 1991 subject to the following conditions imposed under section 108 of the Act.

### General

1. The activity shall be carried out in accordance with the details submitted with the application, further information and approved plans included as attachment 1 to this consent.

### Retail Activities

2. Retail activities on the site shall be limited to a maximum of:

- (a) 10,000m<sup>2</sup> gross floor area (GFA) of trade retail;

For the purposes of this condition, 'trade retail' shall be defined as those activities falling within Division F, Group 391, Group 392, Group 400, Class 4212, Class 4214 and Group 423 of the Australian and New Zealand Standard Industrial Classification (ANZSIC) 2006 (cat no. 1292.0) ("**ANZSIC**").

- (b) 17,000m<sup>2</sup> GFA of large format retail ('LFR') where tenancies shall each have a minimum gross floor area 450m<sup>2</sup> and shall not include the following activities as defined in ANZSIC:



- Class 4110 - Supermarkets;
- Group 412- Specialised food retailing;
- Class 4242 – Entertainment media retailing;
- Class 4243 – Toy and game retailing;
- Class 4244 – Newspaper and book retailing;
- Group 425- Clothing, footwear and personal accessory retailing;
- Class 4260- Department stores;
- Group 427- Pharmaceutical and other store based retailing.

(c) 1000m<sup>2</sup> gross floor area ('GFA') of food and beverage retailing.

For the purposes of this condition, 'food and beverage' activity shall be defined as those activities falling within Subdivision 45 of ANZSIC.

3. Further to condition 2, the development shall not exceed the floor area or staging timeframes set out in the following table:

	<b>Stage 1 (up to 1 Jan 2021)</b>	<b>Stage 2 (1 Jan 2021 to 1 Jan 2026)</b>	<b>Stage 3 (beyond 1 Jan 2026)</b>
<b>Food &amp; beverage (GFA)</b>	1,000m <sup>2</sup> cap	no additional (1,000m <sup>2</sup> total cap)	no additional (1,000m <sup>2</sup> total cap)
<b>LFR (GFA)</b>	11,500m <sup>2</sup> cap	3,500m <sup>2</sup> additional (15,000m <sup>2</sup> total cap)	2,000m <sup>2</sup> additional (17,000m <sup>2</sup> total cap)
<b>Trade retail (GFA)</b>	10,000m <sup>2</sup> cap	no additional (10,000m <sup>2</sup> total cap)	no additional (10,000m <sup>2</sup> total cap)

**Advice note:** Australian and New Zealand Standard Industrial Classification (ANZSIC) 2006 (cat no. 1292.0) are available at the following link:

[http://www.abs.gov.au/ausstats/abs@.nsf/Previousproducts/1292.0Contents12006%20\(Revision%201.0\)?opendocument&tabname=Summary&prodno=1292.0&issue=2006%20\(Revision%201.0\)&num=&view](http://www.abs.gov.au/ausstats/abs@.nsf/Previousproducts/1292.0Contents12006%20(Revision%201.0)?opendocument&tabname=Summary&prodno=1292.0&issue=2006%20(Revision%201.0)&num=&view)

#### Construction

4. All construction noise on the site shall be planned and undertaken to ensure that construction noise emitted from the site does not exceed the noise limits outlined in Table 2 of NZS6803:1999 Acoustics – Construction Noise. Sound levels associated with construction activities shall be measured and assessed in accordance with the provisions of NZS 6803:1999 Acoustics – Construction Noise.
5. The consent holder shall implement best practicable option measures to avoid or mitigate the dispersal and deposition of dust from construction and earthworks activities beyond the boundary of the property.
6. The consent holder shall implement best practicable option measures to avoid or mitigate the discharge of sediment laden runoff beyond the boundary of the property
7. At least 10 working days prior to the commencement of construction works for each stage the consent holder shall submit to the Selwyn District Council for the approval of the Planning Manager an Environmental Construction Management Plan demonstrating



how conditions 4, 5 and 6 will be achieved. The Environmental Construction Management Plan shall include but not be limited to:

- (a) The contact details of the lead contractor;
  - (b) The timing and duration for construction, including working hours within which works will be undertaken;
  - (c) Plans demarcating the areas to be disturbed including location, area and volume of earthworks associated with each phase of construction;
  - (d) Monitoring and reporting methods;
  - (e) A complaints procedure;
  - (f) Review procedures for the Environmental Construction Management Plan.
8. All construction works shall be undertaken in accordance with the approved Environmental Construction Management Plan.

#### Buildings

9. The erection of any buildings on the site shall not occur until such time as they are able to connect to:
- (a) A reticulated water supply
  - (b) A reticulated sewerage system.
10. All buildings and structures shall be designed and located to meet the following parameters:
- (a) Maximum height of a building – 15 metres
  - (b) Minimum setback of building(s) from roads – 10 metres
  - (c) Maximum height of a lighting pole – 25 metres

#### Landscaping

11. In the next available planting season following the commencement of construction works on the site, the consent holder shall undertake landscaping along the entire Hoskyns Road frontage of the site (excluding vehicle crossings). The landscaping shall be designed in accordance with Rule 16.1.2 of the Partially Operative Selwyn District Plan (included as Attachment 2 to this consent).
12. Prior to commencement of any landscaping on the site the consent holder shall submit to the Selwyn District Council a detailed Landscape Design, Implementation and Ongoing Maintenance Plan for the approval of the Planning Manager. The Landscape Design, Implementation and Ongoing Maintenance Plan shall include but not be limited to:
- (a) Timing of planting;
  - (b) Species;
  - (c) Spacing of plants;



- (d) Height of plants at the time of planting;
  - (e) Methods to ensure the successful establishment and growth of plants; and
  - (f) Details of the ongoing maintenance of the landscaping.
13. All landscaping shall be maintained on an ongoing basis and if dead, diseased or damaged, shall be removed and replaced within the next available planting season.

#### Vehicle Access and Parking

14. Prior to the commencement of the activity on the site the consent holder shall form two vehicle crossings in accordance with Appendix 13 of the Partially Operative District Plan (Township Volume) included at Attachment 3 to this consent. The vehicle crossings shall be sealed to match the existing road surface for the full width of the crossing between the site boundary and sealed carriageway.
15. Prior to the commencement of the construction of any building on the site the consent holder shall submit to the Selwyn District Council for the approval of the Planning Manager, a car parking, access and circulation plan that shows the number and location of car parking spaces and the location of all circulation areas to be provided at each stage of the development. The total number of car parks provided at the completion of stage three shall be no less than 975.
16. Prior to the commencement of each stage of the activity on the site the consent holder shall construct car parking, access and circulation areas in accordance with the approved carparking, access and circulation plan.

#### Waste

17. Prior to the commencement of the activity on the site the consent holder shall submit to the Selwyn District Council for the approval of the Planning Manager a Solid Waste Management Plan. The Solid Waste Management Plan shall include but not be limited to:
- (a) Methods that will be employed to minimise waste generated by the activity
  - (b) Methods for the management and disposal of waste that will avoid or mitigate adverse effects on the environment.

#### Noise

18. Noise arising as a result of the operation of the activity on the site, including all ancillary equipment and associated activities and maintenance activities on site shall not exceed the following limits, measured at the notional boundary of any existing dwelling located within Rural or Business zoned land:
- Daytime (7:30am to 8:00pm) 55dB  $L_{Aeq}$  and 85dB  $L_{AFmax}$
  - Night-time (8:00pm to 7:30am) 40dB  $L_{Aeq}$  and 70dB  $L_{AFmax}$
19. Noise arising as a result of the operation of the activity on the site, including all ancillary equipment and associated activities and maintenance activities on site shall not exceed the following limits, measured at the notional boundary of any existing dwelling located within Living zoned land:



- Daytime (7:30am to 8:00pm) 55dB L<sub>Aeq</sub> and 85dB L<sub>AFmax</sub>
- Night-time (8:00pm to 7:30am) 45dB L<sub>Aeq</sub> and 75dB L<sub>AFmax</sub>

Lapse Date

20. Unless otherwise given effect to, this consent shall lapse on 31 July 2026.

DEVELOPMENT CONTRIBUTIONS

The consent holder will be advised of the Development Contributions payable pursuant to the Local Government Act 2002 and the Council's Development Contribution Policy contained in the Selwyn Community Plan (LTCCP) during the week following the issue of this consent.

NOTES TO THE CONSENT HOLDER

- Pursuant to section 125 of the Resource Management Act 1991, if not given effect to, this resource consent shall lapse five years after the date of this decision unless a longer period is specified by the Council upon application under section 125 of the Act.
- In accordance with section 36 of the Resource Management Act 1991, the Council's specialised monitoring fee has been charged.

**Report prepared by:**

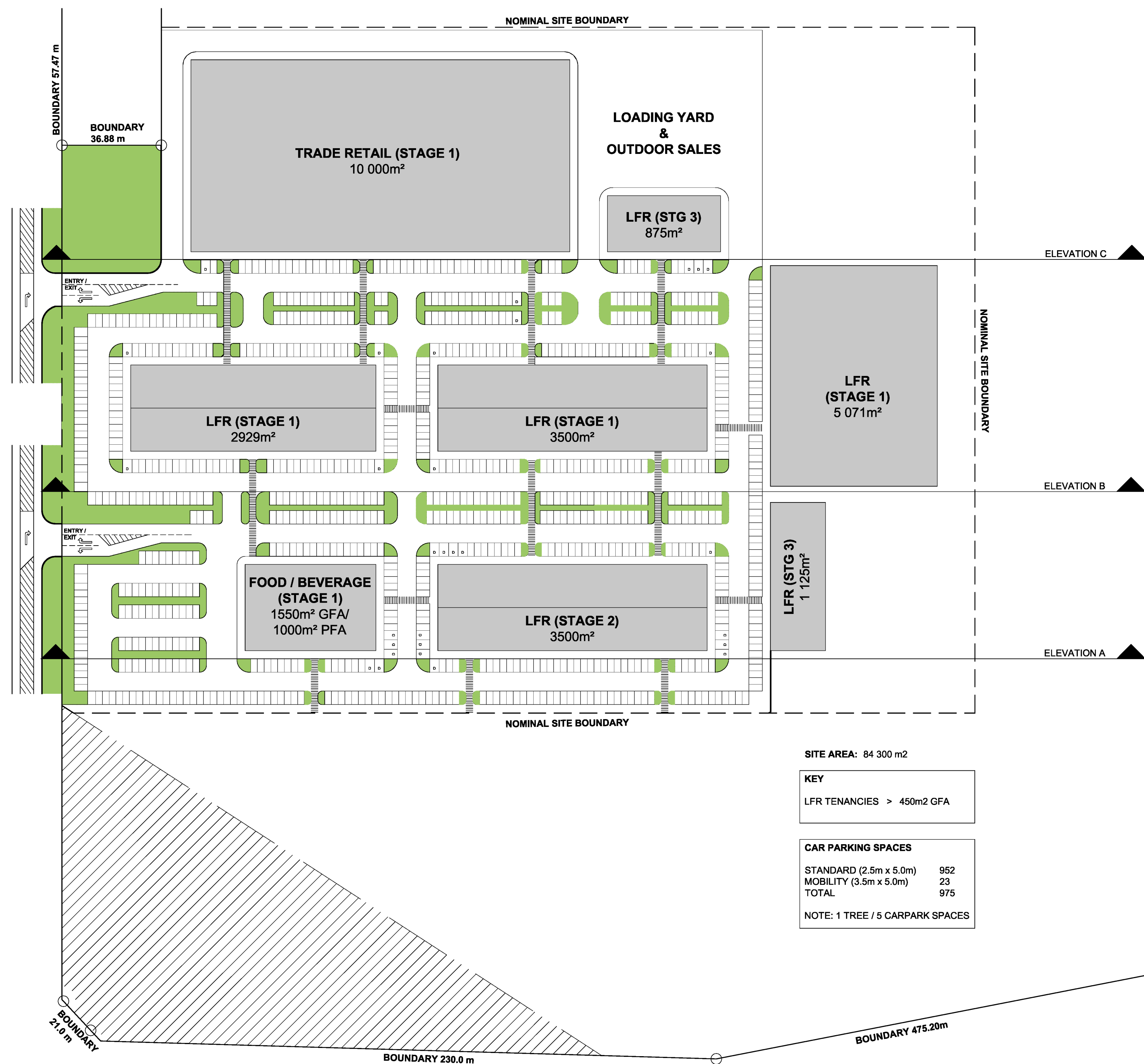
\_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ /2015

Emma Larsen, Senior Resource Management Planner

**Recommendation approved under delegated authority:**

  
 \_\_\_\_\_ Date: 13/07/2015  
 Graham Taylor, Independent Commissioner





- NOTES:**
1. ON-SITE PARKING TO BE AT A GRADIENT NO GREATER THAN 1:20
  2. MAXIMUM ACCESS GRADIENT TO BE '1 IN 6'
  3. LIGHTING OF CAR PARKING AREAS TO BE PROVIDED TO ACHIEVE A MINIMUM OF 2 LUX AND A HIGH UNIFORMITY
  4. MOBILITY CAR PAR LOCATIONS ARE INDICATIVE ONLY, AND ARE TO BE LOCATED AS CLOSE AS POSSIBLE TO THE ENTRANCE TO BUILDINGS AS PRACTICAL
  5. 10 CYCLE SPACES TO BE PROVIDED IN ACCORDANCE WITH APPENDIX 13.14 OF THE DISTRICT PLAN

AS APPROVED BY  
SELWYN DISTRICT COUNCIL  
Planning Department  
  
RESOURCE CONSENT  
155113  
  
13/07/2015 larsee

**SITE AREA:** 84 300 m2

**KEY**  
LFR TENANCIES > 450m2 GFA

**CAR PARKING SPACES**

STANDARD (2.5m x 5.0m)	952
MOBILITY (3.5m x 5.0m)	23
TOTAL	975

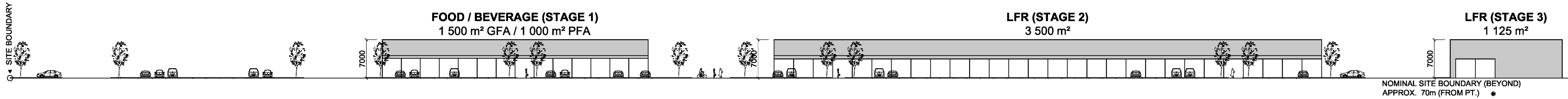
NOTE: 1 TREE / 5 CARPARK SPACES



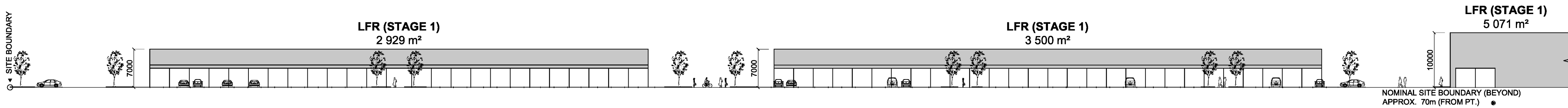
AS APPROVED BY  
SELWYN DISTRICT COUNCIL  
Planning Department

RESOURCE CONSENT  
155113

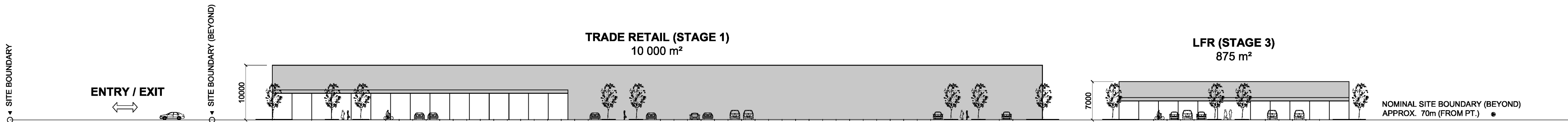
13/07/2015    larsee



**ELEVATION A (REFER TO SITE PLAN)**  
SCALE 1:500 @ A2

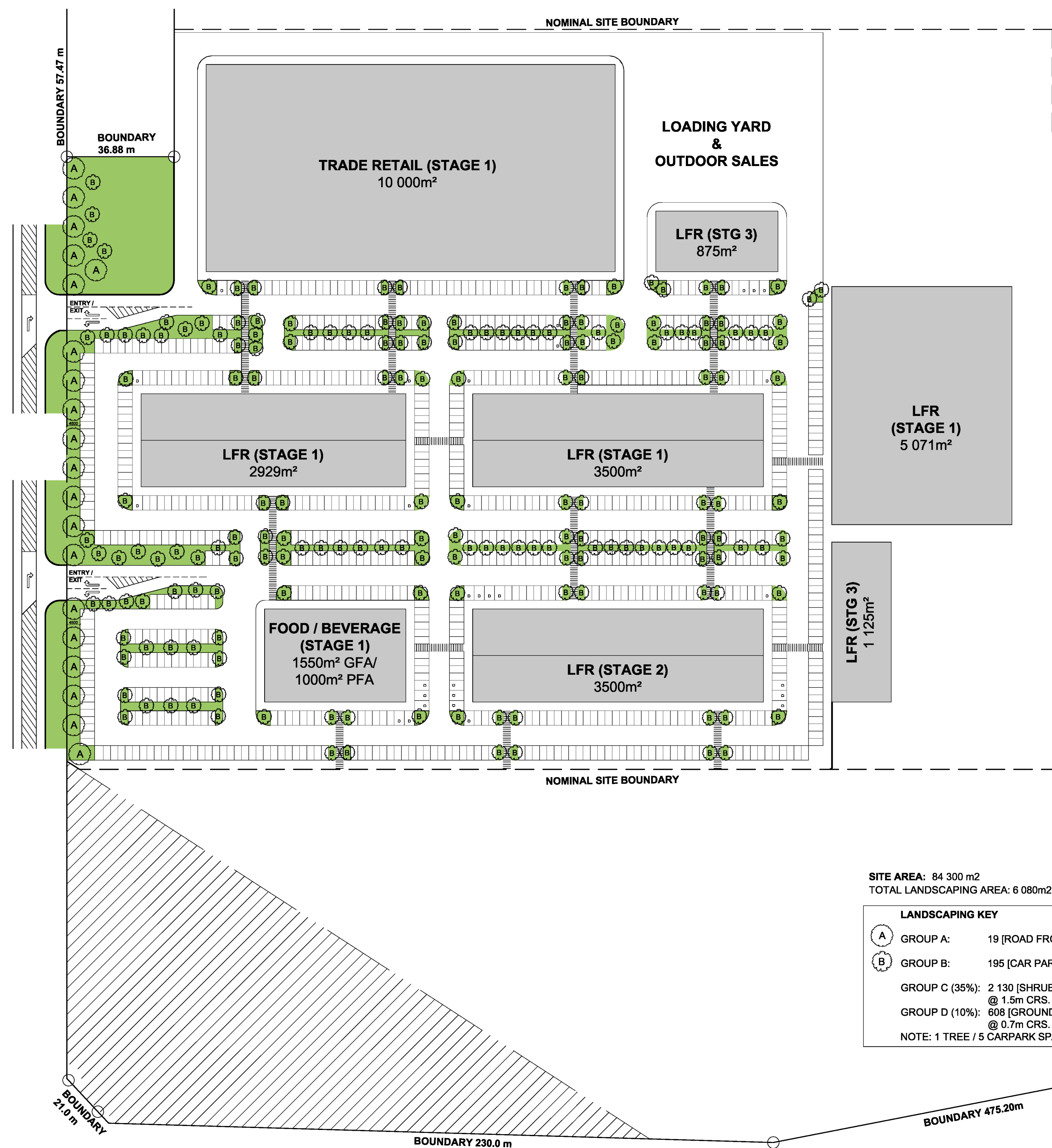


**ELEVATION B (REFER TO SITE PLAN)**  
SCALE 1:500 @ A2



**ELEVATION C (REFER TO SITE PLAN)**  
SCALE 1:500 @ A2





- NOTES:**
1. LANDSCAPING 'STRIP' OF AT LEAST 3m (WIDTH) SHALL BE PROVIDED ALONG THE ROAD BOUNDARY
  2. LANDSCAPING SHALL CONSIST OF ONLY THOSE SPECIES LISTED IN APPENDIX 21 (SELWYN DISTRICT PLAN)
    - 2.1. A MINIMUM OF 2 TREES FROM 'GROUP A' FOR EVERY 10 METRES OF ROAD FRONTAGE
    - 2.2. MIN. 35% OF THE REQUIRED AREA SHALL BE PLANTED IN SPECIES FROM 'GROUP C'
    - 2.3. MIN. 10% OF THE REQUIRED AREA SHALL BE PLANTED IN SPECIES FROM 'GROUP D'
    - 2.4. ALL PLANTS SHALL HAVE THE MAXIMUM SPACINGS: GROUP B / C- 1.5m CRS; GROUP D - 0.7m CRS
  3. NO FENCES / STRUCTURES SHALL BE ERECTED WITHIN THE 3-METRE LANDSCAPING STRIP
  4. 1 TREE PER 5 CAR PARKING SPACES IS PROVIDED WITHIN / ADJACENT TO THE CAR PARK
  5. ALL NEW PLANTING AREAS SHALL BE MULCHED
  6. ALL LANDSCAPING REQUIRED BY THIS CONSENT SHALL BE MAINTAINED, AND IF DEAD, DISEASED OR DAMAGED, SHALL BE REMOVED AND REPLACED

AS APPROVED BY  
SELWYN DISTRICT COUNCIL  
Planning Department

RESOURCE CONSENT  
155113

13/07/2015 larsee

SITE AREA: 84 300 m2  
TOTAL LANDSCAPING AREA: 6 080m2

**LANDSCAPING KEY**

- A** GROUP A: 19 [ROAD FRONT]
- B** GROUP B: 195 [CAR PARK]
- GROUP C (35%): 2 130 [SHRUBS]  
@ 1.5m CRS.
- GROUP D (10%): 608 [GROUND COVER]  
@ 0.7m CRS.
- NOTE: 1 TREE / 5 CARPARK SPACES





## **Appendix 3**

### **Certificate of Compliance 195214 (LFR)**



# CERTIFICATE OF COMPLIANCE: 195214

(Section 139 Resource Management Act 1991)



<b>APPLICANT:</b>	Rolleston Industrial Holdings Ltd
<b>ACTIVITY DESCRIPTION:</b>	To establish a large format retail development with associated car parking and landscaping on the subject site. Certification is sought for the physical development and the activities and example tenancies proposed to occupy the development.
<b>LOCATION:</b>	IPort, Hoskyns Road and Jones Road, Rolleston
<b>LEGAL DESCRIPTION:</b>	Part of Lot 1 DP 515345 being 18.4435ha in area as contained in Record of Title 801491.
<b>ZONING:</b>	The property is zoned Business 2A under the provisions of the Operative District Plan (Townships Volume).
This application was formally received by the Selwyn District Council on 30 April 2019. Assessment and approval took place on 12 June 2019 under a delegation given by the Council.	

## STATEMENT OF COMPLIANCE

On 30 April 2019 the day this application was received, the activity described above is accepted by the Selwyn District Council as permitted under Section 139 of the Resource Management Act 1991.

This certification relates to the physical development and the activities and example tenancies proposed to occupy the development as set out in Table 1, Appendix 3 of the request.

### Attachments

1. Approved Site/Landscape and Elevation Plans.
2. Compliance Assessment submitted with the Certificate of Compliance request.
3. Table 1 – Proposed Activities/Tenants submitted with the Certificate of Compliance request.

Yours faithfully  
**Selwyn District Council**

A handwritten signature in black ink, appearing to read 'Rosie Flynn', written over a horizontal line.

Rosie Flynn  
*Team Leader, Resource Consents*



AS APPROVED BY  
SELWYN DISTRICT COUNCIL  
Planning Department

RESOURCE CONSENT  
195214

14/06/2019 flynnr

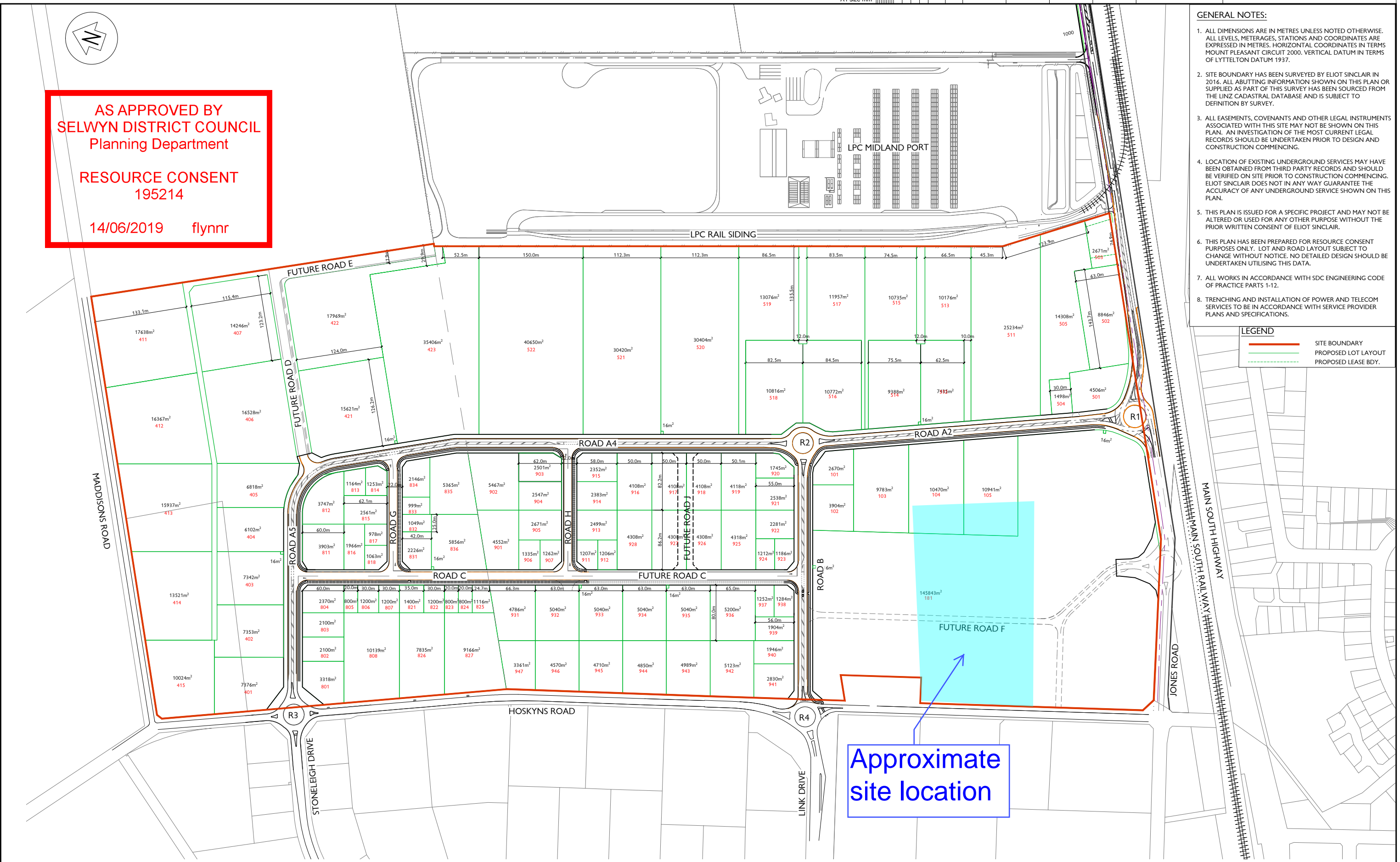
- GENERAL NOTES:
1. ALL DIMENSIONS ARE IN METRES UNLESS NOTED OTHERWISE. ALL LEVELS, METERAGES, STATIONS AND COORDINATES ARE EXPRESSED IN METRES. HORIZONTAL COORDINATES IN TERMS MOUNT PLEASANT CIRCUIT 2000. VERTICAL DATUM IN TERMS OF LYTTTELTON DATUM 1937.
  2. SITE BOUNDARY HAS BEEN SURVEYED BY ELIOT SINCLAIR IN 2016. ALL ABUTTING INFORMATION SHOWN ON THIS PLAN OR SUPPLIED AS PART OF THIS SURVEY HAS BEEN SOURCED FROM THE LINZ CADASTRAL DATABASE AND IS SUBJECT TO DEFINITION BY SURVEY.
  3. ALL EASEMENTS, COVENANTS AND OTHER LEGAL INSTRUMENTS ASSOCIATED WITH THIS SITE MAY NOT BE SHOWN ON THIS PLAN. AN INVESTIGATION OF THE MOST CURRENT LEGAL RECORDS SHOULD BE UNDERTAKEN PRIOR TO DESIGN AND CONSTRUCTION COMMENCING.
  4. LOCATION OF EXISTING UNDERGROUND SERVICES MAY HAVE BEEN OBTAINED FROM THIRD PARTY RECORDS AND SHOULD BE VERIFIED ON SITE PRIOR TO CONSTRUCTION COMMENCING. ELIOT SINCLAIR DOES NOT IN ANY WAY GUARANTEE THE ACCURACY OF ANY UNDERGROUND SERVICE SHOWN ON THIS PLAN.
  5. THIS PLAN IS ISSUED FOR A SPECIFIC PROJECT AND MAY NOT BE ALTERED OR USED FOR ANY OTHER PURPOSE WITHOUT THE PRIOR WRITTEN CONSENT OF ELIOT SINCLAIR.
  6. THIS PLAN HAS BEEN PREPARED FOR RESOURCE CONSENT PURPOSES ONLY. LOT AND ROAD LAYOUT SUBJECT TO CHANGE WITHOUT NOTICE. NO DETAILED DESIGN SHOULD BE UNDERTAKEN UTILISING THIS DATA.
  7. ALL WORKS IN ACCORDANCE WITH SDC ENGINEERING CODE OF PRACTICE PARTS 1-12.
  8. TRENCHING AND INSTALLATION OF POWER AND TELECOM SERVICES TO BE IN ACCORDANCE WITH SERVICE PROVIDER PLANS AND SPECIFICATIONS.

LEGEND



— SITE BOUNDARY

— PROPOSED LOT LAYOUT

--- PROPOSED LEASE BDY.



