

**Before the Hearings Commissioner appointed by
the Selwyn District Council**

Under

the Resource Management Act
1991 (**Act**)

And

In the Matter of

an application under section 88 of
the Act (RC245088) for resource
consent to establish and operate a
supermarket and small-scale
ancillary retail tenancies, including
associated earthworks, access,
carparking, signage and
landscaping

**Statement of Evidence of
Matt William Bonis
for Woolworths New Zealand Limited**

Dated: 2 September 2024

Lane Neave
141 Cambridge Terrace
PO Box 2331
Christchurch 8140
Solicitors Acting: Joshua Leckie / Sarah
Anderton
Email: joshua.leckie@laneneave.co.nz /
sarah.anderton@laneneave.co.nz
Phone: 03 409 0321

lane neave.

INTRODUCTION

Qualifications and Experience

1. My full name is Matt William Bonis.
2. I am a Partner at Planz Consultants. I hold a Bachelor of Regional Planning (Honours) from Massey University and am a full member of the New Zealand Planning Institute.
3. My relevant experience has included representing: Woolworths New Zealand Limited (*Woolworths NZ Ltd vs Christchurch City Council 2021 NZEnvC 133*; the Auckland Regional Council (Specified Commercial Appeals to the Change 6 LG(A)AA2004); Christchurch City Council (*National Investment Trust v Christchurch City Council. C152/2007*); Waimakariri District Council (*Kiwi Property Holdings et al v Christchurch City Council [2012] NZEnv92*), and Taupo District (*Advance Properties Group Ltd et al v Taupo District Council 2014 NZ EnvC 126*). I have also assisted several territorial authorities on matters relating to business and retail strategy and plan drafting.
4. I am a certified¹ and practicing Hearings Commissioner, having undertaken Hearings in Waimakariri, Selwyn, Ashburton and Kaikoura Districts.
5. I provided planning evidence to the Independent Hearings Panel for the Selwyn Proposed District Plan process on Chapters including Strategic Directions, Rural, Energy and Infrastructure. I did not provide evidence during the Proposed District Plan Hearings relating to the site or current zoning.
6. For completeness, I was not involved in the Fast Track process which now accords anticipated urban development for the site and surrounds.²

Background and Involvement

7. I have been involved in Woolworths' commercial development at Rolleston (**Proposal**) since July 2023. Initial involvement in the Proposal included providing advice on the relevant planning framework to Woolworths and respective experts, in addition to visits to the subject site and surrounds.
8. I prepared the Assessment of Environment Effects (**AEE**) for the Proposal. I have provided addendums to Selwyn District Council (**Council**) and have been involved

¹ Making Good Decisions. Certification expiry 30 June 2027.

²Subdivision Consent RC235205 and Land Use Consent RC235206. [Amended-Faringdon-Oval-decision-17-August-2023.pdf \(epa.govt.nz\)](#).

in numerous discussions with Council Officers as part of the concerted efforts between the respective technical experts to narrow remaining matters of disagreement. The amendments arising from those discussions are identified later in this evidence.

9. I am familiar with the site and surrounds and Rolleston Town Centre, having visited on numerous occasions.

Code of Conduct for Expert Witnesses

10. Although this is not an Environment Court hearing I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. This evidence is within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

SCOPE OF EVIDENCE

11. The topics covered in my evidence are as follows:
 - (a) the site and surrounding existing environment;
 - (b) the Proposal;
 - (c) statutory framework;
 - (d) assessment of effects on the environment;
 - (e) objectives and policies assessment;
 - (f) higher order planning documents;
 - (g) part two;
 - (h) proposed conditions of consent;
 - (i) response to Section 42A Report; and
 - (j) response to submissions.
12. I have read the Section 42A Report prepared by Mr Tim Hegarty. I have also reviewed the evidence prepared by the Applicant and advise where I refer to or rely on that evidence.

