

Sections 104, 104B, 108 Resource Management Act 1991



Report recommending whether or not an application for resource consent should be:

- Granted or declined, and if granted, the conditions of the consent

Author: Jane Anderson

Position: Consultant Planner

Resource Consent Number: RC216016

| | |
|---------------------------|--|
| APPLICANT: | Foodstuffs (South Island) Properties Limited |
| PROPOSAL: | To construct and operate a supermarket with associated car parking and landscaping |
| LOCATION: | 157 Levi Road, Rolleston |
| LEGAL DESCRIPTION: | RS 7556 BLK III Leeston SD being 7.1831 hectares in area more or less, as contained in Record of Title CB18F/727 |
| ZONING: | The property is zoned Living Z under the provisions of the Operative District Plan (Townships) Volume |
| STATUS: | 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 |
| HEARING DATE | 2 – 3 August 2022 |
| RECOMMENDATION | Decline |

Preamble

1. This report reviews the application for resource consent and addresses the relevant information and issues raised. The recommendation made in this report is not binding on the Council and it should not be assumed that the Hearings Commissioner will reach the same conclusion having considered all the evidence brought before the hearing by the applicant and submitters.

Report Author

2. My name is Jane Anderson. I am a consultant planner and director of Harakeke Consultants Ltd, a planning and resource management consulting company. I hold a Bachelor of Arts from the University of Canterbury and a Master of Regional and Resource Planning from the University of Otago. I have worked in the field of planning and resource management for more than 17 years and I am a full member of the New Zealand Planning Institute. I am currently employed by the Selwyn District Council as an in-house consultant.

3. Whilst this is a Council Hearing, I have read the Environment Court's Code of Conduct for expert witnesses and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this report are within my area of expertise and have relied on the expert advice of others where stated. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.
4. I have been engaged by the Selwyn District Council (the Council) to prepare this report pursuant to section 42A of the RMA relating to the substantive consideration of the resource consent under sections 104, 104B and 108 of the RMA to establish and operate a supermarket with associated car parking, signage and landscaping. This report follows a previous report prepared pursuant to sections 95A to F dealing with the matter of notification / affected parties (date 5 May 2022).
5. The processing of the resource consent application and preparation of this report has been undertaken with specialist advice from Gabi Wolfer, Urban Designer, Selwyn District Council (urban design), Gabriel Ross from Boffa Miskell (landscape), William Reeve from Acoustic Engineering Services (noise), Andy Carr of Carriageway Consulting (transport) and Tim Heath of Property Economics (retail and economic). These assessments have been relied upon where stated.

Introduction

6. The applicant proposes to construct and operate a supermarket at 157 Levi Road, Rolleston.
7. The application was formally received on 11 January 2022, and a request for further information ("RFI") was made on 21 January 2022, with a detailed Response to the RFI being provided on 25 February 2022, Second Transport RFI Response on 20 April, and Outstanding Transportation Matters Response on 14 June 2022.
8. A copy of the original application, including the Assessment of Environmental Effects (AEE) is provided in **Appendix 1**. A copy of the RFI and the response documents are provided in **Appendix 2**.
9. A detailed description of the proposal is provided in Section 4 of the AEE. In brief, the application is for a PAK'nSAVE supermarket with a building footprint of approximately 7,232m² and a gross floor area of approximately 8,108m², with a maximum height of 12.52m above existing ground level. A site plan is provided in **Figure 1** below. The development will include:
 - Food halls and checkouts;
 - Click and collect facility;
 - Bulk storage and chillers and freezers;
 - Produce, bakery, deli and butchery preparation areas;
 - Plant room; and
 - Staff room, amenities and offices.
10. The supermarket is proposed to operate seven days a week. Opening hours are proposed to be 7.00am to 10.00pm Monday to Sunday, with staff on site for early and late shifts outside of the supermarket operating hours. Deliveries to the site will also be undertaken outside of these operating hours.
11. The proposed supermarket will employ up to 260 staff on site, comprising of part-time and full-time workers.

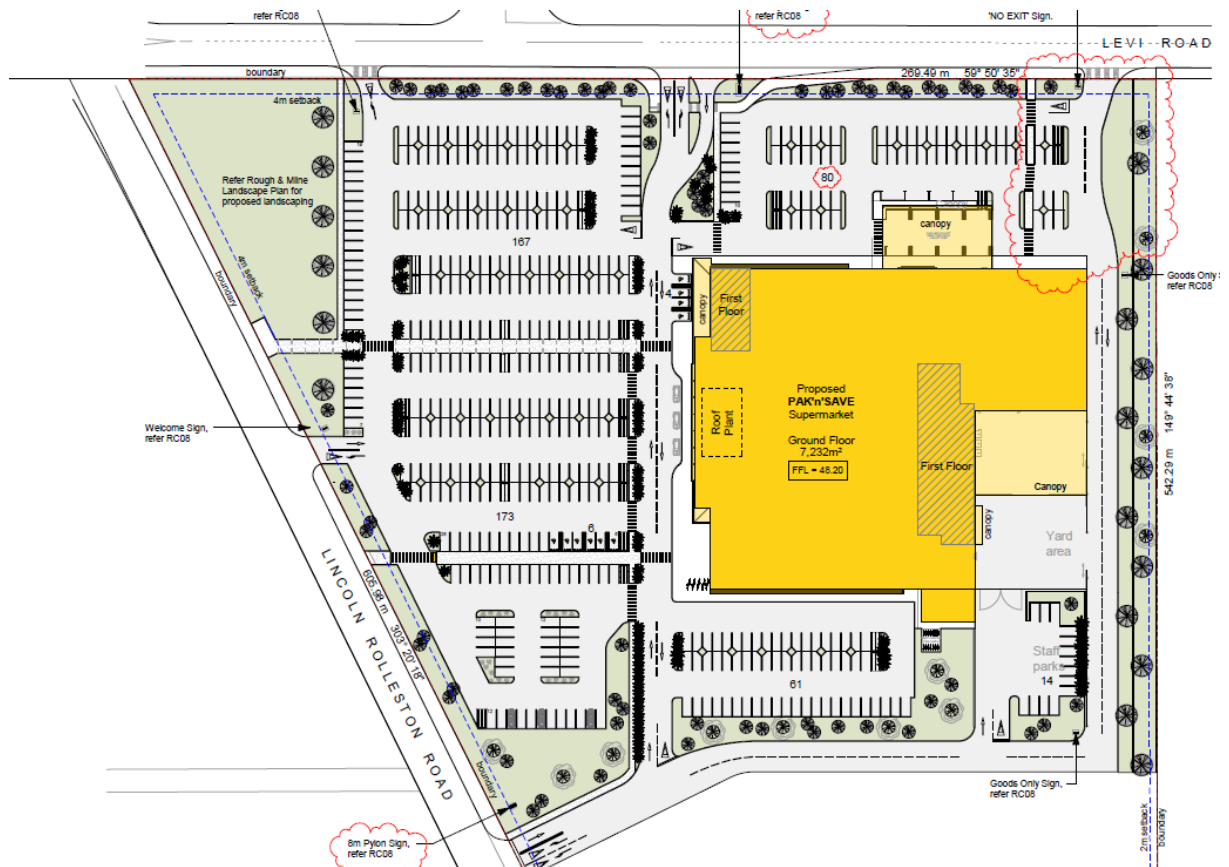


Figure 1 Site Plan (source: applicant in Response to Request for Further Information, date 25 February 2022)

12. The proposal includes 61.75m² of signage on the south west and north-west building elevations, while the building is proposed to have approximately 152.45m² of corporate yellow on the south west, north-west and south east face of the building. Two 8 metre high, 2 metre wide pylon signs are proposed, the first to be located at the southern entrance off Lincoln Rolleston Road and the second centrally located at the main entrance from Levi Road. A further seven “wayfinding” signs, with dimensions of 1.5m high and 1.2m wide, will be located at other access points.
13. Vehicle access is proposed at two locations on the Lincoln Rolleston Road, with four entry locations along the Levi Road frontage. The primary entry is on the south-west side of the building with a ‘click and collect’ facility located on the north side of the building. Service and delivery yards are located on the eastern corner of the building.
14. A total of 513 car parks are proposed to be located on the site, predominantly located between the proposed supermarket building and Lincoln Rolleston Road. The parking area is proposed to be lit with light poles located through the centre line of the parking rows. Three pedestrian access routes are proposed from each of the Levi Road and Lincoln Rolleston Road boundaries.
15. The proposal includes a number of landscaping elements, including:
 - A ‘pocket park’ on the north western corner of the subject site adjacent to the Levi Road / Lincoln Rolleston Road intersection;
 - Specimen trees, with hedging and landscaping along the Levi Road boundary of the site;
 - Low plantings along the Lincoln Rolleston Road boundary;
 - Hedging along the southern boundary of the site; and
 - Trees planted within the car parking area.
16. Two options for the north-eastern boundary biodiversity planting strip are proposed with the 2m boundary acoustic fence being offset back into the planting area if the proposed PC71 covering the land immediately adjacent to the subject site is adopted.

17. The site is proposed to be lit with light poles spaced on the centre line of parking rows. Other external lighting of landscape and wayfinding elements are proposed.

Background

18. The subject site is located within the area subject to Plan Change 71 (PC71) that seeks to rezone approximately 53 hectares of rural land in East Rolleston to residential land. The proposed plan change will enable approximately 660 residential sites within the Plan Change area.
19. The subject site has been included in PC71 in order to undertake changes to Outline Development Plan (ODP) Area 4 to provide connections between the existing township and the proposed residential zoned land to the east.
20. As of the writing of this report, the Commissioner has provided an interim recommendation that PC71 be granted.

Description of the Existing Environment

21. The application site is a corner site at the intersection of Levi Road and Lincoln Rolleston Road. The site is currently occupied by an existing residential dwelling and accessory buildings (proposed to be demolished as part of the proposed development). **Figure 2** below identifies the application site and the surrounding environment.
22. The supermarket use is proposed on only part of the application site, identified in **Figure 2** as the “development area”. The site is currently a working rural environment, located behind an existing shelterbelt along its two road frontages, being Levi Road and Lincoln Rolleston Road.
23. Residential activities have been established to the north of the site in accordance with the Living 1B and Living Z zones of this area. The area to the west and south of the site is zoned Living Z and is currently predominantly characterised by lower density developments with large open spaces surrounding each dwelling, however higher density development is increasingly occurring in accordance with the Living Z rules. In the area immediately surrounding the subject site the residential environment is intact, without commercial activities, signage or any non-residential activities anticipated in the residential zone.
24. To the north east of the site, the area is zoned Rural Inner Plains and is characterised by rural activities. This land is subject to Plan Change 71 (PC71) seeking to rezone the land to Living Z.
25. The Rolleston Town Centre is located approximately 420 metres to the north-west of the site.
26. Both Levi Road and Lincoln Rolleston Road are classified as Arterial Roads in the Selwyn District Plan. Levi Road provides a corridor between Rolleston town centre and the Christchurch Southern Motorway via the Weedons interchange.



Figure 2 Subject site and surrounding environment (source: AEE)

Operative Selwyn District Plan

27. The application site is zoned Living Z within the Townships volume of the Operative District Plan. The site is also subject to Rolleston ODP Area 4.
28. The following table summarises the Plan non-compliances:

| RULE | TOPIC | COMPLIANCE |
|--|--|----------------------|
| Earthworks | | |
| Rule 2.1.1 | | |
| Any earthworks shall be a permitted activity if the following conditions are met: | | |
| Rule 2.1.8 | | |
| Any activity which does not comply with the relevant rules shall be a discretionary activity | | |
| Rule 2.1.1.6 | | |
| Except where Rule 2.1.1.5 applies, any earthworks has: | | |
| (a) A volume of not more than 2,000m ³ per project; and | The total proposed earthworks volume is approximately 30,800m ³ . | Discretionary |
| (b) A vertical cut face where no more than 5% of the total vertical cut is over 2 metres. | | |

Living Zone Rules - Buildings

Rule 4.8.1

The erection of any building which has a height of not more than 8m shall be a permitted activity

The proposed building will have a maximum height of 12.52m

Discretionary

Rule 4.8.5

Any activity which does not comply with Rule 4.8.1 shall be a discretionary activity

Rule 4.9.2

Except as provided in Rules 4.9.3 to 4.9.33, any building which complies with the internal and road boundaries set out in Tale C4.2 shall be a permitted activity

Rule 4.9.48

Any activity which does not comply with Rule 4.9.2 shall be a restricted discretionary activity

Note: "building" is defined as including any fence or wall greater than 2m in height

Table C4.2 Minimum setbacks for buildings:

Principal building –
Internal setback – 2m
Road setback – 4m

The proposal seeks to construct an acoustic fence on the eastern boundary. Under Option A, the proposed fence will have a total height of 2.6m (and is therefore classified as a building) and will be located directly on the boundary

Restricted Discretionary

Living Zone Rules – Roads and Transport

Rule 5.2.1

The forming of any vehicle accessway shall be a permitted activity if the relevant conditions are met

Rule 5.2.3

Any activity which does not comply with Rules 5.2.1.2 to 5.2.1.6 shall be a Discretionary activity

Rule 5.2.1.2

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

The proposal seeks access to both Levi Road and Lincoln Rolleston Road

Discretionary

Rule 5.3.1

The forming of any vehicle crossing shall be a permitted activity if the relevant conditions are met:

Rule 5.3.2

Any activity which does not comply with Rule 5.3.1.1 and 5.3.1.2 shall be a restricted discretionary activity

Rule 5.3.4

Any activity which does not comply with Rule 5.3.1.4 shall be a restricted discretionary activity

Rule 5.3.1.1

Five new vehicle crossings are proposed, of which A, B, D and E

Restricted Discretionary

| | | |
|--|--|---------------------------------|
| The vehicle crossing is formed and sited to comply with the relevant requirements in Appendix E13.2.2, E13.2.4 and E13.2.5 | will exceed 7m in width (E13.2.4.5). The proposal seeks three accesses onto Levi Road and two onto Lincoln Rolleston Road (E13.2.4.2) | |
| Rule 5.3.1.4 | | |
| The site does not have access directly on to an arterial road; unless: | | |
| (a) The speed limit on that part of the road to which access is gained is 70km/hr or less; or | The site will have direct access on to both arterial roads and will generate more than 100 equivalent vehicle movements per day | Restricted Discretionary |
| (b) The site is used solely to house a utility structures; and | | |
| (c) The site generates less than 100 equivalent car movements per day | | |
| Rule 5.5.1 | | |
| Any activity which provides for car parking, cycle parking and vehicle loading and parking access in accordance with the following conditions shall be a permitted activity. | | |
| Rule 5.5.2 | | |
| Any activity which does not comply with Rule 5.5.1 shall be a discretionary activity | | |
| Rule 5.5.1.1 | | |
| All car parking spaces and vehicle manoeuvring areas are designed to meet the criteria set out in Appendix E13.1.5.2 E13.1.6-11 | The queuing space for Access C and E do not comply with E13.2.2.1 (E13.1.10.1) | Discretionary |
| Rule 5.5.1.4 | | |
| Each site that is used for an activity other than a residential activity has on car park for mobility impaired persons for up to 10 car parking spaces provided, with on additional car park space for a mobility impaired person for every 50 additional car parking spaces provided or part thereof. | The proposal provides 10 car parking spaces | Discretionary |
| Living Zone Rules – Signs | | |
| Rule 7.1.1 | | |
| Where any sign is not covered by Rules 7.2, 7.3 and 7.4 it shall be a permitted activity if the following conditions are met: | | |
| Rue 7.1.2 | | |
| Any activity which does not comply with Rule 7.1.1 shall be a discretionary activity | | |

| | | | |
|---|--|--|----------------------|
| Rule 7.1.1.2 | The total number of signs on any site does not exceed 2, inclusive of any freestanding sign located on a footpath or grass berm outside the site but adjoining the site | The proposal seeks to erect 7 signs on site, including two façade signs and five freestanding signs. | Discretionary |
| Rule 7.1.1.5 | The sign does not exceed the height of: (a) The building to which it is attached; or (b) 2 metres if the sign is not attached to a building | The proposed façade signs will not exceed the height of the building. The two proposed pylon signs are proposed to have a maximum height of 10m. | Discretionary |
| Rule 7.1.1.6 | The sign does not exceed 1m ² in size | All of the proposed signs will exceed 1m ² in size. The overall signage area is 90.35m ² . | Discretionary |
| Rule 7.2.1 | Any sign to direct pedestrians, cyclists or motorists shall be a permitted activity subject to meeting the relevant conditions: | | |
| Rule 7.2.2 | Any activity which does not comply with Rule 7.2.1 shall be a discretionary activity | | |
| Rule 7.2.1.2 | The display area of the sign does not exceed 0.6m ² | The seven proposed directional signs have a display area of 1.8m ² . | Discretionary |
| Rule 7.2.1.3 | The message on the sign is limited to arrows or the word 'entry' or 'exit' | The wording of the proposed directional freestanding signs have messages of "Welcome" and "Exit" and include corporate colours and logos | Discretionary |
| Living Zone – Activities and Scale of Activities | | | |
| Rule 10.6.1 | Any activity which is not a residential activity, spiritual activity or educational activity, shall be a permitted activity if the following noise limits are not exceeded within the timeframes stated: | | |
| Rule 10.6.3 | Any activity which is not residential, spiritual or educational which does not comply with Rule 10.6.1 shall be a discretionary activity | | |
| Noise Limits | 7.30am – 8.00pm 50 dBA L ₁₀ 8.00pm – 7.30am 35 dBA L ₁₀ 7.30am – 8.00pm 85 dBA L _{max} 8.00pm – 7.30am 70 dBA L _{max} | The Acoustic Assessment provided by the applicant identifies that the noise received at dwellings closest to Accesses A and E will exceed the night-time noise standards | Discretionary |
| Rule 10.8.1 | | | |

Any activity which is not a residential activity shall be a permitted activity if the following conditions are met:

Rule 10.8.3

Any activity which is not a residential activity, and which does not comply with Rules 10.8.1 or 10.8.2 shall be a discretionary activity

Rule 10.8.1.1

No more than two full time equivalent staff employed on the site live off site

No staff employed on site will live on site. Approximately 260 staff will be employed to work on site.