Approximate  
site location

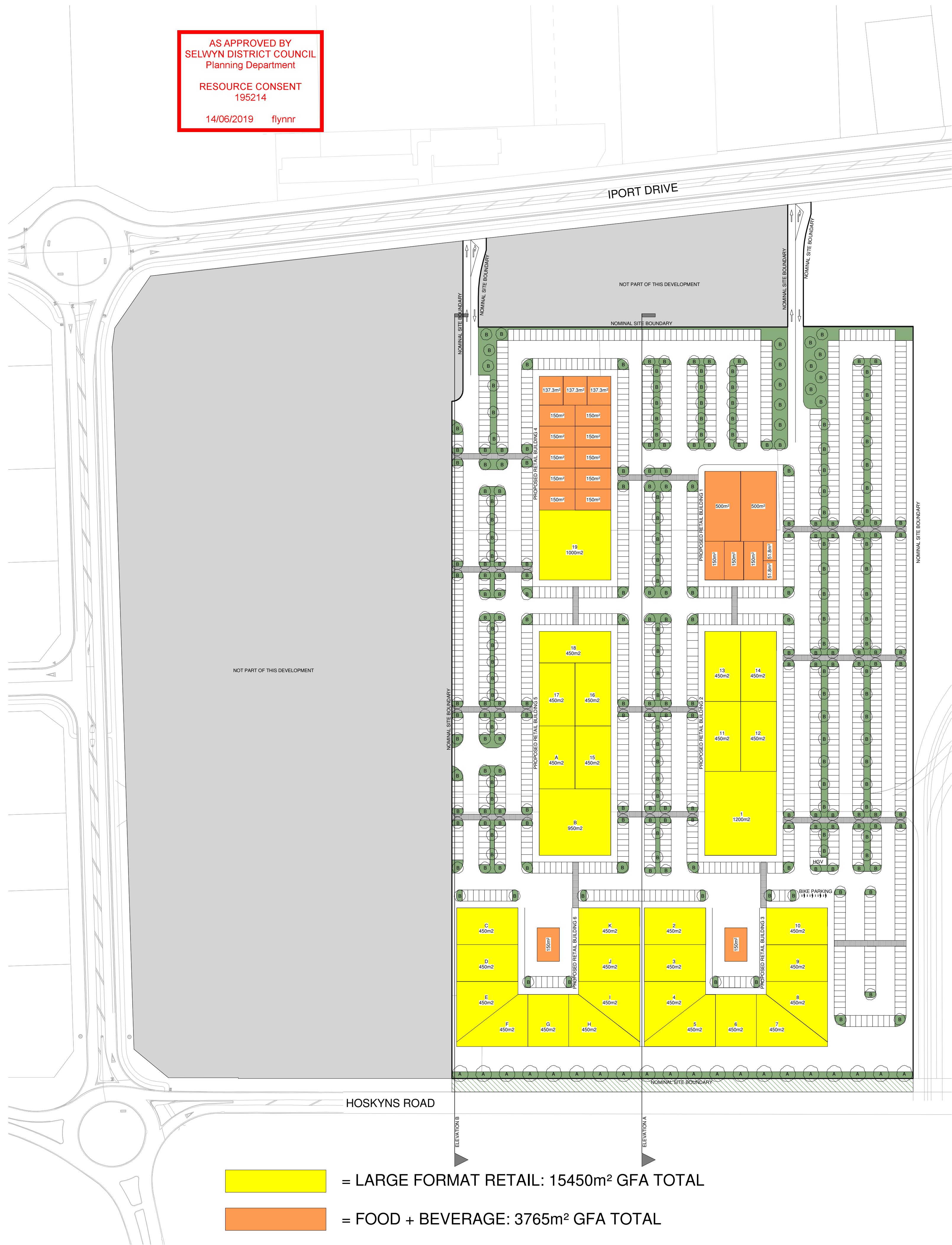
No.		Amendment	Drawn	Date	Surveyed:	Survey Date:		Name	Date	Client <div></div> <div>ROLLESTON INDUSTRIAL DEVELOPMENTS LTD ROLLESTON INDUSTRIAL HOLDINGS LTD 5/83 VICTORIA STREET, CHRISTCHURCH</div>	Project Title	Project No.	Set No.	Sht No.	Rev	
H		ROAD H ADDED, INTERNAL LOT LAYOUT UPDATED	JZ	26.09.16	-	-	Designed	J. ZHOU	08.2016		I PORT INDUSTRIAL DEVELOPMENT JONES ROAD, ROLLESTON	450000	P1	01	O	
I		RAB R1 / JONES ROAD LAYOUT UPDATED (AS PER CMP UPDATE)	JZ	02.11.16	Coord System: NZGD2000 Mt Pleasant	-	Drawn	J. ZHOU	08.2016		Drawing Title I PORT PROPOSED SITE PLAN & INTERNAL LOT LAYOUT	<div></div> <div>surveyors   engineers   planners</div>				
J		ROAD C LAYOUT AMENDED	LJ	03.11.16	Calibration:	-	Drng. Chk	T. McLeod	-							
K		LOT LAYOUT UPDATED, FUTURE ROAD J ADDED	LJ	03.02.17	Origin of Levels: BM B882 SS Pin in Conc. Jones Road R.L. 55.934 (LINZ DEC 2013)	Datum: Lyttelton 1937	Proj. Mgr	T. McLeod	-							
L		LOT LAYOUT UPDATED	MDT	15.02.17	-	-	Design Review	-	-							
M		LOT LAYOUT ON ROAD C UPDATED	MDT	15.02.17	-	-	Approved	-	-							
N		ELECTRICAL KIOSK LOCATIONS ADDED	JZ	09.03.17	-	-	-	-	-	Scale	1:2500m [A1], 1:5000m [A3]					
O		PRELIMINARY LOT NUMBERS ADDED, LOT LAYOUT STAGE 8B AMENDED	DNP	15.09.17	-	-	-	T. McLeod	29.11.2016							



AS APPROVED BY  
SELWYN DISTRICT COUNCIL  
Planning Department

RESOURCE CONSENT  
195214

14/06/2019 flynnr



#### NOTES:

- LANDSCAPING 'STRIP' OF AT LEAST 3m (WIDTH) SHALL BE PROVIDED ALONG THE ROAD BOUNDARY
- LANDSCAPING SHALL CONSIST OF ONLY THOSE SPECIES LISTED IN APPENDIX 21 (SELWYN DISTRICT PLAN)
  - A MINIMUM OF 2 TREES FROM 'GROUP A' FOR EVERY 10 METRES OF ROAD FRONTAGE
  - MIN. 35% OF THE REQUIRED AREA SHALL BE PLANTED IN SPECIES FROM 'GROUP C'
  - MIN. 10% OF THE REQUIRED AREA SHALL BE PLANTED IN SPECIES FROM 'GROUP D'
  - ALL PLANTS SHALL HAVE THE MAXIMUM SPACINGS:  
GROUP B/C - 1.5m CRS;  
GROUP D - 0.7m CRS
- NO FENCES / STRUCTURES SHALL BE ERECTED WITHIN THE 3-METRE LANDSCAPING STRIP
- 1 TREE PER 5 CAR PARKING SPACES IS PROVIDED WITHIN / ADJACENT TO THE CAR PARK.
- ALL NEW PLANTING AREAS SHALL BE MULCHED
- ALL LANDSCAPING REQUIRED BY THIS CONSENT SHALL BE MAINTAINED, AND IF DEAD, DISEASED OR DAMAGED, SHALL BE REMOVED AND REPLACED

#### LANDSCAPING KEY:

- A GROUP A: 20 [ROAD FRONT]
- B GROUP B: 267 [CAR PARK]
- GROUP C (35%): 2130 [SHRUBS] @ 1.5m CRS
- GROUP D (10%): 608 [GROUND COVER] @ 0.7m CRS

#### NOTES:

- ON-SITE PARKING TO BE AT A GRADIENT NO GREATER THAN 1:20
- MAXIMUM ACCESS GRADIENT TO BE '1 IN 6'
- LIGHTING OF CAR PARKING AREAS TO BE PROVIDED TO ACHIEVE A MINIMUM OF 2 LUX AND A HIGH UNIFORMITY
- MOBILITY CAR PARK LOCATIONS ARE INDICATIVE ONLY, AND ARE TO BE LOCATED AS CLOSE AS POSSIBLE TO THE ENTRANCE TO BUILDINGS AS PRACTICAL
- 10 CYCLE SPACES TO BE PROVIDED IN ACCORDANCE WITH APPENDIX 13.14 OF THE DISTRICT PLAN

#### CARPARKS

STANDARD:	1236
MOBILITY:	26
HGV LOADING BAY:	1
TOTAL:	1263

**SITE AREA:** 69781m<sup>2</sup>

TOTAL LANDSCAPING AREA: 4630m<sup>2</sup>

	GFA(m <sup>2</sup> )	INDICATIVE TENANCIES FOR LFR
A	450m <sup>2</sup>	SEAFOOD (E.G. GUYTONS)
B	950m <sup>2</sup>	FRUIT/VEGETABLE/PRODUCE (E.G. RAEWARD FRESH)
C	450m <sup>2</sup>	BUTCHER (E.G. MAD BUTCHER)
D	450m <sup>2</sup>	BULK FOODS RETAIL (E.G. BIN INN)
E	450m <sup>2</sup>	WHOLEFOODS / ORGANICS RETAILER (E.G. LIBERTY MARKET)
F	450m <sup>2</sup>	BREAD/BAKING/CAKE RETAILER (E.G. COUPLANDS)
G	450m <sup>2</sup>	FROZEN GOODS RETAILER (E.G. FROZEN DIRECT)
H	450m <sup>2</sup>	BOTTLE STORE (E.G. HENRY'S)
I	450m <sup>2</sup>	ETHNIC FOOD (E.G. KOSCO)
J	450m <sup>2</sup>	CLEANING PRODUCTS RETAILER (E.G. WET & FORGET)
K	450m <sup>2</sup>	DELI / FINE FOOD (E.G. SABATO)
1	1200m <sup>2</sup>	WHITEWARE & TECHNOLOGY (E.G. NOEL LEEMINGS)
2	450m <sup>2</sup>	AV (E.G. JB HIFI)
3	450m <sup>2</sup>	COMPUTING / TECHNOLOGY (E.G. GLOBAL PC)
4	450m <sup>2</sup>	SPORTING GOODS (E.G. HUNTING & FISHING)
5	450m <sup>2</sup>	CYCLE STORE (E.G. BIKE BARN)
6	450m <sup>2</sup>	CHEMIST / HEALTH FOODS (E.G. UNICHEM PHARMACY)
7	450m <sup>2</sup>	GARDEN & PATIO SUPPLIER (E.G. 4 SEASONS)
8	450m <sup>2</sup>	HOMEWARE (E.G. STEVENS)
9	450m <sup>2</sup>	FURNITURE (E.G. FREEDOM FURNITURE)
10	450m <sup>2</sup>	STATIONERY (E.G. PAPER TREE)
11	500m <sup>2</sup>	SECONG HAND GOODS (E.G. CASH CONVERTERS)
12	500m <sup>2</sup>	HOUSEHOLD GOODS (E.G. STORAGE BOX)
13	500m <sup>2</sup>	TOYS (E.G. TOYWORLD)
14	500m <sup>2</sup>	LIGHTING (E.G. LIGHTING PLUS)
15	450m <sup>2</sup>	CLOTHING (E.G. EZIBUY)
16	450m <sup>2</sup>	FOOTWEAR (E.G. NO 1 SHOES)
17	450m <sup>2</sup>	FOOTWEAR (E.G. NO 1 SHOES)
18	450m <sup>2</sup>	CLOTHING & SPECIALITY (E.G. BABY CITY)
19	1000m <sup>2</sup>	CLOTHING (E.G. KATHMANDU)
15450m <sup>2</sup>		GFA TOTAL

CONSENT

WILSON & HILL  
ARCHITECTS LTD

PROJECT: IPORT LFR DEVELOPMENT

CLIENT: Rolleston Industrial Holdings Limited  
No.

DRAWING: OPTION 1 PLAN

SCALE:

ISSUE DATE:  
PRINT DATE: 31/10/2018 3:53:46 p.m.

DRAWING NO. A100 REVISION DWN BY: CY

DRAWING STATUS:  
FOR CONSENT ☐ FOR INFORMATION ☐  
FOR TENDER ☐ FOR CONSTRUCTION ☐

Level 2, ASB Building, The Crossing  
166 Cashel Street  
CHRISTCHURCH

PHONE: 03 379 3663

info@wilsonandhill.co.nz

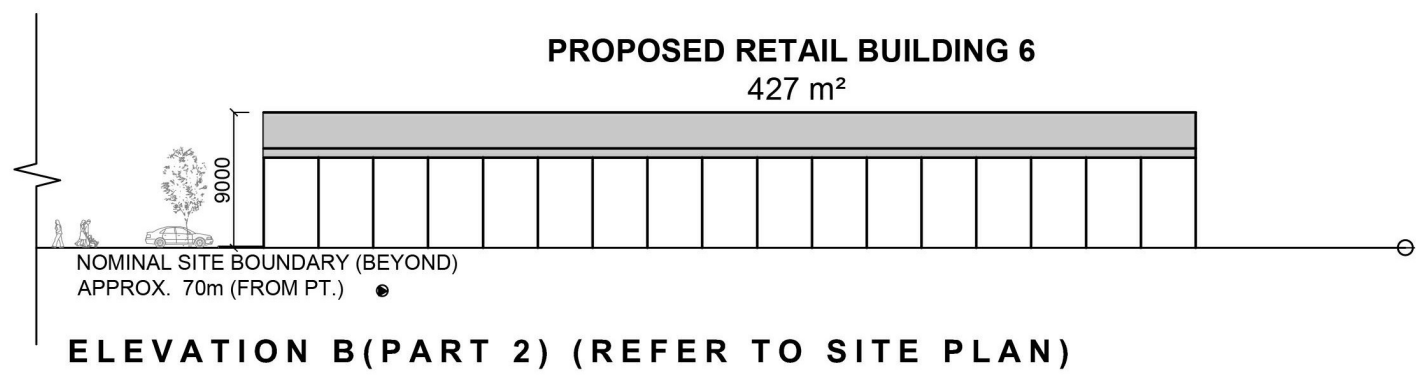
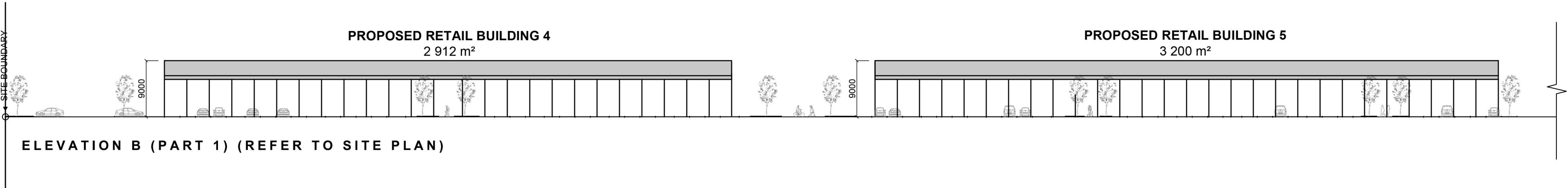
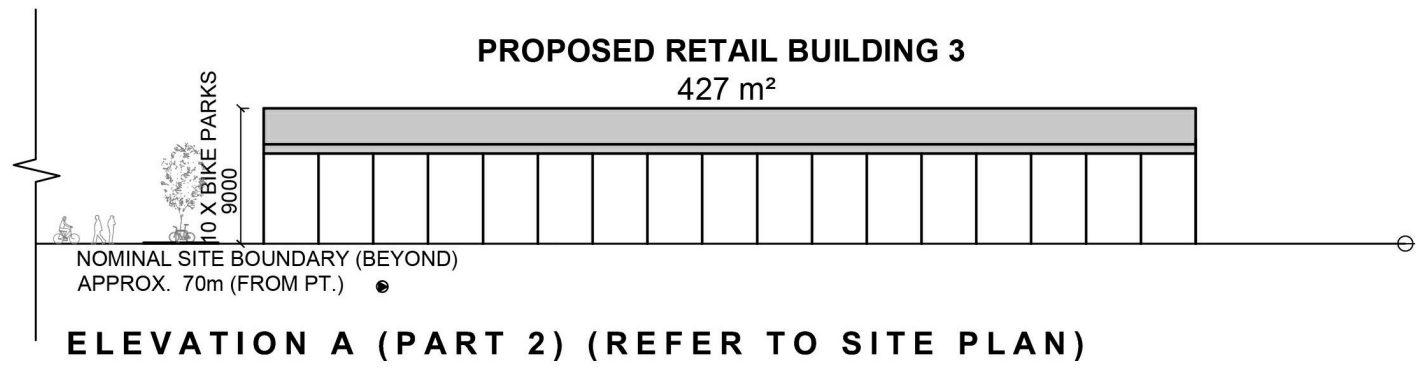
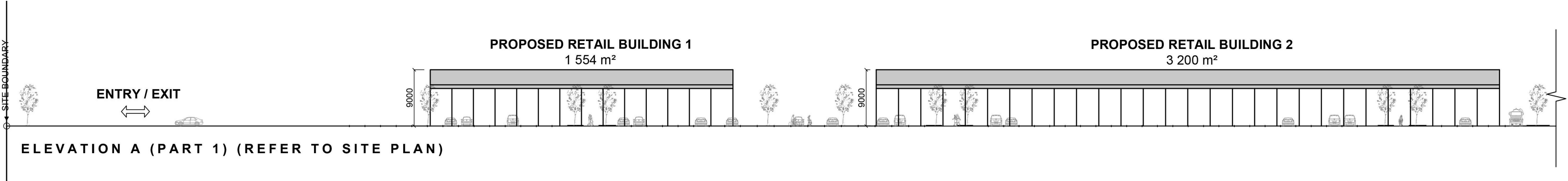
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AS APPROVED BY  
SELWYN DISTRICT COUNCIL  
Planning Department

RESOURCE CONSENT  
195214

14/06/2019    flynnr



Revisions Schedule

Rev	Description	Date
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CONSENT

WILSON & HILL  
ARCHITECTS LTD

PROJECT: IPORT LFR DEVELOPMENT

CLIENT: Rolleston Industrial Holdings Limited  
No.

DRAWING: ELEVATIONS

SCALE:

ISSUE DATE:  
PRINT DATE: 31/10/2018 3:53:46 p.m.

DRAWING NO. A101 REVISION ☐ DWN BY: CY

DRAWING STATUS:  
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RULE	COMPLIANCE ASSESSMENT	STATUS
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**PART C 13 BUSINESS ZONE RULES — STATUS OF ACTIVITIES**

- 13.1.4 13.1.4 Within the Business 2A Zone the following activities shall be controlled activities, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.
- (a) Meat processing
  - (b) Cement manufacture
  - (c) Hot mix, asphalt paving manufacture
  - (d) Glass or fibreglass manufacture
  - (e) Foundry processes, electroplating works, melting of metal, steel manufacture and galvanising
  - (f) Natural gas, oil or petroleum distillation or refining
  - (g) Manufacture of hardboard, chipboard or particle board
  - (h) Timber treatment
  - (i) Thermal power generation
  - (j) Any other industry using the combustion of coal, wood or any other bio-mass for space heating or as a source of energy.

**Comment-** *Complies, none of the listed activities are proposed*

- 13.1.7 The following activities shall be discretionary activities in Business 2 and 2A Zones:
- 13.1.7.1 Any activity which is specified in Rules 14 to 23, as a discretionary activity.
- 13.1.7.2 Any of the activities listed in (a) to (g) below, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.
- (a) Any activity that requires an offensive trade licence issued under the Health Act 1956.
  - (b) Audible bird-scaring devices
  - (c) Forestry
  - (d) Mineral exploration
  - (e) Composting or disposal on to land of any organic matter (This rule does not apply to the application of compost or organic fertilizers to fertilise gardens or land).
  - (f) Visitor accommodation
  - (g) Hospitality activities
  - (h) Tannery, fellmongering or hide curing, wool scouring or washing in the Business 2A Zone
  - (i) Scrap yards – including automotive dismantling or wrecking yard or scrap metal yard in the Business 2A Zone.

**Comment-** *Refer to Consent Decision 175228.*

AS APPROVED BY  
SEAWYN DISTRICT COUNCIL  
Planning Department

RESOURCE CONSENT  
195214

14/06/2019 flynnr

N/A – no hospitality  
is proposed as part  
of this COC





#### PART C 14 BUSINESS ZONE RULES — EARTHWORKS

14.1	<p>14.1.1 Any earthworks shall be a permitted activity if the following conditions are met:</p> <p>14.1.1.1 Any disturbed or stockpiled material is to be kept moist until it has consolidated, and</p> <p>14.1.1.2 Any stockpiled material is to be kept consolidated or covered to avoid sediment run-off from rainfall, and</p> <p>14.1.1.3 Any site subject to earthworks is to be:</p> <p>(a) Built upon; and/or</p> <p>(b) Sealed; and/or</p> <p>(c) Landscaped; or</p> <p>(d) The land recontoured and replanted</p> <p>No more than 12 months after the earthworks commencing, except in the case of landscaping and planting which shall be undertaken during the first planting season following the completion of the earthworks.</p> <p>14.1.1.4 Earthworks are not to occur and material from earthworks is not to be deposited within:</p> <p>(a) 20m of any waterbody listed in Appendix 12.</p> <p>(b) 10m of any other waterbody (excluding aquifers).</p> <p>14.1.1.5 Any earthworks has:</p> <p>(a) A volume of not more than 5,000m<sup>3</sup> per project; and</p> <p>(b) A vertical cut face where no more than 5% of the total vertical cut is over 2 metres.</p> <p>14.1.1.6 Any earthworks are not for the purposes of creating or forming; a road, or access to serve any future allotment(s), unless the road or access forms part of an approved subdivision consent or is provided for within a designation.</p> <p>14.1.1.7 Any earthworks undertaken on any site to be used to erect a building complies with NZS 4431 Code of Practice for Earth Fill for Residential Development.</p> <p>14.1.1.8 The earthworks are not part of mining or mineral exploration.</p> <p><b>Comment-</b> <i>Complies, earthworks for the proposed development will be undertaken in compliance with the requirements set out in rule 14.1.1.</i></p>	Permitted
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RULE	COMPLIANCE ASSESSMENT	STATUS
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#### PART C 15 BUSINESS ZONE RULES — HERITAGE

15	<p>15.1 Protected Trees</p> <p>15.2 Heritage buildings, structures or sites</p> <p><b>Comment-</b> <i>There are no protected trees, heritage buildings, structures or sites affected by the proposal.</i></p>	Permitted
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RULE	COMPLIANCE ASSESSMENT	STATUS
<b>PART C 16 BUSINESS ZONE RULES — BUILDINGS</b>		
16.1.1	<p>16.1.1 Except as provided in Rules 16.1.2 to 16.1.5 any principal building shall be a permitted activity if the area between the road boundary and the principal building is:</p> <p>16.1.1.1 Paved or sealed; or</p> <p>16.1.1.2 Planted in lawn; or</p> <p>16.1.1.3 Landscaped with shrubs, bark chips or similar materials;</p> <p><b>Comment-</b> <i>The proposal complies with this requirement.</i></p>	Permitted
16.1.2	<p>16.1.2 Any principal building in the Business 2A Zone shall be a permitted activity if the following standard is met: 16.1.2.1 A landscaping strip of at least 3 metres width shall be provided along every road frontage except along the frontage with Railway Road and along the frontage of Jones Road identified within the Outline Development Plan at Appendix 43 where the provision of sightlines from rail crossings are required under Rule 17.4.1.2 and vehicle accessways required under Appendix E13. The Landscaping shall meet the following standards:</p> <p>(a) The landscaping shall consist of only those species listed in Appendix 21. Planting for each allotment shall include:</p> <ul style="list-style-type: none"> <li>– A minimum of two trees from Group A for every 10 metres of road frontage. For boulevard roads the species selected shall match any Group A species in the adjacent road reserve.</li> <li>– At least 35% of the required area shall be planted in species from Group C.</li> <li>– At least 10% of the required area shall be planted in species from Group D.</li> <li>– Group B and C species shall be used when screening tall blank walls and vehicle courts.</li> </ul> <p>(b) All plants shall be of the following maximum spacings:</p> <ul style="list-style-type: none"> <li>– Group B – 1.5 metre centres;</li> <li>– Group C – 1.5 metre centres;</li> <li>– Group D – 700mm centres.</li> </ul> <p>(c) The landscaping planted shall be maintained and if dead, diseased or damaged shall be removed and replaced.</p> <p>(d) No fences or structures shall be erected within the 3 metre landscaping strip. Footpaths of up to 1.5m in width and generally at right angles to the road frontage may be provided in the landscape strip.</p> <p>(e) All new planting areas shall be mulched.</p> <p>...16.1.9 Any principal building which does not comply with Rule 16.1.2, Rule 16.1.3, Rule 16.1.4 or Rule 16.1.5 shall be a non-complying activity.</p> <p><b>Comment-</b> <i>The proposal meets the relevant landscaping provisions.</i></p>	Permitted
16.3.1	<p>16.3.1 In all Business zones the erection of any dwelling or principal building connected to a reticulated water supply shall be a permitted activity, provided that it complies with the current New Zealand Drinking Water Standards, except where it can be demonstrated that the use of the principal building in the Business 3 Zone does not require such a supply.</p> <p><b>Comment-</b> <i>Buildings shall not be erected until such time that they are able to connect to a reticulated water supply in accordance with rule 16.3.1. A condition of consent to this affect is proposed to ensure this requirement.</i></p>	Permitted





16.4.1	<p>16.4.1 In the Business zones at Castle Hill, Doyleston, Leeston, Lincoln, Prebbleton, Rolleston and Southbridge, the erection of any dwelling or principal building shall be a permitted activity provided that it is connected to a reticulated sewage treatment and disposal system, unless, in the case of a principal building other than a dwelling within the Business 3 Zone, the intended use of that building does not generate sewage.</p> <p><b>Comment-</b> Buildings shall not be erected until such time that they are able to connect to a reticulated sewage treatment and disposal system in accordance with rule 16.4.1. A condition of consent to this affect is proposed to ensure this requirement.</p>	Permitted
16.6.2	<p>16.6.2 Any building or structure which complies with the maximum height standards set out in Table C16.2 shall be a permitted activity.</p> <p><b>Comment-</b> Building and structure heights will comply with Table C16.2 which provides for 15m building heights and 25m structure heights.</p>	Permitted
16.7.1	<p>16.7.1 Any building which complies with the relevant recession plane requirements set out in Appendix 11 shall be a permitted activity.</p> <p>Note:</p> <ol style="list-style-type: none"> <li>1. Recession Plane A – applies along any internal boundary adjoining any Living Zone or Rural Zone and along the common boundary of the Business 2A Zone and the Rural Zone, as depicted on the Outline Development Plans at Appendix 22, except that it shall not apply along the eastern external boundary of the Business 2A Zone depicted on the Outline Development Plan at Appendix 43.</li> <li>2. Recession Plane B – applies along any internal boundary NOT adjoining any Living Zone or Rural Zone.</li> <li>3. Recession Plane B – applies to the road boundary of Railway Road where it directly adjoins the Business 2A Zone.</li> </ol> <p>16.7.1.1 Notwithstanding Rule 16.7.1 above, Recession Plane B shall not apply to the internal boundaries of the Business 2A Zone or at the eastern external boundary of the Business 2A Zone depicted on the Outline Development Plan at Appendix 43.</p> <p><b>Comment-</b> Recession planes do not apply to buildings on the site pursuant to 16.7.1.1.</p>	Permitted
16.7.2	<p>16.7.2 Any building which complies with the minimum setback distances from site boundaries as set out below shall be a permitted activity.</p> <p>16.7.2.7 Business 2A Zone</p> <ul style="list-style-type: none"> <li>– Road Boundaries: 10 metres</li> <li>– Internal Boundaries: adjoining a rural zoned property: 10metres, except that this requirement shall be 15 metres in the locations identified on the Outline Development Plan at Appendix 22</li> </ul> <p><b>Comment-</b> The proposed building will be &gt;10m from road boundaries.</p>	Permitted





RULE	COMPLIANCE ASSESSMENT	STATUS
<b>PART C 17 BUSINESS ZONE RULES — ROADS AND TRANSPORT</b>		
17.2 Vehicle Accessways	<p>17.2.1 The forming of any vehicle accessway shall be a permitted activity if the following conditions are met:</p> <p>17.2.1.1 The site within which the vehicle accessway is formed has legal access to a formed, legal road; and</p> <p><b>Comment-</b> <i>The site has access to a legal road</i></p> <p>17.2.1.2 The site within which the vehicle accessway is formed does not have access directly on to Railway Road, Rolleston from that part of the Business 2A Zones as is depicted on the Outline Development Plan at Appendix 22.</p> <p><b>Comment-</b> <i>The site does not take access to Railway Road</i></p> <p>17.2.1.3 The vehicle accessway is formed on land which has an average slope of less than 20°; and</p> <p><b>Comment-</b> <i>The site is reasonably flat and will comply.</i></p> <p>17.2.1.4 The vehicle accessway does not have a gradient greater than: (a) 1:6 vertical; or (b) 1:20 horizontal; and</p> <p><b>Comment-</b> <i>The site is reasonably flat and will comply.</i></p> <p>17.2.1.5 The vehicle accessway is formed to the relevant standards in Appendix 13.2.1; and</p> <p><b>Comment-</b> <i>See below for compliance assessment.</i></p> <p>17.2.1.6 Shared access to more than six sites shall be by formed and vested legal road and not by a private accessway.</p> <p><b>Comment-</b> <i>The access does not serve more than six sites</i></p> <p>17.2.1.7 Any site with more than one road frontage to a road that is formed and maintained by Council shall have access to the formed and maintained (and legal) road with the lowest classification.</p> <p><b>Comment-</b> <i>The site takes access to the road with the lowest classification (I Port Drive).</i></p>	Permitted
17.3 Vehicle Crossings	<p>17.3.1 The forming of any vehicle crossing shall be a permitted activity if the following conditions are met:</p> <p>17.3.1.1 The vehicle crossing is to be formed and sited to comply with the relevant requirements in Appendix 13.2.2, 13.2.4, 13.2.5; and</p> <p><b>Comment –</b> <i>Complies. See relevant compliance assessment below.</i></p> <p>17.3.1.2 The vehicle crossing is to be sealed if the adjoining road is sealed; the crossing shall be sealed for the full length between the site boundary and sealed carriageway; and</p> <p><b>Comment-</b> <i>The access, car park and loading area will be sealed.</i></p> <p>17.3.1.3 The vehicle crossing is to comply with the relevant standards in Appendix 13.2.3.</p> <p><b>Comment-</b> <i>See below for compliance assessment.</i></p> <p>17.3.1.4 Notwithstanding Rule 17.3.1.1 and Appendix 13, any vehicle crossing onto Hoskyns Road, Rolleston, is to be designed and sited to comply with the details depicted on the Business 2 Outline Development Plan (Hoskyns Road) at Appendix 32.</p> <p><b>Comment-</b> <i>The site does not access Hoskyns Road, so it complies.</i></p> <p>17.3.1.5 The site does not have access directly on to a State Highway or arterial road listed in Appendix 7; unless:</p>	Permitted





- (a) The speed limit on that part of the road to which access is gained is 70 km/hr or less, ... ..;
- (b) The site is used solely to house a utility structure; and
- (c) The site generates less than 100 equivalent car movements per day.