EXECUTIVE SUMMARY

13. The Proposal seeks land use consent to establish and operate a commercial development at 587 East Maddisons Road, Rolleston.
14. The site is a Greenfields site with what at first appears to be a complex planning framework,³ being:
 - (a) Zoned 'Rural' under the both the Selwyn Operative District Plan (**ODP**) and the Proposed District Plan (**PODP**);
 - (b) Subject to the following Overlays in the PODP:
 - (i) Inner Plains density overlay;
 - (ii) Urban Growth overlay;
 - (iii) Ecosystems and Indigenous Biodiversity Management Overlay 2020;
 - (iv) Plains Flood Management overlay; and
 - (v) Liquefaction Damage Unlikely overlay
 - (c) Subject to a legal environment of urban development with Subdivision Consent RC235205 and Land Use Consent RC235206 (**the fast track consents**) approved for the site and wider context. These approved consents seek to establish a 684-lot subdivision between Goulds Road and Dunns Crossing Road.
15. The Proposal was formally accepted by the Council on 4 March 2024. The Proposal has since been refined to respond to matters raised by the Council's technical experts.
16. Despite the applicant requesting that the application be publicly notified,⁴ only three submissions were received. These were either recorded as being 'in support in part' (Ryman Healthcare Limited (**Ryman**) and Ministry for Education (**MoEd**)) or Neutral (Canterbury Regional Council (**CRC**)).
17. These submissions did not seek systemic changes. In summary, Ryman sought confirmation of safe crossing facilities for pedestrians from the south of the proposal, as well as landscaping improvements particularly on Goulds Road and controls on the management of operational noise. MoEd sought confirmation as to construction

³ Refer Assessment of Environmental Effects at [2.1].

⁴ Resource Management Act 1991, section 95A(3)(a).

effects and engagement. CRC sought careful consideration of distributional effects and in-error reference to ODP Appendix 38 in the Operative District Plan.⁵ These matters are discussed under their relevant s104(1)(a) considerations.

18. A recommendation to grant consent is not in dispute, with the nature of any residual adverse effects being largely agreed to be appropriate by relevant technical experts. The numerous positive effects are noted by several experts. The issues in contention have been narrowed significantly to the following urban design matters:⁶
 - (a) pylon sign height (Sign No.12 and 13) – 6m vs 9m and 7.5m; and
 - (b) design of staff carpark fence fronting Goulds Road – height 1.2m vs 1.8m.
19. As recorded in the AEE, and agreed to by Mr Hegarty⁷:
 - (a) The activity status is deemed to be **non-complying**.⁸
 - (b) The Proposal meets the s104D(1)(b) 'gateway tests' pursuant to s104D. Accordingly, discretion can be exercised to consider the application having regard to those matters in s104.
 - (c) In terms of s104(1)(a):
 - (i) All adverse effects are agreed to be no more than minor. The exception being a narrow range of urban design matters, where Mr Hegarty based on the evidence of Ms Wolfer seeks additional refinements to pylon signage height⁹ and staff parking fence height.¹⁰ My view, based on the planning framework and the evidence of Mr Cleese is that those effects are acceptable within the context of the site as proposed.
 - (ii) The Proposal would generate several positive effects, particularly in relation to Vehicles Kilometres Travelled (**VKT**) and community access to meet convenience shopping needs in a rapidly growing residential community.
 - (d) In terms of s104(b)(vi) I consider that the Proposal is not inconsistent with the PODP provisions, particularly given the context of the Fast Track

⁵It is noted that this Outline Development Plan under the Operative District Plan does not relate to the subject site. Refer: <https://eplan.selwyn.govt.nz/eplan/rules/0/1009/0/0/0/216>

⁶ Selwyn District Council, Section 42A Report at [6].

⁷Acknowledging Mr Hegarty's recommendation is predicated on Conditions in relation to pylon height and staff carpark fence height.

⁸ Selwyn District Council, Section 42A Report at [48]

⁹ At [116].