Discretionary

Rule 10.8.1.2

The gross floor area of any buildings other than a dwelling does not exceed 300m²

The gross floor area of the supermarket building will be 8,108m².

Discretionary

Rule 10.8.1.3

Vehicle movements do not exceed:

Arterial Roads – 40 per day plus 4 heavy vehicle movements per day

The proposal will generate approximately 10,000 vehicle movements per day and more than 4 heavy vehicle movements per day

Discretionary

Rule 10.9.1

Any activity which is not a residential activity, shall be a permitted activity if the following conditions are met

Rule 10.9.2

Any activity which is not a residential activity and which does not comply with Rule 10.9.1 shall be a discretionary activity

Rule 10.9.1.1

The employment of staff who are not resident on the site; and

Rule 10.9.1.2

Visits by customers, patrons, clients or other people to the site, who are not resident on the site shall only occur between the hours of 7.00am and 10.00pm on any day.

The proposed hours of operation are between 7.00am and 10.00pm, with the site also being visited by staff and delivery vehicles outside of these hours of operation.

Discretionary

Rural Zone - Activities

Rule 9.16.1

Except as provided in 9.16.3, any activity shall be conducted so as to comply with the noise limits and within the time frames stated in the tables in order to be a permitted activity

Rule 9.16.2

Any activity which does not comply with Rule 9.16.1 shall be a discretionary activity

Noise Limits at the notional boundary of any dwelling

7.30am – 8.00pm

60 dBA L₁₀ and 85 dBA L_{max}

The noise levels from one refrigeration truck in the loading ones will be in the order of 50 dB L_{Aeq(15min)} at the notional boundary of 139 Levi Road.

Discretionary

8.01pm – 7.29am

45 dBA L₁₀ and 70 dBA L_{max}

29. Overall, the proposal is a Discretionary activity under the Operative District Plan.

Proposed Selwyn District Plan (Notified 05 October 2020)

30. Under the Proposed Selwyn District Plan ('the Proposed District Plan') the site is zoned General Residential Zone. The project area is also located within Development Area DEV – R01.
31. No decisions have yet been made on the Proposed Plan.
32. There are no rules with immediate legal effect that apply to this proposal.

National Environmental Standards

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

33. The NES manages activities which involve the disturbance of land which may be contaminated. This is determined by whether activities have or are likely to have occurred on the site, which are listed in the Hazardous Activities and Industries List (HAIL).
34. The applicant has provided a Preliminary Site Investigation (PSI) from Pattle Delamore Partners Limited (PDP). A site inspection was not undertaken as part of the PSI. The PSI states that "it would be prudent to undertake a physical site inspection to confirm the findings of the desk based assessment" with the application. Further, the report states that the applicability of the NES can be "confirmed following the recommended site inspection". The applicant has sought resource consent for a discretionary activity.
35. The PSI and application have been peer reviewed by a Contaminated Land Officer from Environment Canterbury. The Officer has confirmed that subject to the volunteered consent conditions that include committing the applicants to undertaking a Detailed Site Investigation / soil sampling investigation, that any adverse effects will be minor or less than minor.
36. The proposal is therefore a Discretionary activity in terms of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.

Notification

37. A decision regarding notification pursuant to sections 95A-E has been undertaken separately by a Council staff member with delegated authority. This decision is available to any party on request. In summary, it was determined that the application be publicly notified.
38. Notice of the application was served on 5 May 2022 and the submission period closed on 2 June 2022.
39. No affected party approvals were submitted by the applicant.

Submissions

40. At the close of the submission period, the Council had received 49 submissions. A list of the submitters is provided in **Appendix 3**.
41. A brief summary of the submissions in support and in opposition is provided below. It is noted that full copies of the submissions have been provided to the Commissioner.

In Support

42. The Council received 22 submissions in support of the proposed supermarket. The reasons for their support of the proposal included:

- Providing an additional supermarket offer within the Rolleston township, with increased competition and choice;
- Providing employment for local people;
- Providing a supermarket in a convenient, walkable location for residents in Rolleston;
- Easing congestion around existing supermarkets

43. A number of these submitters identified concerns regarding the adjacent transport network and sought additional measures including improved safety measures along Levi Road and Lowes Road and an alternative bus stop location.

In Opposition

44. The Council received 27¹ submissions in opposition to the proposed supermarket. The reasons for their opposition to the proposal can be summarised into the following categories:

Traffic

- Increase in traffic on adjacent road network, including safety issues and traffic noise;
- Increase in heavy vehicle traffic servicing the supermarket
- Adverse effects on safety for pedestrians and cyclists using the adjacent roads and footpaths;
- Safety issues for children and young people;
- Adverse effects associated with vehicular access to adjacent residential properties
- Adverse effects associated with staff parking on the adjacent residential streets;
- Adverse effects associated with the proposed locations of the accessways

Character and Amenity

- Adverse effects on the visual amenity of the area;
- Design of building not in keeping with the existing character of the area, including the scale of building, cladding, corporate colours and illumination;
- Adverse effects associated with the scale and number of signs proposed;
- Proposed activities are incompatible with the surrounding environment;
- Proposed landscaping will not mitigate the effects of the building;
- Proposed lighting inappropriate in residential setting;
- Proposed hours of operation inappropriate in a residential setting;
- Adverse effects associated with the construction phase of the supermarket

Noise

- Adverse noise effects on surrounding sensitive land uses resulting from heavy vehicle movements, mechanical services plant, and from activities within the car parking area.
- Adverse noise effects associated with the construction phase of the supermarket.

Strategic

- Proposal not in accordance with residential amenity;
- Proposed development is not in keeping with the ODP and does not address the likely increase in sensitive land uses within ODP Areas 3, 4, 9 and 11;

¹ It is noted that Submitter #20 does not specifically state whether they are in support or opposition to the proposal, it is assumed that the statement “*by putting a business like Pak N Save, these traffic issues will only get worse along Levi Road*” implies that the submitter is opposed, in some degree, to the proposed development.

- Not in accordance with the National Policy Statement for Urban Development and may reduce the development capacity of residentially zoned land in Rolleston;
- Not in accordance with the objectives and policies of the Operative District Plan, the Rolleston Structure Plan and Canterbury Regional Policy Statement;
- Consideration of alternative locations, including the Izone;
- Adverse effects on infrastructure capacity

Economic Effects / Retail Distribution

- Proposal will fragment Rolleston's retail precinct;
- Proposed supermarket maintains duopoly of two supermarket chains

Social Effects

- Negative impacts of anti-social behaviour associated with supermarket including rubbish and trolleys being left in the surrounding residential area;
- Adverse effects on mental health

Property valuation

- Proximity of the supermarket will decrease the value of surrounding properties.

Flooding

- Adverse effects associated with the proposed management of stormwater.

Matters to be Considered

45. 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))

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

47. In addition, the following section(s) apply to the consideration of this consent.

Section 104B – Determination of applications for discretionary or non-complying activities

48. 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 Environmental Effects

'Environment' and 'Amenity Values'

49. The 'environment' is defined in the Act as follows:

"environment includes –

(a) ecosystems and their constituent parts, including people and communities; and

(b) all natural and physical resources; and

(c) amenity values; and

(d) the social, economic, aesthetic and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters."

50. 'Amenity values' is defined in the act as follows:
"amenity values means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes"
51. Therefore, a site-specific assessment must be undertaken, noting any qualities and characteristics that may contribute to the community's appreciation of an area.
52. In considering this particular area, there are a number of qualities and characteristics that will likely contribute to people's appreciation of it. I note the following:
- Having visited the site and surrounds on a number of occasions, I noted that while the area is subject to high traffic movements along Levi Road and Lincoln Rolleston Road during peak times, the area is relatively quiet and in keeping with the levels of amenity anticipated in a residential environment. Therefore, I would expect that one of the qualities valued by people in this area would be the quietness, and that this would be expected to contribute to the pleasantness and aesthetic coherence of the area.
 - The site and surrounding environment is zoned and developed for residential activities. The area is intact, in that there are no commercial activities anything like the scale of the proposal within the surrounding environment.
 - The residential character is of predominantly single storey residential dwellings with landscaping and open spaces. This character has been identified as being valued by submitters.
53. Therefore, there are a number of qualities and characteristics of the general area that are likely to contribute to people's appreciation of its pleasantness, and aesthetic coherence.

Permitted Baseline

54. In terms of 'permitted baseline', in the Living Z zone, a non-residential activity would have the following general parameters:
- Road boundary building setback of 4m from both roads, with landscaping between the road and the boundary;
 - Internal boundary building setback of 2m;
 - Site coverage of 40%;
 - Building height of 8m, that meets the Recession Plane A requirements;
 - A maximum of two staff employed on site;
 - Building gross floor area maximum of 300m²;
 - A maximum of two signs, not exceeding 1m² in size;
 - 40 vehicle movements per day plus 4 heavy vehicle movements per day;
 - Hours of operation limited to 7am to 10pm; and
 - Compliance with the noise rules would be required.
55. It is noted that although the baseline exists, the scale of the proposal is far greater than what is anticipated by the Plan for the Living zones.

Relevant Assessment Matters

56. As a fully 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 District Plan's 'Reasons for Rules' and the relevant assessment matters. These are used as a framework for the assessment below.
57. Having regard to the planning framework, I consider the adverse effects of the proposal broadly relate to the following matters:
- Character and Amenity;

- Transport effects;
- Soil contamination;
- Retail distribution / economic effects;
- Infrastructure management; and
- Construction effects.

Character and Amenity

58. The character and amenity of the area as a whole will be influenced by various aspects, including street scene, visual amenity, interaction with the street, pedestrian connectivity, passive surveillance and perceptions of safety, noise and disturbance, scale of activity, hours of operation, signage and outdoor storage.
59. In considering the receiving environment, it is noted that the area is adjacent to Levi Road, an arterial road, that in this location functions as a gateway into the Rolleston township from the east via the Weedons interchange from State Highway 1. The surrounding environment is characterised by a variety of living environments. To the north and south-east of the subject site, the areas are characterised by higher density residential environments, constructed in accordance with the Living L1B and Living Z zoning provisions. To the south-west of the site, the land is currently characterised by low density rural-residential developments with larger open spaces and extensive vegetation. It is noted that this area is in the process of transitioning from the existing lower density environment to a residential area as anticipated by the Living Z zone, and the potential rezoning associated with Plan Change 71. Finally, the area to the east of the site is rural in character. I consider that the existing environment is very much in keeping with the anticipated environmental outcomes for each of the zones identified.

Urban Design

60. Mr Andrew Burns of McIndoe Urban has provided an urban design assessment of the proposal on behalf of the applicant. In summary, Mr Burns notes that the proposed supermarket has been positioned on the site to mitigate bulk / dominance, privacy and shading effects on neighbours, and that a quality landscape edge has been developed to create an appropriate interface between the site and the surrounding environment.
61. Further, Mr Burns states that the scale, form and layout of the proposal is acceptable in its 'urban connector' road context, enhancing place-based outcomes for existing and planned housing, and providing retail services to support growing neighbourhood catchments.
62. In considering the adverse effects of the proposal, Mr Burns considers that the bulk and dominance effects from the proposed building and car park could be considered to be reduced from minor to less than minor, subject to further cladding treatment / architectural modulation of the south-west façade of the building. On balance, Mr Burns concludes that any potential adverse urban design effects will be less than minor.
63. Ms Gabi Wolfer, Senior Urban Designer, Selwyn District Council has reviewed the urban design assessment on behalf of the Council. Her review is attached as **Appendix 4**. I note that Ms Wolfer has used the business zone rules as a guide for assessing the proposal. While I agree that it is appropriate to use the business zone rules as a guide, I do note that, given the intact residential character of the receiving environment and that the subject site is not zoned for business, an increased level of amenity might be expected for this site and its street scene.
64. The following is summary of the key findings of Ms Wolfer.

Effects at the North West Boundary (Levi Road)

65. Ms Wolfer supports the revised landscape plan that sought to replace the initially proposed pleated hedge planting to specimen tree plantings, as a mitigation measure to partially screen the dominant bulk of the supermarket building, and will allow views into the site. Ms Wolfer notes that the proposed landscaping and increased building setback will retain a pleasant outlook from adjacent residential neighbours, while creating an attractive and safe pedestrian environment at the public / private interface.

Effects at the Eastern Boundary (Rural / Future Residential area)

66. In considering the effects of the proposal on rural / future residential properties at the eastern boundary of the subject site, Ms Wolfer considers that the proposal *“relies heavily on the performance of the adjacent proposed landscaping and tree planting buffer, as architectural detailing along the façade is limited”*. Ms Wolfer acknowledges that the proposed fencing will provide some relief, however considers the 10 year timeframe for the landscaping to provide effective mitigation is too long, as the *“effects from the proposal will be instant and very much visible”*. Ms Wolfer states that she considers:

“that the effects from the proposal on amenity and the potential residential character along this boundary and potential future residential activities can only be partially mitigated by the proposed landscaping / tree planting buffer”

Effects at the South-West Boundary (Lincoln Rolleston Road)

67. Ms Wolfer has reviewed the potential shading effects from the supermarket building and considers that the shading from the proposal will impact current and future housing on the residential sections located to the west of the site *“which are likely not able to be mitigated due to height and bulk of the built form”*.
68. In considering the proposed landscaping strip along Lincoln Rolleston Road, Ms Wolfer notes that the proposed specimen trees and tussock planting will not meet the intended formal avenue plantings anticipated by the Rolleston Structure Plan (figure 7.3, page 98) to reflect the role and function of the Lincoln Rolleston Road in the wider context. Ms Wolfer also notes that there are no tree plantings along the secondary pedestrian route off this frontage.