**Comment-** *The site does not access directly onto a State Highway or arterial road.*

17.3.1.6 The site does not have access directly on to Hoskyns Road, Rolleston from that part of the Business 2A Zones identified as Precinct 4 as is depicted on the Outline Development Plan at Appendix 22.

**Comment-** *The site does not access Hoskyns Road, so it complies.*

17.3.6 Any vehicle crossing to a site which generates more than 250 vehicle movements per day, or any vehicle crossing providing shared access to sites which cumulatively generate more than 250 vehicle movements per day, shall be a restricted discretionary activity, except that this rule shall not apply to any site located within the Business 2A zone.

**Comment-** *The site is within the Business 2A zone and is therefore exempt from this rule.*

17.4 Traffic Sight Lines	<p>17.4.1 The following shall be permitted activities:</p> <p>17.4.1.1 Any building if the building is positioned so that it does not encroach within the line of sight for any railway crossing as shown in Appendix 13, Diagram E13.3.</p> <p><b>Comment-</b> <i>No buildings are proposed in these locations.</i></p> <p>17.4.1.2 Any tree if the tree is planted so that it does not encroach within the line of sight for any railway crossing as shown in Appendix 13, Diagram E13.3.</p> <p><b>Comment-</b> <i>No trees are proposed in these locations.</i></p>	Permitted
17.5 Vehicle Parking & Cycle Parking	<p>17.5.1 Any activity which provides for car parking, cycle parking, vehicle loading and parking access in accordance with the following conditions shall be a permitted activity:</p> <p>17.5.1.1 The number of car parks provided complies with the relevant requirements for the activity as listed in Appendix E13.1.1, E13.1.2 and E13.1.3; and</p> <p><b>Comment-</b> <i>The proposal provides a compliant number of parking spaces.</i></p> <p>17.5.1.2 All car parking spaces and vehicle manoeuvring areas are designed to meet the criteria set out in Appendix E13.1.5.2, E13.1.6 (if applicable), E13.1.7, E13.1.8, E13.1.9, E13.1.10, E13.1.11 and E13.1.12 for all activities; and</p> <p><b>Comment-</b> <i>See assessment below.</i></p> <p>17.5.1.3 Each site that is used for an activity which is not a residential activity and which generates more than 4 heavy vehicle movements per day has one on-site loading space which complies with the requirements set out in Appendix E13.1.5. The loading space does not count as a car parking space for the purpose of Rule 17.5.1.1; and</p> <p><b>Comment – Complies:</b> <i>The site is provided with an on-site loading space.</i></p> <p>17.5.1.4 Each site that is used for an activity other than a residential activity has one car park space for mobility impaired persons for up to 10 car parking spaces provided, and one additional car park space for a mobility impaired person for every additional 50 car parking spaces provided or part there-of; and</p> <p><b>Comment – Complies:</b> <i>The site provides the 26 required mobility spaces.</i></p> <p>17.5.1.5 Car parking spaces for mobility impaired persons are: (a) Sited as close to the entrance to the building or to the site of the activity as practical; and</p> <p>(b) Sited on a level surface; and</p>	Permitted





(c) Clearly marked for exclusive use by mobility impaired persons; and

**Comment-** *Complies.*

17.5.1.6 Cycle parking spaces are provided in accordance with the standards in Appendix 13.1.4.

**Comment-** *See assessment below.*

17.6 Road / Rail Crossings in the B2A Zone	<p>17.6.1 The establishment of a rail crossing into the area identified on the Outline Development Plan at Appendix 43 is a permitted activity.</p> <p><b>Comment-</b> <i>No rail crossing is proposed.</i></p> <p>17.6.2 The establishment of a road or rail crossing requiring a break in the existing primary shelter belt or future secondary planting strip required by Landscape Treatment 3 in Rule 24.1.3.14 along the Railway Road frontage of the Business 2A Zone shall be a restricted discretionary activity.</p> <p><b>Comment-</b> <i>No road or rail crossing is proposed within this area.</i></p>	Permitted
17.7 Parking Areas	<p>17.7.1 For all activities in the Business 1 Zone and for all activities except industrial in the Business 2 zone, new car parking areas shall be a permitted activity if they comply with the following:...</p> <p><b>Comment-</b> <i>N/A the site is not within a Business 1 or 2 zone.</i></p> <p>17.7.2 For all activities in the Business 1 zone and for all activities except industrial in the Business 2 zone, new car parking areas resulting in more than 20 parking spaces shall be a controlled activity.</p> <p><b>Comment-</b> <i>N/A the site is not within a Business 1 or 2 zone.</i></p>	N/A

RULE	COMPLIANCE ASSESSMENT	STATUS
<b>Appendix 13 Matters</b>		
E13.1 – Parking Requirements	<p>E13.1.1.1 For any new activity, or any increase in an existing activity not complying with Section 10 of the Act (Certain Existing Land Uses in Relation to Land Protected), provision shall be made for on-site vehicle parking, for use by staff and visitors, in accordance with Table E13.1(a) and E13.1(b), and in compliance with the car park dimensions in Table E13.2 and Diagram E13.1.</p> <p><b>Comment-</b> <i>Complies: Sufficient parking is provided.</i></p> <p>E13.1.2.1 Any area required for on-site parking or loading, other than for a residential activity, shall be available at all times for staff and visitors during the hours of operation of the activity and shall not be diminished by any subsequent erection of any structure, storage of goods, or any other use.</p> <p><b>Comment-</b> <i>Complies: Parking will be available during the hours of operation.</i></p> <p>E13.1.3.1 All parking required in Table E13.1 above and all loading (including unloading) areas shall be located on the same site as the activity for which the parking is required. This rule shall not apply to any required parking which complies with rule E13.1.3.3 below.</p> <p><b>Comment-</b> <i>Complies: The parking and loading is on the same site as the proposed activity.</i></p> <p>E13.1.3.2 Any parking or loading area for any activity in a Business zone shall not have its access across land in any Living zone, ... ..</p> <p><b>Comment-</b> <i>Complies: Access to the parking is not across the Living Zone.</i></p> <p>E13.1.4.1 Any activity, other than residential activities, temporary activities, activities listed in E13.1.4.2 and activities permitted under Part C, Living Zone Rules - Activities 10.9.1. is to provide cycle parking at a minimum of 2</p>	Permitted





spaces and then at a rate of 1 cycle space for every 5 car parking spaces required, to a maximum of 10 cycle spaces.

**Comment-** *Complies: Space for 10 cycle parking spaces has been indicated in a compliant location. This is in the staggered height arrangement with 0.4m centres.*

E13.1.4.3 All cycle parking required by rule E13.1.4.1 or E13.1.4.2 shall be provided on the same site as the activity and located as close as practicable to the building main entrance and shall be clearly visible to cyclists entering the site, be well lit and secure. The type of stand must comply with the Engineering Code of Practice requirements for cycle parking rack systems.

**Comment-** *Complies: Cycle parking has been indicated in a compliant location.*

E13.1.5.1 All loading and manoeuvring shall be carried out on-site. The manoeuvring area to and from the loading zone shall be designed to accommodate at least the design truck as detailed in the Council's Engineering Code of Practice.

**Comment-** *Complies.*

E13.1.5.2 No loading zone shall obstruct any on-site car parking space or any vehicle or pedestrian access. For clarification any loading spaces shall be in addition to parking spaces required in Table E13.1.

**Comment-** *Complies.*

E13.1.7.1 The gradient for any on-site parking surface for any non-residential activity, shall be no more than:

(a) At 90° to the angle of parking - 1:16

(b) Parallel to the angle of parking - 1:20

**Comment-** *Complies: The on-site gradients will comply with this requirement*

E13.1.8.1 The maximum average gradient of any access shall be 1 in 6.

**Comment-** *Complies: The on-site gradients will comply with this requirement*

E13.1.8.2 The maximum gradient shall be 1 in 4 on any straight section and 1 in 6 around curves, the gradient being measured on the inside line of the curve.

**Comment-** *Complies: The on-site gradients will comply with this requirement*

E13.1.8.3 The maximum change in gradient without a transition shall be no greater than 8°.

**Comment-** *Complies: The on-site gradients will comply with this requirement*

E13.1.9.1 On-site manoeuvring shall be provided to ensure that no vehicle is required to reverse either onto or off a site where:

(a) Any site has access to a State Highway or arterial road (refer Appendix 7);

**Comment-** *Complies: On-site turning is provided so no vehicles will need to reverse to / from the site.*

E13.1.9.2 Parking spaces shall be located so as to ensure that no vehicle is required to carry out any reverse manoeuvring when entering any required parking space.

**Comment-** *Complies: The parking has been designed in accordance with the District Plan, so it is assumed to comply.*

E13.1.9.3 Vehicles shall not be required to undertake more than one reverse manoeuvre when manoeuvring out of any required parking or loading space.





**Comment-** *Complies: The parking has been designed in accordance with the District Plan, so it is assumed to comply*

E13.1.10.1 A queuing space shall be provided on-site for all vehicles entering or exiting a parking or loading area. The length of such queuing spaces shall be in accordance with Table E13.3 below. Where the parking area has more than one access the number of parking spaces may be apportioned between the accesses in accordance with their potential usage.

**Comment-** *Complies: The District Plan requires 10.5m of queuing space at the access and well in excess of this is provided.*

E13.1.11.1 Any parking and loading areas, (excluding those for any residential activity), which are required at night shall be illuminated to a minimum maintained level of 2 lux, with high uniformity, during the hours of operation.

**Comment-** *Complies: Lighting will be provided to comply with this requirement.*

E13.1.12.1 The surface of any parking, loading, and associated access areas (except parking areas for any residential activity) shall be formed, sealed and drained with the parking spaces permanently marked.

**Comment-** *Complies: Parking and loading areas will be formed, sealed, drained and permanently marked,*

#### E13.2 – Vehicle Accessways & Crossings

E13.2.1.1 The minimum requirements for any private vehicle accessway for a site(s) shall be in accordance with Table E13.4. Permitted

**Comment-** *Complies: The access provides sufficient widths and turning areas.*

E13.2.1.2 The minimum height clearance for any private vehicle access shall be 4.5m.

**Comment-** *Complies: Complies as there are no height obstructions.*

E13.2.2.1 No part of any vehicle crossing shall be located closer to the intersection of any roads than the minimum distances specified in Table E13.5 except that where the boundaries of a site do not allow the provision of any vehicle crossing whatsoever in conformity with Table E13.5, a single vehicle crossing may be constructed in the position which most nearly complies.

**Comment-** *Complies: No part of the vehicle crossing is located within 30m of an intersection.*

E13.2.2.3 No part of any vehicle crossing shall be located closer than 30 metres to the intersection of any railway line measured from the nearest edge of the vehicle crossing to the limit line at the level rail crossing.

**Comment-** *Complies: The crossing is greater than 30m from a railway line.*

E13.2.3.1 Any access on any road shall have minimum unobstructed sight distances that comply with Tables E13.6 below and measured in accordance with Diagram E13.2.

**Comment-** *Complies: The site accesses can provide unobstructed sight distances of at least 113m.*

E13.2.4.1 Vehicle access to any site from any road or service lane shall be by way of a vehicle crossing constructed at the owner's or developer's expense.

**Comment-** *Complies: The accesses will be constructed at the developer's expense.*

E13.2.4.3 For sites in the Business 2A Zone with frontage to roads other than State Highway and Arterial roads, there shall be a maximum of two vehicle crossings per site except that:

**Comment-** *Complies: 2 crossings are provided.*

E13.2.4.5 The maximum spacing and width any vehicle crossing shall comply with Table E13.7.





**Comment - Complies:** The width at the property boundary of the access is 5.5m (compared to a minimum of 5m and maximum of 12m permitted) and the separation of accessways is greater than 7m (permitted).

E13.2.4.8 Notwithstanding E13.2.4.5 above, for vehicle crossings onto a State Highway or Arterial road with a posted speed limit of 70km/h or greater the distances between crossings shall be taken from Diagram E13.4.

**Comment – Not applicable,** Iport Drive is a Collector Road.

E13.2.5.1 Vehicle crossings shall be constructed to the following minimum standards:

(b) Heavy-duty vehicle crossings shall be provided for all other sites.

**Comment- Complies:** Construction will be to at least a heavy duty standard.

RULE	COMPLIANCE ASSESSMENT	STATUS
<b>PART C 21 BUSINESS ZONE RULES — WASTE</b>		
21.1	<p>21.1.1 Any activity, that is not a residential activity, which generates 3 cubic metres or less of solid waste on average per week over a year shall be a permitted activity.</p> <p>21.1.2 Any activity which does not comply with Rule 21.1.1 shall be a restricted discretionary activity in respect of the approval of a management plan to:</p> <p>21.1.3.1 Minimise waste from the activity; and</p> <p>21.1.3.2 Dispose of the waste in a way that mitigates adverse effects on the environment.</p> <p><b>Comment- The proposed activities will not generate greater than 3 cubic metres of solid waste on average per week over a year.</b></p>	Permitted
21.2	<p>21.2.1 The storage of solid waste shall be a permitted activity if the following conditions are met:</p> <p>21.2.1.1 Only solid waste generated as part of activities on a site is stored on the site; and</p> <p>21.2.1.2 Any solid waste stored on a site is stored in a closed, waterproof container; and</p> <p>21.2.1.3 Solid waste is only stored on-site until it is able to be collected or removed for treatment or disposal elsewhere.</p> <p>Note: Rule 21.2.1 does not apply to bins of not more than 5m<sup>3</sup> in size which are used to collect clothing, cans, bottles or paper/cardboard for recycling and which are ancillary to the main activity(ies) on the site.</p> <p><b>Comment- Any solid waste generated and stored by proposed activities shall be managed to comply with rule 21.2. 1.</b></p>	Permitted
21.3	<p>21.3.1 The disposal of solid waste shall be a permitted activity if one or more of the following conditions are met:</p> <p>21.3.1.1 The solid waste is green garden waste which is composted on the site on which it is generated; or</p> <p>21.3.1.2 The solid waste is being applied as a manure, fertiliser, compost or mulch onto gardens, lawns, or soil used to grow plant or tree crops; or</p> <p>21.3.1.3 The waste is effluent from a household or building which is treated or disposed of on-site, in a Business Zone, where reticulated sewerage treatment and disposal is not required under Rule 16.4.</p> <p><b>Comment- The disposal of solid waste is not proposed on the site.</b></p>	Permitted





RULE	COMPLIANCE ASSESSMENT	STATUS
<b>PART C 22 BUSINESS ZONE RULES — ACTIVITIES</b>		
22.4.1	<p>22.4.1 Any activity conducted on any day, except any residential activity, shall be a permitted activity, provided that the following noise limits are not exceeded with the timeframes stated. Business 2A Zone:</p> <p>22.4.1.5 Applying at any point within the boundary of any site in the rural zone, excluding road, waterway and railway reserves:</p> <p>7.30 am – 8.00 pm 60dBA L10</p> <p>8.00 pm – 7.30am 40dBA L10</p> <p>7.30 am – 8.00pm 80dBA Lmax</p> <p>8.00 pm – 7.30 am 65dBA Lmax</p> <p><b>Comment-</b> Activities on the site will be managed so as to achieve compliance with the noise performance standards set out in rule 22.4.1</p>	Permitted
22.5.1	<p>22.5.1 The following activities shall be permitted activities:</p> <p>22.5.1.3 Lighting in the Business 2A Zone which is designed so that:</p> <p>(a) All outdoor lighting is shielded from above outside of the Business 2A Zone.</p> <p>(b) All fixed outdoor lighting is directed away from adjacent roads outside of the Business 2A Zone.</p> <p>(c) In the Business 2A Zone covered by the Outline Development Plan in Appendix 43, all outdoor lighting is shielded from above and is directed away from adjacent properties outside of the Business 2A Zone. All fixed outdoor lighting is directed away from adjacent roads outside of the Business 2A Zone.</p> <p><b>Comment-</b> Activities and lighting on the site will be designed and managed so as to achieve compliance with the lighting standards set out in rule 22.5.1</p>	Permitted
22.9.1	<p>22.9.1 Development in the Business 2A Zone shall be a permitted activity provided that the following condition is met:</p> <p>22.9.1.1 The area along the common boundary of the Business 2A Zone and the Rural Zone, as depicted in the respective landscape treatment areas identified on the Outline Development Plans at Appendix 22 and Appendix 43, and the principal building, shall be landscaped in accordance with the requirements of Rule 24.1.3.13.</p> <p>22.9.1.2 In the Business 2A Zone identified on the Outline Development Plan in Appendix 43, landscaping, road connections, railway crossings, sidings and pedestrian links shall be provided generally in accordance with those locations identified on the Outline Development Plan at Appendix 43. The roads shall be constructed in general accordance with the road reserve widths specified in Appendix 43.</p> <p><b>Comment-</b> The proposal does not entail development or activity along the common boundary of the Business 2A Zone and the Rural Zone.</p>	Permitted
22.10	<p>22.10.1 The following shall be a permitted activity:</p> <p>22.10.1.3 In the Business 2A Zone at Rolleston as depicted on the Outline Development Plan at Appendix 43:</p> <p>(a) Any ancillary retail activity undertaken from an allotment provided that it only occupies up to 20% of the gross floor area of building on that allotment or 2,000m<sup>2</sup>, whichever is the lesser;</p> <p>(b) Service stations;</p> <p>(c) Trade Suppliers;</p>	Permitted.





(d) Large Format Retail activities up to 17,000m<sup>2</sup> (GFA) and Trade Retail activities up to 10,000m<sup>2</sup> (GFA) in the location as stated in Appendix 43, excluding Supermarkets and/or Department Stores;

(e) Food and beverage outlets, up to a maximum gross floor area of 150m<sup>2</sup>, except that in the Large Format Retail area as shown in Appendix 43 a tenancy limit shall not apply for up to a maximum total area of 1,000m<sup>2</sup> GFA;

(f) Ancillary offices.

22.10.3 Any activity which does not comply with Rule 22.10.1.2 or 22.10.1.3 shall be a non-complying activity.

**Comment-** The proposal involves large format retail activities and food and beverage outlets which comply with the provisions of 22.10.1.3(d) and 22.10.1.3(e).

RULE	COMPLIANCE ASSESSMENT	STATUS
<b>PART C 19 BUSINESS ZONE RULES — OUTDOOR SIGNS AND NOTICEBOARDS</b>		
19.1 Outdoor signs general	<p>19.1.1 Any sign shall be a permitted activity if the following conditions are met:</p> <p>19.1.1.1 The sign is erected on the site to which it relates, exclusive of a freestanding sign located on a footpath or grass berm outside the site but adjoining the site; and</p> <p><b>Comment-</b> Signage will comply with this requirement</p> <p>19.1.1.2 The sign does not have any flashing or revolving lights, sound effects, balloons or blimps; and</p> <p><b>Comment-</b> N/A</p> <p>19.1.1.3 If a sign is illuminated, any light spill from the sign on to any road or any other site complies with the requirements in Rule 22.5 – Activities and Light Spill; and</p> <p><b>Comment-</b> Signage will comply with this requirement</p> <p>19.1.1.4 The sign does not obstruct or impair the view for any motorist or pedestrian of any traffic signal, intersection, vehicle crossing, road bend or corner; and</p> <p><b>Comment-</b> Signage will comply with this requirement</p> <p>19.1.1.5 The sign does not exceed the height of:</p> <p>(a) The building or structure to which it is attached, or</p> <p>(b) 6 metres, in the Business 1 and 2 zones, and 8 metres in the Business 3 Zones, if the sign is not attached to a building; and</p> <p><b>Comment-</b> Signage will comply with this requirement</p> <p>19.1.1.6(a) The sign does not exceed 3m<sup>2</sup> in area where it is not attached to a building; and (b) In the Business 1 zone, the total freestanding signage per site does not exceed 3m<sup>2</sup> where the site's road frontage is less than 50m, or 6m<sup>2</sup> otherwise; and</p> <p><b>Comment-</b> Signage will comply with this requirement</p> <p>19.1.1.7 The sign is not of a colour or design that resembles a traffic sign or signal; and</p> <p><b>Comment-</b> Signage will comply with this requirement</p> <p>19.1.1.8 Any sign overhanging a public footpath or road berm has a minimum height of 2.5m above the ground or footpath level; and</p> <p><b>Comment-</b> N/A</p> <p>19.1.1.9 The sign does not protrude beyond the edge of a building if it is attached to a building.</p> <p><b>Comment-</b> Signage will comply with this requirement</p>	Permitted





19.1.1.10 In the Business 1 zone, signage does not occupy more than 25% of any building elevation if it is attached to or painted on or otherwise provided on the elevation.

**Comment-** N/A

PART C 18 BUSINESS ZONE RULES — UTILITIES

PART C 20 BUSINESS ZONE RULES — HAZARDOUS SUBSTANCES

PART C 23 BUSINESS ZONE RULES — LANDSCAPE MANAGEMENT, ALPINE VILLAGES

PART C 24 BUSINESS ZONE RULES — SUBDIVISION

The provisions in these sections are not applicable, noting:

- Utilities are not proposed in this application.
- The storage or use of hazardous substances is not proposed in this application. Any particular tenant requirements in terms of the type, quantity and management/storage of hazardous substances will be designed to comply with relevant standards in Part C20, or will be the subject of a separate resource consent application.
- Section C23 is not relevant to this application.
- Subdivision of land is not proposed in this application.





Table 1: Activities proposed

District Plan Activity definition	Proposed activity type	Proposed tenancy / tenancies	ANZSIC Classification	Comments
Large format retail up to 17,000m <sup>2</sup> GFA	FRUIT / VEGETABLE/ PRODUCE	GROWERS DIRECT see <a href="http://growersdirectmarket.co.nz/">http://growersdirectmarket.co.nz/</a>	Group 412 Specialised Food Retailing	<p>Growers Direct website describes itself as a self-service fruit and vegetable shop.</p> <p>We therefore understand that Growers Direct is mainly engaged in retailing 'specialised food lines' (being fresh fruit, vegetable, produce and meats).</p> <p>Greengrocery and/or Other Specialised Food Retailing is specifically excluded from ANZSIC Class 4110 Supermarket and Grocery Stores.</p> <p>Whilst 'retailing a wide range of food lines' is included in Class 4110 Supermarket and Grocery Stores, we consider this activity is best categorised under class 4129 - being predominantly fresh fruit, vegetable, produce and meat retailing.</p>
Large format retail up to 17,000m <sup>2</sup> GFA	BULK FOODS RETAIL	BIN INN See: <a href="https://www.bininn.co.nz/">https://www.bininn.co.nz/</a>	4129 Other Specialised Food Retailing	<p>Binn Inn's website states '<i>we have a wide range of wholefood and specialty groceries, with a special focus being on healthy eating and healthy inspirations</i>'. They are therefore considered to be mainly engaged in retailing of 'specialised food lines'.</p> <p>Other Specialised Food Retailing is specifically excluded from ANZSIC Class 4110 Supermarket and Grocery Stores.</p> <p>Whilst 'retailing a wide range of food lines' is included in Class 4110 Supermarket and Grocery Stores, we consider this activity is best categorised under class 4129 - being predominantly wholefood and specialty foods.</p>
Large format retail up to 17,000m <sup>2</sup> GFA	ORGANICS RETAIL	LIBERTY MARKET See: <a href="https://www.libertymarketnz.com/">https://www.libertymarketnz.com/</a>	4129 Other Specialised Food Retailing	<p>Liberty Market's website states: '<i>Discover over 8,000 organic and natural products in-store. With the largest range in the South Island chances are whatever you are looking for we've got it! Our policy: More Variety, Lower Prices, Better Service. Liberty Market specialises in organic foods, natural foods and special dietary foods</i>'.</p> <p>Other Specialised Food Retailing is specifically excluded from ANZSIC Class 4110 Supermarket and Grocery Stores.</p> <p>Whilst 'retailing a wide range of food lines' is included in Class 4110 Supermarket and Grocery Stores, we consider this activity is best categorised under class 4129 - being predominantly organic and natural foods.</p>
Large format retail up to 17,000m <sup>2</sup> GFA	WHOLEFOOD RETAIL	WHOLEFOODS MARKET & HEALTH STORE See: <a href="https://www.wholefoodshealth.co.nz/">https://www.wholefoodshealth.co.nz/</a>	4129 Other Specialised Food Retailing	<p>Wholefoods Market &amp; Health Store's website states: '<i>We have a large range of fresh, seasonal organic produce, frozen products, dry ingredients and organically farmed meat and chicken. Take away barista made coffee, made from organic and fair trade coffee beans and using</i></p>

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*organic whole milk from a local dairy farmer'.*

Other Specialised Food Retailing is specifically excluded from ANZSIC Class 4110 Supermarket and Grocery Stores.

Whilst 'retailing a wide range of food lines' is included in Class 4110 Supermarket and Grocery Stores, we consider this activity is best categorised under class 4129 - being predominantly organic and natural foods.

Large format retail up to 17,000m <sup>2</sup> GFA	BULK FOODS / FROZEN GOODS RETAILER	FROZEN DIRECT	4129 Other Specialised Food Retailing	<p>Frozen Direct describes itself as aiming to <i>'provide bulk items or items not readily available in supermarkets at a competitive pricepoint to the general public. We also have a range of clearance lines from reputable suppliers at discounted pricing. Our product range changes regularly depending on what deals are available from suppliers'</i> (pers. comm. S Erwood, Allied Food Distributors).</p> <p>We therefore understand that Frozen Direct is mainly engaged in retailing 'specialised food lines' (being bulk and/or frozen foods).</p> <p>Other Specialised Food Retailing is specifically excluded from ANZSIC Class 4110 Supermarket and Grocery Stores.</p> <p>Whilst 'retailing a wide range of food lines' is included in Class 4110 Supermarket and Grocery Stores, we consider this activity is best categorised under class 4129 - being predominantly bulk and/or frozen foods.</p>
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Large format retail up to 17,000m <sup>2</sup> GFA	ETHNIC FOOD	THE MEDITERRANEAN FOOD COMPANY	4129 Other Specialised Food Retailing	<p>The Mediterranean Food Co. website states: <i>'We have been operating here in Tuam Street since 2001, sharing with you all passion for Mediterranean style food. We are proud to be locally owned and operated. For over 17 years The Mediterranean Food Co. have been importers and retailers of select produce from the heart of Europe. Our unique range includes imported salami, cheese, olive oil, pasta, olives, vinegar, wine and house made products like fresh bread, takeaway lasagna, tiramisu and many more. Like the very best olives, our European suppliers are handpicked to bring you the very best authentic produce from olive oils to wine, salami to pasta'.</i></p> <p>We therefore understand that the Mediterranean Food Co is mainly engaged in retailing 'specialised food lines' (being Mediterranean style foods).</p> <p>Other Specialised Food Retailing is specifically excluded from ANZSIC Class 4110 Supermarket and Grocery Stores.</p> <p>Whilst 'retailing a wide range of food lines' is included in Class 4110 Supermarket and Grocery Stores, we consider this activity is best categorised under class 4129 - being predominantly Mediterranean style foods.</p>
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Large format  
retail up to  
17,000m<sup>2</sup>  
GFA

DELI / FINE  
FOOD

SABATO

See:  
<https://sabato.co.nz/>

4129 Other  
Specialised  
Food Retailing

Sabato's website notes that they source *'fine foods primarily from Italy, Spain and France. Most of our suppliers are small (often family run) businesses who use traditional methods of production to create outstanding products'*. Their online store categorises products under the headings: Easter; Hampers & Gift Ideas; Kitchen & Dining; Charcuterie & Meats; Cheese; Antipasto & Tapas; Beverages; Condiments & Sauces; Gourmet Prepared Meals; Olive Oil, Oils & Vinegars; Rice, Grains & Pulses; Pasta & Gnocchi; Preserves, Fruit, Honey & Syrups; Nuts & Nut Products; Salt & Seasoning; Specialty Foods; Chocolate & Confectionery; Baking & Desserts.

This type of retail does not include general household items, cleaning products, personal care items, etc – and it is mainly engaged in retailing 'specialised food lines' (Deli style /fine foods).

Other Specialised Food Retailing is specifically excluded from ANZSIC Class 4110 Supermarket and Grocery Stores.

Whilst 'retailing a wide range of food lines' is included in Class 4110 Supermarket and Grocery Stores, we consider this activity is best categorised under class 4129 - being predominantly deli style / fine foods.

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Large  
format  
retail up to  
17,000m<sup>2</sup>  
GFA

BUTCHER

MAD BUTCHER

See:  
<https://madbutcher.kiwi/>

4121 Fresh  
Meat, Fish and  
Poultry  
Retailing

Butchers are specifically included in ANZSIC Class 4121 and are otherwise excluded from ANZSIC Class 4110 Supermarket and Grocery Stores.

Large  
format  
retail up to  
17,000m<sup>2</sup>  
GFA

SEAFOOD

GUYTONS

See:  
<https://guytons.co.nz/>

4121 Fresh  
Meat, Fish and  
Poultry  
Retailing

Seafood retailing is specifically included in ANZSIC Class 4121 and is otherwise excluded from ANZSIC Class 4110 Supermarket and Grocery Stores.