¹⁰ At [120].

consents. There is a mild tension with GRUZ-P5 however that is to be considered in the context of SD-UFD-O1, SD-UFD-O2 and UG-P3 which contemplate urban growth being located outside existing townships (as zoned) on the basis that such growth contributes to 'well-functioning' urban environments.

- (e) In terms of s104(c), a local centre in this location is identified in the Rolleston Structure Plan (2009) and matters raised within the Mahaanui Iwi Management Plan as considered by Rūnanga have subsequently informed conditions of consent.
- (f) I consider that the Condition set appended to s42A Report is largely fit for purpose in terms of s108. Additional matters and the minor outstanding areas of disagreement have been identified in this evidence as Appended in **Attachment A** and identifying recommended changes from the s42A Reporting Officer.

SITE AND SURROUNDING EXISTING ENVIRONMENT

- 20. The site is some 1.35ha located at 597 East Maddisons Road, Rolleston.
- 21. The site is flat and is devoid of any distinguishing features or landscaping.
- 22. In terms of wider environmental context and transport environment, the site is located to the south-eastern extent of Rolleston township, and has frontage to both Goulds Road as defined as a Collector in the PODP, and Shillingford Boulevard (Collector Road to the intersection with Goulds Road). Goulds Road ultimately connects the subject site with the Rolleston Town Centre, which is located some 3.0km to the north.
- 23. Rolleston township has been subject to significant greenfield residential development over the last 10 – 15 years. The proximate area has also been subject to considerable greenfield residential development opportunities and consents¹¹ provided by the Fast Track process (including Farrington Southeast, Southwest and Farrington Oval) as well as Plan Changes.¹²
- 24. Mr Heath has identified that the core catchment population for the Proposal will increase from 8,261 (2023), to 14,900 (2038) to 19,000 (2048), with a secondary catchment increasing from 60,000 (2023) to 92,400 (2048).¹³ The AEE identifies the commercial context,¹⁴ noting the substantial distribution of Neighbourhood Centres

¹¹ Assessment of Environmental Effects, Figures 7 and 8

¹² PC64, PC70, PC71, PC75, PC76 and PC78

¹³ Assessment of Environmental Effects, Attachment E, Section 5.

¹⁴ Section 2.3.3

(and lack of any Local Centres) which illustrates a deficiency in the Selwyn Council's strategic planning and zoned approach to the Centres hierarchy in Rolleston.

25. Substantial residential development is consented (with services being constructed) over the surrounding site and beyond as provided by Subdivision Consent RC235205 and Land Use Consent RC235206. Details of these consented developments are set out in the AEE. However in summary, these consents enable a 684 lot subdivision between Goulds Road and Dunns Crossing Road, including dwellings, servicing infrastructure and the supporting localised road network. As these existing consents are in the process of being implemented, the developments enabled by those consents form part of the legal existing environment. The assessment of the effects arising from the Proposal must therefore be considered against this existing environment.
26. To the east adjoining Goulds Road, is the consented Rymans retirement complex of some 218 townhouses, assisted living and hospital facilities¹⁵.
27. Overall, the existing environment for the purposes of this application is therefore largely a residential receiving environment.

THE PROPOSAL

The application as notified

28. The Proposal is well described in the application¹⁶ and in the evidence of Mr Hegarty¹⁷. In summary the application seeks:
 - (a) A full-service supermarket of 3,528m² GFA (including 200m² staff amenities) plus an online Click 'n Collect facility (324m²).
 - (b) Ancillary Retail / Commercial Services tenancies (between 2 – 4) with a total floorspace of 374m².
 - (c) Signage, boundary fencing (including acoustic fencing), landscaping, car (184) and cycle (36) parking, pedestrian areas and access.
 - (d) Canopies and verandas associated with pedestrian areas, external Click 'n Collect and Back of House.
 - (e) Vehicle access via five vehicle crossings (three on Goulds Road, one on the extension to Shillingford Boulevard and one on the local residential road).