Architectural treatment and Scale of Building

69. In considering the architectural modulation and detailing of the proposed supermarket building, Ms Wolfer supports the proposal's approach to create architectural detailing, modulation and variation, including roof shapes and use of arbours and pedestrian entrances to respond to the surrounding residential context.
70. Both Mr Burns and Ms Wolfer consider the building to be significantly larger than that anticipated for the site, with Ms Wolfer noting that the scale of a residential house is a maximum of 300m², compared to the 7232m² floor area of the supermarket. Ms Wolfer concurs with Mr Burn's assessment that *“further scale reduction might be considered through cladding treatment generating greater architectural modulation of the south-west façade...”* would enable the development *“to offset the larger scale overall dimensions”* in line with a residential context. Ms Wolfer accepts Mr Burn's findings and *“supports further modulation, which would visually split the ‘book ends’ of the building into residential scaled (15m) façade lengths”*.
71. The proposed supermarket building includes glazing along the north-western elevation to provide daylight and some vistas into the building. However, Ms Wolfer notes that the location of this glazing does not contribute to passive surveillance and a solid façade at eye level becomes an issue from a safety and CPTED perspective for pedestrians. Similarly, the solid façade of the south-western elevation of the building creates safety and legibility issues for pedestrians in this space.

Corporate Colours

72. The proposal seeks to include 152.45m² of corporate colours on the supermarket building. Ms Wolfer concurs with a number of submitters regarding the extent of corporate colours on the building, but notes that the use of the yellow corporate colours is limited to strategic locations. In consideration of the overall level of corporate colours, Ms Wolfer recommends a five meter reduction in the use of corporate colours along either side of the on-building signage.

Signage

73. The residential zoning of the site provides for signage, to a maximum area of 1m², with a maximum height of 2m. The rule seeks to restrict signage in the residential zone, in recognition that signage may conflict with the amenity values of residential areas. It is noted that there is no commercial signage in the adjacent residential area.
74. The proposal includes approximately 152.45m² of corporate colours and 61.75m² of on-building signage and two 8m high freestanding pylon signs. These pylon signs are proposed to be lit at night. The application also includes 7 additional signs, being “welcome”, “exit” and “goods only” signs, each with an area of 1.8m² to be located along the road boundaries. Whilst these signs are proposed to provide

wayfinding for customers, it is considered that the use of the corporate colour and corporate logos provide advertising as well, resulting in a total of 90.35m² of signage.

75. Ms Wolfer has reviewed the proposed signage, and considers that the scale of the pylon signs are of a scale that are visual dominant and not reasonably expected within a residential zone. Further Ms Wolfer considers that the proposed illumination of the signage needs to be controlled and limited to times of operation to minimise light spill effects on adjacent sites.
76. I accept Ms Wolfer's assessment. However, I consider that the scale and design of the proposed wayfinding signage will create visual clutter, particularly in the context of the surrounding environment. I consider that subject to a reduction in the scale of these signs and the removal of the advertising element of the signs will reduce the potential adverse visual effects of the signage.

Urban Form

77. The proposal seeks to introduce a large commercial development into an intact residential area, outside of the identified Key Activity Centre and outside of the Neighbourhood Centres provided for commercial development in Rolleston. Ms Wolfer has reviewed the proposed location and considers that as the proposal seeks to create a single retail activity on the site, the development will therefore not create an alternative centre or local centre that could compete with existing or planned centres. Further, Ms Wolfer considers that the proposed site contributes to a compact, consolidated urban form within a location that is accessible for all modes of transport.
78. On review of the location of the proposal within the urban form of Rolleston, I accept Ms Wolfer's assessment that a single retail activity on the site will not create an alternative centre or local centre. However, I note that the construction of a supermarket will result in an additional physical fragmentation of the existing Key Activity Centre, by creating a large commercial site approximately 420m from the existing Rolleston Town Centre.
79. On balance, and in consideration of the assessments of Mr Burns and Ms Wolfer, I consider that the potential adverse effects of the design and location, and scale of the building, and the extent of signage are more than minor.

Landscape

80. Rough and Milne Landscape Architects Limited has provided a Landscape Assessment and Landscape Plan (LEA) on behalf of the Applicant. The proposed landscape plan includes a 10m wide biodiversity corridor along the site's eastern boundary, a pocket park, specimen trees and hedging along the Levi Road frontage, low plantings along the Lincoln Rolleston Road frontage, hedging along the southern boundary and trees planted throughout the car parking area.
81. The LEA states that the comprehensive landscaping at the site's interfaces will achieve a higher level of amenity than the existing rural property. The assessment also states that the visual effects of the development will be mitigated by *"the generous building setbacks, minimal built form and appropriate landscaping along site boundaries and internally within the site"*.
82. Of note, the LEA acknowledges that *"the scale and nature of the PnS proposal will be a major departure from the mixed residential development anticipated for the site under the district plan"*, but considers that *"the site is uniquely positioned, being a standalone area of 4.14 hectares, disconnected from the surrounding existing and emerging residential area by two main primary roads."* The RMLA report notes that the roads provide a buffer between the residential area and the commercial development and activities.
83. The report concludes that *"the proposal has been designed to integrate into its evolving residential setting with landscape and visual effects considered to be either low or low to moderate in magnitude, while providing a safe and well-functioning supermarket facility that will be highly utilised by a greatly expanding community."*
84. Mr Gabriel Ross of Boffa Miskell (BM) has provided a peer review of the landscape assessment and plan (attached as **Appendix 5**) and evidence (attached as **Appendix 6**) on behalf of the Council.
85. Mr Ross has reviewed the proposed landscaping plans and generally agrees that the applicants proposed landscape treatments will *"contribute positively to the landscape amenity values of the*

development, provided the recommended changes and additional conditions noted in the LEA are adopted.”

86. However, Mr Ross considers that the proposed landscaping along the Lincoln Rolleston boundary is inadequate in terms of numbers, placement and species to provide sufficient filtering of views to the proposed car parking and supermarket building. Mr Ross also notes that the proposed landscaping does not reflect the formal avenue type planting sought by the Rolleston Structure Plan, acknowledging that while this could occur in the public realm, it is considered more appropriate to development the landscape strip *“to ensure this planting and associated mitigation values is implemented as part of the PnS project”*.
87. Noting that four submitters have also identified the Lincoln Rolleston landscaping as being inadequate to mitigate the proposed development, Mr Ross has recommended additional specimen trees to be included along this site boundary, to provide interest, vertical form and canopy suitable to provide shade over pedestrian pathways.
88. Similarly, Mr Ross notes that the specimen tree layout provided to the car parking area is not extended to the southern corner of the car parking area. It is noted that without plantings in the car park, clearer views to the car park and proposed supermarket will be provided from the Lincoln Rolleston Road corridor, increasing the visual dominance of the building when travelling northbound along this road. Mr Ross recommends amending the landscape plan to include approximately 8 – 10 specimen trees to the south-east corner area of the parking area, consistent with the planting in the western section of the parking area.
89. Mr Ross considers that the proposed change to the landscape character from residential to commercial is *“not necessarily a highly adverse outcome, provided that the proposed PnS landscape plan is well executed and maintained through to maturity”*.
90. In consideration of the proposed landscape strip along the north-eastern boundary, Mr Ross concurs with Ms Wolfer that the 10 year timeframe for the landscaping to provide effective mitigation is too long. Mr Ross recommends that *“the Applicant review the proposed species mix by introducing approximately 5-8 additional fast-growing trees species. These will provide a degree of screening within a 2-5 year timeframe and reach 8-12 meters in height at maturity to screen the taller portions of the PnS building.”*
91. Mr Ross concludes his assessment stating that *“assuming the recommended conditions are accepted, I would assess the proposals landscape and visual effects as being low to moderate. It is anticipated that these effects will decrease to the low end of the scale in the longer term (15+ years) as the proposed landscape matures.”* I accept Mr Ross’s assessment and conclusions, and consider that subject to consent conditions, any adverse effects will be less than minor.

Lighting

92. A number of submitters have noted that the extra lighting associated with the development will impact on adjacent properties. It is noted that the applicant has not provided any detail regarding proposed lighting or mitigations to address potential nuisance effects on surrounding properties. Mr Ross has recommended a number of conditions addressing the potential adverse effects associated with lighting. I consider that subject to conditions, any adverse effects associated with lighting can be adequately managed.

Noise

93. Marshall Day Acoustics (MDA) has provided an Assessment of Noise Effects on behalf of the Applicant. In summary, MDA have determined that the noise levels at the dwellings closest to Accesses A and E, being 134 – 154 Levi Road, 341 Lincoln Rolleston Road, 353 Lincoln Rolleston Road and 1 Lowes Road, will exceed the night-time permitted noise standards of the Operative Selwyn District Plan (ODP) by up to 17 dB. This noise exceedance is generated by delivery vehicles accessing the site during the night-time period, which MDA states will occur four times per night, with truck movements able to be distributed over both Accesses A and E. MDA considers that close proximity of these sites to an arterial road and the short duration of the night-time noise events will ensure that these properties will not experience any significant adverse noise effects from the proposal.
94. The MDA report has determined that the noise levels at the notional boundary of the rurally zoned 139 Levi Road will comply with the ODP noise limits, subject to a noise control barrier or fence with a minimum height of 2m being located along the eastern boundary of the site.

95. Further, the MDA report states that noise from mechanical plant can be designed such that any cumulative noise emissions do not lead to further exceedance of the ODP night-time limits and that no adverse noise effects will arise.
96. The MDA report also provides an assessment of the proposal against the Proposed Selwyn District Plan (PDP) provisions, and notes that for the nearest dwellings to the site, the noise exceedance would be up to 8 dB above the PDP permitted night-time noise limit of 40 dB L_{Aeq} . MDA notes the close proximity of the site to the intersection of two arterial roads and considers arterial roads tend to carry larger traffic numbers during the night-time and early morning and therefore it would be appropriate to have *“permitted night-time noise limits more closely aligned with the upper end of guidance from NZS 6802:2008 given these arterial roads typically carry more commercial and goods vehicle traffic.”*
97. In consideration of the trip generation caused by the supermarket, MDA consider that there any noise generated on Levi Road and Lincoln Rolleston Road by the proposal will be imperceptible, due to the high proportion of trips expected to already be network related.
98. The applicant has provided a number of consent conditions to manage the potential noise environment. These are as follows:
- Limiting the number of large delivery vehicles arriving at the site between 10.00pm and 7.00am to four large vehicle movements per day;
 - Limiting waste collection to between 7.00am and 7.00pm;
 - A noise control barrier or fence at least 2m high to be installed along the eastern boundary of the site; and
 - Noise from mechanical services plant are to be designed to meet the PDP permitted night-time noise limits.
99. Subject to the proposed mitigation measures, the MDA report conclude that any actual adverse effects of the proposal will be acceptable.
100. William Reeve of Acoustic Engineering Services (AES) has peer reviewed the noise assessment on behalf of the Council (attached as **Appendix 7**), and provided evidence for the hearing (attached as **Appendix 8**).
101. Mr Reeve generally agrees with the predicted noise levels and District Plan compliance assessment provided by MDA. The following is a summary of the key issues identified by Mr Reeve:
- Night-time Noise*
102. Mr Reeve notes that the proposed noise limit may be exceeded by in the order of 9 dB $L_{Aeq(15 \text{ min})}$ and up to 12 dB $L_{Aeq(15 \text{ min})}$ if the two proposed night-time delivery trucks arrive or depart within the same 15 minute period. Mr Reeve accepts that the duration of the noise source at any individual receiver will be short, however he notes that given the likely early morning delivery time:
- “I have some concern that the potential for sleep disturbance has not been adequately assessed at the closest residential properties, especially if existing vehicle activity, including heavy vehicles on Levi / Lincoln Rolleston Roads is minimal at this time”*
103. Mr Reeve notes that further information is required to determine whether the noise from these night-time activities will be low enough to meet typical sleep disturbance guidelines.
104. As part of his peer review of the application, Mr Reeve raised concerns relating to the noise from refrigeration trucks on dwellings established along the eastern and south eastern boundaries of the subject site. Mr Reeve notes that the subsequent interim approval of Plan Change 71, which enables residential development of the land along the eastern boundary makes these concerns more relevant.
105. The Applicant Reply for PC71 references a confidential agreement between the developer of the site and Foodstuffs South Island Limited which *“incorporates a package of measures which address the interface between the respective sites should consent be granted for the Pak N Save Supermarket”*. The applicant has been asked to provide comment on the package of measures, which as Mr Reeve notes *“leaves me unable to provide comment on whether I consider these measures appropriate to manage noise effects.”*

Construction Noise and Mechanical Plant

106. The applicant has proposed consent conditions relating to managing construction and mechanical plant noise. Mr Reeve notes that these conditions do not provide any explicit requirement for a more detailed assessment to be undertaken at a later date and provided to Council. However, Mr Reeve considers that these issues can be addressed through revision to the proposed conditions, and notes that an additional condition requiring the use of broadband reversing alarms be included.

Conclusion on Noise Effects

107. Mr Reeve concludes in his peer review that further investigation is required to determine the noise effects on the future residential areas, and in his evidence, that further information is required to understand the existing noise environment to determine whether the proposal will result in adverse noise effects on the individual receivers.
108. I accept Mr Reeve's assessment and comments on the proposed conditions, and note that further information is required to fully understand the potential adverse noise effects associated with the proposal.

Traffic Amenity

109. The District Plan seeks to limit the number of vehicle movements for non-residential activities in the residential zone to 40 per day plus 4 heavy vehicle movements. The intention of this rule is to ensure that the scale of activities are compatible with the surrounding residential environment. The identified number of traffic movements seek to reflect the anticipated residential amenity and are based on the scale and nature of effects normally associated with households and residential activities, and seek to manage the traffic amenity effects from non-residential activities. Traffic amenity effects resulting from the number, scale, type and location of vehicle movements may include noise, glare, vibration, safety and access issues and visual intrusion of vehicles at various times of the night and day and during weekends.
110. The applicants have identified that the proposal will generate 1,013 vehicle movements on the adjacent roading network in the peak hour. The applicant's ITA has estimated that approximately one third of these trips will be pass-by trips with a further third being wholly new trips on the network. The applicant's ITA provides the results of modelling traffic flows on Levi Road and Lincoln Rolleston Road to determine delays at the intersection.
111. Mr Carr from Carriageway Consulting notes that in consideration of the peak hour vehicle movements, there should be a further 675 vehicles on the adjacent roading network. Abley have advised that 36% of the trips were expected to pass through the intersection with 19% diverting to the north and 44% using routes to the west and south. This will result in increased traffic being diverted onto adjacent local roads, including Broadlands Drive Extension, Lincoln Rolleston Road south, the access to ODP 9/10, Beaumont Drive and Ruby Drive.
112. Mr Carr notes that the supermarket will generate 274 westbound vehicles passing through the intersection, indicating 137 extra vehicles exiting the site and traveling westbound on Levi Road. With the roundabout retained at the intersection, the increase is shown to be just 7 vehicles, Mr Carr notes that this arises because when the model has added 137 supermarket trips onto the approach to the intersection, it has also reallocated 130 other vehicles away from the intersection and onto wholly different routes. This represents 23% of the prevailing traffic flow being diverted away. The applicant's anticipated reallocation of westbound vehicle trips will result in additional vehicles using alternative roads, including Beaumont Drive and Ruby Drive to avoid congestion at the Levi Road / Lincoln Rolleston Road intersection.
113. The result of this proposed diversion of traffic will bring additional traffic movements onto local roads and create traffic amenity effects into quiet residential neighbourhoods.
114. While it is acknowledged that the existing amenity of the application site and the immediately adjacent residential environment is influenced by its proximity to arterial roads, it is noted that the proposal will result in an anticipated 675 extra vehicles manoeuvring onto these roads during peak hour. While landscaping is proposed along both road boundaries, it is considered that the potential traffic amenity effects associated with the operation of the proposed 513 space car park will not be adequately mitigated by the proposed landscaping when viewed from properties to the west and to the south.

115. For properties to the north of the site along Levi Road, it is noted that additional landscaping proposed will mitigate some of the traffic amenity effects, however, it is noted that light spill from vehicle existing the supermarket will occur during the hours of darkness.
116. It is considered that the number, scale and type of vehicle movements to, from and within the site is out of keeping with the existing residential character and amenity of the surrounding area, and will have a more than minor effect on the adjacent residential neighbours to the west and south of the site. It is considered that the diversion of traffic into adjacent neighbourhoods will have a minor effect.