Large  
format  
retail up to  
17,000m<sup>2</sup>  
GFA

BREAD/  
BAKING/  
CAKE  
RETAILER

COUPLANDS

4129 Other  
Specialised  
Food Retailing

ANZSIC Class 4129 Other Specialised Food Retailing specifically includes bread/cake retailing, etc which is therefore excluded from Class 4110.

Large  
format  
retail up to  
17,000m<sup>2</sup>  
GFA

BOTTLE  
STORE

HENRY'S

4123 Liquor  
retailing

Liquor retailing is specifically classified under Class 4123 (and is otherwise excluded from Class 4110).





## **Appendix 4**

### **Resource Consent RC205782 (Trade & Non-retail)**



# Resource Consent Decision

## RC205782



<b>APPLICANT:</b>	Rolleston Industrial Holdings Ltd
<b>PROPOSAL:</b>	Land use resource consent is sought to establish a large format and trade supplier retail development with associated car parking and landscaping on the subject site.
<b>LOCATION:</b>	IPort, Hoskyns Road and Jones Road, Rolleston
<b>LEGAL DESCRIPTION:</b>	Part of Lot 600 DP 520689 being 18.0931ha in area as contained in Record of Title 821779.
<b>ZONING:</b>	The property is zoned Business 2A under the provisions of the Operative District Plan (Townships Volume). ODP set out in Appendix 43.
<b>STATUS:</b>	This application has been assessed as a land use consent for a discretionary activity under the operative District Plan. As such the relevant provisions of the District Plan (Townships Volume) and the Resource Management Act 1991 have been taken into account.
This application was formally received by the Selwyn District Council on 04 December 2020 and a request for further information made on 18 January 2021. Assessment and approval took place on 20 July 2021 under a delegation given by the Council.	

## Decision

- A. Resource consent RC205782 be processed on a **non-notified** basis in accordance with sections 95A-F of the Resource Management Act 1991; and
- B. Resource consent RC205782 be **granted** pursuant to sections 104 and 104B of the Resource Management Act 1991 subject to the following conditions imposed under section 108:
  1. That the proposed activity shall be carried out in accordance with the attached approved plans and the details submitted with the revised application and Site Plan submitted on 16 April and 27 April 2021 respectively, except where varied by the conditions below.
  2. That all future use of the proposed commercial development shall consist of the following:
    - a) Activities that are not 'retail activities' (as defined by the Operative Selwyn District Plan), which are not controlled by Rule 22.10 of the operative Selwyn District Plan and are unconstrained; and/or
    - b) Trade suppliers, which are unconstrained inside and outside the LFR area on the ODP in Appendix 43; and/or
    - c) Large Format Retail (LFR) activities within the LFR area where the total GFA of LFR in the LFR area is <17,000m<sup>2</sup> GFA; and/or
    - d) Food and beverage outlets of <150m<sup>2</sup>, which are unconstrained inside and outside the LFR area.



3. That in giving effect to this consent individually or in conjunction with any previous resource consent for LFR activity, the total Gross Floor Area (GFA) of LFR activity within the identified LFR area identified on the Outline Development Plan included as Appendix 43 to the operative Selwyn District Plan shall not exceed 17,000m<sup>2</sup>.
4. Prior to lodgement of building consent, the Consent Holder shall submit to the Selwyn District Council for the approval of the Planning Manager a Solid Waste Management Plan. The Solid Waste Management Plan shall include, but not be limited to:
  - a) Methods that will be employed to minimise waste generated by the activity
  - b) Methods for the management and disposal of waste that will avoid or mitigate adverse effects on the environment.
5. That any building consent application for any buildings on the site shall include a Landscape Plan which shall be submitted to the Council for certification that the landscaping to be undertaken the site is in accordance with Rule 16.1.2 of the Operative Selwyn District Plan.
6. That landscaping in accordance with the Landscape Plan certified in accordance with condition 5 shall be planted within the first available planting season following commencement of construction of the buildings and/or car parking areas.
7. All landscaping shall be maintained on an ongoing basis and if dead, diseased or damaged, shall be removed and replaced within the next available planting season.
8. Prior to the commencement of the activity on the site the Consent Holder shall form the three heavy vehicle crossings identified on the approved plans in accordance with Appendix 13 of the Operative District Plan (Township Volume). The vehicle crossings shall be sealed to match the existing road surface for the full width of the crossing between the site boundary and sealed carriageway.
9. All work shall comply with the engineering code of practice except as agreed with Council.
10. The erection of any buildings on the site shall not occur until such time as they are able to connect to:
  - a) A reticulated water supply; and
  - b) A reticulated sewerage system.
11. That all buildings and structures shall be designed and located to meet the following parameters:
  - a) Maximum height of a building – 15 metres
  - b) Minimum setback of building(s) from roads – 10 metres
  - c) Maximum height of a lighting pole – 25 metres

## Attachments

1. Approved Plans (Buchan, Drawing No. RC-AR-1120, dated 19/04/2021).

## Notes to the Consent Holder

### *Lapse Period*

- Pursuant to section 125 of the Resource Management Act 1991, if not given effect to, this resource consent shall lapse five years after the date of this decision unless a longer period is specified by the Council upon application under section 125 of the Act.

### *Retailing*

- In relation to Condition 2 and 3, the Selwyn District Council will monitor tenants in terms of their compliance with Rule 22.10.1.3 of the Operative Selwyn District Plan, including (but not limited to) the minimum GFA of an individual tenancy, the cumulative GFA of the LFR activity within the identified LFR



area identified on the Outline Development Plan included as Appendix 43 to the operative Selwyn District Plan.

- No assessment has been undertaken of the example tenancies in terms of the District Plan rules as the applicant states that all future tenancies will comply with the District Plan rules.

#### *Other Consents Required*

- The application was made and considered on the basis that the proposed activity will either comply with signage and hazardous substances rules, or alternatively a separate resource consent applied for in the future once additional detail is known. On that basis this consent explicitly excludes the consideration of such matters.

#### *Monitoring*

- a) In accordance with section 36 of the Resource Management Act 1991, the Council's standard monitoring fee has been charged.
- b) If the conditions of this consent require any reports or information to be submitted to the Council, additional monitoring fees for the review and certification of reports or information will be charged on a time and cost basis. This may include consultant fees if the Council does not employ staff with the expertise to review the reports or information.
- c) Where the conditions of this consent require any reports or information to be submitted to the Council, please forward to the Council's Compliance and Monitoring Team, [compliance@selwyn.govt.nz](mailto:compliance@selwyn.govt.nz)
- d) Any resource consent that requires additional monitoring due to non-compliance with the conditions of the resource consent will be charged additional monitoring fees on a time and cost basis.

#### *Vehicle Crossings*

- e) Any new or upgraded vehicle crossing requires a vehicle crossing application from Council's Assets Department prior to installation. For any questions regarding this process please contact [transportation@selwyn.govt.nz](mailto:transportation@selwyn.govt.nz). You can use the following link for a vehicle crossing information pack and to apply online: <http://www.selwyn.govt.nz/services/roading/application-to-form-a-vehicle-crossing-entranceway>

#### *Building Act*

- f) This consent is not an authority to build or to change the use of a building under the Building Act. Building consent will be required before construction begins or the use of the building changes.

#### *Regional Consents*

- g) This activity may require resource consent from Environment Canterbury. It is the consent holder's responsibility to ensure that all necessary resource consents are obtained prior to the commencement of the activity.

#### *Impact on Council Assets*

- h) Any damage to fixtures or features within the Council road reserve that is caused as a result of construction or demolition on the site shall be repaired or reinstated and the expense of the consent holder.

#### *Development Contributions*

- Development contributions may be applicable on this resource consent in accordance with the private Developers Agreement in place between Selwyn District Council, Rolleston Industrial Holdings Limited and Rolleston Industrial Developments Limited.



Any development contributions would be calculated and assessed under the Developers Agreement at the time of building consent application, and payable after the first building inspection.

Yours faithfully

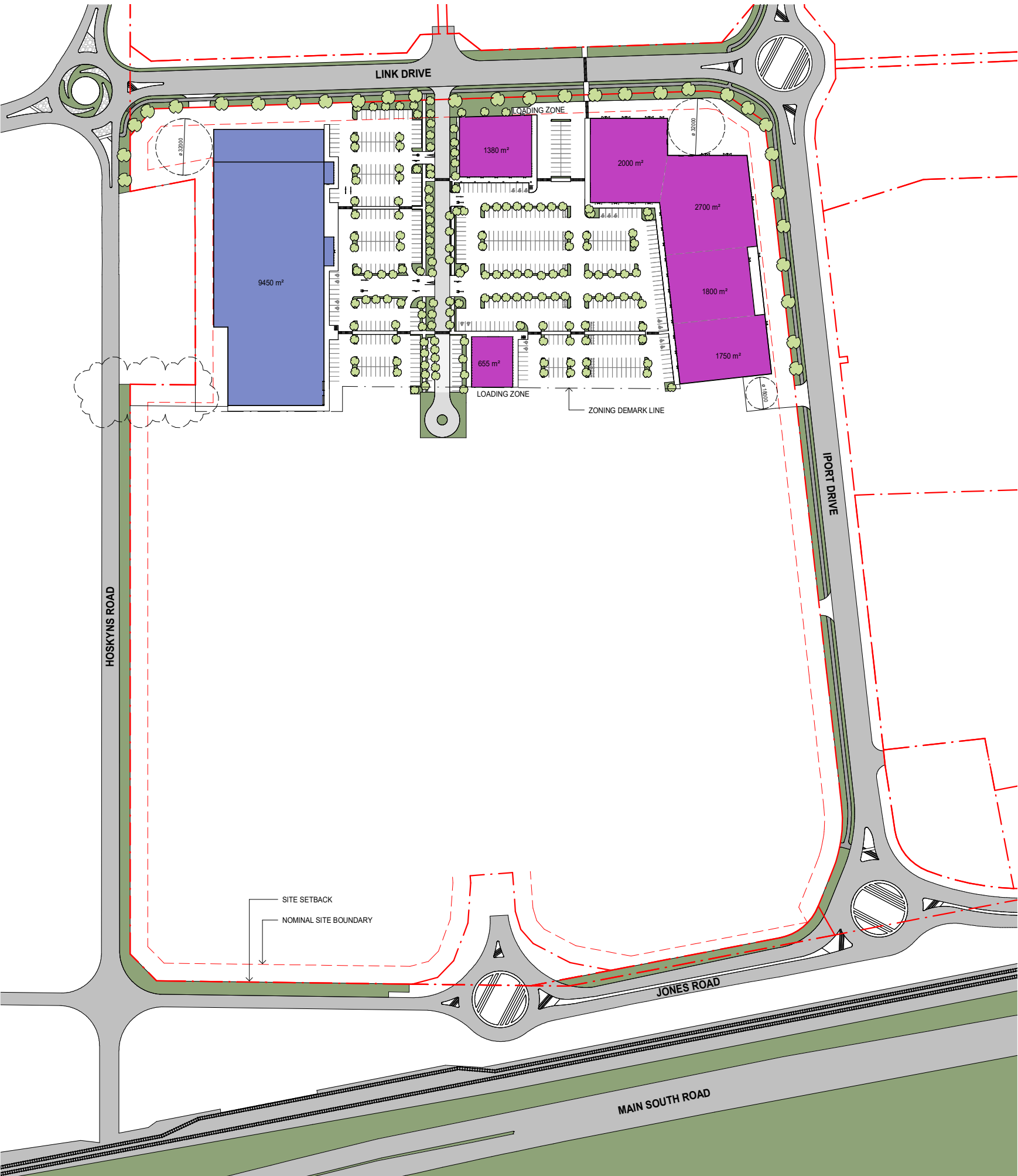
**Selwyn District Council**

A handwritten signature in black ink, appearing to read 'Rosie Flynn', written over a faint dotted line.

Rosie Flynn

**Team Leader, Resource Consents**





NOTES:

1. LANDSCAPING 'STRIP' OF AT LEAST 3m (WIDTH) SHALL BE PROVIDED ALONG THE ROAD BOUNDARY
  2. LANDSCAPING SHALL CONSIST OF ONLY THOSE SPECIES LISTED IN APPENDIX 21 (SELWYN DISTRICT PLAN)
    - 2.1. A MINIMUM OF 2 TREES FROM 'GROUP A' FOR EVERY 10 METRES OF ROAD FRONTAGE
    - 2.2. MIN. 35% OF THE REQUIRED AREA SHALL BE PLANTED IN SPECIES FROM 'GROUP C'
    - 2.3. MIN. 10% OF THE REQUIRED AREA SHALL BE PLANTED IN SPECIES FROM 'GROUP D'
    - 2.4. ALL PLANTS SHALL HAVE THE MAXIMUM SPACINGS: GROUP B/C - 1.5m CRS; GROUP D 0.7m CRS
  3. NO FENCES / STRUCTURES SHALL BE ERECTED WITHIN THE 3 METRE LANDSCAPING STRIP
  4. 1 TREE PER 5 CAR PARKING SPACES IS PROVIDED WITHIN / ADJACENT TO THE CAR PARK
  5. ALL NEW PLANTING AREAS SHALL BE MULCHED
  6. ALL LANDSCAPING REQUIRED BY THIS CONSENT SHALL BE MAINTAINED, AND IF DEAD, DISEASED OR DAMAGED, SHALL BE REMOVED AND REPLACED
- CARPARK NOTES:
1. ON-SITE PARKING TO BE AT A GRADIENT NO GREATER THAN 1:20
  2. MAXIMUM ACCESS GRADIENT TO BE '1 IN 6'
  3. LIGHTING OF CAR PARKING AREAS TO BE PROVIDED TO ACHIEVE A MINIMUM OF 2 LUX AND A HIGH UNIFORMITY
  4. MOBILITY CAR PARK LOCATIONS ARE INDICATIVE ONLY, AND ARE TO BE LOCATED AS CLOSE AS POSSIBLE TO THE ENTRANCE TO BUILDINGS AS PRACTICAL
  5. 10 CYCLE SPACES TO BE PROVIDED IN ACCORDANCE WITH APPENDIX 13.14 OF THE DISTRICT PLAN

LANDSCAPING KEY:

- GROUP A: 100 [ROAD FRONT]
- GROUP B: 113 [CAR PARK]
- GROUP C (35%): 3570 [SHRUBS] @ 1.5m CRS
- GROUP D (10%): 1020 [GROUND COVER] @ 0.7m CRS

ZONE 2 SITE INFORMATION:

LOT 600 DP 520689  
CLIMATE ZONE: 3  
EARTHQUAKE ZONE: ZONE 2  
EXPOSURE ZONE: ZONE B  
LEE ZONE:  
RAINFALL RANGE: 40 - 50  
WIND REGION: A  
WIND ZONE: HIGH  
SITE AREA: 180931 m²  
TOTAL LANDSCAPING AREA: 3650 m²

DEVELOPMENT TOTAL AREAS

ZONE 2 19735 m²

ZONE 2 CAR PARKS

Parking 515

AS APPROVED BY  
SELWYN DISTRICT COUNCIL  
Planning Department

RESOURCE CONSENT  
205782

20/07/2021 flynnr

Rev.	Date	Description	Iss.	Appr.
A	20/08/2020	RC		
B	03/11/2020	RC_Rev. B		
C	04/11/2020	RC_Rev. C		
D	17/11/2020	RC_Rev. D		
E	19/04/2021	RC_Rev. E		

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File  
C:\TBG - Revit Projects\916012 - AR-RC - ROLLESTON IPORT  
RETAIL - SITE\_lee-roy.straten.rvt

Project  
**ROLLESTON IPORT RETAIL - SITE**  
CORNER JONES AND HOSKYNs ROAD,  
ROLLESTON

Project Number  
916012

Status  
**RESOURCE CONSENT**

Date Plotted 19/04/2021 9:17:31 AM

Date Issued

Scale 1 : 1250 @A1



Drawing Title  
**ZONE 2**  
**ZONE 2 SITE PLAN**

Drawing Number  
**RC-AR-1120**

Revision  
**E**

**BUCHAN**

Christchurch Studio  
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## Sections 95A-E, 104, 104A-D and 108 Resource Management Act 1991



Report pursuant to section 42A of the Resource Management Act 1991 recommending whether or not an application for resource consent should be:

- Publicly notified, limited notified or non-notified
- Granted or declined, and if granted, the conditions of the consent

Decision pursuant section 113 of the Resource Management Act 1991

**Author:** Nick Boyes  
**Position:** Planning Consultant (Planz Consultants)  
**Resource Consent Number:** RC205782

<b>APPLICANT:</b>	Rolleston Industrial Holdings Ltd
<b>PROPOSAL:</b>	Land use resource consent is sought to establish a large format and trade supplier retail development with associated car parking and landscaping on the subject site.
<b>LOCATION:</b>	IPort, Hoskyns Road and Jones Road, Rolleston
<b>LEGAL DESCRIPTION:</b>	Part of Lot 600 DP 520689 being 18.0931ha in area as contained in Record of Title 821779.
<b>ZONING:</b>	The property is zoned Business 2A under the provisions of the Operative District Plan (Townships Volume). ODP set out in Appendix 43.
<b>STATUS:</b>	This application has been assessed as a land use consent for a discretionary activity under the operative District Plan. As such the relevant provisions of the District Plan (Townships Volume) and the Resource Management Act 1991 have been taken into account.

This application was formally received by the Selwyn District Council on 04 December 2020 and a request for further information made on 18 January 2021. Assessment and approval took place on 20 July 2021 under a delegation given by the Council.

## Introduction

1. Rolleston Industrial Holdings Ltd (the Applicant) seeks land use consent to establish and operate a large format retail and trade supply development with associated earthworks, car parking, access, and landscaping on the site.
2. The development is put forward on the basis that the proposed retailing/commercial activities to be undertaken on the site will comply with the standards set out in Rule 22.10 'Retailing in the Business 2A Zone, Rolleston'. The correct interpretation of this particular rule is subject to various matters of conjecture. In short, the rule as set out in the operative District Plan is unclear and can in conjunction



with the definitions contained in the Plan can be interpreted in various ways, many of which lead to rather perverse outcomes when considered in the context of the balance of the provisions. These matters will be discussed in more detail later in this report.

3. The Council has previously sought various independent legal and planning advice regarding the interpretation of Rule 22.10.1. Whilst that advice was received in relation to earlier application/s, it is still considered relevant to the assessment of this application in order to take a consistent approach to applications under this Rule.
4. It is noted that there was some confusion caused by the frequent reference to large format retail (LFR) throughout the application AEE document as originally lodged. The majority of the site is outside the LFR area identified on the corresponding ODP. This was clarified with the Applicant's planning consultant post lodgement and resulted in an updated AEE being submitted making it clear that all LFR activity proposed under this consent is limited to being located within the identified LFR area on the ODP (Novo Group, 16 April 2021) . Otherwise, the updated AEE confirmed that the proposal meets Rule 22.10.1.3. On that basis, consent is required in relation to the ancillary earthworks, vehicle access and waste generation within the Business 2A zone as opposed to the retail activities per se.

## Description of the Site and Existing Environment

5. The application site is located east of Hoskyns Road and south of Link Drive, which connects Hoskyns Road and IPort Drive (to the east), as shown in **Figure 1**. The site forms part of the (approximately) 18.0931 hectare parcel which is legally described as Lot 600 DP 520689. The Record of Title for this land was attached to the application as Appendix 1. Lot 600 DP 520689 is part of the Applicant's wider landholding of 95 hectares (approximately), which extends north to Maddisons Road and to a property boundary approximately 700m east of Hoskyns Road. This area is being developed primarily as an industrial and logistics centre known as 'IPort', with a large format retail centre in the south western corner.
6. Main South Road and the main trunk railway line lie to the south of the site.



**Figure 1: Location of application site (Source: Application AEE)**



## The Proposal

7. The Applicant seeks resource consent to establish and operate a commercial centre with associated food and beverage outlets, car parking, landscaping and vehicle access on the subject site, as shown on the plans submitted with the application. Consent is also sought in relation the earthworks associated with the constriction of the development exceeding operative District Plan thresholds.
8. The nature and scale of the proposed activity is described in the application document and AEE prepared by Ms Emily McDonald of Novo Group Ltd.
9. In summary the built aspects comprise four new single storey buildings totalling 19,735m<sup>2</sup> gross floor area. Any ancillary food and beverage outlet/s will each be less than 150m<sup>2</sup> in GFA. The plans show three buildings, with one of the buildings proposed to contain four separate tenancies (inclusive of Harvey Norman and Big Save Furniture), and one 9,450m<sup>2</sup> GFA building proposed to accommodate one trade supplier tenancy. The application notes that any such tenancy configuration may however change to meet the needs of particular tenants, but remain in accordance with the relevant standards set out in Part C22 of the Operative District Plan.
10. The balance of the site will be provided with car parking, vehicle circulation and landscaping. Parking is provided on site for a total of 515 vehicles and 2 HGV bays. Three separate vehicle accesses are provided, with one being from IPort Drive and two from Link Drive. No access is proposed to Hoskyns Road along the western perimeter of the site. Cycle parking is provided for up to 10 cycles, as required by the District Plan, however the application states that additional cycle spaces may be (voluntarily) provided in the future if needed in order to meet demands. Aside from the dedicated loading bay proposed, other loading needs will be met within the car parking area outside of trading or peak times.
11. The application states that the parking layout and internal vehicle circulation comply with the relevant transport standards in the District Plan. Non-compliances are restricted to one additional vehicle crossing being proposed above the two crossings provided for in Rule 13.2.4; and the visibility from this western access onto Link Drive being some 70m (113m permitted standard).
12. The frontage of the site (not otherwise occupied by buildings, parking or access/circulation) will be provided with landscaping, including a landscaping strip along the site's road frontage, plus some garden areas adjacent to the parking area. This landscaping is as required by District Plan rules.
13. In terms of the scale of earthworks, the application AEE states that given the generally flat site contour, earthworks for the proposed development will primarily be preparatory works for the building. However, due to the large size of the site, the earthworks will exceed the 5000m<sup>3</sup> volume limit for earthworks in the Plan.
14. In terms of the commercial/retail activities proposed, as described above, the application is put forward on the basis that the development will comply with relevant standards in Part C22 of the District Plan. In particular and with reference to Rule 22.10.1.3, the application proposes either non-retail activity (being not subject to Rule 22.10), trade supplier activity, and/or large format retail (LFR) activities (not exceeding a total of 17,000m<sup>2</sup> GFA and restricted to the identified LFR area). Some food and beverage outlets (up to a maximum of 150m<sup>2</sup> GFA) may also be established. The application AEE included a Table setting out the various activities and potential tenants proposed.
15. The application also describes the proposed activity in terms of signage and hazardous substances; stating that it will either comply or a separate resource consent applied for in the future once additional detail is known.
16. The application states that the proposal will collectively generate more than 3m<sup>3</sup> of solid waste per week. Accordingly, the Applicant proposes to submit a Waste Management Plan to Council for approval, prior to commencement of the activity. Consent conditions are proposed to this effect, consistent with the waste management practices of other land developments consented in IPort.
17. In terms of services and infrastructure the Applicant volunteers conditions deferring the occupation of all buildings until such time that they are able to connect to a reticulated water supply and reticulated sewage treatment and disposal system in accordance with Rules 16.3.1 and 16.4.1. This approach is consistent with the treatment of other land use developments in IPort.



18. Potential connections to the adjacent sites to the south are also identified on the plans, but the AEE states that no specific access arrangements are proposed as part of this application.

## Background

19. Resource consents RC165440 and RC165441 were granted for subdivision and associated earthworks to develop roads and business sites known as IPort.
20. In relation to existing Large Format Retaining undertaken within the IPort site, the table below sets out the previous consents I am aware of that have already approved for this activity, including the GFA. This is important in terms of the compliance with Rule 22.10.1.3(d), which limits the GFA of all large Format Retail within the Business 2A zone to no more than 17,000m<sup>2</sup> (collectively).

Resource Consent	Activity	LFR GFA Approved
RC155113	To establish and operate a commercial Large Format Retail development with associated car parking and landscaping on the application site.	17,000m <sup>2</sup>
RC175511	To establish and operate a commercial development with associated car parking and landscaping on the application site. The completed development may be occupied by tenants that are not permitted by the District Plan.	2450m <sup>2</sup>
RC185589	To establish a large format retail development with associated car parking and landscaping on the subject site.	15,450m <sup>2</sup>
RC195214	To establish a large format retail development with associated car parking and landscaping on the subject site. Certification is sought for the physical development and the activities and example tenancies proposed to occupy the development.	15,450m <sup>2</sup>

21. Whilst it is acknowledged that RC155513, RC185589 and RC195214 largely overlap in terms of site boundary, and therefore cannot be given effect to concurrently; this application is located further north and there remains the potential that by giving effect to this consent, particularly where concurrent with any of the previous applications would result in an exceedance of the 17,000m<sup>2</sup> GFA limit by some considerable margin.
22. This matter can be address by way of a condition requiring that any LFR is restricted to being within the identified LFR and does not exceed 17,000m<sup>2</sup> in GFA either under this consent or cumulatively when undertaken under any of the other previous consents approved by Council.

## Further Information/Clarification of Activity Sought

23. The matter of Large Format Retail Activity (LFR) was raised with the Applicant in an email requesting further information/clarification dated 18 January 2020. In response, Mr Jeremy Philips (Novo Group Ltd) stated:



*To the extent that activity in this application or otherwise occurs within “the location as stated in Appendix 43”, it will comply with the 17,000m<sup>2</sup> GFA restriction on LFR. The final configuration of LFR etc is still being determined at IPort, so which consents are given effect to, or are varied or replaced is currently unknown and still evolving. As such, I would envisage an advice note reminding the applicant of the 17,000m<sup>2</sup> GFA restriction and the need to demonstrate compliance with this at the time any development proposal is advanced.*

24. the Applicant is aware that Rule 22.10.1.3(d) provides an overall limit on the LFR GFA and that no consents have sought to exceed this limit. Therefore, the Applicant has agreed to an advice note setting out that as a result of this application being given effect to in combination with any other previous consent granted the LFR GFA within the Business 2 A zone shall not exceed 17,000m<sup>2</sup>. Given the nature of this requirement it is considered more appropriate to be imposed as a condition rather than advice note. As noted above, compliance with such a condition ensures and maintains permitted activity status across the identified LFR area and is consistent with Rule 22.10.1.3(d).
25. This prompted a request for additional information/clarification as to how the LFR activity was to comply with the spatial requirement set out in Rule 22.10, which sets out that LFR shall be in the “general location” as shown on the ODP attached as Appendix 43 to the operative District Plan. Very little of the application site overlaps with that identified LFR area therein.
26. The concern was that LFR development predominantly outside the LFR area, coupled with the proposed removal of any GFA restriction in the recently notified proposed Plan rules relating to the LFRZ (the area of which remains the same as that shown in the ODP), provides for a de facto expansion of both the scale and extent of LFR activity beyond the scale anticipated in the operative Plan. In time the granting of this consent coupled with the permitted standards in the proposed Plan (should they remain) would effectively extend the ability to undertake LFR all the way up to Link Drive (as included in this application). In response to this proposition the Applicant clarified that this application seeks only to undertake LFR within the identified area as shown in Appendix 43. In reality this means that very little LFR can proceed as part of this application, as it is limited to the area below the yellow line shown in **Figure 2** below (as provided by Mr Phillips). Mr Phillips also acknowledged that the frequent references to LFR within the application document were as a result of an earlier proposal that provided greater scope for LFR.



**Figure 2: Proposed development showing extent of the LFR area (below yellow line). As such very little FFR development can proceed as part of this development. (Source: Email from J Phillips, 20 January 2021)**

27. Therefore, as confirmed in an email from Mr Phillips dated 20 January 2021, it was clarified that the proposed development **will comply** with relevant standards in Part C22 of the District Plan. In particular and with reference to rule 22.10.1.3 and the LFR area identified on the ODP in Appendix 43 of the operative District Plan, the application proposes:



- a. Activities that are not 'retail activities' (as defined in the District Plan) which are not controlled by Rule 22.10 and are unconstrained; and/or
  - b. Trade suppliers which are unconstrained inside and outside the LFR area on the ODP in Appendix 43; and/or
  - c. Large format retail activities within the LFR area where the total GFA of LFR in the LFR area is <17,000m<sup>2</sup> GFA; and/or
  - d. Food and beverage outlets of <150m<sup>2</sup> which are unconstrained inside and outside the LFR area.
28. As a result Mr Phillips took the opportunity to submit an updated AEE submitted on 16 April 2021 and consequently an updated Site Plan on 27 April 2021 to clarify the above points.

## Operative Selwyn District Plan Assessment

29. The Selwyn District Plan ('the District Plan') was made operative on 3 May 2016. Under the District Plan the application site is zoned Business 2A.
30. The application is based on compliance with all but the rules relating to earthworks, number of vehicle crossings, visibility from the western Link Drive access, and solid waste generation. In terms of some other rules, the AEE states that either the proposal will comply, or that a separate resource consent will be applied for some time in the future (with specific reference to signs and hazardous substances). In terms of landscaping, a condition can require that the consent holder will submit a landscape plan to the Council for certification that the landscaping on the site is in accordance with Rule 16.1.2 of the operative Selwyn District Plan.
31. As alluded to above, the primary purpose of the consent application appears to be to provide certainty to the Applicant that the built form layout and proposed tenants set out in Table 1 meet the plan rules, the application states (at paragraph 20):
- Whilst specific tenants for the proposed buildings are yet to be confirmed, the resource consent being sought will provide certainty about the retail activities (and potential tenants) that could establish on the site. The applicant has indicated that tenancies may include the following (or similar) on the site: Bunnings (trade supply) and Harvey Norman (non-retail furniture outlet) and Big Save Furniture (non-retail furniture outlet).*
32. Any commercial type of activity involving retailing permitted the Business 2A Zone is listed under Rule 22.10.1.3 'Retailing within the Business 2A Zone, Rolleston'. The rule is as follows:
- 22.10.1 The following shall be a permitted activity:...
- 22.10.1.3 In the Business 2A Zone at Rolleston as depicted on the Outline Development Plan at Appendix 43:
- (a) Any ancillary retail activity undertaken from an allotment provided that it only occupies up to 20% of the gross floor area of building on that allotment or 2,000m<sup>2</sup>, whichever is the lesser;
  - (b) Service stations;
  - (c) Trade Suppliers;
  - (d) Large Format Retail activities up to 17,000m<sup>2</sup> (GFA) and Trade Retail activities up to 10,000m<sup>2</sup> (GFA) in the location as stated in Appendix 43, excluding Supermarkets and/or Department Stores;
  - (e) Food and beverage outlets, up to a maximum gross floor area of 150m<sup>2</sup>, except that in the Large Format Retail area as shown in Appendix 43 a tenancy limit shall not apply for up to a maximum total area of 1,000m<sup>2</sup> GFA;
  - (f) Ancillary offices.
33. Council has previously received legal advice on the interpretation of this particular rule. The summary of the interpretation set out in the opinion is as follows:
- In summary to this point, we consider that the combined effect of Rules 22.10.1.3 and 22.10.3 is as follows:*
- (a) Any activities specifically listed in Rule 22.10.1.3 are permitted, subject to any limitation within that rule (and any other rules in the District Plan);



- (b) Any commercial activities that are not listed require resource consent as a non-complying activity under Rule 22.10.3. This includes all of those activities that are excluded from the definition of “Retail activity” and that are not otherwise provided for as permitted activities under Rule 22.10.1.3.