¹⁵ RC225800 s42A [68]

¹⁶ AEE. Section 3.

¹⁷ Section 42A [8 – 12]

Amendments since notified

29. Neither the submitters nor Council Officers have suggested systemic amendments or opposition to the proposal as notified.
30. The submission from the Ministry for Education has resulted in the following additional condition being volunteered, and on this basis, it is understood that the Submitter does not seek to attend the Hearing.

Condition 5¹⁸: The Consent Holder shall formally provide written confirmation to Lemonwood Grove and Waitaha Schools, via the Principal of each school, of notice of works commencing, at least 15 working days prior to any construction works commencing. The Consent Holder shall formally provide written confirmation to the Ministry of Education, via resource.management@educaton.govt.nz, of notice of works commencing, at least 15 working days prior to any construction works commencing.

31. The careful iterative design process, assisted by discussions with the Council's technical experts, has resulted in the following amendments being made within the application. These are graphically identified in the 'Change Plans', as identified in the Landscape evidence of Mr Scott and as **Attachment B** to this evidence in terms of the design response:

- (a) **Residential interface.** Increased scale and number of trees to be planted¹⁹.
- (b) **Signage and Corporate Colours:**
 - (i) Reducing scale of directional signage fronting Goulds Road²⁰, Click 'n Collect signage on Goulds Road²¹, and Pylon sign fronting the main access to Shillingford Boulevard²²;
 - (ii) Reducing extent of Corporate Colour facing Goulds Road²³.
- (c) **Goulds Road**
 - (i) Confirmation of no gate at Back of House / Courier parking delivery access onto Goulds Road.
 - (ii) Replacement of 2.3m high solid fence fronting Courier parking with 1.8m high 'powder coated' permeable fence in recessive Ordos Sable (rust-brown), with three 'magnolia'.

¹⁸ S42[A]

¹⁹ Item 1 - Kamo Marsh Landscape Architects: Change Plan No. Ref No. 5440 Revision H. (Kamo Change Plan). Noting that written approval for the project has been provided by the land developer at this interface and effects are to be disregarded pursuant to s104(3)(a)(ii).

²⁰ Signage No.7, 8 and 10 – 800mm x 1000mm (Kamo Change Plan).

²¹ Signage No 9 – 3.0m² parapet and 'Corporate Colours' reduced. (Kamo Change Plan).

²² Signage No.12 – 7.5m (h) x 2.75 (w) (Kamo Change Plan).

²³ ASC Package.

- (iii) Direction sign No.10 also relocated 1.2m east, and Condition volunteered to avoid obstructions within visibility splays (signage and landscaping).
- (d) **Shillingford Boulevard Interface**
 - (i) Provision of and internalisation of row of 'fastiglato' within the garden bed, and three 'amanogawa'²⁴.
- (e) **Internal layout**
 - (i) Relocation of two (2) cycle stands from 'conflict area' adjoining eastern retail tenancy.
 - (ii) Custom tree pit within carpark²⁵.
 - (iii) Line-marking extended for accessible carpark.
 - (iv) Bollards added along main pedestrian pathway.
 - (v) Conditions for lighting under Pedestrian Canopy, landscape management (limbing to 1.2m, root barriers and pruning within 6m of lighting stands).

STATUTORY FRAMEWORK

- 32. Mr Hegarty²⁶ and I agree that the application is to be considered as a **non-complying activity**. The consideration is then whether either of the 'gateways' within s104D(1)(a) and/or (b) are able to be met, and therefore whether the proposal can then be considered pursuant to the various matters under s104(1), and subsequently whether consent can be granted pursuant to s104B and conditions imposed under s108.
- 33. As identified in the AEE, the planning position on the site is complex, with both the provisions on the newly released PODP having legal effect with decisions issued on 19 August 2023, and the older ODP also applying until appeals are resolved, noting that the PODP General Rural zone is not subject to appeal.
- 34. The site is zoned Rural Zone Inner Plains in the Operative District Plan (**ODP**). The proposal is a discretionary activity under this plan due to a breach relating to the scale of activities²⁷.