Overall amenity

117. The District Plan provides for non-residential activities in the Living zones, subject to the activity being of a scale that is consistent with the surrounding residential amenity. The Plan includes a package of rules to manage non-residential activities, including scale of activity (staff and building size), traffic generation, and hours of operation. These rules are not 'limits', and the reasons for the rules indicate that larger scale activities can be appropriate if effects on the amenity and character of the receiving environment can be adequately mitigated.
118. In my opinion, the assessment of the overall amenity effects required is not a compartmentalised assessment of noise, glare and what people can see from their dwelling, but an overall assessment as to how the cumulative effects of the proposed activities are likely to impact on people's appreciation of the pleasantness and aesthetic coherence of this particular area. In my view, the sum of the combination is important and an overall judgement must be exercised, taking into account the context of the surrounding environment and its existing characteristics.
119. In consideration of the amenity of the receiving environment, as I have discussed above, there are a number of qualities and characteristics of the general area that contribute to people's appreciation of its pleasantness and aesthetic coherence, that is the amenity values. These values have been confirmed by submitters living within this environment. In summary, submitters value the relative quietness of the area, and its intact residential character, with predominantly single storey residential dwellings surrounded by landscaping and open spaces.
120. The proposed development significantly exceeds the anticipated scale of non-residential activities in the residential zones. The proposal seeks to employ 260 staff on site, the gross floor of the proposed building is 8,108m² and the vehicle movements generated by the activity is anticipated to be approximately 10,000 per day. In terms of the hours of operation, the proposed opening hours of the supermarket is 7.00am until 10.00pm, but with staff and heavy vehicles operating on site outside of these opening hours.
121. I note that the majority of these activities can be managed on an individual level through the various mitigation measures discussed above, it is in my view appropriate to consider these matters cumulatively to take into account the full meaning of amenity values.
122. I note that a number of submitters have identified concerns regarding the scale of the proposal, including adverse effects associated with the level of activities from a large scale commercial activity operating more than 15 hours per day within a residential environment.
123. In the context of the receiving residential environment, it is my view that the proposed supermarket and associated activities, including the scale of the activity, the hours of operation, and the traffic generation will result in an impact on the character of the environment through disturbance and a general level of commercial 'busyness' that is considered to be more than minor.

Transport effects

124. Abley have prepared an Integrated Transport Assessment on behalf of the applicant. In response to requests for further information, Abley have also provided Transport RFI Response (dated 18 February 2022), a Second Transport RFI Response (dated 20 April 2022) and an Outstanding Transportation Matters Response (dated 14 June 2022). In summary, Abley have assessed the transportation effects of the proposed development, and concluded:
- That the local network and accesses all operate well during the evening peak hour, being the period with the highest network demands and levels of activity at the supermarket;
 - That the Levi Road / Lowes Road / Masefield Drive / Lincoln Rolleston Road roundabout operates well out to 2024; and

- That an assessment of the cumulative effect of supermarket traffic with potential urban development demonstrates that the network will operate safely and efficiently; and
- That an assessment of the non-compliances with the rules of the District Plan has determined that the effects are acceptable in the context of the proposed activity, the receiving environment, and other design and mitigation measures proposed.

125. Andy Carr of Carriageway Consulting has undertaken a peer review of the transportation effects of the proposal on behalf of the Council. A copy of Mr Carr's peer review report is attached as **Appendix 9** and a copy of Mr Carr's evidence is attached as **Appendix 10**.

Access Arrangements

126. Mr Carr has assessed the proposed accesses and notes that Abley report show the requirements for auxiliary turning bays at Accesses A, B and E (noting that they are already proposed at Access D), but that the application does not propose to provide one at Access E. Abley propose that monitoring should be carried out to ensure that no safety-related concerns arise from not providing an auxiliary turning bay at Access E. Mr Carr considers that there is a high risk that the numbers of drivers turning into this access will be higher than anticipated, as it is the first access for vehicles travelling westbound, and given that Abley's modelling anticipates the queue of vehicles from the Levi Road / Lincoln Rolleston Road intersection extending past the main site accesses, it is reasonable to assume that drivers will turn into the first available access. Further, Mr Carr notes that the proposed consent condition does not provide for the applicant to rectify any safety issues associated with the access design.
127. Mr Carr has highlighted concerns relating to Access C, noting that it replicates the left out traffic lane at the main access onto Levi Road, that during peak times it will not be possible to easily move out of this access due to queuing along Levi Road, and that it will be difficult to limit vehicles to left out only. Mr Carr considers that the potential adverse effects arising from this access will be more than minor "*due to the access crossing the shared walking / cycling route and the potential for drivers to attempt movements that are not permitted*". Mr Carr recommends the deletion of this access from the proposal, noting that this conclusion "*applies regardless of whether the Lincoln Rolleston Road / Levi Road intersection is retained as a roundabout or is signalised*".

Levi Road / Lincoln Rolleston Road Intersection - Design

As part of the modelling of the potential effects of the traffic generation from the supermarket, Abley have modelled the future upgrade of the roundabout to signalisation, and have provided a notional layout for the purposes of assessing the effects as per **Figure 3** below:

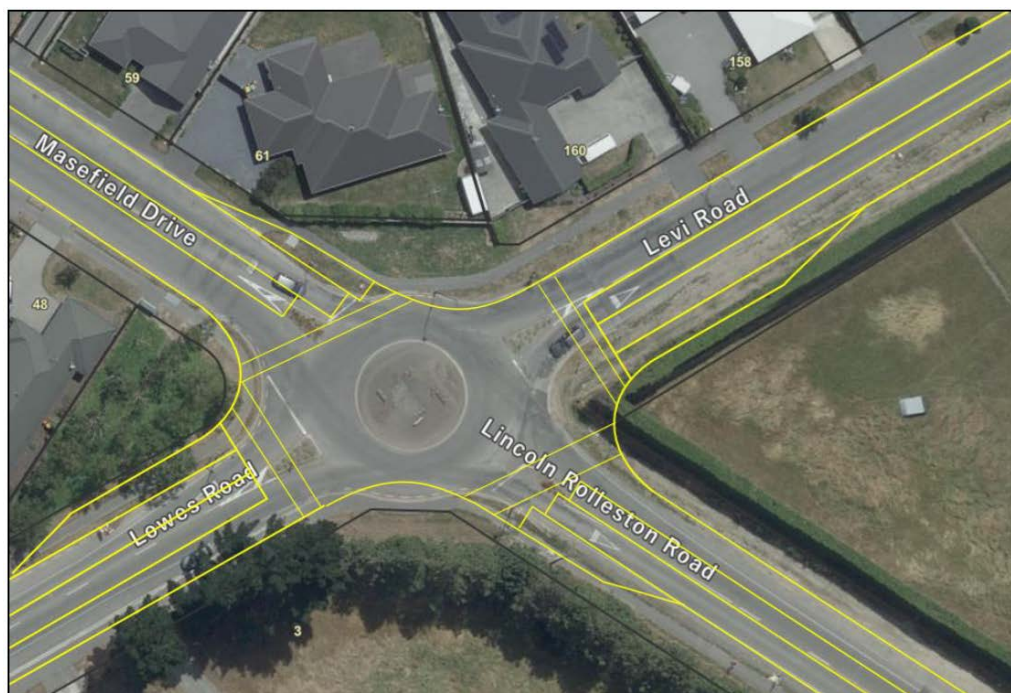


Figure 3 Indicative layout of future signalisation (source: ITA)

128. The indicative design includes one traffic lane for each turning movement, with filter turns. Mr Carr notes that this means that the kerblines of Masefield Drive and Lowes Road move very close to the edge of the signalised intersection, and it appears unlikely that sufficient width remains for a footpath to be provided in these locations. As Mr Carr notes, it is unlikely that the Council would wish to place itself in a position of acquiring additional land, in his view, it is more likely that the Council would provide two lanes on the northern and western approaches. However, no model runs have been included in the documentation from the applicant that allows for such a revised configuration.
129. Further to this, Mr Carr notes that the further information provided by the applicant identifies an area in the north-western corner of the application site is required for the formation of the signalised intersection. While this portion of land is required for the layout proposed, no provision has been made by the applicant to convert this land into road reserve or otherwise provide it to the council.

Trip Distribution

130. As has already been discussed in paragraphs 111 and 112, Mr Carr notes that the modelling of the traffic effects at the Levi Road / Lincoln Rolleston Road roundabout by Abley may under estimate the increase of traffic at the intersection, due to anticipated trips on the network being re-distributed onto the adjacent local road network. Mr Carr notes that a simple engineering approach to trip generation would have added 137 vehicles to the Levi Road westbound approach, however, the modelling approach adds only 7 vehicles. As Mr Carr notes:

“this approach is not incorrect per se, but it is highly dependent on the accuracy of the reallocation. In the Transport RFI Response Abley notes that the model is ‘considered to provide a realistic and reliable representation of levels of diversion’. We conclude that they are comfortable that a net increase of 7 vehicles is therefore appropriate. However no specific details of this have been provided to justify such a low increase”.

131. Mr Carr concludes that if the model has over-estimated the level of trip diversion, then queues and delay may be considerably greater than forecasted without signalisation of the intersection. It is noted that with signalisation, the amount of traffic that is diverted by the model is much lower, although as has been noted, this modelling is based around an intersection design that appears difficult to achieve without third party land.
132. Mr Carr also highlights that the performance of the main site access has been assessed on the assumption that the intersection has been signalised. Signalisation of the intersection will improve the performance of the access by creating gaps in the traffic stream to enable drivers to make right turns out of the supermarket site. Without the signalisation, there will be fewer gaps and therefore it is anticipated that there will be an increase in the delays for right turning vehicles from those anticipated in the ITA.

Levi Road / Lincoln Rolleston Road Intersection - Performance

133. The Abley report has modelled the future performance of the Levi Road / Lincoln Rolleston Road by assessing queues and delays in 2024 assuming that the roundabout is retained, and 2033 with traffic signals. Mr Andrew Mazey, Council’s Transport Asset Manager has advised that while the proposed upgrade of the intersection is intended to occur, there is no certainty around this timing, and it may in practice take place at a later time.
134. In their response to the Request for Further Information, Abley provided modelling of the roundabout in 2033 with and without the supermarket that identified modest increases in the delay per vehicle, being 15 – 19 seconds on Masefield Drive and Lowes Road, and 8 seconds on Levi Road. However, as has been noted, that this is on the basis that the model has reassigned other vehicles away from the intersection.
135. As has been noted above, there are around the intersection layout, with the likely design including fewer approach lanes, with potentially longer delays at traffic signals. The modelling of queue lengths identified that the maximum westbound queue from the intersection would reach the supermarket access. As Mr Carr notes:

“we recognise that this issue arises without the supermarket in place, and that the changes associated with the supermarket appear to be modest, but in our view, it suggests that the results will be very sensitive to changes in the layout (such as reducing the number of traffic lanes on approaches)”

136. The modelling of the queue lengths does not include any pedestrian or cyclist crossing phases at the intersection. Mr Carr notes that in the event that these are implemented, either pedestrians would cross each approach in two stages, which requires additional land in order to provide raised islands for pedestrians to wait, or a specific signal phase, which requires further consideration of queue lengths and possible delays.

Plan Change 71

137. In response to a query regarding managing safety issues associated with heavy vehicles overrunning the centreline of the road at the south-western corner of the site, Abley confirmed that there will be “restricted access” in this location, creating a service lane.
138. Plan Change 71 identifies roading links towards the eastern boundary of the supermarket. Mr Carr notes that *“it appears that these could not easily be formed without connecting to the service lane or by extending the southern east – west route further eastwards”*.
139. Mr Carr notes that should the southern east-west route be extended further eastwards, that this would eliminate the mitigation associated with larger vehicle crossing the centreline.
140. In conclusion Mr Carr identifies a number of remaining transportation matters that are outstanding, these are as follows:
- Whether transportation-related effects arise through PC71 that have not yet been identified;
 - Whether the model has over-estimated the extent of diverted trips within the Lincoln Rolleston Road / Levi Road intersection retained as a roundabout, and if so, what the effects of this will be, both at the roundabout and also at other intersections along Levi Road;
 - How the scheme for the signalisation of the Lincoln Rolleston Road / Levi Road intersection could be constructed without third party land being acquired, or alternatively, the effects of supermarket traffic at a smaller intersection with less capacity;
 - A lack of precision around the wording of the conditions of consent which mean that the mitigation proposed is not specific and open to interpretation; and
 - How the Council can have certainty regarding the public use of the proposed walking / cycling route at the north-western corner of the site and around the main access, since it is on the Applicant’s land.
141. Mr Carr notes that he has been unable to fully identify the transportation effects of the proposal on the adjacent roading network, and consequently cannot make a robust assessment as to whether these effects will be more than minor or less.

142. I accept Mr Carr’s assessment and comments on the proposed conditions, and note that further information is required to fully understand the potential adverse traffic effects associated with the proposal.

Soil Contamination

143. The NES manages activities which involve the disturbance of land which may be contaminated. This is determined by whether activities have or are likely to have occurred on the site, which are listed in the Hazardous Activities and Industries List (HAIL).
144. The applicant has provided a Preliminary Site Investigation (PSI) from Pattle Delamore Partners (PDP). A site inspection was not undertaken as part of the PSI. The PSI states that “it would be prudent to undertake a physical site inspection to confirm the findings of the desk based assessment” with the application. Further, the report states that the applicability of the NES can be “confirmed following the recommended site inspection”. The applicants have sought resource consent for a discretionary activity.
145. In response to the RFI request that sought to confirm whether the applicant was planning on completing a full Detailed Site Inspection (DSI) or whether they would supplement the PSI with soil sampling and a site walkover, the applicant advised that:

“Based on the currently reviewed information there has been no information to suggest that any HAIL activity has occurred at the Site. Resource consent is only being sought as a precaution. The Applicant is accepting of appropriate conditions of consent relating to managing contaminated land, such as the

requirement to undertake a full DSI or to supplement the existing PSI with soil sampling and a site walkover prior to works commencing”.

146. The PSI and application have been peer reviewed by a Contaminated Land Officer from Environment Canterbury and further clarification on these matters was sought. As part of these discussions, the applicant has committed to undertaking a DSI / soil sampling investigation and have proposed the following conditions:

- *“In the event that the soil sampling investigation/Detailed Site Investigation recommends for a Site Management Plan (SMP) and/or Remedial Action Plan (RAP) be prepared to appropriately manage any identified contaminated soils then at least [insert timeframe here – Ecan usually uses 20 working days to allow for internal review] prior to bulk earthworks construction commencing on site the SMP and/or RAP a remediation action plan shall be provided to XXX District Council for confirmation that it complies with the conditions of this consent and the Ministry for the Environment’s Contaminated Land Management Guidelines Number 5 (2021). The SMP and/or RAP remediation action plan shall include, at a minimum:*
 - 1. Details of validation sampling to be undertaken, including the sampling rationale, and analyses to be undertaken.*
 - 2. Details of how remediation will be undertaken if soils do not comply with the standard described in condition X [this should refer to a condition above which talks about the NES standards for the relevant land-use]*
 - 3. Details of where soil will be disposed of if disposal off-site is required.*
 - 4. anything else...*
- *Within [timeframe] of the completion of validation sampling at the site a site validation report shall be provided to the XX Council, to demonstrate that the site complies with condition X [this should refer to the condition above that talks about the NES standards]. The site validation report shall be prepared in accordance with the Ministry for the Environment’s Contaminated Land Management Guideline Number 1.*
- *In the event that visual or olfactory evidence of contamination is identified which was not anticipated by the previous soil contamination investigations undertaken on the site the works shall immediately cease within 10 metres of the contamination. Works shall not recommence in this area until a suitably qualified and experienced contaminated land practitioner has assessed the contamination, and their recommendations have been followed.”*

147. The Contaminated Land Officer has confirmed acceptance of these conditions, subject to a Detailed Site Investigation being required as a condition of consent. I accept the recommendations of the Contaminated Land Officer, and consider that subject to the proposed conditions, any adverse effects resulting from soil contamination will be no more than minor.