34. On that basis, should any of the proposed tenancies not meet the requirements set out in Rule 22.10.1.3 they would become a non-complying activity.
35. Rule 22.10.1.3 sets out that in the Business 2A zone at Rolleston (as indicated on the Outline Development Plan (ODP) in Appendix 43 of the District Plan), Large Format Retail (LFR) activities up to 17,000m<sup>2</sup> (GFA) and Trade Retail activities up to 10,000m<sup>2</sup> (GFA), but excluding Supermarkets and/or Department Stores, are permitted. The applicable District Plan definitions are:

**Large Formal Retail:** means any individual retail tenancy with a gross floor area of 450m<sup>2</sup> or more.

**Food and Beverage:** means a retail activity involving the sale of food and, or beverages prepared for immediate consumption on or off the premises including restaurants, taverns, cafes and takeaway bars but does not include supermarkets, dairies or bottle stores.

**Note:** In the Key Activity Centres identified in Appendices 29A and 29B and the Business 2A Zones identified in Appendix 22 (Precincts 2-4 only) and Appendix 43, Food and Beverage is not a retail activity – see applicable Retail Activity definition.

36. For the sake of completeness, the definition of retail activity is as follows:

**Retail Activity (in the Key Activity Centres identified in Appendices 29A and 29B and the Business 2A Zones identified in Appendix 22 (Precincts 2-4 only) and Appendix 43):** means the use of land and/or buildings for displaying or offering goods for sale to the public, including Small and Large Format Retail. It excludes food and beverage, drive through facilities, commercial services, service stations, garages and workshops, trade suppliers, and furniture and lighting outlets.

37. GFA is defined in the District Plan as:

**Gross Floor Area (GFA):** means the sum of the total area of all floors of any building. It shall be measured from the exterior faces of the exterior walls or from the centre line of any wall separating adjoining buildings. For the purpose of calculating parking requirements GFA shall exclude any required parking and loading areas provided within a building.

38. As set out above, the post lodgement correspondence with the Applicant has clarified that any LFR will be limited to the area identified in the ODP.

39. The definition of Retail Activity specifically excludes (amongst others) “furniture and lighting outlets”. Therefore, it is a valid interpretation that such activity is excluded from Rule 22.10.1.3, as it relates specifically to retailing. However, rather confusingly it is noted that other aspects specifically excluded from the retail definition are otherwise listed as permitted activities within that Rule (22.10.1.3). Furthermore, office furniture is otherwise permitted under the definition of trade supplier (see below) and trade retail includes building supplies, which would incorporate lighting outlets. These are just examples of the rule and definitions relating to the Business 2A zone being unclear and open to various different interpretations.

40. The final aspect of this proposal that requires comment in terms of the District Plan compliance is ‘trade retail’ versus ‘trade supplier’. In terms of Rule 22.10.1.3 the trade suppliers are a listed permitted activity. Trade retail is also permitted, but only up to a GFA of 10,000m<sup>2</sup>.

41. The relevant definitions contained in the operative District Plan are as follows:

**Trade Retail:** means those activities falling within Division G, Group 391 (Motor Vehicle Retailing), Group 392 (Motor Vehicle Parts and Tyre Retailing), Group 400 (Fuel Retailing), Class 4212 (Floor Coverings Retailing), Class 4214 (Manchester and Other Textile Goods Retailing) and Group 423 (Hardware, Building and Garden Supplies Retailing) of the Australian and New Zealand Standard Industrial Classification (ANZSIC) 2006 (cat no. 1292.0) (“ANZSIC”).

**Trade Supplier:** means a business engaged in sales to businesses and institutional customers and may also include sales to the general public, and wholly consists of suppliers of goods in one or more of the following categories:

- automotive and marine suppliers;



- *building suppliers;*
- *catering equipment suppliers;*
- *farming and agricultural suppliers;*
- *garden and patio suppliers;*
- *hire services (except hire or loan of books, video, DVD and other similar home entertainment items);*
- *industrial clothing and safety equipment suppliers; and*
- *office furniture, equipment and systems suppliers.*

42. The original application AEE document referred to trade retail and included the categories listed as trade suppliers as examples of such. Whilst this was of little consequence as 'Trade Suppliers' are not subject to any floor area restriction under the applicable District Plan Rule, this was corrected in the updated AEE received (see Table 1 of the AEE). The list of activities to which this consent applies (as listed in paragraph 27 above), does not make any specific reference to trade retail activity. However, it is noted that such activity is permitted up to a cumulative total of 10,000m<sup>2</sup> of GFA within the Business 2A zone at Rolleston.
43. In summary, the Applicant has clarified that the proposal will meet the retail standards set out in Rule 22.10.1.3 of the Operative District Plan. On that basis those matters do not require any further consideration. It is considered that appropriate conditions imposed on any consent granted can ensure that future retail activity complies with the standards on an on-going basis.
44. That matter aside, the application AEE includes a detailed assessment of the rules contained in the operative Selwyn District Plan (as Appendix 3).
45. Based on the assessment therein and the further comments above, land use consent is required on the basis of the following non-compliances:
- *Rule 14.1.2 - Earthworks for the proposed development will be designed and undertaken in compliance with the requirements set out in rule 14.1.1, however they will likely exceed 5000m<sup>3</sup>. Resource Consent is required as a Discretionary Activity.*
  - *Rule 17.3.2 – The 3 vehicle crossings proposed exceeds the maximum of 2 that are permitted under Rule 13.2.4. Resource Consent is required as a Restricted Discretionary Activity.*
  - *Rule 17.3.9.3 – the western vehicle crossing on Link Drive does not comply with the 113m visibility. Resource Consent is required as a Discretionary Activity.*
  - *Rule 21.1.2 - The proposal will generate greater than 3 cubic metres of solid waste on average per week over a year. Resource Consent is required as a Restricted Discretionary Activity.*
46. On that basis, it is considered that the proposed activity results in a **discretionary** activity status.

## National Environmental Standards

### National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

47. The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES) came into force on 10 October 2011.
48. The application states that a preliminary site investigation (PSI) was undertaken for the rezoning of the wider 122 hectare RIHL/RIDL block in 2014. The PSI confirmed that there is no evidence of HAIL uses or activities or contamination risks on the application site and thus the NES does not apply (see resource consent 165366 as an example where this PSI has been accepted by Council).
49. On that basis it is considered that matters associated with the NES have already been addressed and need not be considered as part of the application.



## Notification

50. Sections 95A-E set out the process for determining whether an application should be processed on a notified, limited notified or non-notified basis. The following assessment considers whether public or limited notification is required or precluded.

### Public Notification

51. The proposal is not subject to mandatory public notification because:
- The applicant has not requested public notification
  - Public notification is not required under section 95C RMA (following a request for further information)
  - The application has not been made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act
52. Public notification is not precluded because:
- The proposal is not subject to one or more rules or national environmental standards that preclude public notification; or
  - The application is **not** for one or more of the following, but not other, types of activities:
    - A controlled activity.
    - A restricted discretionary or discretionary activity that is a “residential activity” (as defined in section 95A of the RMA) or a subdivision of land.
    - A restricted discretionary, discretionary or non-complying activity that is a boundary activity.
    - An activity prescribed in regulations made under section 360H(1)(a)(i) of the RMA (if any) precluding public notification.
53. Public notification is not required because:
- The proposal is not subject to any rules or national environmental standards that require public notification.
  - For the reasons discussed in section the Assessment of Environmental Effects below, the activity is unlikely to have adverse effects on the wider environment at that are more than minor.
  - There are no special circumstances that would warrant public notification.
54. In summary, public notification is not required for this application.

### Limited Notification

55. There are no affected protected customary rights groups or affected customary marine title groups in relation to this proposal and the proposal is not on or adjacent to that is subject to a statutory acknowledgement made in accordance with the Ngai Tahu Claims Settlement Act 1998.
56. Limited notification is not precluded because:
- The proposal is not subject to one or more rules or national environmental standards that preclude limited notification;
  - The application is not for either or both of the following activities, but no other activities:
    - A controlled activity, that requires consent under a district plan (other than a subdivision)
    - An activity prescribed in regulations made under section 360H(1)(a)(ii) of the RMA (if any) precluding limited notification
57. As discussed further in the Assessment of Environmental Effects below, the proposal is considered to have less than minor adverse effects on any party.
58. There are no special circumstances that would warrant the limited notification of any other persons not already deemed to be affected parties.



59. In summary, limited notification is not required for this application.

## Matters to be Considered

60. Section 104(1) of the Resource Management Act 1991 sets out the matters which must be considered by Selwyn District Council in considering an application for resource consent. In this case the relevant matters are:

- Any actual and potential effects of allowing the activity (s104(1)(a));
- The Canterbury Regional Policy Statement (s104(1)(b)); and
- Any Plan or Proposed Plan (s104(1)(b))
- The permitted baseline (s104(2))

61. All matters listed in s104(1) are subject to Part 2 of the Act which contains its purposes and principles.

62. Under section 104B of the RMA the Council may grant or refuse an application for a discretionary activity, and if it grants the application, may impose appropriate conditions in accordance with section 108.

## Assessment of Environmental Effects

### Relevant Assessment Matters

63. Given the matters of non-compliance, the relevant matter for assessment are considered to relate to

- a. Waste Management;
- b. Earthworks; and
- c. Transportation (specifically network effects from the additional crossing proposed and the reduced visibility from one of the proposed crossings onto Link Drive).

### *The Permitted Baseline*

64. Section 104(2) of the RMA directs that the decision maker may disregard an adverse effect on the environment of an activity if a rule in the District Plan permits an activity with that effect, a concept known as the permitted baseline. The application of the permitted baseline is discretionary and case law has established that the permitted baseline test relates to the effects on non-fanciful hypothetical activities which could be carried out as of right under the District Plan, as well as any existing lawfully established activity on the site or any activity for which resource consent has been granted. It is considered that in general terms the permitted baseline should be applied unless there is a resource management reason not to do so.

65. In the context of this application, the permitted baseline extends to the allowance provided by the standards to which the proposal does not comply,; so the effects of this proposal are limited to the:

- Generation of solid waste exceeding 3m<sup>3</sup> on average per week over each year;
- Earthworks exceeding 5,000m<sup>3</sup> in volume;
- Provision of an additional vehicle crossing on the site; and
- The road safety effects of the reduced visibility available from the western access point onto Link Drive.

66. On that basis it is considered appropriate that the focus of the assessment be on the effects of the activity above those permitted thresholds. There are considered to be no other relevant permitted baseline to consider in relation to this proposal.



## Waste Management

67. As set out in the application, the District Plan notes that the effects on the environment from disposing of waste include:
- contaminants leaching into groundwater;
  - creating unstable or contaminated land;
  - odour, vermin or litter; and
  - effects on the aesthetic or amenity values of areas around disposal sites.
68. To manage the effects described above, the District Plan requires (via Rule 21.1.1) resource consent for developments that produce in excess of three cubic metres of waste per week on average. Applications under this rule are restricted discretionary, with Council's discretion confined to the approval of a management plan to minimise waste and to provide for disposal in a way that mitigates adverse effects.
69. The Applicant's volunteered conditions include provision of a waste management plan, as follows:
- Prior to the commencement of the activity on the site the consent holder shall submit to the Selwyn District Council for the approval of the Planning Manager a Solid Waste Management Plan. The Solid Waste Management Plan shall include, but not be limited to:*
- a. *Methods that will be employed to minimise waste generated by the activity*
  - b. *Methods for the management and disposal of waste that will avoid or mitigate adverse effects on the environment.*
70. Given the nature of the proposed development, most of the forms of waste and types of adverse effects described by the Plan are unlikely to arise. Waste is most likely to consist of solid waste from retailing and food and beverage activity. A consent condition requiring provision of a waste management plan prior to the commencement of activity on the site is proposed by the Applicant. However in order that there is room to modify the plans should this be required as a result of a requirement of the Waste Management Plan it is considered that the Waste Management Plan should be submitted to Council prior to the lodgement of building consent. On that basis any effects from waste generated from the development being greater than 3m<sup>3</sup> are considered to be less than minor.

## Earthworks

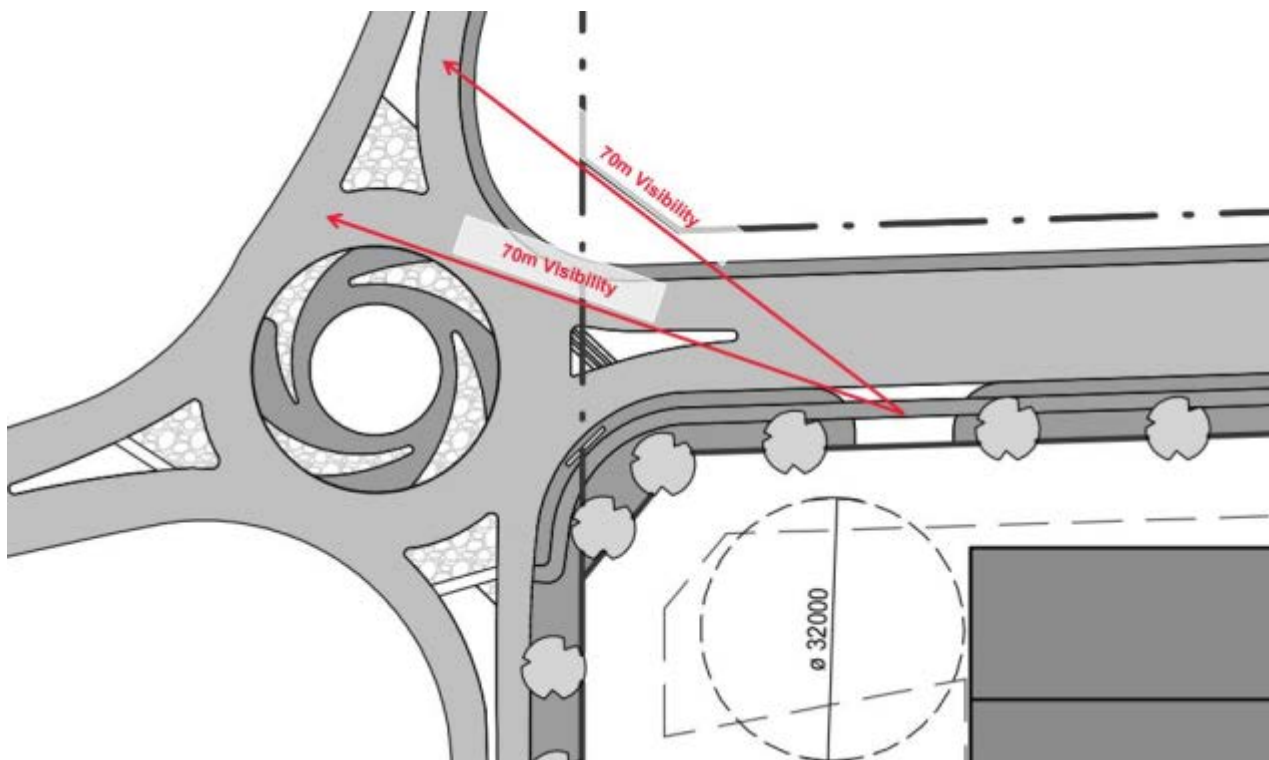
71. The earthworks relating to this development are limited to the construction phase and involve the creation of building platforms/foundations, car parks and servicing etc. In terms of potential effects, it is noted that noise nuisance or disturbance effects (from truck movements, site works, etc associated with the earthworks) will be short term and temporary, and indistinguishable from general building construction works which are permitted.
72. Given the nature of the earthworks and the generally flat contour of the site, the works will not affect the stability of adjoining land or surface drainage patterns.
73. Potential nuisance impacts associated with sedimentation and dust will be controlled by an Erosion and Sediment Control Plan (ESCP), which will be prepared in accordance with Environment Canterbury's guidelines and required as part of the building consent for the balance of the works.
74. Based on the above, I agree with the Applicant's assessment that the earthworks associated with the proposal will have less than minor adverse effects.

## Transportation

75. There are two elements of non-compliance with operative Plan provisions relating to transportation related matters:
- a. The 70m visibility out of the western Link Drive access is less than the 113m required by the District Plan; and
  - b. Three road crossings are proposed, whereas a maximum of two are permitted.



76. In terms of the visibility, the AEE sets out an assessment undertaken by Mr Nick Fuller (Transport Engineer). This sets out that the visibility out of western Link Drive access is limited by the proximity to the roundabout with Hoskyns Road, as illustrated in **Figure 3** below.



**Figure 3: Link Drive Access sightline (source Figure 2 from application AEE.).**

77. This diagram sets out that the visibility to traffic approaching from the roundabout is in the order of 70m. The AEE Road Traffic Standard 6 (Guidelines for visibility at driveways) identifies this as being sufficient visibility for traffic approaching at 40km/hr. Mr Fuller is considers that vehicles will circulate this roundabout slower than 40km/hr, so the proposed visibility is acceptable. Based on this assessment the western Link Drive access is considered acceptable.
78. In terms of the number of vehicle crossings, the AEE notes that the application site has a road frontage of approximately 560m and the crossings are well separated. It also refers to the large size of the site and that it could otherwise be subdivided to provide numerous smaller sites that would all be entitled to separate vehicle crossings. In the context of the size of the site, the number and spacing of the proposed vehicle crossings is considered to be acceptable. However, it is noted that the additional crossing potentially contributes to the sight line non-compliance above. Notwithstanding, given Mr Fuller's assessment above, the effects of the transportation non-compliances are considered to be less than minor and maintain road safety.

## Summary

79. In summary, based on the assessment above, and conditions to ensure that District Plan standards are met on an on-going basis (as discussed further below); the actual and potential adverse effects of the proposal are concluded to be acceptable and less than minor.

## Canterbury Regional Policy Statement

80. This proposal is not considered to be of a nature or scale that challenges the provisions of the Regional Policy Statement.

## Operative District Plan Objectives and Policies

81. The relevant objectives and policies that I consider relevant are:



### **Transport Networks:**

**Objective B2.1.1** – An integrated approach to land use and transport planning to ensure the safe and efficient operation of the District's roads, pathways, railway lines and airfields is not compromised by adverse effects from activities on surrounding land or by residential growth.

**Objective B2.1.2** An integrated approach to land use and transport planning to manage and minimise potential adverse effects of transport networks on adjoining land uses, and to avoid "reverse sensitivity" effects on the operation of transport networks.

82. The proposal complies with all relevant transport and traffic related provisions. On that basis the above Objectives are anticipated to be met.

### **Quality of the Environment**

**Objective B3.4.2** A variety of activities are provided for in townships, while maintaining the character and amenity values of each zone.

**Objective B3.4.3** "Reverse sensitivity" effects between activities are avoided.

**Policy B3.4.2** To provide for any activity to locate in a zone provided it has effects which are compatible with the character, quality of the environment and amenity values of that zone.

**Policy B3.4.5(b)** To provide a Business 2A zone which can cater for business activities requiring large footprint buildings and/or sites but which have sufficient provisions to safeguard people's health and well-being and avoid pollution of natural resources or potential 'reverse sensitivity' effects.

### **Residential and Business Development:**

**Policy B4.3.105** Control commercial activities within the Business 2A Zones in Appendix 22 and Appendix 43 in order to avoid individual or cumulative adverse distributional or urban form effects on the viability and function of the Rolleston Key Activity Centre, including the efficient and effective implementation of the Rolleston Town Centre Masterplan.

83. A common theme from the policy framework is a focus on effects. The effects of the proposed activity have been assessed above and it is considered that these effects will be compatible with the character, quality of the environment and amenity values anticipated within a Business 2A zone.
84. In terms of Policy B3.4.105, the Applicant has volunteered that any future commercial/retail activity will comply with the standards set out in Rule 22.10.1. Furthermore, the Applicant has also volunteered a requirement that cumulatively no LFR activity within the area identified on the ODP in Appendix 43 of the operative District Plan will exceed a GFA of 17,000m<sup>2</sup>, across any of the previous consent/s implemented. As assessed above, compliance with such rule means that the proposal is consistent with and achieves the outcomes set by the related policy.

### **Summary – District Plan Objectives and Policies**

85. In summary, the proposal is concluded to be consistent with the relevant provisions of the operative District Plan.

## **Proposed District Plan Objectives and Policies**

86. The Proposed Plan was notified on 5 October 2020 and the objectives and policies set out therein are a relevant statutory consideration.
87. The relevant objectives and policies are set out in Table 3 (page 13) of the AEE. The key policies is considered to be GIZ-P2 & P4, as follows:

*Provide for other activities to establish and operate within the General Industrial Zone where they are:*

- 1. of a similar scale and nature to industrial activities; or*
- 2. ancillary to the main industrial activity on site; or*
- 3. necessary to support the needs of workers within the zone.*

*Avoid commercial activities that will undermine the viability and function of the Town Centre and Local Centre Zones.*



88. The AEE states that “the operative Plan clearly contemplates the proposed activities (noting their permitted status) indicating that they are appropriate to the locality and will not undermine the viability and function of the Town Centre and Local Centre zones”. The AEE also notes that the nature of the proposed retail activity “is not incompatible with surrounding land use noting the anticipated development of the area for LFR purposes and the existing consent approvals authorising LFR activity to the south and north of the site (e.g. Costco)”. Given the compliance with the Operative Plan rules and limited nature and extent of LFR actually provided for given the small area of overlap between the LFR area and the application site(as shown in **Figure 2** above); it is considered that this proposal does not threaten the policy outcomes set out in the Proposed District Plan as notified.

## Greater Christchurch Regeneration Act 2016 and the Land Use Recovery Plan

89. The Greater Christchurch Regeneration Act (GCR Act) came into force on 19 April 2016 and replaces the Canterbury Earthquake Recovery Act 2011, which was repealed on the same date.
90. The application site is within Greater Christchurch, as defined by the Act (within Selwyn, Springs and Selwyn Central Wards). As such, the GCR Act needs to be considered in relation to this application.
91. The Land Use Recovery Plan (LURP) applies to the Greater Christchurch area. It was approved by the Minister for Canterbury Earthquake Recovery and gazetted on 6 December 2013. Although prepared under the Canterbury Earthquake Recovery Act 2011, the LURP is a Recovery Plan under s4 of the GCR Act and so needs to be considered in relation to this application.
92. The LURP considers the impacts of the earthquakes on residential and business land use, and provides a pathway for the transition from rebuild to longer term planning. The LURP sets a policy and planning framework necessary to:
- Rebuild existing communities
  - Develop new communities
  - Meet the land use needs of businesses
  - Rebuild and develop the infrastructure needed to support these activities
  - Take account of natural hazards and environmental constraints that may affect rebuilding and recovery.
93. The LURP identifies what needs to be done in the short and medium term to co-ordinate land use decision-making, identifies who is responsible and sets timelines for carrying out actions. It directs amendments to be made to Environment Canterbury’s Regional Policy Statement, the Christchurch City Plan, the Selwyn District Plan and the Waimakariri District Plan.
94. When considering an application for a resource consent for a restricted discretionary, discretionary or non-complying activity, any person exercising powers or performing functions must not make a decision or recommendation that is inconsistent with the LURP (section 60 of the GCR Act).
95. The required amendments to the Regional Policy Statement and the District Plan have been made, and so any application that is not inconsistent with these documents is also not inconsistent with the GCR Act and the LURP.
96. As outlined above, it is considered that the application is consistent with the objectives and policies of both the District Plan and the Regional Policy Statement. As such, the application is consistent with the Greater Christchurch Regeneration Act 2016 and the Land Use Recovery Plan and may be considered for approval.

## Part 2 Resource Management Act 1991

97. The purpose of the Resource Management Act 1991 is to promote the sustainable management of natural and physical resources. In summary enabling people and communities to provide for their well-being, while sustaining resources and addressing any adverse effects.



98. Based on the assessment in this report, it is my opinion that the proposal is in accordance with the purpose and principles of the Resource Management Act 1991.

## Development Contributions

99. Development contributions may be applicable on this resource consent in accordance with the private Developers Agreement in place between Selwyn District Council, Rolleston Industrial Holdings Limited and Rolleston Industrial Developments Limited.
100. Any development contributions would be calculated and assessed under the Developers Agreement at the time of building consent application, and payable after the first building inspection.

## Summary

101. This application is to establish and operate a commercial development within IPort. The application is put forward on the basis that it will meet all retail controls set out in the operative District Plan. Consent is required in relation to earthworks, vehicle crossing number, sight distance from the western crossing on Link Drive and that the development will exceed the 3m<sup>3</sup> waste generation threshold included in Rule 21.1.1 of the District Plan. Notwithstanding, it is considered the primary motivation for the application to establish whether the potential tenants included in Table 1 of the application are permitted under Rule 22.10.1.3 of the Operative District Plan.
102. Post lodgement correspondence with the Applicant's planning consultant has clarified the nature of the proposal and the appropriate conditions to be imposed in order to ensure compliance with Rule 22.10.1.3 on an on-going basis. An updated and revised AEE makes the situation and the nature of the activity for which consent is sought much clearer.
103. Based on the volunteered conditions set out in the application, along with the additional conditions suggested below to mitigate potential effects on the environment, it is recommended that the application is in order for approval. These conditions have been forwarded to the Applicant for their consideration and comment. No specific comments were received.

## Recommendations

- A. Resource consent RC205782 be processed on a **non-notified** basis in accordance with sections 95A-F of the Resource Management Act 1991; and
- B. Resource consent RC205782 be **granted** pursuant to sections 104 and 104B of the Resource Management Act 1991 subject to the following conditions imposed under section 108:
1. That the proposed activity shall be carried out in accordance with the attached approved plans and the details submitted with the revised application and Site Plan submitted on 16 April and 27 April 2021 respectively, except where varied by the conditions below.
  2. That all future use of the proposed commercial development shall consist of the following:
    - a) Activities that are not 'retail activities' (as defined by the Operative Selwyn District Plan), which are not controlled by Rule 22.10 of the operative Selwyn District Plan and are unconstrained; and/or
    - b) Trade suppliers, which are unconstrained inside and outside the LFR area on the ODP in Appendix 43; and/or
    - c) Large Format Retail (LFR) activities within the LFR area where the total GFA of LFR in the LFR area is <17,000m<sup>2</sup> GFA; and/or
    - d) Food and beverage outlets of <150m<sup>2</sup>, which are unconstrained inside and outside the LFR area.



3. That in giving effect to this consent individually or in conjunction with any previous resource consent for LFR activity, the total Gross Floor Area (GFA) of LFR activity within the identified LFR area identified on the Outline Development Plan included as Appendix 43 to the operative Selwyn District Plan shall not exceed 17,000m<sup>2</sup>.
4. Prior to lodgement of building consent, the Consent Holder shall submit to the Selwyn District Council for the approval of the Planning Manager a Solid Waste Management Plan. The Solid Waste Management Plan shall include, but not be limited to:
  - a) Methods that will be employed to minimise waste generated by the activity
  - b) Methods for the management and disposal of waste that will avoid or mitigate adverse effects on the environment.
5. That any building consent application for any buildings on the site shall include a Landscape Plan which shall be submitted to the Council for certification that the landscaping to be undertaken the site is in accordance with Rule 16.1.2 of the Operative Selwyn District Plan.
6. That landscaping in accordance with the Landscape Plan certified in accordance with condition 5 shall be planted within the first available planting season following commencement of construction of the buildings and/or car parking areas.
7. All landscaping shall be maintained on an ongoing basis and if dead, diseased or damaged, shall be removed and replaced within the next available planting season.
8. Prior to the commencement of the activity on the site the Consent Holder shall form the three heavy vehicle crossings identified on the approved plans in accordance with Appendix 13 of the Operative District Plan (Township Volume). The vehicle crossings shall be sealed to match the existing road surface for the full width of the crossing between the site boundary and sealed carriageway.
9. All work shall comply with the engineering code of practice except as agreed with Council.
10. The erection of any buildings on the site shall not occur until such time as they are able to connect to:
  - a) A reticulated water supply; and
  - b) A reticulated sewerage system.
11. That all buildings and structures shall be designed and located to meet the following parameters:
  - a) Maximum height of a building – 15 metres
  - b) Minimum setback of building(s) from roads – 10 metres
  - c) Maximum height of a lighting pole – 25 metres

## **Attachments**

1. Approved Plans (Buchan, Drawing No. RC-AR-1120, dated 19/04/2021).

## **Notes to the Consent Holder**

### *Lapse Period*

- a) Pursuant to section 125 of the Resource Management Act 1991, if not given effect to, this resource consent shall lapse five years after the date of this decision unless a longer period is specified by the Council upon application under section 125 of the Act.

### *Retailing*

- b) In relation to Condition 2 and 3, the Selwyn District Council will monitor tenants in terms of their compliance with Rule 22.10.1.3 of the Operative Selwyn District Plan, including (but not limited to) the minimum GFA of an individual tenancy, the cumulative GFA of the LFR activity within the identified LFR area identified on the Outline Development Plan included as Appendix 43 to the operative Selwyn District Plan.