²⁴Item 2 - Kamo Marsh Landscape Architects: Change Plan No. Ref No. 5440 Revision H. (Kamo Change Plan).

²⁵Item 4 - Kamo Marsh Landscape Architects: Change Plan No. Ref No. 5440 Revision H. (Kamo Change Plan).

²⁶ S42A [46]

²⁷ Rural Volume - Chapter 9. Rule 9.4.2

35. The site is zoned General Rural Zone (**GRUZ**) in the PODP, as well being contained within the 'Urban Growth Overlay'. The proposal is deemed a non-complying activity under this plan due to breaches associated with Rural Selling Places.²⁸
36. The proposal is a permitted activity in relation to the NES.²⁹

ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

Overview

37. Pursuant to s104(3)(a)(ii), effects on any person who has given written approval to the application are to be disregarded.
38. Written approvals have been provided by the wider land developer (Hughes Development Ltd) who retains ownership of those lots which interface along the southern and western boundaries of the proposal. In addition, written approvals have been provided by the owner of 1 Rangatira Street (Freelance Canterbury Ltd), occupiers (SAATH Academy) and the owner and occupier at 2 Rufus Street (Refus Homes Ltd).
39. In terms of a discretion to disregard the effects of permitted activities³⁰, I am of the view that there are little useful permitted baseline considerations given the underlying Rural zone(s) and that much of the PODP rules are not operative and hence not applicable in terms of the concept of permitted baseline. Mr Hegarty³¹ has provided several permitted activities that he considers could be *useful to note*.
40. The 'effects' limb of s104D requires an assessment of whether the adverse effects of the Proposal on the environment are minor or less than minor.
41. In undertaking this assessment, the consideration must be measured against the identified '*environment*' as defined in s2 of the Act. As noted above, I understand that the consideration of environment has been confirmed to embrace the future state of the 'environment' as it might be modified by permitted activities and by resource consents which have been granted where it appears likely that those consents will be implemented³². I understand that such a consideration is to be based on a 'real world' analysis and should not extend to considering a future environment that is artificial.

²⁸GRUZ-R9

²⁹National Environmental Standard – Assessing and Managing Contaminants in Soil to Protect Human Health.

³⁰S104(2)

³¹S42A [62 – 65]

³²*Queenstown Lakes District Council v Hawthorn Estate Ltd* [2006] NZRMA 424 (CA) at [79]

42. In this context, as agreed by Mr Hegarty³³, the fast track consents which are in the process of being implemented provide an environment with an urban character and amenity. That amenity in my view is predicated on moderate density residential development and associated supporting infrastructure and roading. The extent of intensive built form, massing, vehicle and pedestrian movements, ambient noise levels, and general activity provide an amenity and environmental qualities that are quite distinct from those envisaged by the underlying Rural zone(s).
43. Lastly, an assessment of whether an adverse effect is 'minor' is understood to be a question of fact and degree.
44. I understand that both Mr Hegarty³⁴ and I conclude that the effects of the proposal would be no more than minor, and hence the proposal can proceed through the gateway provided by s104D(1)(a).

Consideration of Specific Effects

45. An extensive assessment of the effects of the Proposal on the environment has been completed and reported on in the AEE and the s42A Report prepared by Mr Hegarty. For conciseness, I summarise these below.

Positive effects

46. Mr Hegarty and I agree that the proposal will provide supply for Rolleston's commercial needs, consolidate convenience demand in a strategic location, reduce travel distance to reach frequently required supermarket store offerings and encourage modal choice (cycling, pedestrians and public transport).
47. I also consider that the proposal represents a well-designed and integrated development that will deliver a high-quality local centre overcoming a Local Centre zone shortfall within the township.
48. Mr Foy for the Council has also identified benefits arising from reducing congestion in Rolleston Town Centre³⁵.