Retail Distribution / Economic Effects

148. Insight Economics have provided an Economics Assessment of the proposed supermarket on behalf of the applicants. In summary, Insight have determined that the likely effects of the proposal will not “pose a risk of significant adverse retail distribution effects on the Rolleston Town Centre.” The reasons for this include:

- The Rolleston Key Activity Centre (KAC) is the district’s largest centre and performs several roles and functions;
- The KAC is anchored by two supermarkets and a department store, and none of the speciality retailers will be directly affected by the proposal;
- District retail demand is forecast to grow rapidly, and therefore any trade impacts will be minor and short lived;
- The proposal’s highly visible and accessible location will draw customers from a wide catchment, spreading any competitive effects across several other centres; and
- The proposal will not include any comparison retail shopping.

149. The Insight report has been peer reviewed by Tim Heath of Property Economics on behalf of the Council. A full copy of his report is provided in **Appendix 11**.
150. With regard to trade impact, Mr Heath considers that the overall retail network within the district will see a net gain from the proposed development in both short and long term, as the proposed supermarket is likely to re/capture some sales from the broader Canterbury market. Any potential redirection of sales from nearby supermarkets, is anticipated to result in a short term decline in store sales productivity.
151. In response to submitters identifying concern over the fragmentation of the retail offering in Rolleston, and potential effects on the viability and vitality of the KAC, Mr Heath considers that in spite of the estimated sales loss in the two existing supermarket, such impacts will be minimal and temporal. Mr Heath notes that the high occupancy and diverse functions indicate that the centre is more than a shopping destination, and that these functions and future will not be compromised by temporary sales losses in two supermarkets. However, Mr Heath does note that if the New World supermarket were to close as a result of the proposed development, the conclusions would likely be different.
152. The conclusion of Mr Heath is that there will be no adverse retail distribution effect generated by the proposed supermarket on the Rolleston KAC in the context of the economic effects under the RMA. I accept Mr Heath's conclusion and consider any adverse effects on retail distribution will be less than minor.

Infrastructure Management

Stormwater

153. A few submitters have raised concerns regarding flooding, noting that Section 7.2.2 of the applicant's AEE states that:
"Modelling shows that during the 1:200 year food, stormwater from Beaumont Drive to the north of the site cuts across Levi Road and into the site. After site development, it is anticipated the 1:200 flood can be directed further south-west on Levi Road, to enter the site at the proposed landscape area in the western corner".
154. These submitters note that the proximity of the proposed landscape area to their own homes and have raised concerns that the development could impact on their property *"through wave action caused by vehicular movement into our property"*.
155. The AEE provides a detailed assessment of the anticipated risk to supermarket building and operations and determines that the risk is low. In review of the application, Mr Daniel Meehan, Surface Water Engineer of the Selwyn District Council agrees that there is an overland flow path that crosses the site and flows from the upstream catchment, that appears to be about 200mm – 400mm deep, as detailed in **Figure 4** below:

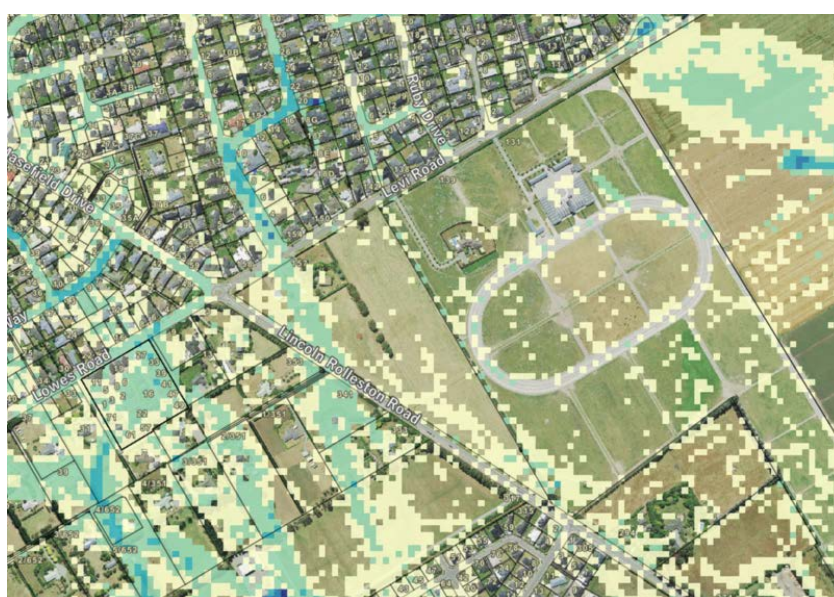


Figure 4 Flood Hazard Map for the 0.5% AEP (1:200 year) flood event (source: flood model results canterburymaps.govt.nz)

156. Mr Meehan notes that the responsibility for managing the stormwater hardstand areas within the site sits with the developer. The applicant has advised that a resource consent for the discharge of stormwater will be sought from Environment Canterbury.

Waste Management

157. The District Plan provides for a maximum of 1m³ on average per week per year to be generated from non-residential activities in the Living zones. As a restricted discretionary activity, the Council is directed to restrict its discretion to the approval of a waste management plan to minimise waste from the activity and dispose of the waste in a way that mitigates adverse effects on the environment.
158. The applicant has acknowledged that the proposal will exceed the District Plan standards for generating waste. A number of local residents have identified waste management issues in their submissions. It is considered that matters relating to waste can be addressed by way of a condition of consent requiring a waste management plan to be submitted to Council for approval prior to the supermarket becoming operational.

Infrastructure Capacity

159. More general submission points from submitters have included querying whether the infrastructure has capacity to support the proposal. The Council's Development Engineering Manager has confirmed that, subject to a number of conditions of consent, the site can be adequately serviced.

Construction Effects

Earthworks – Dust and Sediment

160. The District Plan places maximum limits on earthworks within the residential zone to 2,000m³ per project to manage potential adverse effects associated with dust nuisance, erosion, siltation, sedimentation in waterbodies and amenity effects. The proposal seeks to undertake approximately 30,800m³ of earthworks. In order to manage the potential adverse effects of the proposed earthworks, Powell Fenwick has prepared an Erosion and Sediment Control Plan (ESCP). It is acknowledged that the ESCP provided is a desktop assessment and will continue to be a working document, responding to the construction activities on site. To this end, it is noted that Assessment of Environmental Effects expands on the ESCP providing a useful framework for matters to be included in the ESCP to reduce potential effects on the environment, as follows:
- Minimising the amount of disturbed material and open ground;
 - Controlling run-off water from flowing across the site and disturbed open earthworks where practical;
 - Separating clean run-off water from adjacent road and properties from on-site run-off;
 - Avoid surface erosion by protecting any exposed areas from overland run-off, effect of heavy rain events and wind blow;
 - Preventing sediment from leaving the Site by directing water to remain on-site and avoiding run-off and loose sediment from reaching adjoining properties;
 - Covering stockpiles and open ground with appropriate material when exposed for a length of time and / or is prone to wind erosion;
 - Removing stockpiles from site as soon as possible. Stockpiles will be kept tidy and constructed in a safe manner. They will not be greater than 4m in height and shall have a stable slope;
 - Covering excavated access formation with a running course as soon as possible to reduce potential erosion; and
 - Inspection and monitoring of control measures, and rectification works as necessary.
161. It is considered that subject to the inclusion of this framework into consent conditions, that any adverse effects associated with dust and sediment can be adequately mitigated.

Noise

162. As has been discussed above, a construction noise condition has been proposed by the applicant to manage potential adverse effects associated with construction noise. It is considered that subject to this condition, that construction noise can be adequately managed.

Property Valuation

163. Submitters have also raised concerns regarding the potential devaluation of their properties located in proximity to the proposed development. It is understood that from a legal perspective, property values are not strictly relevant to the assessment of the effects of the application under the RMA because the assessment of impact on property values can be seen as ‘double counting’ of environmental effects that have been considered separately. Therefore, whilst I acknowledge these submitters concerns, I consider that these have been thoroughly addressed in the assessment above.

Alternative Locations

164. A number of submitters supported a third supermarket offering within the Rolleston township, but sought to have it located within the Farringdon development or within the Izone. Ms Wolfer has provided comment on these suggestions from an urban design perspective, noting that the “*proposed site contributes to a compact, consolidated urban form within a location that is accessible for all modes of transport*”.

Positive Effects

165. A number of positive effects have been identified by the submitters. I consider that the positive effects of the proposed development include the following:
- Provision of opportunities for local employment;
 - Provision of opportunities for increased competition and choice from a further supermarket offering in the township; and
 - Provision of a supermarket offer in a walkable location for residents of Rolleston.

Summary – Assessment of Environmental Effects

166. In the context of the receiving environment, it is my view that the scale of the proposal will result in an impact on the character and amenity through the disturbance and a general level of commercial ‘busyness’ that is considered to be more than minor. Further, it is considered that further information relating to transportation and noise impacts is required to fully understand the potential effects of the proposal. Therefore I am unable to make an informed decision as to the potential effects of the proposal relating to the safe and efficient operation of the transport network or the potential noise effects on neighbouring site. On balance, I consider that the environmental effects of this proposal will be more than minor.

Operative District Plan Objectives and Policies

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

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 airfield is not compromised by adverse effects from activities on surrounding land or by residential growth.

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 B2.1.6(a)

Require activities to have adequate on-site parking and loading facilities to minimise potential adverse effects from roadside parking and to require adequate on-site 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.

168. As has been noted, the information provided to date has not been sufficient to fully identify the transportation effects of the proposal on the adjacent roading network, and consequently it is not possible to make a robust assessment as to whether the proposal will manage the effects of the proposal to ensure the safe and efficient operation of the surrounding transportation network, or to make an assessment as to whether the proposal is consistent with the transport objectives and policies.

Objective B3.4.1

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

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.

Objective B3.4.2

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

169. Objective B3.4.1 and B3.4.2 and associated Policy B3.4.2 seek to ensure that townships are pleasant places to work and live, and to provide for activities which are compatible with the character, quality of the environment and amenity values of that zone. The policy framework focuses on maintaining residential qualities and characteristics when considering non-residential development, and the associated signage, bulk and location and traffic amenity effects.
170. In consideration of the receiving environment, it is noted that the surrounding area is characterised by a variety of living environments with each area developed in a manner that is very much in keeping with the anticipated environmental outcomes for each zone.
171. I consider that the proposal seeks to construct a large, highly visible and overtly commercial development within an existing intact residential environment. The cumulative effects of the scale of the activities associated with the operation of a large supermarket, including staff numbers, vehicle movements, opening hours are considered to be incompatible with the character, quality of the environment and amenity values of the existing and anticipated residential environment.
172. On balance, I consider that the proposed development will create a large, highly visible and overtly commercial development on land which is anticipated by the District Plan to be residential in nature, and therefore is contrary to the above objectives and policies.

Policy B3.4.9

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

Policy B3.4.10

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

Policy B3.4.15

Ensure the operating hours of non-residential activities in Living zones do not disturb surrounding residential activities, particularly at night.

Policy B3.4.18

Ensure non-residential activities in Living zones generate vehicle and pedestrian movements on a scale compatible with the quality of the environment in Living zones.

Policy B3.4.20

Ensure signs in all zones are designed and positioned to avoid:

- *Adverse effects on the visibility or safety of pedestrian, cyclists or motorists;*
- *Impeding access to or past sites;*
- *Nuisance effects from sound or motion features on signs or from glare or reflectivity;*
- *Adverse effects on the amenity values of the zone; or*
- *Dominance of the 'skyline' or view, caused by large signs protruding above the roofs of buildings.*

Policy B3.4.21

Ensure signs in Living zones are of a size, design and number which maintain the quality of the environment and amenity values of the zone, but recognise the need for retail activities located in Living zones to have extra signs on the site.

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.

Policy B3.4.27

Ensure buildings and structures in Living zones which are used for non-residential activities, are of a size and bulk and in a setting compatible with the quality of the environment and amenity values of a residential area

173. The identified policies above (Policies B3.4.9, 10, 15, 18, 20, 21, 26 and 27) function as suite of policies aimed at maintaining the quality of the environment and amenity values, and ensuring that future developments are compatible with those existing qualities and values. These policies provide a framework defining the scale of non-residential activities within residential zones as being of a size and bulk that is compatible with the character and the quality of the environment and amenity values of the receiving environment. As I have discussed above, I consider that the receiving environment as an intact residential area defined by residential scale buildings and landscaping.
174. It is into this residential environment that the proposal seeks to employ 260 staff on site, with vehicle movements anticipated to be approximately 10,000 per day, with proposed opening hours of the supermarket is 7.00am until 10.00pm, but with staff and heavy vehicles operating on site outside of these opening hours. It is considered that the scale of these activities are not compatible with the surrounding residential environment, and therefore the proposal is at least inconsistent with Policies B.3.4.15 and B3.4.18.
175. In consideration of Policies B3.4.9 and B3.4.10 relating to noise effects, it is noted that further information is required to fully understand whether the proposal will manage the noise effects of the proposal on adjacent existing and proposed residential development, and therefore to determine consistency with these noise objectives and policies.
176. It is acknowledged that the proposed building has been setback from the adjacent road boundaries and will maintain privacy and outlook for existing residential dwellings. However, regardless of the building setback, it is considered that the construction of the supermarket building with a proposed floor area of 7,232m² with a height of 12.5m, will be incompatible with the surrounding environment.
177. Policies B3.4.20 and B3.4.21 seek to ensure that signs are of a scale and design that will maintain the quality of the environment and amenity values of the receiving environment. The proposal seeks to erect 90.35m² of signage, including two 8 metre high pylon signs. It is acknowledged that the applicant has sought to reduce the scale of the pylon sign since lodgement, and that the scale, design and number of signs are in keeping with modern supermarket design. However, within the context of the receiving environment, I consider that the scale and number of signs proposed will not maintain the quality of the environment and amenity values of the surrounding residential environment.
178. On balance, I consider that the scale of the proposed activity is incompatible with the quality of the environment and amenity values of the surrounding residential area and therefore are contrary with the identified policies relating to character and quality of the environment.

Objective B4.3.3

For townships within the Greater Christchurch area, new residential or business development is to be provided within existing zoned land or priority areas identified in the Regional Policy Statement and such development is to occur in general accordance with an operative Outline Development Plan.

Objective B4.3.8

Commercial growth is primarily focused within the Key Activity Centres of Rolleston and Lincoln in a way and at a rate that:

- (1) Meets the economic needs of commercial businesses, provides for their communities with convenient access to goods and services, and ensures opportunities for employment and social interaction; and*
- (2) Ensures an adequate supply of land to meet commercial and community demands.*

Policy B4.3.4

Encourage new residential or business development to occur on vacant land in existing Living or Business zones, if that land is available and appropriate for the proposed activity.

Policy B4.3.10

To ensure that the key principles and outcomes sought in operative Outline Development Plans are achieved and where development is proposed that is not in general accordance with an operative Outline Development Plan in the District Plan, consideration shall be given as to whether:

- The proposed change will better achieve the key principles of the Outline Development Plan, as set out in Policy B4.3.7 and any specific ODP requirements set out in any area-specific ODP policy, than the land use pattern shown in the operative ODP;*
- The proposed change will potentially compromise the outcomes sought within the remainder of the Outline Development Plan area. This is especially the case where changes are proposed that only cover a portion of the ODP area and/or have implications for other parts of the ODP area beyond the applicant's control. Where development is not in general accordance with the ODP is proposed via a subdivision consent application, it is preferable that the application covers the entire ODP area so that the implications of such changes are able to be fully understood and assessed;*
- Adequate provision has been made to ensure that such changes are aligned to corresponding land use provisions of the District Plan and that this is transparent to current and future landowners.*

Policy B4.3.11

Provide Neighbourhood and Local Centres, as shown in operative Outline Development Plans, to satisfy the more localised and convenience needs of people and communities, whilst recognising that neighbourhood and local centres are to complement Key Activity Centres which shall remain the primary focus for commercial, social and community activity within that Township.