- c) No assessment has been undertaken of the example tenancies in terms of the District Plan rules as the applicant states that all future tenancies will comply with the District Plan rules.

#### *Other Consents Required*

- d) The application was made and considered on the basis that the proposed activity will either comply with signage and hazardous substances rules, or alternatively a separate resource consent applied for in the future once additional detail is known. On that basis this consent explicitly excludes the consideration of such matters.

#### *Monitoring*

- e) In accordance with section 36 of the Resource Management Act 1991, the Council's standard monitoring fee has been charged.
- f) If the conditions of this consent require any reports or information to be submitted to the Council, additional monitoring fees for the review and certification of reports or information will be charged on a time and cost basis. This may include consultant fees if the Council does not employ staff with the expertise to review the reports or information.
- g) Where the conditions of this consent require any reports or information to be submitted to the Council, please forward to the Council's Compliance and Monitoring Team, [compliance@selwyn.govt.nz](mailto:compliance@selwyn.govt.nz)
- h) Any resource consent that requires additional monitoring due to non-compliance with the conditions of the resource consent will be charged additional monitoring fees on a time and cost basis.

#### *Vehicle Crossings*

- i) Any new or upgraded vehicle crossing requires a vehicle crossing application from Council's Assets Department prior to installation. For any questions regarding this process please contact [transportation@selwyn.govt.nz](mailto:transportation@selwyn.govt.nz). You can use the following link for a vehicle crossing information pack and to apply online: <http://www.selwyn.govt.nz/services/roading/application-to-form-a-vehicle-crossing-entranceway>

#### *Building Act*

- j) This consent is not an authority to build or to change the use of a building under the Building Act. Building consent will be required before construction begins or the use of the building changes.

#### *Regional Consents*

- k) This activity may require resource consent from Environment Canterbury. It is the consent holder's responsibility to ensure that all necessary resource consents are obtained prior to the commencement of the activity.

#### *Impact on Council Assets*

- l) Any damage to fixtures or features within the Council road reserve that is caused as a result of construction or demolition on the site shall be repaired or reinstated and the expense of the consent holder.


#### *Development Contributions*

- m) Development contributions may be applicable on this resource consent in accordance with the private Developers Agreement in place between Selwyn District Council, Rolleston Industrial Holdings Limited and Rolleston Industrial Developments Limited.

Any development contributions would be calculated and assessed under the Developers Agreement at the time of building consent application, and payable after the first building inspection.


<b>Reported and recommended by</b>	<b>Date: 13 July 2021</b>
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 <b>Nick Boyes</b> Consultant Planner	
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## Decision

That the above recommendations be adopted under delegated authority.

 <b>Rosie Flynn, Team Leader Resource Consents</b>	<b>Date: 20 July 2021</b>
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## **Appendix 5**

### **Resource Consent RC205509 (Non-retail)**



## Sections 95A-E, 104A-D, 108 Resource Management Act 1991



Report pursuant to section 42A of the Resource Management Act 1991 recommending whether an application for resource consent should be:

- Publicly notified, limited notified or non-notified
- Granted or declined, and if granted, the conditions of the consent

Decision pursuant section 113 of the Resource Management Act 1991

**Author:** Andrew Henderson

**Position:** Consultant Planner

**Resource Consent Number:** RC205509.

<b>APPLICANT:</b>	Rolleston Industrial Holdings Limited
<b>PROPOSAL:</b>	To establish and operate a large format membership warehouse outlet (Costco). Consent is sought in relation to the earthworks required for the physical development of the site and buildings and for waste generation volumes associated with the activity.
<b>LOCATION:</b>	IPort
<b>LEGAL DESCRIPTION:</b>	Lot 982 DP 518071 being 6.3 hectares in area more or less, as contained in Record of Title 811037.
<b>ZONING:</b>	The property is zoned Business 2A under the provisions of the Operative District Plan (Townships) Volume
<b>STATUS:</b>	This application has been assessed as a land use consent for a Discretionary activity under the District Plan. As such the relevant provisions of the District Plan (Townships) Volume and the Resource Management Act 1991 have been taken into account
This application was formally received by the Selwyn District Council on 1 September 2020. Assessment and approval took place on 11 September 2020 under a delegation given by the Council.	

## Introduction

1. The applicant proposes to establish and operate a large format membership warehouse outlet (Costco). Consent is sought in relation to the earthworks required for the physical development of the site and buildings and for waste generation volumes associated with the activity. The activity itself is a permitted activity under the applicable zoning and rules.



## Background

2. The proposed activity is best described as a large format membership warehouse outlet, a business known as 'Costco'. Costco operates on a membership basis and is only open to members (over the age of 18 and not general members of the public). The activity undertaken by Costco does not fall within the definition of 'Retail' in the Selwyn District Plan as it does not satisfy the requirement that it include the '*displaying or offering goods for sale to the public*'. In brief, as Costco limits purchasing to members only, and to those over 18 (according to its own website), it is considered to fall outside this definition.
3. The built development proposed comprises a new single storey building with a total gross floor area of 13,900m<sup>2</sup>. The building is proposed to accommodate a large format membership warehouse outlet (Costco). The balance of the site will be provided with car parking, vehicle circulation and landscaping. Landscaping includes a strip along the site's road frontage.
4. Parking is provided on site for a total of 872 vehicles (847 car parks, 25 mobility parks and 1 HGV bay), with three separate vehicle accesses provided. In addition, six double cycle stands are proposed for bicycle parking.
5. It is stated in the AEE that the occupation of the building on the site will not occur until such time that it is able to connect to a reticulated water supply and reticulated sewage treatment and disposal system.
6. Approval was originally sought through an application for a Certificate of Compliance. However, advice received by the Applicant from their project architect indicated that the proposal would likely breach the earthworks rules and that the limit on the volume of waste produced may exceed the limits in the Plan. Consent has accordingly been sought for these breaches.

## Description of the Existing Environment

7. The application site is legally described as Lot 982 DP 518071 being 6.3 hectares in area more or less, as contained in Record of Title 811037.
8. The application site is part of the applicant's wider landholding of approximately 95 hectares known as 'I Port' which extends north to Maddisons Road and to a property boundary approximately 700m east of Hoskyns Road. This area is being progressively developed as an industrial and logistics centre, with a large format retail centre to be focused around the Hoskyns Road/Jones Road intersection.
9. In the vicinity of the site, the established Izone industrial park is located on the western side of Hoskyns Road and is zoned Business 2 or Business 2A. To the north and the west of the site is Business 2A zoned land which is also owned by the applicant and is in the early stages of development. Further to the east is the recently established inland port facility (owned by Lyttelton Port Company) known as Midland Port, with associated vehicle and rail connections.

## Operative Selwyn District Plan

10. The Selwyn District Plan ('the District Plan') was made operative on 03 May 2016. Under the District Plan the application site is zoned Business 2A.

### Business 2A Rule Assessment

11. The following activities are a permitted activity in the Business 2A zone where the relevant criteria are met:



RULE	TOPIC	COMPLIANCE
13.1.4 and 13.1.7	Business Zone – Status of Activities	<b>Complies</b> None of the listed activities are proposed.
14.1.1	Earthworks within the Business Zone	<b>Does not comply</b> Earthworks for the proposed development will be designed and undertaken in compliance with the requirements set out in Rule 14.1.1, however as they will exceed 5,000m <sup>3</sup> the earthworks do not comply with Rule 14.1.1.5(a).
15.1 and 15.2	Protected trees and heritage buildings, structures or sites	<b>Complies</b> There are no protected trees, heritage buildings, structures or sites affected by the proposal.
16.1	Buildings and the area between the road boundary and the principal building	<b>Complies</b> The proposal complies with Rule 16.1.1 as the area between the road boundary and the principal building will be paved or sealed.
16.1.2	Landscaping strip	<b>Complies</b> A landscaping strip over 3m in width is provided along the road boundaries with landscaping compliant with the identified requirements.
16.3.1	In all business zones the erection of any dwelling or principal building connected to a reticulated water supply shall be a permitted activity	<b>Complies</b> Buildings will not be erected until such time that they are able to connect to a reticulated water supply in accordance with Rule 16.3.1.
16.4.1	In the business zones at Rolleston the erection of any dwelling or principal building shall be a permitted activity provided that it is connected to a reticulated sewage treatment and disposal system	<b>Complies</b> Buildings will not be erected until such time that they are able to connect to a reticulated sewage treatment and disposal system in accordance with Rule 16.4.1.
16.6.2	Any building or structure which complies with the maximum height standards in Table C16.2	<b>Complies</b> The building will comply with Table C16.2 which provides for 15m building heights within the Business 2 Zone.



	shall be a permitted activity	
16.7.1	Any building which complies with the relevant recession plan requirements set out in Appendix 11 shall be a permitted activity	<b>Complies</b> Recession planes do not apply to the site.
16.7.2	Any building which complies with the minimum setback distances from site boundaries shall be a permitted activity	<b>Complies</b> The proposed building will be >10m from road boundaries and does not adjoin any rural properties along the internal boundaries.
17.2	Vehicle Accessways	<b>Complies</b> The site has access to a legal road and does not take access to Railway Road. The site is reasonably flat and will comply with slope requirements. In addition, the access does not serve more than six sites and all roads used for access are Local Roads.
17.3	Vehicle Crossings	<b>Complies</b> The access, car park and loading area will be sealed. The site does not access Hoskyns Road and does not access directly onto a State Highway or arterial road. As the site is within the Business 2A zone, it is exempt from Rule 17.3.6.
17.4	Traffic Sight Lines	<b>Complies</b> The building does not encroach within the line of sight for any railway crossing.
17.5	Vehicle Parking & Cycle Parking	<b>Complies</b> The proposal provides for a total of 872 car parks (including mobility spaces and on-site loading space) and provides six double-sided cycle stands.
17.6	Road/ Rail Crossings in the B2A Zone	<b>Complies</b> No road or rail crossing is proposed within this area.
E13.1	Parking Requirements	<b>Complies</b> The proposal has been assessed as slow trade and bulk goods retail for the purposes of determining the car parking requirements on the basis that this is the closest category definition fitting the



		<p>proposal. There is 13,900m<sup>2</sup> gross floor area and outdoor display area, with a requirement of 2.5 spaces per 100m<sup>2</sup>. This leads to a minimum requirement of 348 carparks. Over 800 parks are proposed. Parking will be available during the hours of operation and the parking and loading is on the same site as the proposed activity. The site is flat, and the Applicant has confirmed that the parking areas will comply with the required on-site gradients and design requirements.</p>
E13.2	Vehicle Accessways & Crossings	<p><b>Complies</b></p> <p>There are no height obstructions that would impede vehicle access. No part of the vehicle crossing is located within 30m of an intersection, and the crossing is greater than 30m from a railway line. Fence and landscape restrictions will be imposed to ensure visibility is achieved. There will be a maximum of three crossings with a maximum width of 12m, which complies with the relevant standards.</p>
21.1	Waste	<p><b>Does not comply</b></p> <p>The proposed activities may generate greater than 3 cubic metres of solid waste on average per week over a year, and therefore it does not comply with Rule 21.1.1.</p>
22.4.1	Business Zone Noise Limits	<p><b>Complies</b></p> <p>The applicant advises that activities on site will be managed so as to achieve compliance with the noise performance standards set out in Rule 22.4.1</p>
22.5.1	Business Zone Lighting	<p><b>Complies</b></p> <p>The applicant advises that activities and lighting on the site will be designed and managed so as to achieve compliance with the lighting standards set out in Rule 22.5.1.</p>
22.9.1	Activities along the common boundary of the Business 2A Zone and the Rural Zone	<p><b>Complies</b></p> <p>The proposal does not entail development or activity along the common boundary of the Business 2A Zone and the Rural Zone.</p>
22.10	Activities in the Business 2A Zone at Rolleston	<p><b>Not applicable</b></p> <p>The proposal does not entail activities listed in Rule 22.10.1.3(a)-(f) or 'retail</p>



activity' (as defined in the District Plan. Therefore, the activity does not fall to be determined by Rule 22.10.

Table 2 – District Plan compliance, land use rules

### Reasons for Consent

12. Rule 14.1.1 states that any earthworks activity shall be a permitted activity if the conditions outlined in Rules 14.1.1.1 to 14.1.1.8 (inclusive) can be complied with. The proposed earthworks will comply with all of these rules apart from Rule 14.1.1.5 as the earthworks will exceed 5000m<sup>3</sup>. Resource consent is therefore required for a **discretionary activity** pursuant to Rule 14.1.2.
13. Rule 21.1.1 states that any activity, that is not a residential activity, which generates 3 cubic metres or less of solid waste on average per week over a year shall be a permitted activity. The proposed activities may generate greater than 3 cubic metres of solid waste on average per week over a year and therefore does not comply with Rule 21.1.1. Resource consent is therefore required for a **restricted discretionary activity** pursuant to Rule 21.1.2.
14. Overall, the land use proposal is a **Discretionary** activity under the District Plan.

## National Environmental Standards

### National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

15. Although the proposal is a change of use of the site, a Preliminary Site Investigation submitted with a separate application (165366) states that there is no evidence of HAIL uses or activities or contamination risks on the application site. Therefore, the NES for Assessing and Managing Contaminants in Soil to Protect Human Health does not apply.

## Notification

16. Sections 95A-E of the Act set out the process for determining whether an application should be processed on a notified, limited notified or non-notified basis. The following assessment considers whether public or limited notification is required or precluded.

### Public Notification

17. The proposal is not subject to mandatory public notification because:
  - The applicant has not requested public notification;
  - Public notification is not required under section 95C RMA (following a request for further information; and
  - The application has not been made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act
18. Public notification is precluded because:
  - The proposal is not subject to one or more rules or national environmental standards that preclude public notification; or
  - The application is not for one or more of the following, but not other, types of activities
    - A controlled activity;
    - A restricted discretionary or discretionary activity that is a "residential activity" (as defined in section 95A of the RMA) or a subdivision of land;



- A restricted discretionary, discretionary or non-complying activity that is a boundary activity; or
- An activity prescribed in regulations made under section 360H(1)(a)(i) of the RMA (if any) precluding public notification.

19. Public notification is not required because:

- The proposal is not subject to any rules or national environmental standards that require public notification; and
- For the reasons discussed in section the Assessment of Effects on the Environment below, the activity is unlikely to have adverse effects on the wider environment at that are more than minor.

20. There are no special circumstances that would warrant public notification.

21. In summary, public notification is not required for this application.

### **Limited Notification**

22. There are no affected protected customary rights groups or affected customary marine title groups in relation to this proposal and the proposal is not on or adjacent to that is subject to a statutory acknowledgement made in accordance with the Ngai Tahu Claims Settlement Act 1998.

23. Limited notification is not precluded because

- The proposal is not subject to one or more rules or national environmental standards that preclude limited notification; and
- The application is not for either or both of the following activities, but no other activities:
  - A controlled activity, that requires consent under a district plan (other than a subdivision);
  - An activity prescribed in regulations made under section 360H(1)(a)(ii) of the RMA (if any) precluding limited notification

24. As discussed further in the Assessment of Effects on the Environment below, the proposal is considered to have less than minor adverse effects on any party.

25. There are no special circumstances that would warrant the limited notification of any other persons not already deemed to be affected parties.

26. In summary, limited notification is not required for this application.

### **Matters to be Considered**

27. Section 104(1) of the Resource Management Act 1991 sets out the matters which must be considered by Selwyn District Council in considering an application for resource consent. In this case the relevant matters are:

- Any actual and potential effects of allowing the activity (s104(1)(a));
- The Canterbury Regional Policy Statement (s104(1)(b)); and
- Any Plan or Proposed Plan (s104(1)(b))
- The permitted baseline (section 104(2))



28. All matters listed in s104(1) are subject to Part 2 of the Act which contains its purposes and principles.
29. In addition, the following section(s) apply to the consideration of this consent.

### **Section 104B – Determination of applications for discretionary activities**

30. After consideration of an application for a discretionary or non-complying activity, a consent authority may grant or refuse the application and if granted, may impose conditions under section 108.

## **Assessment of Effects on the Environment**

### **Relevant Assessment Matters**

31. As a discretionary activity, the Council's assessment is unrestricted and all actual and potential effects of this proposal must be considered. Relevant guidance is contained in the reasons for the rules breached and the relevant assessment matters as to the effects that require consideration.
32. With regard to the applicant's proposal, the actual and potential effects of the proposal on the environment relate primarily to earthworks effects and waste management.

### *Permitted Baseline*

33. Section 104(2) of the RMA directs that the decision maker may disregard an adverse effect on the environment of an activity if a rule in the District Plan permits an activity with that effect, a concept known as the permitted baseline. The application of the permitted baseline is discretionary and case law has established that the permitted baseline test relates to the effects of non-fanciful hypothetical activities which could be carried out as of right under the District Plan, as well as any existing lawfully established activity on the site or any activity for which resource consent has been granted.
34. The District Plan permits earthworks up to 5,000m<sup>3</sup> per project and up to 3m<sup>3</sup> of waste per week, which forms a relevant permitted baseline against which to assess the proposed activity.

### *Assessment*

35. Potential noise nuisance or disturbance effects from truck movements, site works etc. associated with the earthworks will be short term and temporary. As the earthworks are distant from sensitive receptors and are alongside other areas that will be subject to construction works, visual amenity effects will be short term and temporary and will not be significant. The works will not affect the stability of adjoining land or surface drainage patterns given the nature and flat contour of the site.
36. The proposal will not alter existing ground levels such that the resultant levels are inconsistent with the surrounding environment. In addition, the earthworks will not result in changes to visual amenity, landscape context and character, views, outlook, overlooking and/or privacy from other properties. The applicant will prepare an Erosion and Sediment Control Plan (ESCP) as part of the building consent which will control any potential nuisance impacts associated with sedimentation and dust. With appropriate controls in place, the effects of nuisance from earthworks will be negligible.
37. The forms of waste will likely include packaging and other general waste and sewage. The applicant notes that waste will be managed through a combination of waste-reduction, recycling and disposal, and notes it is likely that a significant proportion of waste will be recyclable (i.e. cardboard and paper). Sewage waste from the site will be removed from the site, treated and disposed of appropriately through Council's reticulated wastewater infrastructure. The applicant has offered a consent condition to prepare a Waste Management Plan prior to the



commencement of the activity to ensure that the future occupiers of the site operate in accordance with the waste management plan. With appropriate controls in place, the effects of waste management are considered to be negligible.

### *Positive Effects*

38. The proposal will enhance the character and amenity values of the Business zone, and the activities are considered compatible with the existing character and enhances the quality of the environment. Given the surrounding environment and compatibility with the surrounding development the proposal is deemed consistent with the existing nature of developments in the IPort area.

### **Summary – Assessment of Environmental Effects**

39. Overall, I consider that the environmental effects of this proposal will be less than minor.

## **District Plan Objectives and Policies**

40. The objectives and policies that I consider relevant are:

### Objective B3.4.2

*A variety of activities are provided for in townships, while maintaining the character and amenity values of each zone.*

### Policy B3.4.2

*To provide for any activity to locate in a zone provided it has effects which are compatible with the character, quality of the environment and amenity values of that zone.*

### Policy B3.4.5(b)

*To provide a Business 2A Zone which can cater for business activities requiring large footprint buildings and/or sites but which have sufficient provisions to safeguard people's health and well-being and avoid pollution of natural resources or potential 'reverse sensitivity' effects.*

41. As previously discussed, in the context of the application site, the effects of the proposal are considered to be less than minor. The proposal is consistent with the objectives and policies of the zone. The proposal will enhance rather than diminish the character and amenity values of the zone, noting in particular that the proposed building and activities proposed are considered to be permitted activities in the Zone. The effects of the proposed activity are considered to be compatible with the character, quality of the environment and amenity values anticipated in the zone.

### **Summary – District Plan Objectives and Policies**

42. Overall, I consider the proposal to be consistent with the objective and policies of the District Plan (Townships Volume).

## **Canterbury Regional Policy Statement**

43. This proposal is not considered to be of a nature or scale that challenges the provisions of the Regional Policy Statement.



## Greater Christchurch Regeneration Act 2016 and the Land Use Recovery Plan

44. The Greater Christchurch Regeneration Act (GCR Act) came into force on 19 April 2016 and replaces the Canterbury Earthquake Recovery Act 2011, which was repealed on the same date.
45. The application site is within Greater Christchurch, as defined by the Act (within Selwyn, Springs and Selwyn Central Wards). As such, the GCR Act needs to be considered in relation to this application.
46. The Land Use Recovery Plan (LURP) applies to the Greater Christchurch area. It was approved by the Minister for Canterbury Earthquake Recovery and gazetted on 6 December 2013. Although prepared under the Canterbury Earthquake Recovery Act 2011, the LURP is a Recovery Plan under s4 of the GCR Act and so needs to be considered in relation to this application.
47. The LURP considers the impacts of the earthquakes on residential and business land use and provides a pathway for the transition from rebuild to longer term planning. The LURP sets a policy and planning framework necessary to:
  - Rebuild existing communities
  - Develop new communities
  - Meet the land use needs of businesses
  - Rebuild and develop the infrastructure needed to support these activities
  - Take account of natural hazards and environmental constraints that may affect rebuilding and recovery.
48. The LURP identifies what needs to be done in the short and medium term to co-ordinate land use decision-making, identifies who is responsible and sets timelines for carrying out actions. It directs amendments to be made to Environment Canterbury's Regional Policy Statement, the Christchurch City Plan, the Selwyn District Plan and the Waimakariri District Plan.
49. When considering an application for a resource consent for a restricted discretionary, discretionary or non-complying activity, any person exercising powers or performing functions must not make a decision or recommendation that is inconsistent with the LURP (s60 of the GCR Act).
50. The required amendments to the Regional Policy Statement and the District Plan have been made, and so any application that is not inconsistent with these documents is also not inconsistent with the GCR Act and the LURP.
51. As outlined in earlier in this report, I consider that the application is consistent with the objectives and policies of both the District Plan and the Regional Policy Statement. As such, the application is consistent with the Greater Christchurch Regeneration Act 2016 and the Land Use Recovery Plan and may be considered for approval.

## Part 2 Resource Management Act 1991

52. The purpose of the Resource Management Act 1991 is to promote the sustainable management of natural and physical resources. In summary enabling people and communities to provide for their well-being, while sustaining resources and addressing any adverse effects.
53. Based on the assessment in this report, it is my opinion that the proposal is in accordance with the purpose and principles of the Resource Management Act 1991.



## Development Contributions

54. The relevant development contributions will be required in accordance with the Local Government Act 2002. These contributions will be obtained through the Council's Long Term Plan (LTP) and charged in accordance with the attached table.

## Summary

55. This application is to establish and operate a large format membership warehouse outlet (Costco). Consent is sought in relation to the earthworks required for the physical development of the site and buildings and for waste generation volumes associated with the activity.
56. The application is considered to be consistent with the objectives and policies of the District Plan. Effects on the environment are considered to be less than minor.
57. In summary, it is recommended that the application be approved subject to conditions to mitigate actual and potential effects on the environment.

## Recommendations

- A. Resource consent RC205509. be processed on a **non-notified** basis in accordance with sections 95A-F of the Resource Management Act 1991; and
- B. Resource consent RC205509. be **granted** pursuant to sections 104 and 104B of the Resource Management Act 1991 subject to the following conditions imposed under section 108 of the Act:
1. That the development shall proceed in general accordance with the information submitted with application on 1 September 2020 except where another condition of this consent must be complied with.
  2. There shall be no occupation of the building until such time that it is able to connect to a reticulated water supply and reticulated sewage treatment and disposal system.
  3. Prior to the commencement of the activity on the site the consent holder shall submit to the Selwyn District Council for the approval of the Planning Manager a Solid Waste Management Plan. The Solid Waste Management Plan shall include but not be limited to:
    - 3.1. Methods that will be employed to minimise waste generated by the activity.
    - 3.2. Methods for the management and disposal of waste that will avoid or mitigate adverse effects on the environment.

## Attachments

1. Application Plans

## Development Contributions (Land Use)

Development contributions are not conditions of this resource consent and there is no right of objection or appeal under the Resource Management Act 1991. Objections and applications for reconsideration can be made under the Local Government Act 2002.

The consent holder is advised that pursuant to the Local Government Act 2002 and the Council's Development Contribution Policy there will be contributions to be paid in respect of this development before the issue of a code compliance certificate under section 95 of the Building Act



2004. These contributions will be assessed and provided to the consent holder within two weeks of the date of this consent.

Please contact our Development Contributions Assessor on 03 347 2800 or at [development.contributions@selwyn.govt.nz](mailto:development.contributions@selwyn.govt.nz) .

« Insert table here Click here to enter text. Insert table here »

## Notes to the Consent Holder

### *Lapse Period (Land Use Consents)*

- a) Pursuant to section 125 of the Resource Management Act 1991, if not given effect to, this resource consent shall lapse five years after the date of this decision unless a longer period is specified by the Council upon application under section 125 of the Act.

### *Monitoring*

- b) In accordance with section 36 of the Resource Management Act 1991, the Council's standard monitoring fee has been charged.
- c) If the conditions of this consent require any reports or information to be submitted to the Council, additional monitoring fees for the review and certification of reports or information will be charged on a time and cost basis. This may include consultant fees if the Council does not employ staff with the expertise to review the reports or information.
- d) Where the conditions of this consent require any reports or information to be submitted to the Council, please forward to the Council's Compliance and Monitoring Team, [compliance@selwyn.govt.nz](mailto:compliance@selwyn.govt.nz)
- e) Any resource consent that requires additional monitoring due to non-compliance with the conditions of the resource consent will be charged additional monitoring fees on a time and cost basis.

### *Vehicle Crossings*

- f) Any new or upgraded vehicle crossing requires a vehicle crossing application from Council's Assets Department prior to installation. For any questions regarding this process please contact [transportation@selwyn.govt.nz](mailto:transportation@selwyn.govt.nz). You can use the following link for a vehicle crossing information pack and to apply online: <https://www.selwyn.govt.nz/services/roads-And-transport/application-to-form-a-vehicle-crossing-entranceway>

### *Building Act*

- g) This consent is not an authority to build or to change the use of a building under the Building Act. Building consent will be required before construction begins or the use of the building changes.


### *Regional Consents*

- h) This activity may require resource consent from Environment Canterbury. It is the consent holder's responsibility to ensure that all necessary resource consents are obtained prior to the commencement of the activity.

### *Impact on Council Assets*

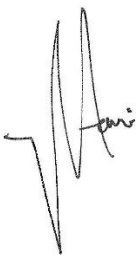
- i) Any damage to fixtures or features within the Council road reserve that is caused as a result of construction or demolition on the site shall be repaired or reinstated and the expense of the consent holder.



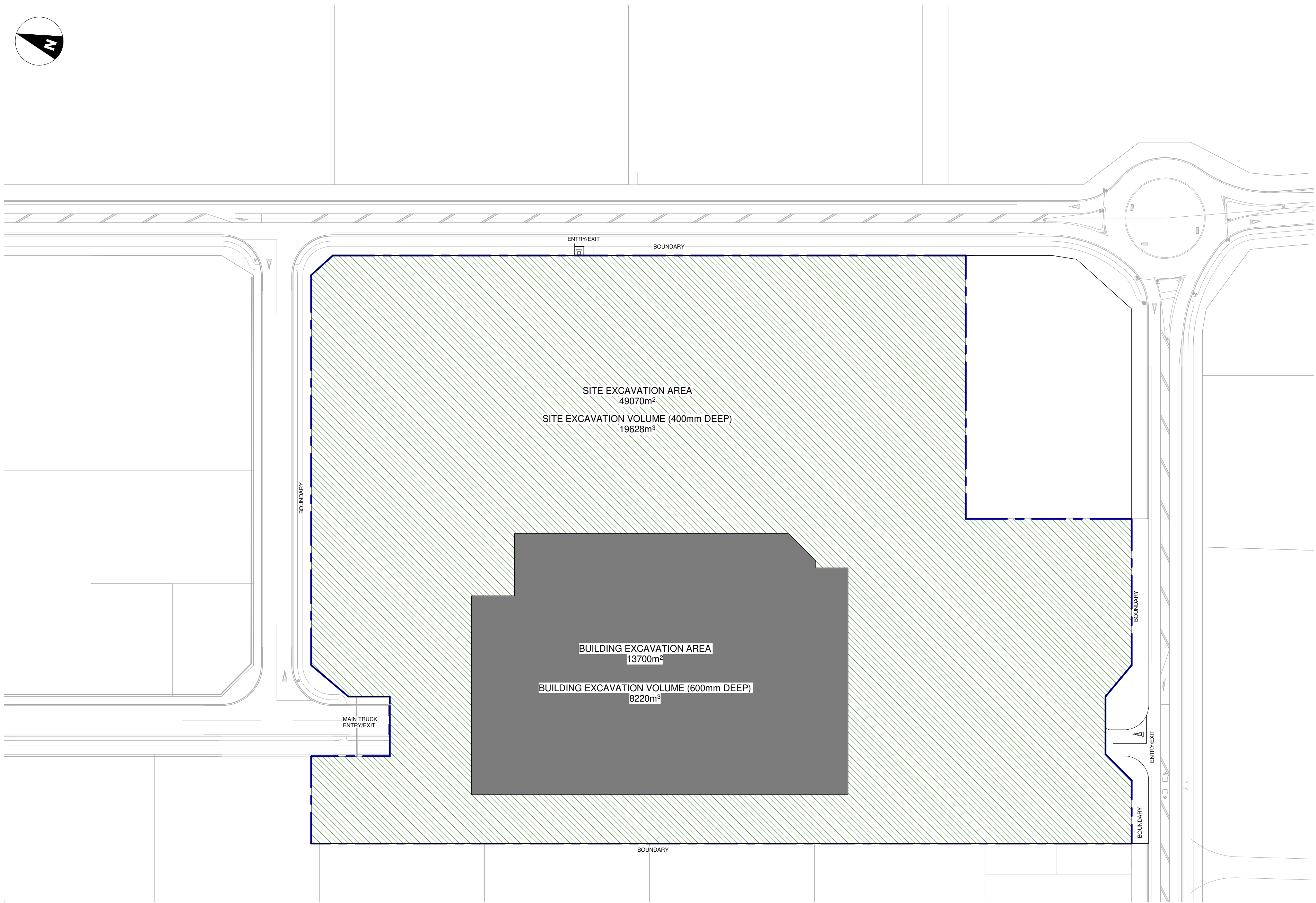
<p><b>Reported and recommended by</b></p>  <p><b>Andrew Henderson</b> Consultant Planner</p>	<p><b>Date: 11 September 2020</b></p>
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## Decision

That the above recommendations be adopted under delegated authority.