Construction Effects

49. As identified in the AEE³⁶, construction effects, including those associated with traffic movements, will be largely subsumed within the context of the wider processes associated with Subdivision Consent RC235205 and Land Use Consent RC235206.

³³ S42A [175]

³⁴ S42A [164] noting outstanding issues associated with signage and fencing height.

³⁵ S42A Attachment 5. Foy [4.23]

³⁶ AEE [6.2]

50. Volunteered Conditions are also associated with an Erosion, Sediment and Dust Management Plan (**ESDMP**)³⁷ and Construction Noise and Vibration Management Plan (**CNVMP**) and the application confirms compliance with NZS6803:1999³⁸.
51. In discussions with the Ministry for Education a condition has also been volunteered confirming consultation regarding a commencement date for construction.
52. Overall, construction effects are less than minor. Mr Hegarty agrees³⁹.

Infrastructure, Servicing and Hazards

53. The Council (Ms Reid) and Applicant's technical expert (Mr Jagvik) agree that the site can be serviced in terms of water supply (including firefighting supply), wastewater and stormwater management as subject to appropriate conditions of consent and advice notes. I agree.
54. The Finished Floor Levels (FFL) for the enclosed buildings will be 40.80m, with spaces covered by canopies at 40.65m. The FFL for all buildings will be a minimum of 300mm above the lowest level along the road boundary to Goulds Road. This is compliant with the SDC requirement for FFLs to be a minimum of 300mm above the 1 in 200-year flood event. I agree with the Condition⁴⁰ proposed by Mr Hegarty as to requiring further updating of modelling to confirm the FFL which excludes the loading dock canopy and click 'n collect area.
55. Specific conditions sought by the Council including those with respect to water reticulation and potable water supply have been volunteered, as well as confirmation that additional stormwater treatment would be required were the structure to incorporate solar panels, and or roof materials known to generate contaminants, as sought by the Rūnanga. The post development stormwater discharges for a critical duration design storm at the 1% AEP⁴¹ are also accepted.
56. Mr Jagvik has recommended modest amendments to Conditions 34, 35 and 36 as to the attached to the s42A Report to account for improved clarity, administrative matters and / or increase flexibility without resultant adverse effects. These are addressed below in this evidence.
57. Overall, the Proposal is appropriately able to be serviced, with any adverse effects considered to be less than minor. Mr Hegarty agrees⁴².

³⁷ As also requested by Runanga.

³⁸ PODP Noise REQ-2

³⁹ S42A [88]

⁴⁰ S42A Condition 24

⁴¹ S42A Condition 47.

⁴² S42A [94]

Acoustic Effects

58. As set out in the general statement above, consideration against a GRUZ character and amenity, and associated noise exposure, given the Fast Track consents represents an artificial construct inconsistent with the actual legal environment required to be applied to the effects assessment.
59. For acoustic outcomes consideration against the Residential Zone (RESZ) noise exposure levels provides a more appropriate set of criteria for the Proposal in terms of determining effects associated with noise exposure.
60. Marshall Day Acoustics for the Council and Mr Mr Chen for WWNZ agree⁴³. They also agree the main sources of noise will be the Click n Collect, Loading Bay and Back of House, carpark and mechanical ventilation, and that subject to the design, operational controls (such as restrictions on Back of House) and conditions of consent (such as Loading Bay Noise Management Plan), noise effects can be appropriately managed⁴⁴.
61. Accordingly, the adverse effects from noise exposure will be less than minor. Mr Hegarty agrees⁴⁵.

Transport and Traffic effects

62. Mr Metherall for the applicant and Novo Group⁴⁶ for the Council have considered the transport implications and effects associated with the proposal. As above, their consideration extends to planned (zoned and consented) land use changes in the locality, and implications for the future transport network.
63. There is agreement that the Proposal will result in less than minor adverse effects on the function, capacity and safety of the transport network.
64. I note that the Plan outcomes⁴⁷ can be generally grouped as:
- (a) Scale / High Traffic Generation / Capacity:⁴⁸ The engineers agree that the future traffic environment responds to the extent of residential rezoning and greenfield development as anticipated in this area, and that trips generated by the proposal can be appropriately accommodated with little changes to the operation of the roading network, particularly given access to two Collector roads.