Policy B4.3.72

Encourage land rezoned for new business development to adjoin existing Business zone of similar character, where sites are available and appropriate for the proposed activity.

Policy B4.3.76

Ensure that development within each of the Outline Development Plan areas identified on the Planning Maps and Appendices within Rolleston addresses the specific matters relevant to each ODP Area number listed below:

Outline Development Area 4

- Provision of a local secondary road connection accessing Lincoln Rolleston Road;*
- Provision of pedestrian and cycle links within and throughout the ODP area to connect with the adjoining urban area to the west;*
- Provision of a comprehensive stormwater system that has sufficient capacity for the ODP area;*
- Provision of reticulated water supply and wastewater systems that have sufficient capacity for the ODP area;*

- *Provision of a minimum net density of 10 households per hectare averaged over the ODP area.*
179. The Growth of Townships objectives and policies seek to encourage residential and business development to occur within existing zoned land and in accordance with ODPs, in order to maintain existing zone patterns and transport patterns, to maintain consolidated town shapes, and to ensure the focus of commercial development is around a hierarchy of business zones. Where development is proposed outside of the existing Plan framework, the Plan provides for a consideration of the proposed activities where they complement the existing character and amenity of the receiving environment.
 180. The application site is located within the Greater Christchurch area, within the Rolleston ODP Area 4. The ODP provides for a combination of low and medium density residential development with a neighbourhood park. The ODP makes no provision for commercial development, but notes that the area's proximity to the town centre of Rolleston, and the associated services and facilities contained within it, supports some Medium Density Housing within the centre of the ODP Area 4 and in proximity to the identified Neighbourhood Park. The inclusion of a supermarket with associated car parking would not be in accordance with the ODP, nor will it better achieve the key principles of the ODP.
 181. As has been discussed, the application site is subject to Plan Change 71. PC71 seeks to make amendments to the existing ODP to provide roading connections to the proposed Living Z land to the east of the site. At the writing of this report, the Commissioner has provided an interim recommendation that PC71 be granted. As has been discussed, it is considered that the proposal is not in accordance with ODP Area 4, and further information is required to determine whether the proposal can be considered to be in accordance with the changes sought under PC71.
 182. Policy B4.3.11 seeks to maintain a hierarchy of commercial centres to ensure that the Key Activity Centres are the primary focus for the commercial, social and community activity of the township. The explanation for Policy B4.3.11 states that Town Centres with each township form an important function as significant physical resources for providing for the social, cultural and economic wellbeing of their respective communities of influence. Crucially such Town Centres serve as focal points in terms of providing important public and private services and facilities in the most efficient manner to the wider community, and should remain the focus of commercial, business and retail development in future.
 183. Of relevance to the proposed supermarket, the explanation for Policy B4.3.11 seeks to define the scale of activities appropriate for each commercial centre. Neighbourhood Centres identified in ODPs should range in size, but generally comprise 1,000m² – 2,000m² total floor space, comprised of smaller retail tenancies (with a maximum retail tenancy of 350m² GFA) and community facilities. Similarly, Local Centres should comprise of smaller retail tenancies and community facilities, limited to approximately 450m² total floor space for the centre.
 184. The proposed supermarket will have a floor area of 7,232m², with a mezzanine area of 876m². The proposed supermarket will significantly exceed the maximum floor area for an entire Neighbourhood Centre of 2000m². The supermarket is outside of the Key Activity Area, and is considered to be of a scale that exceeds providing for “more localised and convenient needs of people and communities”.
 185. Policy B4.3.4 provides for business development to occur on vacant land where “the land is “available and appropriate for the proposed activity” (Policy B4.3.4). As has been discussed, it is considered that the scale of the proposal is incompatible with the surrounding residential environment, and will result in the fragmentation of the retail offering in the township, and therefore is not considered to be appropriate for the proposed activity.
 186. Therefore, I consider the proposed to be inconsistent with the Growth of Townships Objective and policy framework.

Summary – District Plan Objectives and Policies

187. Overall, I consider the proposal to be contrary to the objective and policies of the Operative District Plan.

Proposed District Plan Objectives and Policies

188. The Proposed District Plan objectives and policies that I consider relevant are:

Objective RESZ-O2

Residential activities are the principal use in residential zones.

Objective RESZ-O5

Built form is of a high design standard and appearance that responds to and reinforces positive aspects of the local environment.

Objective RESZ-O6

The role, function and predominant character of the residential zones is not compromised by non-residential activities.

Policy RESZ-P3

Maintain and enhance the character and amenity values of residential zones by ensuring that all new buildings are:

- 1. Of a scale appropriate to the locality;*
- 2. Sites in a location to enable privacy and retain open space and access to sunlight and daylight;*
- 3. Designed to enable ancillary activities such as accessory buildings, manoeuvring and landscaping to be accommodated on the site.*

Policy RESZ-P15

Provide for non-residential activities and community facilities that:

- 1. Are of a nature and scale that meet the needs of the local community;*
- 2. Are consistent with the amenity values and character of the locality;*
- 3. Encourage co-location and share use of community facilities where practicable; and*
- 4. Do not undermine the viability of commercial centres.*

189. The objectives and policies for residential zones seek to ensure that the built form of those zones is of a high quality that responds to the character and amenity of the surrounding environment. The policy framework also seeks to ensure that non-residential activities do not compromise the existing character of an area by ensuring those activities are of a nature and scale that is appropriate to the locality.

190. As has been discussed above, the proposal seeks to construct and operate a supermarket within an existing residential zone. The proposed activity is of a scale that is considered to be not in keeping with the existing character and amenity of the surrounding environment.

191. It is considered that the proposed is contrary to the relevant objectives and policies of the Residential Chapter.

TRAN-O1

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.

TRAN-P3

Require Integrated Transport Assessments to assess the effects of high trip generating activities on surrounding land transport network to:

- 1. Maintain the safety and efficiency of land transport infrastructure by ensuring there is sufficient capacity in land transport corridors, including by integrating development with funded improvements to the network and ensuring the timing aligns with capacity; and*
- 2. Establish whether the high trip generating activity can be supported by active transport modes, including accessibility to safe and convenient walking and cycling connections and access to public transport and public transport facilities.*

TRAN-P7

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:

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;*
2. *Ensuring land transport corridors and land transport infrastructure can support the volume and type of transport movements based on the network road classification; and*
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.*

TRAN-P9

Manage on-site parking areas and loading facilities to maintain the safe and efficient operation of land transport corridors and land transport infrastructure.

TRAN-P11

Manage vehicle access, vehicle crossings and manoeuvring areas to maintain the safe and efficient operation of land transport corridors and land transport infrastructure by:

1. *Requiring all sites to have access to a road and to ensure that this access is constructed to the appropriate formation standards and is compatible with the network road classification;*
 2. *Avoiding the need to reverse vehicles onto the strategic transport network;*
 3. *Avoiding the establishment of new accessways and vehicle crossings to roads that require access across a rail line; and*
 4. *Minimising the need to reverse onto Collector and Local Roads through the provision of appropriate on-site manoeuvring areas.*
192. As has been noted, the information provided to date has not been sufficient to fully identify the transportation effects of the proposal on the adjacent roading network, and consequently it is not possible to make a robust assessment as to whether the proposal will manage the effects of the proposal to ensure the safe and efficient operation of the surrounding transportation network.

Noise –O1

The health and well-being of people and communities and their amenity values are protected from significant levels of noise.

Noise-P1

Manage noise effects by setting:

1. *Maximum noise limits to reflect the character and amenity of each zone;*
 2. *Limits on the location, frequency and duration of specific activities that generate noise;*
 3. *A vibration standard*
193. As has been noted, further information is required to understand the existing noise environment and to determine the noise effects on existing and future residential areas, and consequently it is not possible to make a robust assessment as to whether the proposal will manage the effects of the proposal.

Summary – Proposed District Plan Objectives and Policies

194. Overall, I consider the proposal to be contrary to the objectives and policies of the Proposed District Plan.

Weighting Between District Plans

195. Section 104(1)(b) requires decision makers to take account of any relevant plan or proposed plan. Where there is conflict between an operative and proposed plan, a weighting assessment is required to determine which plan should be afforded dominant weight.

Summary – Operative District Plan

196. I conclude that the effects of the proposal are more than minor and the proposal is contrary to the objectives and policies of the Operative District Plan.

Summary – Proposed District Plan

197. I conclude that the proposal is contrary to the objectives and policies of the Proposed District Plan.

Weighting Assessment

198. In this case, as the conclusions reached in the above assessment lead to the same conclusion under both the Operative District Plan and Proposed District Plan, no weighting assessment is required.

Canterbury Regional Policy Statement

199. The Canterbury Regional Policy Statement ('CRPS') sets out the resource management issues for the Canterbury region and the objectives, policies and methods to achieve integrated management of natural and physical resources. The CRPS became operative on 15 January 2013.
200. The relevant provisions of the CRPS are:
201. The Canterbury Regional Policy Statement ('CRPS') sets out the resource management issues for the Canterbury region and the objectives, policies and methods to achieve integrated management of natural and physical resources. The CRPS became operative on 15 January 2013.
202. Chapter 5 of the CRPS provides for general urban development. I consider the following policy framework to be relevant to the proposal:

Objective 5.2.1 – Location, design and function of development (Entire Region)

Development is located and designed so that it functions in a way that:

1. *Achieves consolidated, well designed and sustainable growth in and around existing urban area as the primary focus for accommodating the region's growth; and*
2. *Enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which*
 - a. *(...)*
 - c. *encourages sustainable economic development by enabling business activities in appropriate locations;*
 - i. *avoids conflict between incompatible activities.*

Policy 5.3.1 – Regional Growth (Wider Region)

To provide, as the primary focus for meeting the wider region's growth needs, sustainable development patterns that:

1. *Ensure that any:*
 - a. *Urban growth; and*
 - b. *Limited rural residential development*

Occur in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development;
2. *Encourage within urban areas, housing choice, recreation and community facilities, and business opportunities of a character and form that supports urban consolidation;*
3. *Promote energy efficiency in urban forms, transport patterns, site location and subdivision layout;*
4. *Maintain and enhance the sense of identity and character of the region's urban areas; and*
5. *Encourage high quality urban design, including the maintenance and enhancement of amenity values*

Policy 5.3.2 – Development conditions (Wider Region)

To enable development including regionally significant infrastructure which:

1. *Ensure that adverse effects are avoided, remedied or mitigated, including where these would compromise or foreclose:*
 - a. *(...)*
 - b. *Options for accommodating the consolidated growth and development of existing urban areas*
203. Chapter 5 seeks to ensure that development occurs in a consolidated manner in existing urban areas, and that adverse effects of the development are adequately managed. The applicant considers that the proposal is in accordance with Objective 5.2.1 and associated policies, as it will provide for the social and economic wellbeing and health and safety of the community, and that the proposal will enable commercial development in an appropriate location, and achieve consolidated, well designed and sustainable growth.
204. The location of the proposed supermarket is within the existing urban area and will therefore contribute to a compact, consolidated urban form, as well as promote energy efficiency in terms of encouraging sustainable modes of transport.
205. However, I consider that the sense of identity and character of the surrounding urban area can be defined as an intact residential area defined by residential scale buildings and landscaping, and therefore in the context of this receiving environment, I consider that the scale of activities proposed will not maintain and enhance these amenity values.

Objective 5.2.2 – Integration of land-use and regionally significant infrastructure (Wider Region)

In relation to the integration of land use and regionally significant infrastructure

1. *To recognise the benefits of enabling people and communities to provide for their social, economic and cultural well-being and health and safety and to provide for infrastructure that is regionally significant to the extent that it promotes sustainable management in accordance with the RMA*
2. *To achieve patterns and sequencing of land-use with regionally significant infrastructure in the wider region so that:*
 - a. *Development does not result in adverse effects on the operation, use and development of regionally significant infrastructure*
 - b. *Adverse effects resulting from the development or operation of regionally significant infrastructure are avoided, remedied or mitigated as full as practicable;*
 - c. *There is increased sustainability, efficiency and liveability*
206. As has been noted, the information provided to date has not been sufficient to fully identify the transportation effects of the proposal on the adjacent roading network, and consequently it is not possible to make a robust assessment as to whether the proposal will be in accordance with Objective 5.2.2.
207. On balance, I consider the proposal to be only partially consistent with Chapter 5 of the RPS.
208. Chapter 6 of the CRPS relates to the recovery and rebuilding of Greater Christchurch. I consider the following objectives and policies to be relevant to the proposal:

Objective 6.2.1 Recovery Framework

Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:

1. *Identifies priority areas for urban development within Greater Christchurch;*
2. *Identifies Key Activity Centres which provide a focus for high quality, and, where appropriate, mixed-use development that incorporate the principles of good urban design:*
3. *Avoids urban development outside of existing urban areas or greenfield priority areas for development, unless expressly provided for in the CRPS*

Objective 6.2.2 Urban form and settlement pattern

The urban form and settlement pattern in Greater Christchurch is managed to provide sufficient land for rebuilding and recovery needs and set a foundation for future growth, with an urban form that achieves consolidation and intensification of urban areas, and avoids unplanned expansion of urban areas, by:

- 1. (...)*
- 4. encouraging sustainable and self-sufficient growth of the towns of Rangiora, Kaiapoi, Woodend, Lincoln, Rolleston and Prebbleton and consolidation of the existing settlement of West Melton*

Objective 6.2.5 Key Activity and Other Centres

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

- 1. The Central City*
- 2. Key Activity Centres*
- 3. Neighbourhood Centres*

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, recognising that:

- 3. New commercial activities are primarily directed to the Central City, Key Activities Centres and neighbourhood centres;*
- 4. A range of other business activities are provided for in appropriate locations; and*
- 5. Business development adopts appropriate urban design qualities in order to retain business, attract investment and provide for healthy working environments.*

Policy 6.3.1 Development within the Greater Christchurch Area

In relation to recovery and rebuilding for Greater Christchurch:

- 1. Ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A, unless they are otherwise expressly provided for in the CRPS.*

Policy 6.3.2 Development form and urban design

Business development, residential development (including rural residential development) and the establishment of public space is to give effect to the principles of good urban design, and those of the NZ Urban Design Protocol 2005, to the extent appropriate to the context (...)

- 1. Turangawaewae – the sense of place and belonging – recognition and incorporation of the identity of the place, the context and the core elements that comprise the Through context and site analysis, the following elements should be used to reflect the appropriateness of the development to its location; landmarks and features, historic heritage, the character and quality of the existing built and natural environment, historic and cultural markers and local stories.*

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 (...)

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:

- 1. (...)*
- 3. Reinforces the role of the Central City, as the city's primary commercial centre, and that of 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*
209. Chapter 6 of the CRPS specifically relates to managing growth and development to support earthquake recovery within the Greater Christchurch area, including business recovery and growth. Of relevance to the proposal, Policy 6.3.6 directs that development reinforce the role of the Central City and Key Activity Centres, and recognises that new commercial activities are to be directed to these centres *“or in circumstances where locating out of centres, will not give rise to significance adverse distributional or urban form effects”*.
210. In his economic assessment, Mr Heath has determined that any potential retail distribution effects on the existing KAC and neighbourhood centres will not be significant. Further, as has been stated above, the proposal is located within the urban area and will therefore contribute to a compact, consolidated urban form.
211. I consider that in the context of the receiving environment, the scale of the activities proposed will not maintain the character and quality of the existing built environment, or reflect the appropriateness of the development to its location. Further, I note that the proposal is not in accordance with Rolleston Outline Development Area 4. I therefore consider the proposal to be only partially consistent with Chapter 6 of the RPS.