 <p><b>Tim Harris, Environmental and Regulatory Services Manager</b></p>	<p><b>Date: 11 September 2020</b></p>
---	---------------------------------------







AS APPROVED BY  
SELWYN DISTRICT COUNCIL  
Planning Department  
  
RESOURCE CONSENT  
RC205509  
  
11/09/2020 mayesr

1 EXCAVATION PLAN  
1 : 1000

- EXCAVATION NOTES**
- Earthworks shall not result in a vertical cut face where more than 5% of the total vertical cut is over 2 metres.
  - Any disturbed or stockpiled material is to be kept moist until it has consolidated
  - Any stockpiled material is to be kept consolidated or covered to avoid sediment run-off from rainfall
  - Buildings, sealing, landscaping and/or recontouring shall be completed no more than 12 months after earthworks commence, except in the case of landscaping and planting which shall be undertaken during the first planting season following the completion of the earthworks.
  - Any earthworks undertaken shall comply with NZS 4431 Code of Practice for Earth Fill for Residential Development.

EXCAVATION TABLE	
	SITE EXCAVATION 49070m² * 0.4m = 19 628m³
	BUILDING EXCAVATION 13700m² * 0.6m = 8220m³

Revisions Schedule		
Rev	Description	Date
PRELIMINARY		



PROJECT: COSTCO ROLLESTON

CLIENT: Rolleston Industrial Holdings Limited  
No.

DRAWING: EXCAVATION PLAN

SCALE: As indicated @ A1

ISSUE DATE:  
PRINT DATE: 26/08/2020 5:49:02 p.m.  
DRAWING NO. A103 REVISION ☐ DWN BY

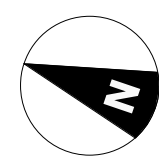
DRAWING STATUS:  
FOR CONSENT ☐ FOR INFORMATION ☒  
FOR TENDER ☐ FOR CONSTRUCTION ☐

LEVEL 2, ASB HOUSE 03 379 3663  
THE CROSSING info@wilsonandhill.co.nz  
P. O. BOX 3964 www.wilsonandhill.co.nz  
CHRISTCHURCH

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DO NOT SCALE - ALL DIMENSIONS TO BE CONFIRMED ON SITE

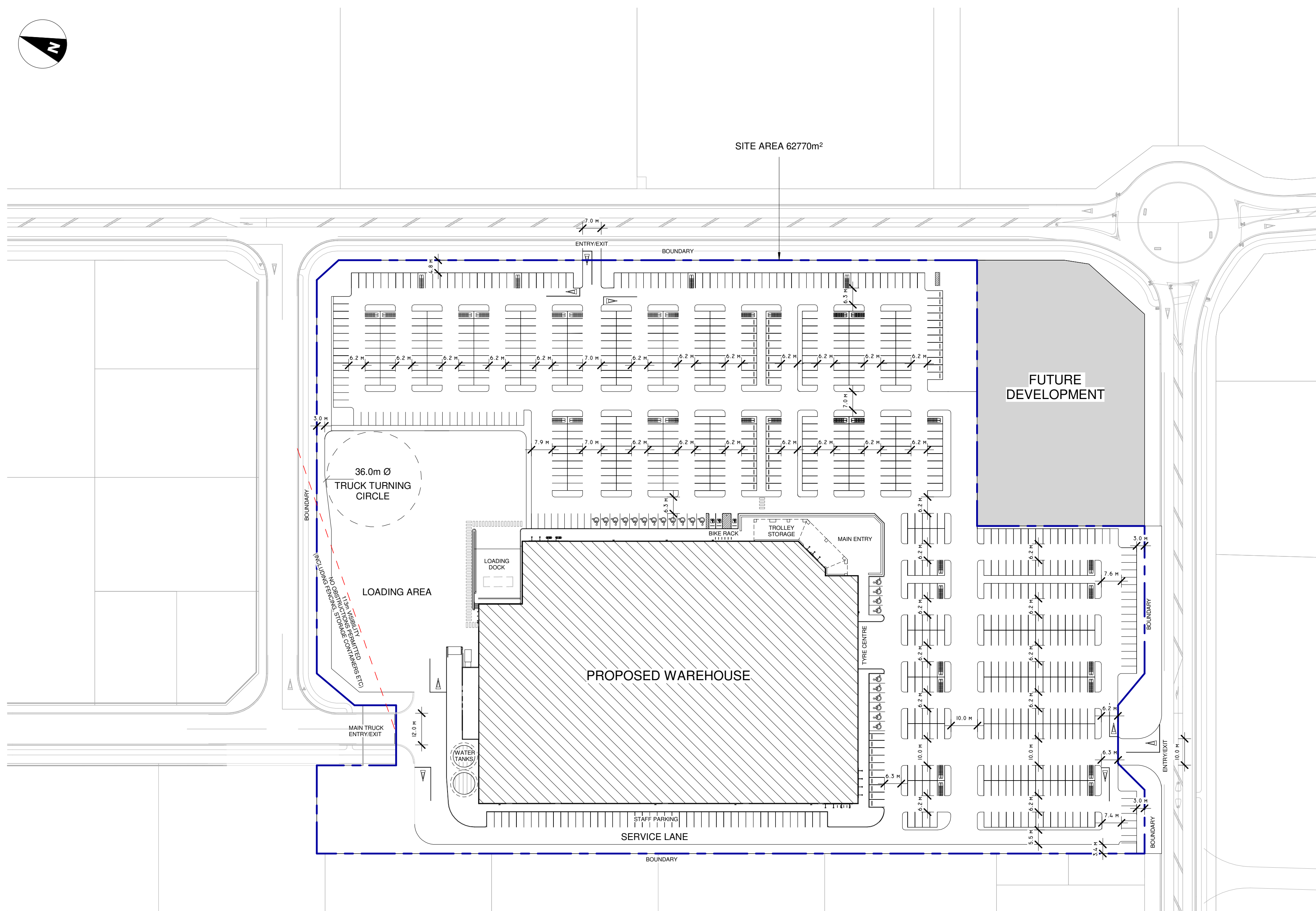




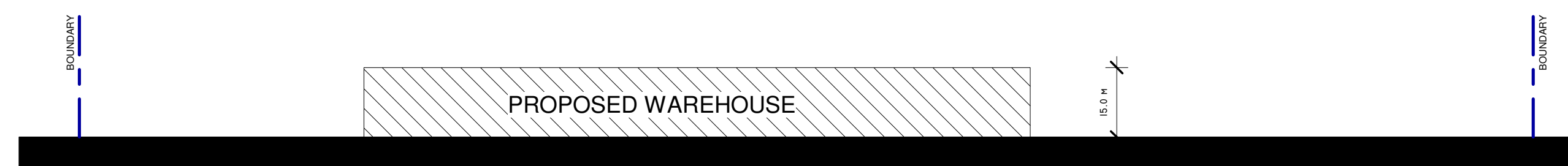
AS APPROVED BY  
SELWYN DISTRICT COUNCIL  
Planning Department

RESOURCE CONSENT  
RC205509

11/09/2020 mayesr



- NOTES:**
- ON-SITE PARKING TO BE AT A GRADIENT NO GREATER THAN 1:20
  - MAXIMUM ACCESS GRADIENT TO BE '1' IN 6'
  - LIGHTING OF CARPARKING AREAS TO BE PROVIDED TO ACHIEVE A MINIMUM OF 2 LUX AND A HIGH UNIFORMITY
  - MOBILITY CAR PARK LOCATIONS ARE INDICATIVE ONLY, AND ARE TO BE LOCATED AS CLOSE AS POSSIBLE TO THE ENTRANCE TO BUILDINGS AS PRACTICAL
  - CYCLE SPACES TO BE PROVIDED IN ACCORDANCE WITH APPENDIX 13.14 OF THE DISTRICT PLAN
- NOTES:**
- LANDSCAPING 'STRIP' OF AT LEAST 3m (WIDTH) SHALL BE PROVIDED ALONG THE ROAD BOUNDARY
  - LANDSCAPING SHALL CONSIST OF ONLY THOSE SPECIES LISTED IN APPENDIX 21 (SELWYN DISTRICT PLAN)
  - A MINIMUM OF 2 TREES FROM 'GROUP A' FOR EVERY 10m OF ROAD FRONTAGE
  - MIN. 35% OF THE REQUIRED AREA SHALL BE PLANTED IN SPECIES FROM 'GROUP C' MIN. 10% OF THE REQUIRED AREA SHALL BE PLANTED IN SPECIES FROM 'GROUP D'
  - ALL PLANTS SHALL HAVE THE MAXIMUM SPACINGS: GROUP B/C - 1.5m CRS; GROUP D - 0.7m CRS
  - NO FENCES / STRUCTURES SHALL BE ERECTED WITHIN THE 3m LANDSCAPING STRIP
  - 1 TREE PER 5 CAR PARKING SPACES IS PROVIDED WITHIN ADJACENT TO THE CAR PARK
  - ALL NEW PLANTING AREAS SHALL BE MULCHED
  - ALL LANDSCAPING REQUIRED BY THIS CONSENT SHALL BE MAINTAINED, AND IF DEAD, DECEASED OR DAMAGED SHALL BE REMOVED AND REPLACED



ELEVATION  
1:1000 (A1)

Revisions Schedule		
Rev	Description	Date
A	ADJUSTED FOR ROAD CROSSING CLEARANCES	28/07/2020

PRELIMINARY



PROJECT: COSTCO ROLLESTON

CLIENT: Rolleston Industrial Holdings Limited  
No.

DRAWING: SITE PLAN

SCALE: 1 : 1000 @ A1

ISSUE DATE: 28/07/2020  
PRINT DATE: 4/08/2020 4:22:45 p.m.

DRAWING NO. A100 REVISION A DWN BY

DRAWING STATUS:  
FOR CONSENT ☒ FOR INFORMATION ☒  
FOR TENDER ☒ FOR CONSTRUCTION ☒

LEVEL 2, ASB HOUSE 03 379 3663  
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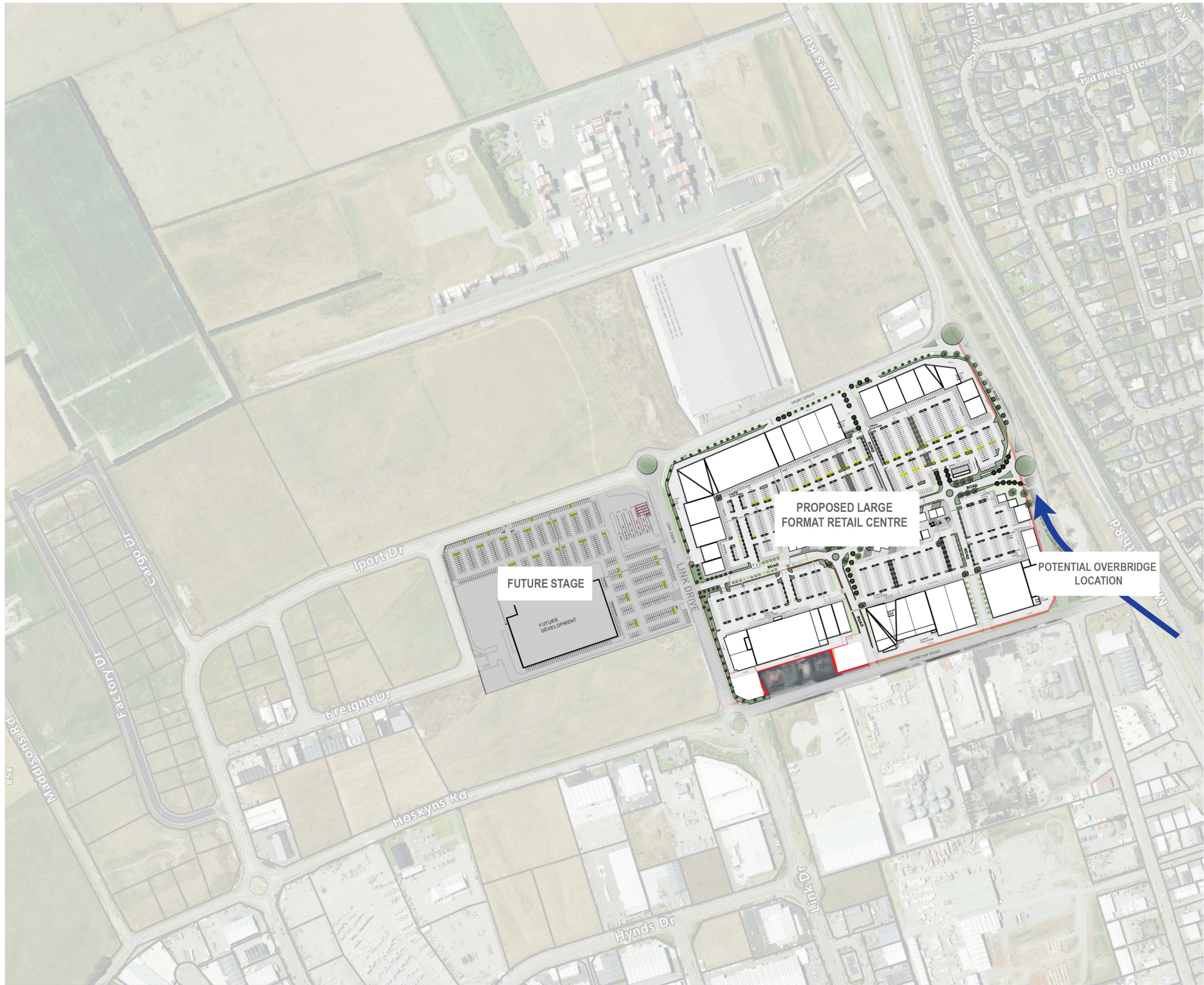




## **Appendix 6**

### **Application Plans**





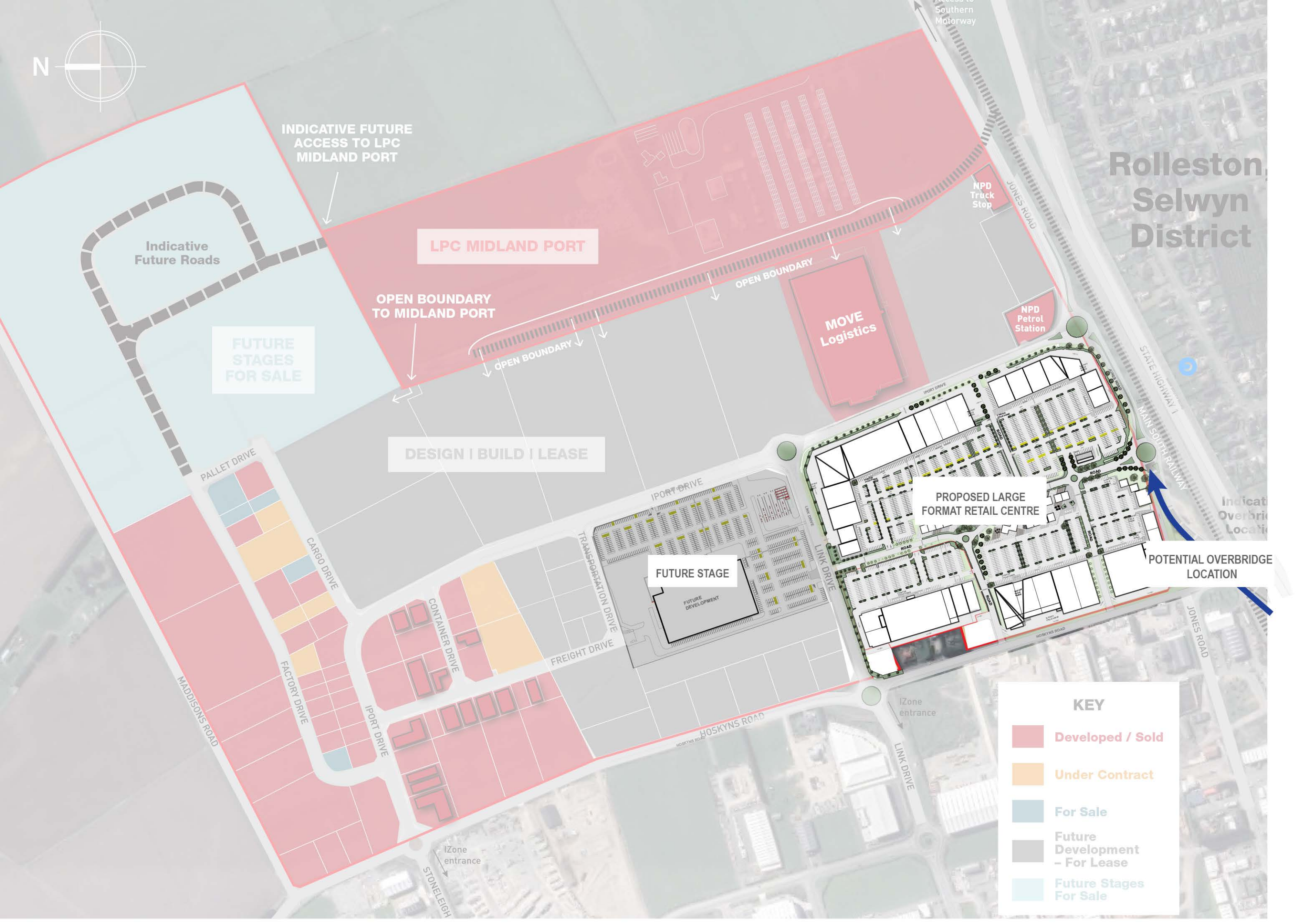
**WIDER IPORT  
MASTERPLAN**

SCALE: 1:5000





# Rolleston Selwyn District



**KEY**

Developed / Sold

Under Contract

For Sale

Future Development - For Lease

Future Stages For Sale

Indicative  
Future Roads

INDICATIVE FUTURE  
ACCESS TO LPC  
MIDLAND PORT

LPC MIDLAND PORT

OPEN BOUNDARY  
TO MIDLAND PORT

OPEN BOUNDARY

MOVE  
Logistics

NPD  
Truck  
Stop

NPD  
Petrol  
Station

FUTURE  
STAGES  
FOR SALE

DESIGN | BUILD | LEASE

FUTURE STAGE

PROPOSED LARGE  
FORMAT RETAIL CENTRE

POTENTIAL OVERBRIDGE  
LOCATION

Indicative  
Overbridge  
Location

IZone  
entrance

IZone  
entrance





- NOTES:
- A. THIS PLAN IS INDICATIVE ONLY, REFER TO B1-9 FOR DETAILS
- B. THE LANDSCAPING WILL MEET ALL CONSENT REQUIREMENTS INCLUDING THE FOLLOWING:
1. LANDSCAPING 'STRIP' OF ATLEAST 3m (WIDTH) SHALL BE PROVIDED ALONG THE ROAD BOUNDARY
  2. LANDSCAPING SHALL CONSIST OF ONLY THOSE SPECIES LISTED IN APPENDIX 21 (SELWYN DISTRICT PLAN)
  3. A MINIMUM OF 2 TREES FROM 'GROUP A' FOR EVERY 10m OF ROAD FRONTAGE
  4. MIN. 35% OF THE REQUIRED AREA SHALL BE PLANTED IN SPECIES FROM 'GROUP C' MIN. 10% OF THE REQUIRED AREA SHALL BE PLANTED IN SPECIES FROM 'GROUP D'
  5. ALL PLANTS SHALL HAVE THE MAXIMUM SPACINGS:  
GROUP B/C - 1.5m CRS;  
GROUP D - 0.7m CRS
  6. NO FENCES / STRUCTURES SHALL BE ERECTED WITHIN THE 3m LANDSCAPING STRIP
  7. 1 TREE PER 5 CAR PARKING SPACES IS PROVIDED WITHIN/ADJACENT TO THE CAR PARK
  8. ALL NEW PLANTING AREAS SHALL BE MULCHED
  9. ALL LANDSCAPING REQUIRED BY THIS CONSENT SHALL BE MAINTAINED, AND IF DEAD, DECEASED OR DAMAGED SHALL BE REMOVE AND REPLACED

INDICATIVE LANDSCAPE MASTERPLAN

IPORT LARGE FORMAT RETAIL CENTRE

SCALE	DATE
1:2000 @ A3	07.07.22















## **Appendix 7**

### **Compliance Assessment**





RULE	COMPLIANCE ASSESSMENT	STATUS
<b>PART C 13 BUSINESS ZONE RULES — STATUS OF ACTIVITIES</b>		
13.1.4	<p>13.1.4 Within the Business 2A Zone the following activities shall be controlled activities, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.</p> <ul style="list-style-type: none"> <li>(a) Meat processing</li> <li>(b) Cement manufacture</li> <li>(c) Hot mix, asphalt paving manufacture</li> <li>(d) Glass or fibreglass manufacture</li> <li>(e) Foundry processes, electroplating works, melting of metal, steel manufacture and galvanising</li> <li>(f) Natural gas, oil or petroleum distillation or refining</li> <li>(g) Manufacture of hardboard, chipboard or particle board</li> <li>(h) Timber treatment</li> <li>(i) Thermal power generation</li> <li>(j) Any other industry using the combustion of coal, wood or any other bio-mass for space heating or as a source of energy.</li> </ul> <p><b>Comment-</b> <i>Complies, none of the listed activities are proposed</i></p>	Permitted
13.1.7	<p>The following activities shall be discretionary activities in Business 2 and 2A Zones:</p> <p>13.1.7.1 Any activity which is specified in Rules 14 to 23, as a discretionary activity.</p> <p>13.1.7.2 Any of the activities listed in (a) to (g) below, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.</p> <ul style="list-style-type: none"> <li>(a) Any activity that requires an offensive trade licence issued under the Health Act 1956.</li> <li>(b) Audible bird-scaring devices</li> <li>(c) Forestry</li> <li>(d) Mineral exploration</li> <li>(e) Composting or disposal on to land of any organic matter (This rule does not apply to the application of compost or organic fertilizers to fertilise gardens or land).</li> <li>(f) Visitor accommodation</li> <li>(g) Hospitality activities</li> <li>(h) Tannery, fellmongering or hide curing, wool scouring or washing in the Business 2A Zone</li> <li>(i) Scrap yards – including automotive dismantling or wrecking yard or scrap metal yard in the Business 2A Zone.</li> </ul> <p><b>Comment-</b> <i>Complies, none of the listed activities are proposed.</i></p>	Permitted
RULE	COMPLIANCE ASSESSMENT	STATUS
<b>PART C 14 BUSINESS ZONE RULES — EARTHWORKS</b>		
14.1	<p>14.1.1 Any earthworks shall be a permitted activity if the following conditions are met:</p> <ul style="list-style-type: none"> <li>14.1.1.1 Any disturbed or stockpiled material is to be kept moist until it has consolidated, and</li> <li>14.1.1.2 Any stockpiled material is to be kept consolidated or covered to avoid sediment run-off from rainfall, and</li> <li>14.1.1.3 Any site subject to earthworks is to be:</li> </ul>	Discretionary





(a) Built upon; and/or

(b) Sealed; and/or

(c) Landscaped; or

(d) The land recontoured and replanted

No more than 12 months after the earthworks commencing, except in the case of landscaping and planting which shall be undertaken during the first planting season following the completion of the earthworks.

14.1.1.4 Earthworks are not to occur and material from earthworks is not to be deposited within:

(a) 20m of any waterbody listed in Appendix 12.

(b) 10m of any other waterbody (excluding aquifers).

14.1.1.5 Any earthworks has:

(a) A volume of not more than 5,000m<sup>3</sup> per project; and

(b) A vertical cut face where no more than 5% of the total vertical cut is over 2 metres.

14.1.1.6 Any earthworks are not for the purposes of creating or forming; a road, or access to serve any future allotment(s), unless the road or access forms part of an approved subdivision consent or is provided for within a designation.

14.1.1.7 Any earthworks undertaken on any site to be used to erect a building complies with NZS 4431 Code of Practice for Earth Fill for Residential Development.

14.1.1.8 The earthworks are not part of mining or mineral exploration.

**Comment-** Earthworks for the proposed development will be designed and undertaken in compliance with the requirements set out in rule 14.1.1, however they will likely exceed 5000m<sup>3</sup>.

14.1.2	Discretionary Activities — Earthworks	Discretionary
	14.1.2 The following shall be discretionary activities:	
	...14.1.2.2 Any activity which does not comply with any of Rules 14.1.1.1 – Rule 14.1.1.8.	

RULE	COMPLIANCE ASSESSMENT	STATUS
<b>PART C 15 BUSINESS ZONE RULES — HERITAGE</b>		

15	15.1 Protected Trees	Permitted
	15.2 Heritage buildings, structures or sites	
	<b>Comment-</b> There are no protected trees, heritage buildings, structures or sites affected by the proposal.	

RULE	COMPLIANCE ASSESSMENT	STATUS
<b>PART C 16 BUSINESS ZONE RULES — BUILDINGS</b>		

16.1.1	16.1.1 Except as provided in Rules 16.1.2 to 16.1.5 any principal building shall be a permitted activity if the area between the road boundary and the principal building is:	Permitted
	16.1.1.1 Paved or sealed; or	
	16.1.1.2 Planted in lawn; or	
	16.1.1.3 Landscaped with shrubs, bark chips or similar materials;	
	<b>Comment-</b> The proposal complies with this requirement, except as provided for in Rule 16.1.2 (see below).	





16.1.2	<p>16.1.2 Any principal building in the Business 2A Zone shall be a permitted activity if the following standard is met: 16.1.2.1 A landscaping strip of at least 3 metres width shall be provided along every road frontage except along the frontage with Railway Road and along the frontage of Jones Road identified within the Outline Development Plan at Appendix 43 where the provision of sightlines from rail crossings are required under Rule 17.4.1.2 and vehicle accessways required under Appendix E13. The Landscaping shall meet the following standards:</p> <p>(a) The landscaping shall consist of only those species listed in Appendix 21. Planting for each allotment shall include:</p> <ul style="list-style-type: none"> <li>– A minimum of two trees from Group A for every 10 metres of road frontage. For boulevard roads the species selected shall match any Group A species in the adjacent road reserve.</li> <li>– At least 35% of the required area shall be planted in species from Group C.</li> <li>– At least 10% of the required area shall be planted in species from Group D.</li> <li>– Group B and C species shall be used when screening tall blank walls and vehicle courts.</li> </ul> <p>(b) All plants shall be of the following maximum spacings:</p> <ul style="list-style-type: none"> <li>– Group B – 1.5 metre centres;</li> <li>– Group C – 1.5 metre centres;</li> <li>– Group D – 700mm centres.</li> </ul> <p>(c) The landscaping planted shall be maintained and if dead, diseased or damaged shall be removed and replaced.</p> <p>(d) No fences or structures shall be erected within the 3 metre landscaping strip. Footpaths of up to 1.5m in width and generally at right angles to the road frontage may be provided in the landscape strip.</p> <p>(e) All new planting areas shall be mulched.</p> <p>...16.1.9 Any principal building which does not comply with Rule 16.1.2, Rule 16.1.3, Rule 16.1.4 or Rule 16.1.5 shall be a non-complying activity.</p> <p><b>Comment-</b> <i>The proposal meets the relevant landscaping provisions.</i></p>	Permitted
16.3.1	<p>16.3.1 In all Business zones the erection of any dwelling or principal building connected to a reticulated water supply shall be a permitted activity, provided that it complies with the current New Zealand Drinking Water Standards, except where it can be demonstrated that the use of the principal building in the Business 3 Zone does not require such a supply.</p> <p><b>Comment-</b> <i>Buildings shall not be erected until such time that they are able to connect to a reticulated water supply in accordance with rule 16.3.1. A condition of consent to this affect is proposed to ensure this requirement.</i></p>	Permitted
16.4.1	<p>16.4.1 In the Business zones at Castle Hill, Doyleston, Leeston, Lincoln, Prebbleton, Rolleston and Southbridge, the erection of any dwelling or principal building shall be a permitted activity provided that it is connected to a reticulated sewage treatment and disposal system, unless, in the case of a principal building other than a dwelling within the Business 3 Zone, the intended use of that building does not generate sewage.</p> <p><b>Comment-</b> <i>Buildings shall not be erected until such time that they are able to connect to a reticulated sewage treatment and disposal system in accordance with rule 16.4.1. A condition of consent to this affect is proposed to ensure this requirement.</i></p>	Permitted
16.6.2	<p>16.6.2 Any building or structure which complies with the maximum height standards set out in Table C16.2 shall be a permitted activity.</p> <p><b>Comment-</b> <i>Building and structure heights will comply with Table C16.2 which provides for 15m building heights and 25m structure heights.</i></p>	Permitted
16.7.1	<p>16.7.1 Any building which complies with the relevant recession plane requirements set out in Appendix 11 shall be a permitted activity.</p>	Permitted





Note:

1. Recession Plane A – applies along any internal boundary adjoining any Living Zone or Rural Zone and along the common boundary of the Business 2A Zone and the Rural Zone, as depicted on the Outline Development Plans at Appendix 22, except that it shall not apply along the eastern external boundary of the Business 2A Zone depicted on the Outline Development Plan at Appendix 43.
  2. Recession Plane B – applies along any internal boundary NOT adjoining any Living Zone or Rural Zone.
  3. Recession Plane B – applies to the road boundary of Railway Road where it directly adjoins the Business 2A Zone.
- 16.7.1.1 Notwithstanding Rule 16.7.1 above, Recession Plane B shall not apply to the internal boundaries of the Business 2A Zone or at the eastern external boundary of the Business 2A Zone depicted on the Outline Development Plan at Appendix 43.