Other Matters

Rolleston Structure Plan

212. The purpose of the Rolleston Structure Plan (2009) is to outline an urban design vision for the future development of Rolleston Town Centre and to provide a strategic framework to guide the development process. The Structure Plan was subject to extensive public consultation and formed the basis for the Rolleston Outline Development Plans and associated Plan Changes.
213. Whilst the Structure Plan has been superseded to some extent by the subsequent processes for the identification and development of the ODP areas and associated Plan Changes, a number of the core principles of the Structure Plan remain relevant.
214. The Structure Plan seeks to consolidate the town centre along Rolleston Drive and Tennyson Street and using the existing Rolleston Reserve, and improve connectivity within the town centre and stronger use of the Rolleston Reserve land. The Plan seeks to establish a clear hierarchy of centres by *“establishing complementary centres within the town centre acting as a recognisable community focus and neighbourhood and smaller local centres catering for the basic daily needs of local residents.”* The Structure Plan identifies the hierarchy of centres, including five neighbourhood centres, intended to serve the broader residential community without affecting the viability of the town centre, as detailed in **Figure 5** below.
215. I note that a number of submitters have identified concerns relating to the dispersal of retail activities, or potential impacts on the town centre, and more specifically that the proposal is not in accordance with the Rolleston Structure Plan.
216. It is noted that the Rolleston Structure Plan defines the town centre, with its eastern most edge being defined to the existing retail offerings and identifies an appropriate location for a neighbourhood centre on Lincoln Rolleston Road, approximately 1.5 kilometres to the south-east of the subject site. The proposed dispersal of centres is intended to establish clearly defined commercial areas within an established hierarchy of centres. The supermarket is proposed to be located outside of the Rolleston KAC and proposed neighbourhood centres.
217. As has been discussed above, the modelling undertaken by the Economics experts has determined that the proposal will have very little impact on the Rolleston Town Centre’s various roles and functions. The proposal seeks to locate a single retail activity on the site and is considered by the Urban Designers as not creating an alternative centre or local centre node that could compete with existing or planned centres. Further Ms Wolfer notes that the *“proposal will contribute to a compact, consolidated urban form with a located that is accessible for all nodes of transport”*.

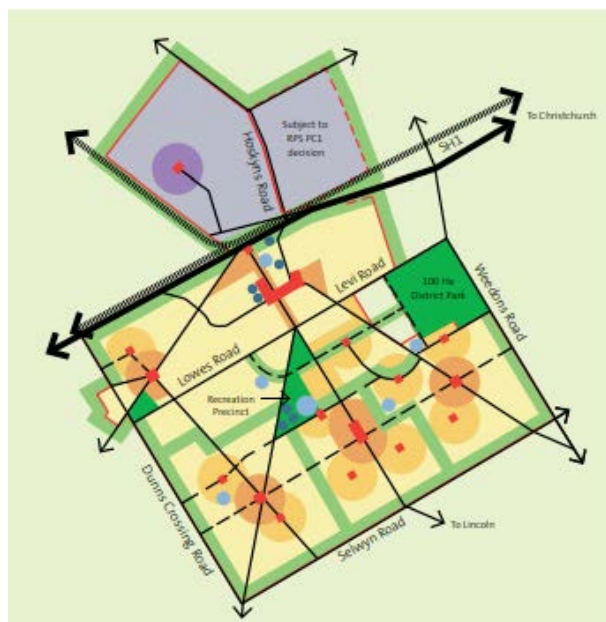


Figure 5 Rolleston Structure Plan Diagram

218. Ms Wolfer and Mr Ross have both identified that the proposal is not in keeping with the formal type of avenue plantings anticipated by the Structure Plan along Lincoln Rolleston Road. The intention of the avenue planting along this road is to establish landscape character, create visual interest and to create a gateway into the township. The proposed landscape treatment along Lincoln Rolleston Road is not in accordance with the Structure Plan. Noting that the landscape plan has been assessed as being inadequate to provide sufficient filtering of views to the proposed car parking and supermarket building, it is considered that there is an opportunity for the landscape plan to be amended to provide adequate mitigation and to be in accordance with the Structure Plan.
219. On balance, I consider the proposed supermarket is inconsistent with the Rolleston Structure Plan.

Part 2 Resource Management Act 1991

220. The purpose of the Resource Management Act 1991 is 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*
221. Section 6 sets out matters of national importance. No matters of national importance are affected by this proposal.
222. Section 7 requires particular regard to be had to “other matters”. Of relevant to this application are:
- (b) the efficient use and development of natural and physical resources;
 - (c) the maintenance and enhancement of amenity values;
 - (f) maintenance and enhancement of the quality of the environment.
223. It is considered that the proposed supermarket can be considered to be an efficient use and development of natural and physical resources, given that the proposal seeks to develop land that has been identified as appropriate for urban development. That said, I do not consider that the proposal will adequately maintain and enhance the existing amenity values in the area, as the scale of the activities will have an

adverse effect on the amenity values for the surrounding residential environment. I also consider that the proposal will fail to maintain the quality of the environment in a manner that is not contemplated by the Plan, and thus may not promote the purpose of the Act.


224. Section 8 requires the principles of the Treaty of Waitangi to be taken into account. No cultural matters arise in the consideration of this proposal.
225. For the above reasons, particularly those pertaining to Section 7, I consider that the proposal is inconsistent with Part II of the Resource Management Act.

Summary

226. After considering the actual and potential effects on the environment of allowing the application, it is my conclusion that the proposal will result in more than minor adverse effects on residential amenity values. As of the writing of this report, an informed assessment as to the transport and noise effects of the proposal cannot be made.
227. In my opinion the proposal is contrary to the objectives and policies of the Selwyn District Plan. This is because overall, the proposal is incompatible with the character of the receiving environment.
228. I consider that the proposal is inconsistent with Part II of the Resource Management Act 1991.
229. Having considered all of the relevant matters under Sections 104, and 104, it is my opinion that consent should be refused.

Recommendation

230. I have assessed this application to construct and operate a supermarket, with associated car parking and landscaping, at 157 Levi Road. Having considered all the matters relevant to this application, I recommend that this application be refused pursuant to Sections 104, 104B and 108 of the Resource Management Act 1991.
231. In case Commissioner Caldwell is of the opinion that the application can be granted, I have compiled a list of appropriate conditions of consent in **Appendix 12** to this report. However, it is noted that both the traffic and noise conditions cannot be considered to be complete, as it is considered that sufficient information has not been available to fully identify the transportation and noise effects of the proposal, and consequentially it has not been possible to assess whether the proposed conditions will manage the effects of the proposal.
232. I consider a number of these conditions, which have been identified to be outside the scope of the Council's discretion. The agreement of the applicant would be required to impose these conditions.

| | |
|--|---------------------------|
| Reported and recommended by  Jane Anderson Consultant Planner | Date: 11 July 2022 |
|--|---------------------------|

Appendix 3 List of Submitters

| No. | Name | Address | Support/ Oppose | Wish to be heard |
|-----|--------------------------|------------|--------------------|------------------------|
| 1 | Roche, Steven & Beth-Ann | [REDACTED] | Oppose | Possibly |
| 2 | Davidson, Nicole | [REDACTED] | Support | Possibly – with others |
| 3 | Youard, Heidi | [REDACTED] | Oppose | No |
| 4 | Lewis, Paul | [REDACTED] | Support | Possibly with others |
| 5 | Luo, Robert | [REDACTED] | Oppose | No |
| 6 | Gould, Richard | [REDACTED] | Oppose | No |
| 7 | Haylock, Alan & Kathleen | [REDACTED] | Oppose | Yes |
| 8 | Benefield, John | [REDACTED] | Support | Possibly with others |
| 9 | Gonzalez, Tracy | [REDACTED] | Support | No |
| 10 | Fray, Dwight | [REDACTED] | Support | Yes with others |
| 11 | Singh, Swati | [REDACTED] | Support | Yes |
| 12 | Hoden, Carolina | [REDACTED] | Support | No |
| 13 | Faimalo, Demelza | [REDACTED] | Support | No |
| 14 | Hamilton, Maryana | [REDACTED] | Oppose | No |
| 15 | Lawry, Felicha | [REDACTED] | Support | No |
| 16 | Bermudez, Raquel | [REDACTED] | Oppose | No |
| 17 | McKay, Andrew | [REDACTED] | Oppose | No |
| 18 | Bond, Melanie | [REDACTED] | Oppose | No |
| 19 | Batty, Mark | [REDACTED] | Support | No |
| 20 | Prince, Alex | [REDACTED] | - | - |
| 21 | Taylor, Paul | [REDACTED] | Support | Yes |

| | | | | |
|----|--|--|---------|---------------------------|
| 22 | McKinlay, Yvonne | | Support | No |
| 23 | Austin, Chantal | | Support | No |
| 24 | Westerlund, Patrick & Ili Linda | | Oppose | Yes with others |
| 25 | Guyton, Mark | | Support | No |
| 26 | Guyton, Zephyr | | Support | No |
| 27 | Samy, Jessica | | Support | No |
| 28 | Robb, Shona | | Oppose | Yes |
| 29 | Reynolds, Peter | | Oppose | will consider with others |
| 30 | Paki, Ian | | Oppose | Yes with others |
| 31 | Murphy, Joan | | Support | No |
| 32 | Rea, Janelle | | Oppose | No |
| 33 | Andersen, Jonathan & Margaret | | Support | |
| 34 | Mcgee, Sam | | Support | No |
| 35 | Vernall, Kimberly | | Support | No |
| 36 | Ackerman, Sonja | | Support | |
| 37 | Ikonnikov, Kirill | | Support | No |
| 38 | Brown, Nicolas & Glenda | | Oppose | No |
| 39 | Hallberg, Geoffrey | | Oppose | Yes with others |
| 40 | Whitfield, Katrina | | Oppose | No |
| 41 | Smith, Jean Marie & McGraph, Shirley | | Oppose | No |
| 42 | Buyers, Helen | | Oppose | Yes with others |
| 43 | BTW Company on behalf of Harbour Partnership Ltd | | Oppose | Yes |
| 44 | BTW Company - Group submission | | Oppose | Yes with others |

| | | | | |
|----|----------------------------|--|--------|-----------------|
| 45 | Grant, Alistair | | Oppose | No |
| 46 | Brooks, Jodie | | Oppose | No |
| 47 | Brooks, Jason | | Oppose | Yes with others |
| 48 | Shefford, Brendan (LATE) | | Oppose | Yes |
| 49 | Webb, Shane & Donna (LATE) | | Oppose | Yes |

Appendix 12 Recommended Draft Conditions of Consent

1. Except as modified by the following conditions, the development shall proceed in accordance with the following documents, plans and further information responses
 - a. The Application and Assessment of Environmental Effects prepared by Aurecon New Zealand Limited, dated 17 December 2021; which includes:
 - Appendix A – Plans and Elevation;
 - Appendix C – Geotechnical Report;
 - Appendix D – Preliminary Site Investigation;
 - Appendix E – Integrated Transport Assessment;
 - Appendix F – Landscape Plan and Assessment (superseded);
 - Appendix G – Civil Design Advice Memorandum and Erosion and Sediment Control Plan
 - Appendix I – Economic Assessment
 - Appendix J – Acoustic Assessment
 - Appendix K – Urban Design Assessment
 - b. The further information response provided to the Council in full on 25 February 2022, which includes:
 - Site Plans and Elevations referenced project number 5798, revision 1, sheets RC02 – RC08, issued on 21 February 2022 prepared by McCoy Wixon Architects; and
 - Landscape Plan, prepared by Rough and Milne
 - c. The Supplementary Information dated 30 March 2022;
 - d. The Second Transport RFI Response dated 20 April 2022; and
 - e. The Outstanding Transportation Matters Response dated 14 June 2022.

Urban Design

2. Prior to the issue of building consent, site plans and elevations shall be provided to Council for approval that include:
 - a. a glass canopy for the proposed staircase on the north-west elevation;
 - b. additional glazing on the ground floor of the north-west elevation;
 - c. additional glazing around the ground floor corner of the south-west elevation;
 - d. provide additional modulation to the south-west elevation to split the faced into 1.5m lengths;
 - e. reduce the corporate colours on either end of the south-west elevation by 5 metres, and replace the cladding with vertical cladding;
 - f. include wheel-stops for each park along all pedestrian routes within the site to maintain a minimum 1.5m wide footpath.
3. Prior to the issue of building consent, revised plans of the proposed signage shall be provided to the Team Leader Compliance for approval that:
 - a. Reduce the scale of the pylon sign to a maximum height of 6m;
 - b. Reduce the scale of the “welcome”, “exit” and “goods service vehicles only” signs to a maximum of 0.6m².

Landscape

4. Except as amended by Conditions 5 to 9, the proposed landscaping shall be established and maintained in accordance with the information and plans contained in the Rough and Milne Landscape Plan provided to Council on 25 February 2022 (page 56 of the Response to the Request for Further Information).
5. The landscape plan shall be amended by a suitably qualified landscape expert to provide the following:
 - a. An additional 8 – 10 specimen trees to the south-east corner of the parking area consistent with the layout established in the western section of the car parking area;
 - b. Additional specimen trees along the Lincoln Rolleston Road boundary, to be aligned and spaced to support the creation of an avenue effect;
 - c. Species choice shall include consideration of interest (e.g. deciduous or similar), vertical form and canopy for shade over pedestrian pathways
6. The landscape plan shall be amended by a suitably qualified landscape expert to provide the following along the eastern and south-eastern boundaries of the site:
 - a. Provide alternative faster growing species to provide screening within a 2 – 5 year timeframes;
 - b. Provision of 5 – 8 fast growing trees that will reach maturity along the western edge of the biodiversity planting strip.
 - c. Provide further information to determine the height that plantings needs to be maintained at to avoid unduly shading for adjacent sites;
 - d. Revise layout and proposed species mix to plant taller species closer to building.
7. The landscape plan shall be amended by a suitably qualified landscape expert to replace proposed Mountain Beech trees with a species better suited to Rolleston climatic conditions.
8. The landscape plan shall be amended by a suitably qualified landscape expert to increase areas of indigenous plantings in the north-eastern open space.
9. The landscape plan shall be amended by a suitably qualified landscape expert to extend planting bed to north corner of building.
10. The revised landscape plan, amended in accordance with Conditions 5 to 9 shall be provided to the Team Leader Compliance for approval prior to building consent being lodged.
11. All specimen trees identified on the plant schedule included within the Landscape Plan prepared by Rough and Milne shall be at least 2 metres in height at the time of planting, and once established must be allowed to grow to their full natural height.
12. All required landscaping shall be provided on site within the first planting season following the work being completed on site.
13. All landscaping required for this consent shall be maintained. Any dead, diseased or damaged landscaping is to be replaced immediately with plants of similar species. Where a tree is to be replaced, it shall be at least 2 metres in height at the time of planting.

Lighting

1. Lighting plans shall be provided to the Team Leader Compliance identifying lighting design and location, including lighting along pedestrian routes and lighting required for security purposes.
2. Prior to the issue of a building consent, the applicant shall submit an electrical completion certificate demonstrating that the proposed outdoor lighting shall comply with the District Plan standards for lighting.
3. Illumination of all signs shall be restricted to between 0700 hours and 2200 hours.
4. All security lights shall be directed into the site and away from neighbouring properties.

Noise

5. Noise from the activity (excluding heavy vehicle deliveries at night) should achieve the following limits²:

| Assessment Location | Time Period | Daytime | Night-time |
|--|------------------|--------------------------------|--------------------------------|
| Residential zone (any point within the boundary of any site in this zone) | 0700 to 2200 hrs | 50 dB L _{Aeq} (15min) | 40 dB L _{Aeq} (15min) |
| | 2000 to 0700 hrs | | 70 dB L _{Amax} |
| Rural zone (any point within the boundary of any other site) | 0700 to 2200 hrs | 55 dB L _{Aeq} (15min) | 45 dB L _{Aeq} (15min) |
| | 2000 to 0700 hrs | | 75 dB L _{Amax} |

6. Deliveries must be in accordance with the consent application, with no more than two large goods vehicles arriving between 2200 and 0700 hrs (resulting in a total of four vehicle movements)³.
7. Noise barriers must be erected on the east side of the service road boundary with the rural zone at a minimum height of XX metres⁴.
8. The noise barrier must be of durable construction, free from gaps, cracks or holes and have a surface mass of at least 8kg/m². The location and extent of the barriers is indicated in Figure 6.