**Comment-** *Recession planes do not apply to buildings on the site pursuant to 16.7.1.1.*

16.7.2	16.7.2 Any building which complies with the minimum setback distances from site boundaries as set out below shall be a permitted activity.	Permitted
	16.7.2.7 Business 2A Zone	
	– Road Boundaries: 10 metres	
	– Internal Boundaries: adjoining a rural zoned property: 10metres, except that this requirement shall be 15 metres in the locations identified on the Outline Development Plan at Appendix 22	
	<b>Comment-</b> <i>The proposed buildings will be &gt;10m from all internal and road boundaries.</i>	

RULE	COMPLIANCE ASSESSMENT	STATUS
<b>PART C 17 BUSINESS ZONE RULES — ROADS AND TRANSPORT</b>		
17.2 Vehicle Accessways	<p>17.2.1 The forming of any vehicle accessway shall be a permitted activity if the following conditions are met:</p> <p>17.2.1.1 The site within which the vehicle accessway is formed has legal access to a formed, legal road; and</p> <p><b>Comment-</b> <i>Complies, as the accessway will be formed and have access to Jones Road, Iport Drive, Link Drive and Hoskyns Road.</i></p> <p>17.2.1.2 The site within which the vehicle accessway is formed does not have access directly on to Railway Road, Rolleston from that part of the Business 2A Zones as is depicted on the Outline Development Plan at Appendix 22.</p> <p><b>Comment-</b> <i>The site does not take access to Railway Road.</i></p> <p>17.2.1.3 The vehicle accessway is formed on land which has an average slope of less than 20°; and</p> <p><b>Comment-</b> <i>The site is reasonably flat and will comply.</i></p> <p>17.2.1.4 The vehicle accessway does not have a gradient greater than: (a) 1:6 vertical; or (b) 1:20 horizontal; and</p> <p><b>Comment-</b> <i>The site is reasonably flat and will comply.</i></p> <p>17.2.1.5 The vehicle accessway is formed to the relevant standards in Appendix 13.2.1; and</p> <p><b>Comment-</b> <i>See below for compliance assessment.</i></p> <p>17.2.1.6 Shared access to more than six sites shall be by formed and vested legal road and not by a private accessway.</p> <p><b>Comment-</b> <i>The access does not serve more than six sites.</i></p>	Permitted





17.2.1.7 Any site with more than one road frontage to a road that is formed and maintained by Council shall have access to the formed and maintained (and legal) road with the lowest classification.

**Comment-** The site has access to Jones Road (Arterial), Hoskyns Road (Arterial), Iport Drive (Local) and Link Drive (Local). It therefore does take access to the road with the lowest classification.

17.3 Vehicle Crossings	<p>17.3.1 The forming of any vehicle crossing shall be a permitted activity if the following conditions are met:</p> <p>17.3.1.1 The vehicle crossing is to be formed and sited to comply with the relevant requirements in Appendix 13.2.2, 13.2.4, 13.2.5; and</p> <p><b>Comment – Does not comply with 13.2.4, as three crossings are permitted and eight crossings are proposed.</b></p> <p>17.3.1.2 The vehicle crossing is to be sealed if the adjoining road is sealed; the crossing shall be sealed for the full length between the site boundary and sealed carriageway; and</p> <p><b>Comment-</b> The access, car park and loading area will be sealed.</p> <p>17.3.1.3 The vehicle crossing is to comply with the relevant standards in Appendix 13.2.3.</p> <p><b>Comment-</b> A sight distance of 113m is required. This is met for the site.</p> <p>17.3.1.4 Notwithstanding Rule 17.3.1.1 and Appendix 13, any vehicle crossing onto Hoskyns Road, Rolleston, is to be designed and sited to comply with the details depicted on the Business 2 Outline Development Plan (Hoskyns Road) at Appendix 32.</p> <p><b>Comment-</b> The referenced appendix is not applicable to this site.</p> <p>17.3.1.5 The site does not have access directly on to a State Highway or arterial road listed in Appendix 7; unless:</p> <p>(a) The speed limit on that part of the road to which access is gained is 70 km/hr or less, ... ..;</p> <p>(b) The site is used solely to house a utility structure; and</p> <p>(c) The site generates less than 100 equivalent car movements per day.</p> <p><b>Comment-</b> The site takes access to an Arterial Road that has a speed limit of less than 70km/hr and therefore complies.</p> <p>17.3.1.6 The site does not have access directly on to Hoskyns Road, Rolleston from that part of the Business 2A Zones identified as Precinct 4 as is depicted on the Outline Development Plan at Appendix 22.</p> <p><b>Comment-</b> The site is not within Precinct 4 of that ODP.</p> <p>17.3.6 Any vehicle crossing to a site which generates more than 250 vehicle movements per day, or any vehicle crossing providing shared access to sites which cumulatively generate more than 250 vehicle movements per day, shall be a restricted discretionary activity, except that this rule shall not apply to any site located within the Business 2A zone.</p> <p><b>Comment-</b> The site is within the Business 2A zone and is therefore exempt from this rule.</p>	<p>Does not comply, as three crossings are permitted and eight are proposed (13.2.4).</p> <p><b>Restricted Discretionary Activity</b></p>
17.4 Traffic Sight Lines	<p>17.4.1 The following shall be permitted activities:</p> <p>17.4.1.1 Any building if the building is positioned so that it does not encroach within the line of sight for any railway crossing as shown in Appendix 13, Diagram E13.3.</p> <p><b>Comment-</b> No buildings are proposed in these locations.</p> <p>17.4.1.2 Any tree if the tree is planted so that it does not encroach within the line of sight for any railway crossing as shown in Appendix 13, Diagram E13.3.</p> <p><b>Comment-</b> No trees are proposed in these locations.</p>	<p>Permitted</p>





17.5 Vehicle Parking & Cycle Parking	<p>17.5.1 Any activity which provides for car parking, cycle parking, vehicle loading and parking access in accordance with the following conditions shall be a permitted activity:</p> <p>17.5.1.1 All car parking spaces and vehicle manoeuvring areas are designed to meet the criteria set out in Appendix E13.1.5.2, Appendix E13.1.6 (if applicable), Appendix E13.1.7, Appendix E13.1.8, Appendix, E13.1.9, Appendix E13.1.10, Appendix E13.1.11 and Appendix E13.1.12 for all activities; and</p> <p><b>Comment-</b> <i>The proposal provides a compliant number of parking spaces of compliant dimensions (see below for assessment). All parking and loading are located on the same site as the activity for which the parking is required.</i></p> <p>17.5.1.2 Each site that is used for an activity which is not a residential activity and which generates more than 4 heavy vehicle movements per day has one on-site loading space which complies with the requirements set out in Appendix E13.1.5.</p> <p><b>Comment-</b> <i>Complies.</i></p> <p>17.5.1.3 Each site that is used for an activity other than a residential activity has one car park space for mobility impaired persons for up to 10 car parking spaces provided, and one additional car park space for a mobility impaired person for every additional 50 car parking spaces provided or part there-of; and</p> <p><b>Comment –</b> <i>Complies, as there are 1,906 car parks of which 71 are mobility spaces.</i></p> <p>17.5.1.4 Car parking spaces for mobility impaired persons are: (a) Sited as close to the entrance to the building or to the site of the activity as practical; and (b) Sited on a level surface; and (c) Clearly marked for exclusive use by mobility impaired persons; and</p> <p><b>Comment –</b> <i>Complies.</i></p> <p>17.5.1.5 Car parking spaces for mobility impaired persons are: (a) Sited as close to the entrance to the building or to the site of the activity as practical; and (b) Sited on a level surface; and (c) Clearly marked for exclusive use by mobility impaired persons; and</p> <p><b>Comment-</b> <i>Complies.</i></p> <p>17.5.1.6 Cycle parking spaces are provided in accordance with the standards in Appendix 13.1.4.</p> <p><b>Comment-</b> <i>Complies- see assessment below.</i></p>	Permitted
17.6 Road / Rail Crossings in the B2A Zone	<p>17.6.1 The establishment of a rail crossing into the area identified on the Outline Development Plan at Appendix 43 is a permitted activity.</p> <p><b>Comment-</b> <i>No rail crossing is proposed.</i></p> <p>17.6.2 The establishment of a road or rail crossing requiring a break in the existing primary shelter belt or future secondary planting strip required by Landscape Treatment 3 in Rule 24.1.3.14 along the Railway Road frontage of the Business 2A Zone shall be a restricted discretionary activity.</p> <p><b>Comment-</b> <i>No road or rail crossing is proposed within this area.</i></p>	Permitted
17.7 Parking Areas	<p>17.7.1 For all activities in the Business 1 Zone and for all activities except industrial in the Business 2 zone, new car parking areas shall be a permitted activity if they comply with the following:...</p> <p>17.7.1.1 A continuous landscaping strip is provided between any legal road and an adjacent parking area, except across vehicle crossings and pedestrian accesses, which complies with the following: a) A depth of at least 3m with plants that will grow to a height of 60cm within three years over the entire area; or b) A depth of at least 1.5m that will reach a continuous height of 1m (visually impermeable) within three years.</p> <p><b>Comment-</b> <i>N/A the site is not within a Business 1 or 2 zone.</i></p>	N/A





17.7.2 For all activities in the Business 1 zone and for all activities except industrial in the Business 2 zone, new car parking areas resulting in more than 20 parking spaces shall be a controlled activity.

**Comment-** N/A the site is not within a Business 1 or 2 zone.

RULE	COMPLIANCE ASSESSMENT	STATUS
<b>Appendix 13 Matters</b>		
E13.1 – Parking Requirements	<p>E13.1.1.1 - For any new activity, or any increase in an existing activity not complying with Section 10 of the Act (Certain Existing Land Uses in Relation to Land Protected), any provision made for on-site vehicle parking, must be in compliance with the car park dimensions in Table E13.2 and Diagram E13.1.</p> <p><b>Comment-</b> The standard car parks are at least 2.6m wide, 5.4m long and have an aisle of greater than 5.4m. Mobility parking is at least 3.6m wide, 5.4m long with an aisle of 5.4m.</p> <p>E13.1.1.6 - Parking spaces for persons with impaired mobility shall be provided at the required rate (refer to Rules 5.5.1.5 and 17.5.1.4).</p> <p><b>Comment-</b> noted.</p> <p>E13.1.2.1 - Any area required for disabled on-site parking or loading, other than for a residential activity, shall be available at all times for staff and visitors during the hours of operation of the activity and shall not be diminished by any subsequent erection of any structure, storage of goods, or any other use, except as required in the Rolleston Key Activity Centre in Rule E13.1.3.4 below.</p> <p><b>Comment-</b> Complies.</p> <p>E13.1.3.1 - All disabled parking and all loading (including unloading) areas shall be located on the same site as the activity for which the parking is required. This rule shall not apply to any required disabled parking which complies with Rules E13.1.3.3 and E13.1.3.4 below.</p> <p><b>Comment-</b> Complies.</p> <p>E13.1.3.2 - Any parking or loading area for any activity in a Business zone shall not have its access across land in any Living zone, except for any parking provided in Rolleston Reserve pursuant to Rule E13.1.3.4.</p> <p><b>Comment-</b> Complies:</p> <p>E13.1.3.3 - Within a Business 1, 2 or 2A Zone, disabled parking may be provided on a physically adjoining site, or on a site within 100m of the site on which the activity is undertaken, provided that it meets the conditions of E13.1.3.5 in either of these situations.</p> <p><b>Comment-</b> noted.</p> <p>E13.1.3.4 - For Precinct 8 of the Rolleston Key Activity Centre, all car parking (required and/or provided) shall be provided in Precincts 1 and/or 6 in a public car park or public car parks, shall be available for general public use and shall meet conditions (c), (d) and (e) of Rule E13.1.3.5.</p> <p><b>Comment-</b> not applicable.</p> <p>E13.1.3.5</p> <p>(a) the parking shall be clearly associated with the activity by way of signage on both sites, or alternatively be available for general public use, and</p> <p>(b) the parking is located on the same side of any road as the activity, and</p> <p>(c) the most direct route provided or available for pedestrians from the parking area to the activity is not more than 200m and,</p> <p>(d) if disabled parking cannot be physically accommodated on the same site as the activity, shall be provided at the closest point to the entrance to the activity with which they are associated and, the most direct route from the</p>	Permitted





disabled parking spaces to the activity shall be accessible for mobility impaired persons and

(e) Parking on a separate site by an activity must be protected for the use of that activity (and any future activity on the activity site), or for the use of the general public, by an appropriate legal instrument. A copy of the appropriate legal instrument shall be provided to Selwyn District Council for their records. Note: Precinct 8 parking shall be protected for the use of the general public only.

**Comment-** *not applicable.*

E13.1.4.1 - Any activity, other than residential activities, temporary activities, activities listed in E13.1.4.2 and activities permitted under Part C, Living Zone Rules - Activities 10.9.1. is to provide cycle parking at a minimum of 2 spaces and then at a rate of 1 cycle space for every 5 car parking spaces required, to a maximum of 10 cycle spaces.

**Comment-** *Complies: Space for at least 12 cycle parking spaces has been indicated in a compliant location. This is in a compliant arrangement.*

E13.1.4.2 - Any Place of assembly, recreation or education activity shall provide cycle parking at a minimum of 2 spaces and then at a rate of 1 cycle space for every 5 car parking spaces required.

**Comment-** *not applicable.*

E13.1.4.3 - All cycle parking required by rule E13.1.4.1 or E13.1.4.2 shall be provided on the same site as the activity and located as close as practicable to the building main entrance and shall be clearly visible to cyclists entering the site, be well lit and secure. The type of stand must comply with the Engineering Code of Practice requirements for cycle parking rack systems

**Comment-** *Complies.*

E13.1.5.1 - All loading and manoeuvring shall be carried out on-site. The manoeuvring area to and from the loading zone shall be designed to accommodate at least the design truck as detailed in the Council's Engineering Code of Practice.

**Comment-** *Complies.*

E13.1.5.2 - No loading zone shall obstruct any on-site car parking space or any vehicle or pedestrian access.

**Comment-** *Complies.*

E13.1.6 Parking Spaces for Residential Activities

**Comment-** *not applicable.*

E13.1.7.1 - The gradient for any on-site parking surface for any non-residential activity, shall be no more than: (a) At 90° to the angle of parking - 1:16 (b) Parallel to the angle of parking - 1:20

**Comment-** *Complies: The on-site gradients will comply with this requirement.*

E13.1.8.1 The maximum average gradient of any access shall be 1 in 6.

**Comment-** *Complies.*

E13.1.8.2 The maximum gradient shall be 1 in 4 on any straight section and 1 in 6 around curves, the gradient being measured on the inside line of the curve.

**Comment-** *Complies.*

E13.1.8.3 The maximum change in gradient without a transition shall be no greater than 8°.

**Comment-** *Complies: The on-site gradients will comply with this requirement.*

E13.1.9.1 - On-site manoeuvring shall be provided to ensure that no vehicle is required to reverse either onto or off a site where:





- (a) Any site has access to a State Highway or arterial road (refer Appendix 7); or
- (b) Any site has access to a collector road and required 3 or more parking spaces; or
- (c) Any site containing a non-residential activity having access to a collector road; or
- (d) Any access to a site that serves 6 or more parking spaces; or
- (e) Any residential activity providing tandem parking.

**Comment-** *Complies.*

E13.1.9.2 Parking spaces shall be located so as to ensure that no vehicle is required to carry out any reverse manoeuvring when entering any required parking space.

**Comment-** *Complies.*

E13.1.9.3 Vehicles shall not be required to undertake more than one reverse manoeuvre when manoeuvring out of any required parking or loading space.

**Comment-** *Complies: The parking has been designed in accordance with the District Plan.*

E13.1.10.1 A queuing space shall be provided on-site for all vehicles entering or exiting a parking or loading area. The length of such queuing spaces shall be in accordance with Table E13.3 below. Where the parking area has more than one access the number of parking spaces may be apportioned between the accesses in accordance with their potential usage.

**Comment-** *Complies, as the 25.5m queue space is distributed across all accesses.*

E13.1.11.1 Any parking and loading areas, (excluding those for any residential activity), which are required at night shall be illuminated to a minimum maintained level of 2 lux, with high uniformity, during the hours of operation.

**Comment-** *Complies: Lighting will be provided to comply with this requirement.*

E13.1.12.1 The surface of any parking, loading, and associated access areas (except parking areas for any residential activity) shall be formed, sealed and drained with the parking spaces permanently marked.

**Comment-** *Complies: Parking and loading areas will be formed, sealed, drained and permanently marked.*

E13.2 – Vehicle Accessways & Crossings	<p>E13.2.1.1 The minimum requirements for any private vehicle accessway for a site(s) shall be in accordance with Table E13.4.</p> <p><b>Comment-</b> <i>This table requires a minimum legal width of 7.0m, a minimum carriageway of 5.0m, turning areas and optional passing areas. The accessways have carriageway widths of between 8.5m and 10.0m. Internal roundabouts are proposed for vehicle turning and passing areas are not required because the carriageways accommodate two-way traffic.</i></p> <p>E13.2.1.2 The minimum height clearance for any private vehicle access shall be 4.5m.</p> <p><b>Comment-</b> <i>Complies: Complies as there are no height obstructions.</i></p> <p>E13.2.1.3 - Where a private vehicle access serves more than two allotments, in any zone, it shall be formed and sealed.</p> <p><b>Comment-</b> <i>The accessways will be formed and sealed.</i></p> <p>E13.2.1.4 - Where turning areas are required in Table E13.4, this may be facilitated through the use of a hammerhead arrangement. Note: refer to the Council's Code of Practice for the design standard required.</p> <p><b>Comment-</b> <i>Noted, although the accessways form a through route and roundabouts are proposed that could accommodate turning.</i></p>	<b>Restricted Discretionary</b>
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E13.2.1.5 - The minimum width of an accessway serving a single site in the Living Zones shall be 3.5m.

**Comment-** *Not applicable.*

E13.2.2.1 No part of any vehicle crossing shall be located closer to the intersection of any roads than the minimum distances specified in Table E13.5 except that where the boundaries of a site do not allow the provision of any vehicle crossing whatsoever in conformity with Table E13.5, a single vehicle crossing may be constructed in the position which most nearly complies.

E13.2.2.2 - In applying E13.2.2.1 the distances specified in Table E13.5 shall be measured along the road boundary parallel to the centre line of the roadway of the frontage road from the kerb line, or formed edge, of the intersecting road – refer to Diagram E13.5.

**Comment-** *Complies, as at least 30m separation is provided to adjacent intersections.*

E13.2.2.3 No part of any vehicle crossing shall be located closer than 30 metres to the intersection of any railway line measured from the nearest edge of the vehicle crossing to the limit line at the level rail crossing.

**Comment-** *Complies: The crossing is greater than 30m from a railway line.*

E13.2.3.1 Any access on any road shall have minimum unobstructed sight distances that comply with Tables E13.6 below and measured in accordance with Diagram E13.2.

**Comment-** *Complies Requires 113m sight distance at the crossings, which is proposed.*

E13.2.4.1 Vehicle access to any site from any road or service lane shall be by way of a vehicle crossing constructed at the owner's or developer's expense.

**Comment-** *Complies: The accesses will be constructed at the developer's expense.*

E13.2.4.2 - For all sites in a Living Zone there shall be a maximum of one vehicle crossing per site.

**Comment-** *not applicable.*

E13.2.4.3 For sites in the Business 2A Zone with frontage to roads other than State Highway and Arterial roads, there shall be a maximum of two vehicle crossings per site except that:

**Comment-** *Does not comply: 8 crossings are proposed.*

E13.2.4.4- For sites in all other Business zones (excluding B2A zone) there shall be a maximum of one vehicle crossing per site, except where: (a) the site has frontage to roads other than State Highway and Arterial roads, where there may be a maximum of two vehicle crossings per site if each crossing is a single exit or entry (one way flow), or (b) The site has a road frontage of more than 100m in length where there may be a maximum of three vehicle crossings per site.

**Comment-** *not applicable.*

E13.2.4.5 The maximum spacing and width any vehicle crossing shall comply with Table E13.7.

E13.2.4.6 - For the purposes of measuring the distance between crossings specified in table E13.7, the distance between two vehicle crossings shall be measured along the edge of the carriageway parallel to the road centre line, between the full height kerb or edge of crossing seal and the full height kerb or seal edge of the adjoining crossing.

E13.2.4.7 - For the purposes of measuring crossing widths as specified in Table E13.7, the width of a vehicle crossing shall be measured at the property boundary (parallel with the road reserve).

**Comment -** *Requires less than 1m separation or greater than 7m. Complies. Requires a width of between 5m and 12m at the boundary. Complies.*





E13.2.4.8 Notwithstanding E13.2.4.5 above, for vehicle crossings onto a State Highway or Arterial road with a posted speed limit of 70km/h or greater the distances between crossings shall be taken from Diagram E13.4.

**Comment** – Not applicable.

E13.2.5.1 Vehicle crossings shall be constructed to the following minimum standards:

(b) Heavy-duty vehicle crossings shall be provided for all other sites.

**Comment-** *Complies: Construction will be to at least a heavy duty standard.*

RULE	COMPLIANCE ASSESSMENT	STATUS
<b>PART C 21 BUSINESS ZONE RULES — WASTE</b>		
21.1	<p>21.1.1 Any activity, that is not a residential activity, which generates 3 cubic metres or less of solid waste on average per week over a year shall be a permitted activity.</p> <p>21.1.2 Any activity which does not comply with Rule 21.1.1 shall be a restricted discretionary activity in respect of the approval of a management plan to:</p> <p>21.1.3.1 Minimise waste from the activity; and</p> <p>21.1.3.2 Dispose of the waste in a way that mitigates adverse effects on the environment.</p> <p><b>Comment-</b> <i>The proposed activity will generate greater than 3 cubic metres of solid waste on average per week over a year and is therefore a restricted discretionary activity.</i></p>	<b>Restricted Discretionary</b>
21.2	<p>21.2.1 The storage of solid waste shall be a permitted activity if the following conditions are met:</p> <p>21.2.1.1 Only solid waste generated as part of activities on a site is stored on the site; and</p> <p>21.2.1.2 Any solid waste stored on a site is stored in a closed, waterproof container; and</p> <p>21.2.1.3 Solid waste is only stored on-site until it is able to be collected or removed for treatment or disposal elsewhere.</p> <p>Note: Rule 21.2.1 does not apply to bins of not more than 5m<sup>3</sup> in size which are used to collect clothing, cans, bottles or paper/cardboard for recycling and which are ancillary to the main activity(ies) on the site.</p> <p><b>Comment-</b> <i>Any solid waste generated and stored by proposed activities shall be managed to comply with rule 21.2.1.</i></p>	Permitted
21.3	<p>21.3.1 The disposal of solid waste shall be a permitted activity if one or more of the following conditions are met:</p> <p>21.3.1.1 The solid waste is green garden waste which is composted on the site on which it is generated; or</p> <p>21.3.1.2 The solid waste is being applied as a manure, fertiliser, compost or mulch onto gardens, lawns, or soil used to grow plant or tree crops; or</p> <p>21.3.1.3 The waste is effluent from a household or building which is treated or disposed of on-site, in a Business Zone, where reticulated sewerage treatment and disposal is not required under Rule 16.4.</p> <p><b>Comment-</b> <i>The disposal of solid waste is not proposed on the site.</i></p>	Permitted





RULE	COMPLIANCE ASSESSMENT	STATUS
<b>PART C 22 BUSINESS ZONE RULES — ACTIVITIES</b>		
22.4.1	<p>22.4.1 Any activity conducted on any day, except any residential activity, shall be a permitted activity, provided that the following noise limits are not exceeded with the timeframes stated. Business 2A Zone:</p> <p>22.4.1.5 Applying at any point within the boundary of any site in the rural zone, excluding road, waterway and railway reserves:</p> <p>7.30 am – 8.00 pm 60dBA L10</p> <p>8.00 pm – 7.30am 40dBA L10</p> <p>7.30 am – 8.00pm 80dBA Lmax</p> <p>8.00 pm – 7.30 am 65dBA Lmax</p> <p><b>Comment-</b> Activities on the site will be managed so as to achieve compliance with the noise performance standards set out in rule 22.4.1</p>	Permitted
22.5.1	<p>22.5.1 The following activities shall be permitted activities:</p> <p>22.5.1.3 Lighting in the Business 2A Zone which is designed so that:</p> <p>(a) All outdoor lighting is shielded from above outside of the Business 2A Zone.</p> <p>(b) All fixed outdoor lighting is directed away from adjacent roads outside of the Business 2A Zone.</p> <p>(c) In the Business 2A Zone covered by the Outline Development Plan in Appendix 43, all outdoor lighting is shielded from above and is directed away from adjacent properties outside of the Business 2A Zone. All fixed outdoor lighting is directed away from adjacent roads outside of the Business 2A Zone.</p> <p><b>Comment-</b> Activities and lighting on the site will be designed and managed so as to achieve compliance with the lighting standards set out in rule 22.5.1.</p>	Permitted
22.9.1	<p>22.9.1 Development in the Business 2A Zone shall be a permitted activity provided that the following condition is met:</p> <p>22.9.1.1 The area along the common boundary of the Business 2A Zone and the Rural Zone, as depicted in the respective landscape treatment areas identified on the Outline Development Plans at Appendix 22 and Appendix 43, and the principal building, shall be landscaped in accordance with the requirements of Rule 24.1.3.13.</p> <p>22.9.1.2 In the Business 2A Zone identified on the Outline Development Plan in Appendix 43, landscaping, road connections, railway crossings, sidings and pedestrian links shall be provided generally in accordance with those locations identified on the Outline Development Plan at Appendix 43. The roads shall be constructed in general accordance with the road reserve widths specified in Appendix 43.</p> <p><b>Comment-</b> The proposal does not entail development or activity along the common boundary of the Business 2A Zone and the Rural Zone.</p>	Permitted
22.10	<p>22.10.1 The following shall be a permitted activity:</p> <p>22.10.1.3 In the Business 2A Zone at Rolleston as depicted on the Outline Development Plan at Appendix 43:</p> <p>(a) Any ancillary retail activity undertaken from an allotment provided that it only occupies up to 20% of the gross floor area of building on that allotment or 2,000m<sup>2</sup>, whichever is the lesser;</p> <p>(b) Service stations;</p> <p>(c) Trade Suppliers;</p>	Permitted.





(d) Large Format Retail activities up to 17,000m<sup>2</sup> (GFA) and Trade Retail activities up to 10,000m<sup>2</sup> (GFA) in the location as stated in Appendix 43, excluding Supermarkets and/or Department Stores;

(e) Food and beverage outlets, up to a maximum gross floor area of 150m<sup>2</sup>, except that in the Large Format Retail area as shown in Appendix 43 a tenancy limit shall not apply for up to a maximum total area of 1,000m<sup>2</sup> GFA;

(f) Ancillary offices.

22.10.3 Any activity which does not comply with Rule 22.10.1.2 or 22.10.1.3 shall be a non-complying activity.

**Comment-** The proposal involves activities that are either:

- not retail activities (as defined) and are not controlled by rule 22.10;
- trade suppliers;
- large format retail activities;
- food and beverage outlets.

**Refer to AEE for further description of proposed activities and volunteered conditions.**

RULE	COMPLIANCE ASSESSMENT	STATUS
<b>PART C 19 BUSINESS ZONE RULES — OUTDOOR SIGNS AND NOTICEBOARDS</b>		
19.1 Outdoor signs general	<p>19.1.1 Any sign shall be a permitted activity if the following conditions are met:</p> <p>19.1.1.1 The sign is erected on the site to which it relates, exclusive of a freestanding sign located on a footpath or grass berm outside the site but adjoining the site; and</p> <p><b>Comment-</b> Signage will comply with this requirement.</p> <p>19.1.1.2 The sign does not have any flashing or revolving lights, sound effects, balloons or blimps; and</p> <p><b>Comment-</b> N/A</p> <p>19.1.1.3 If a sign is illuminated, any light spill from the sign on to any road or any other site complies with the requirements in Rule 22.5 – Activities and Light Spill; and</p> <p><b>Comment-</b> Signage will comply with this requirement.</p> <p>19.1.1.4 The sign does not obstruct or impair the view for any motorist or pedestrian of any traffic signal, intersection, vehicle crossing, road bend or corner; and</p> <p><b>Comment-</b> Signage will comply with this requirement.</p> <p>19.1.1.5 The sign does not exceed the height of:</p> <p>(a) The building or structure to which it is attached, or</p> <p>(b) 6 metres, in the Business 1 and 2 zones, and 8 metres in the Business 3 Zones, if the sign is not attached to a building; and</p> <p><b>Comment-</b> Signage will comply with this requirement.</p> <p>19.1.1.6(a) The sign does not exceed 3m<sup>2</sup> in area where it is not attached to a building; and (b) In the Business 1 zone, the total freestanding signage per site does not exceed 3m<sup>2</sup> where the site's road frontage is less than 50m, or 6m<sup>2</sup> otherwise; and</p> <p><b>Comment-</b> Signage will comply with this requirement.</p> <p>19.1.1.7 The sign is not of a colour or design that resembles a traffic sign or signal; and</p> <p><b>Comment-</b> Signage will comply with this requirement.</p> <p>19.1.1.8 Any sign overhanging a public footpath or road berm has a minimum height of 2.5m above the ground or footpath level; and</p>	<p>Permitted</p> <p>(any signage required will be applied for in a separate consent if/as required)</p>





**Comment-** N/A

19.1.1.9 The sign does not protrude beyond the edge of a building if it is attached to a building.

**Comment-** Signage will comply with this requirement.

19.1.1.10 In the Business 1 zone, signage does not occupy more than 25% of any building elevation if it is attached to or painted on or otherwise provided on the elevation.

**Comment-** N/A

**PART C 18 BUSINESS ZONE RULES — UTILITIES**

**PART C 20 BUSINESS ZONE RULES — HAZARDOUS SUBSTANCES**

**PART C 23 BUSINESS ZONE RULES — LANDSCAPE MANAGEMENT, ALPINE VILLAGES**

**PART C 24 BUSINESS ZONE RULES — SUBDIVISION**

The provisions in these sections are not applicable, noting:

- Utilities are not proposed in this application.
- The storage or use of hazardous substances is not proposed in this application. Any particular tenant requirements in terms of the type, quantity and management/storage of hazardous substances will be designed to comply with relevant standards in Part C20, or will be the subject of a separate resource consent application.
- Section C23 is not relevant to this application.

Subdivision of land is not proposed in this application.