Figure 6 Proposed location of Noise Barrier (source MDA Acoustic Report)

9. Waste collection should only occur between the hours of 0700 and 1900 hours.
10. Noise from mechanical services plant (except the generator) should be designed to meet a night-time noise limit of 30 dB L_{Aeq}(15 min), assessed at the boundary of neighbouring residential zoned dwellings and the notional boundary of any rural zoned dwellings. Prior to the issue of a building consent, the applicant

² Noting that more information is required to determine potential adverse effects associated with night-time heavy vehicle movements

³ As above

⁴ As Mr. Reeve notes in his peer review and evidence, the proposed 2m acoustic barrier will be insufficient to mitigate noise from trucks with refrigerated units when received at residential properties to the east. Mr. Reeve recommends that additional mitigation solutions or this noise source be explored.

shall submit a report from a suitably qualified person demonstrating that the mechanical services for the facility shall comply with a noise limit of 30 dB $L_{Aeq(15 \text{ min})}$, assessed at the boundary of neighbouring residential zoned dwellings and the notional boundary of any rural zoned dwellings.

11. That any forklifts on the site shall be fitted with broadband alarms. The level of these alarms shall be calibrated to ensure that they are minimally audible at the closest residential boundaries.
12. 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.

Transport⁵

13. Car parking and access shall be constructed as per shown on the approved Architectural Drawing project number 5798, revision 1, sheets RC02 – RC08, issued on 21 February 2022 prepared by McCoy Wixon Architects, except as amended by Conditions 14 to 16.
14. For avoidance of doubt the car park shall contain 513 car parks, with a minimum of 12 impaired mobility car parks.
15. All accessible parks and staff parks shall be permanently marked and signed on site for people with disabilities and staff.
16. The car parking plan shall be amended to remove Access C.

Contaminated Land

17. Prior to earthworks occurring on site, the consent holder shall engage a suitably qualified and experienced practitioner (SQEP) to undertake further investigation of the site and provide an updated Preliminary Site Investigation (PSI) or a Detailed Site Investigation (DSI) at their cost. The result of this shall be provided to Team Leader Compliance, Selwyn District Council, for approval.
18. In the event that the soil sampling investigation/Detailed Site Investigation recommends for a Site Management Plan (SMP) and/or Remedial Action Plan (RAP) be prepared to appropriately manage any identified contaminated soils then at least 20 working days prior to bulk earthworks construction commencing on site the SMP and/or RAP a remediation action plan shall be provided to Team Leader Compliance for confirmation that it complies with the conditions of this consent and the Ministry for the Environment's Contaminated Land Management Guidelines Number 5 (2021). The SMP and/or RAP remediation action plan shall include, at a minimum:
 - Details of validation sampling to be undertaken, including the sampling rationale, and analyses to be undertaken.
 - Details of how remediation will be undertaken if soils do not comply with the standard described in condition 17 and 18.
 - Details of where soil will be disposed of if disposal off-site is required.
19. Within 20 working days of the completion of validation sampling at the site a site validation report shall be provided to the Team Leader Compliance, to demonstrate that the site complies with Condition 17 and 18. The site validation report shall be prepared in accordance with the Ministry for the Environment's Contaminated Land Management Guideline Number 1.
20. In the event that visual or olfactory evidence of contamination is identified which was not anticipated by the previous soil contamination investigations undertaken on the site the works shall immediately cease within 10 metres of the contamination. Works shall not recommence in this area until a suitably qualified and experienced contaminated land practitioner has assessed the contamination, and their recommendations have been followed.

⁵ Noting that more information is required to determine potential adverse transport effects associated with the proposed development.

Construction

21. All earthworks authorised by this consent shall be undertaken in accordance with the current edition of Environment Canterbury's Erosion and Sediment Control Toolbox, and the Erosion and Sediment Control Plan prepared by Powell Fenwick, dated 3 December 2021. For clarity, the Erosion and Sediment Control Plan shall include:
- a. Minimising the amount of disturbed material and open ground;
 - b. Controlling run-off water from flowing across the site and disturbed open earthworks where practical;
 - c. Separating clean run-off water from adjacent road and properties from on-site run-off;
 - d. Avoid surface erosion by protecting any exposed areas from overland run-off, effect of heavy rain events and wind blow;
 - e. Preventing sediment from leaving the Site by directing water to remain on-site and avoiding run-off and loose sediment from reaching adjoining properties;
 - f. Covering stockpiles and open ground with appropriate material when exposed for a length of time and / or is prone to wind erosion;
 - g. Removing stockpiles from site as soon as possible. Stockpiles will be kept tidy and constructed in a safe manner. They will not be greater than 4m in height and shall have a stable slope;
 - h. Covering excavated access formation with a running course as soon as possible to reduce potential erosion; and
 - i. Inspection and monitoring of control measures, and rectification works as necessary.
22. 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.
23. 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.

General Engineering Requirements

24. The engineering design plans and specifications for all works shall be submitted to the Development Engineering Manager for approval including, but not limited to:
- Water supply
 - Sewerage
 - Stormwater
 - Roading, including streetlighting and entrance structures
 - Upgrade of existing road frontages
 - Shared accessways
 - Landscaping and irrigation.

No work shall commence until Engineering Approval has been confirmed in writing. Any subsequent amendments to the plans and specifications shall be submitted to the Development Engineering Manager for approval.

25. All work shall comply with the conditions set out in the Engineering Approval and be constructed in accordance with the approved engineering plans.
26. All work shall comply with the Engineering Code of Practice, except as agreed in the Engineering Approval.
27. The consent holder shall include with the engineering plans and specifications submitted for Engineering Approval, copies of any other consents required and granted in respect of this development, including any certificate of compliance or consent required by Canterbury Regional Council.

28. Unless specific provision is made otherwise through the Engineering Approval the services to the development site shall extend from the road boundary to a point one metre inside the net area of the lot. Please note that the net area is the area excluding any right of way or accessway.
29. The consent holder shall provide accurate 'as built' plans of all services to the satisfaction of the Development Engineering Manager. All assets being vested in Council shall be provided in an appropriate electronic format for integration into Council's systems. Any costs involved in provision and transfer of this data to Council's systems shall be borne by the consent holder.
30. The consent holder shall provide a comprehensive electronic schedule of any assets to be vested in the Council to the satisfaction of the Development Engineering Manager. The schedule shall include but not be limited to installed material unit costs, type, diameter, class, quantity and include summary details.

Maintenance Bonds (In accordance with the Council's Bonding Policy of Subdivision Works and Large Projects) from 01 January 2021

31. The Consent Holder shall enter into a bond and be responsible for the maintenance of all large projects and associated works vested in the Council in relation to the Consent at the issuance of the section 224(c) certificate and continue until the Council tests and accepts the quality of the bonded infrastructure and the agreed or stipulated maintenance period taking into account any needed repairs, replacement or rectification required for a period of:
- (a) 12 months for roading, water, sewer and stormwater reticulation; and
 - (b) 24 months for landscaping, reserve assets, stormwater treatment and discharge systems and sewer pump stations.

Water Supply, Stormwater and Sewer

32. The development shall be separately serviced with water, sewer and stormwater systems.
33. Where sewer and water mains and stormwater systems in private property are to be vested, a written request shall be submitted for Council approval. Easements in gross in favour of Council shall be provided.

Water Supply

34. The net area of the development shall be provided with an individual potable high pressure connection to the Rolleston water supply in accordance with the approved Engineering Plans.
35. Water meters shall be installed in the road reserve only (please note that multi meter boxes may be utilised).
36. Connection into Council's reticulated water supply shall either be carried out or supervised by Council's contractor SICON Ferguson Ltd at the cost of the consent holder.

Sewer

37. All laterals shall be installed ensuring grade and capacity are provided for and in accordance with Council engineering standards, giving regard to maximum upstream development density.
38. All sewer reticulation to be vested shall meet Council CCTV standards.
39. Connection to the Council sewer shall be arranged by the consent holder and the work shall be done by a registered drainlayer.

Stormwater

40. The consent holder shall install stormwater reticulation treatment and disposal systems to service the development in accordance with the approved engineering plans and the requirements of Canterbury Regional Council.
41. Where stormwater discharges are to be undertaken as a permitted activity, confirmation in writing of permitted status shall be provided from Canterbury Regional Council in the form of a certificate of compliance.
42. The proposed development shall not discharge run off onto adjacent properties unless via a controlled outlet approved as part of the Engineering Design Approval.

43. In the event that an adjacent neighbour's historical stormwater drainage was onto the site, the proposed development must maintain or mitigate the historical discharge.
44. Where a specific discharge consent is issued by Canterbury Regional Council (Environment Canterbury), any consent or associated conditions will be subject to Selwyn District Council acceptance, where these obligations will be transferred to Selwyn District Council. The consent holder will hold, operate and maintain the stormwater consent for a minimum of two years after construction is completed. Council must be satisfied at the end of this period that all aspects of the system, including but not limited to compliance with consent conditions, operations and maintenance costs are acceptable to Council.
45. Prior to construction, the consent holder shall provide a Stormwater Operations and Maintenance Manual.
46. Where stormwater mains in private property are to be vested in Selwyn District Council, a written request shall be submitted to the Development Engineering Manager. Easements in gross in favour of Council shall be provided.

Power and Telephone Services

47. The consent holder shall provide evidence in writing from the relevant authorities that electrical and telephone service connections have been installed to service the site.

Site Stability and Site Works

48. That the consent holder ensure on a continuing basis (until Certificates of Title are available for each allotment) that dust is not generated from consolidated, disturbance or transportation of material or earthworks activities by keeping the surface of the material damp or by using another appropriate method of dust suppression.
49. A site ground investigation shall be carried out by a suitably qualified person and a report provided to council.
50. The Consent Holder shall confirm whether any earth fill has been placed on site. All filling is to be carried out in accordance with New Zealand Standard (NZS) 4431:1989 Code of Practice for Earth Fill for Residential Development.
51. At the completion of all earthworks Certificates satisfying the conditions of NZS4431: 1989 Code of Practice for Earth Fill for Residential Development, are to be provided to the Selwyn District Council. These certificates will detail the extent and nature of all earthworks undertaken.

Waste Management

52. Prior to the issue of a building consent, the applicant shall submit a waste management plan to the Council for approval.

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 the following contributions are to be paid in respect of this development before the issue of a code compliance certificate under section 95 of the Building Act 2004.

Note: The amounts set out in the attached table are applicable at the time of the granting of this consent. If the time between the date the resource consent is granted and the time which the Council would normally invoice for the development contributions (usually the time an application is made for the issue of a code compliance certificate under section 95 of the Building Act 2004) is more than 24 months, the development contributions will be reassessed in accordance with the development contributions policy in force at the time the consent was submitted. To avoid delays, the consent holder should seek the reassessed amounts prior to the application for the code compliance certificate. Please contact our Development Contributions Assessor on 03 347 2800 or at development.contributions@selwyn.govt.nz.

| Water Contributions | | | | | | | | |
|---------------------|-----------------------|-----------|---|--------------------|----------------------|------------------------|------------------|------------------|
| GFA (m2) | HUE conversion factor | Total HUE | Development Contribution per HUE (GST excl) | Total for category | HUE Credit Available | Total credit available | Total (GST Excl) | Total (GST Incl) |
| 8108 | 0.0035 | 28.38 | \$2,037.00 | \$57,805.99 | | \$0.00 | \$57,805.99 | \$66,476.88 |

| Wastewater Contributions | | | | | | | | |
|--------------------------|-----------------------|-----------|---|--------------------|----------------------|------------------------|------------------|------------------|
| GFA (m2) | HUE conversion factor | Total HUE | Development Contribution per HUE (GST excl) | Total for category | HUE Credit Available | Total credit available | Total (GST Excl) | Total (GST Incl) |
| 8108 | 0.0035 | 28.38 | \$4,809.00 | \$136,469.80 | | \$0.00 | \$136,469.80 | \$156,940.27 |

| Transportation Contributions | | | | | | | | |
|------------------------------|-----------------------|-----------|---|--------------------|-----------------------|------------------------|------------------|------------------|
| GFA (m2) | HUE conversion factor | Total HUE | Development Contribution per HUE (GST excl) | Total for category | HUE Credits Available | Total Credit Available | Total (GST Excl) | Total (GST Incl) |
| 8108 | 0.0278 | 225.40 | \$1,204.00 | \$271,384.49 | | \$1,204.00 | \$270,180.49 | \$310,707.56 |

| | | | | | | | | |
|--|--|--|--|--|--|--|----------------------------|---------------------|
| | | | | | | | Total including GST | \$534,124.72 |
|--|--|--|--|--|--|--|----------------------------|---------------------|

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.

Monitoring

- b) In accordance with section 36 of the Resource Management Act 1991, the Council's specialised 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
- 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.

Engineering Approval

- f) Engineering Approval – All applications for Engineering Approval shall be uploaded electronically to the Selwyn District Council Website at the following address:

www.selwyn.govt.nz/services/subdivisions/engineering-approval/

The application shall include:

- Design specifications
- Design drawings
- Design calculations
- Relevant Resource Consents or Certificates of Compliance.

All correspondence regarding engineering approvals is to be directed to:

Development.Engineer@selwyn.govt.nz

Maintenance Bonds (In accordance with the Council's Bonding Policy of Subdivision Works and Large Projects) from 01 January 2021

Maintenance bonds shall be valued at 5% of the total value of works (plus GST).

- g) The resource consent holder shall provide costings and estimates for the total value of works from an independent quantity surveyor, acceptable to Council, at the resource consent holder's expense.
- h) The Council may re-evaluate the value and duration of the maintenance bond for the following reasons:
 - (a) Inflation;
 - (b) Delays in works being completed; or
 - (c) Repairs, rectification and or replacement is required

Price escalations.

Road Frontage Upgrades

- i) Where existing road frontages are to be upgraded, this work is required to be approved and undertaken through the Engineering Approval.

Vehicle Crossings

- j) 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. 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>

Water Supply, Stormwater and Sewer

- k) Onsite stormwater treatment and disposal system(s) must comply with the requirements the Canterbury Regional Council. Where compliance via a Certificate of Compliance cannot be provided, then a resource consent must be obtained.

Water Supply

- l) Backflow prevention shall be supplied in accordance with Council's backflow policy W213. This shall be installed as part of the building consent.
- m) For supervision purposes a minimum of 10 working days' notice is required. Please note a connection fee being the actual cost quoted by SICON Ferguson Ltd will apply.

Stormwater

- n) The Stormwater Operations and Maintenance Manual shall include but not be limited to:
 - As built documents/images of system for baseline records. This would include the extent of the stormwater catchments, surveyed long-sections and x-sections of pipelines and stormwater management devices e.g. basins wetlands and swales, and where available, any baseline data i.e. water quality, quantity or soil monitoring results.
 - Contact details for maintenance personnel engaged by the developer over the maintenance period
 - As built documents/images of system for baseline records. This would include the extent of the stormwater catchments and any baseline data i.e. heavy metal level in receiving environment.
 - Maintenance procedures and how compliance with the consent conditions shall be achieved and recorded. This will also cover stormwater system maintenance during the maintenance period(s).
 - What actions will be undertaken when non-compliance is detected and recorded.
 - Where all cleanings from sumps are proposed to be disposed of – in accordance with Regional and local landfill requirements.
 - Summary of costs to maintain the system including details of the number of inspections and cleaning of sumps/disposal of sump material.
 - What actions will be undertaken before handover to Selwyn District Council is proposed i.e. notification procedure at least two months prior to requesting handover.
- o) Where the collection and disposal of roof/surface water is to ground, the suitability of the natural ground to receive and dispose of the water without causing damage or nuisance to neighbouring properties, shall be determined by a suitably qualified person/engineer and evidence of results is to be provided at engineering approval.
- p) Early consultation with council's stormwater engineer is recommended to ensure the latest stormwater standards including design rainfall are incorporated into the detailed design.
- q) Council has the right to have designs peer reviewed at the consent holder's cost.
- r) All stormwater reticulation to be vested shall meet council CCTV standards
- s) The discharge of roof stormwater must not arise from unpainted galvanised sheet materials or copper building materials. The use of these materials is prohibited in accordance with the conditions of Selwyn District Council's global stormwater consent.

Building Act

- t) 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

- u) 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

- v) 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.