⁴³ S42A [95].

⁴⁴ S42A [99], Conditions [56 – 62]

⁴⁵ S42A [103]

⁴⁶ S42A [137]

⁴⁷ AEE Section 6.6.5

⁴⁸ Includes: TRAN-P1, TRAN-P3, TRAN-P7, TRAN-MAT1, TRAN-MAT9

- (b) Safety, internal parking and loading and access:⁴⁹ There is agreement that crossing points are legible and safely located. Vehicle widths are designed to accommodate functional needs, with the design response for service vehicles to be separated from public areas and crossings to avoid conflicts. Any adverse residual effects are less than minor. The addition of a condition requiring a Loading Management Plan as associated with the small-scale retail proximate to the Shillingford Boulevard access to manage freight deliveries to these retail units is accepted.⁵⁰
- (c) Promotion of transport choice⁵¹ and multi-modal connections.⁵² The engineers agree that the Proposal is well placed, and connected to support servicing the residential catchment by a range of travel modes.⁵³ This will reduce vehicle travel compared to sole reliance on town centre-based supermarkets.⁵⁴ In terms of the Ryman's submission, the Novo Peer Review⁵⁵ consider, as outlined in the AEE, that the pedestrian refuge as proposed within the Goulds Road flush median,⁵⁶ midway between the main car park access point and Edgar Way, will appropriately serve the crossing desire line from the south between Edgar Way and the proposal. I consider this matter raised in the Ryman's submission to be adequately addressed. I am therefore unsure of the transport safety rationale for the safety audit Condition as requested by Ms Wolfer and Mr Hegarty.⁵⁷

65. Accordingly, the adverse effects associated with the use and function of the Transport network will be less than minor. There are also substantial positive effects associated with VKT and modal choice. Mr Hegarty agrees.⁵⁸

Economics and development capacity

66. Both Mr Heath⁵⁹ and Mr Foy⁶⁰ agree, in broad terms, that the growth in retail expenditure within the core catchment in both sustainable food retailing and convenience retail is able to support the proposal without resultant distribution (or agglomeration) effects⁶¹ on the existing Rolleston Town Centre or zoned neighbourhood centre network, or their role and function in the centres hierarchy.

⁴⁹ Includes TRAN-P3, TRAN-P7, TRAN-P11, TRAN-MAT2

⁵⁰ S42A Condition 20

⁵¹ Includes TRAN-P5, RESZ-MAT16

⁵² Includes TRAN-P6

⁵³ S42A [141]

⁵⁴ Transport Peer Review Novo [24]

⁵⁵ Transport Peer Review Novo [31, 32]

⁵⁶ AEE Attachment D [8.5]

⁵⁷ S42 [147]

⁵⁸ S42A [148]

⁵⁹ Heath EIC [13, 48]

⁶⁰ Peer Review. Formative [4.6]

⁶¹ CMUZ-MAT1

67. Mr Heath⁶² also ventures the view that the Proposal will result in positive effects in terms of enabling a rapidly expanding local community to access a lot more day-to-day convenience retail and commercial services at a local level that are otherwise not well catered for by a nearby proximate supermarket operator or the centres network. I agree.
68. Mr Foy identifies that whilst the site may not have been identified in the RPS for commercial development, it is appropriate for commercial development, and well located to accommodate a supermarket⁶³.
69. There are no material effects in terms of housing densification targets⁶⁴.
70. Accordingly, the adverse economic effects will be less than minor, with positive effects associated with the operation of a local centre and its associated convenience retail role located proximate to its supporting residential catchment. In terms of this aspect of the Canterbury Regional Council submission, I conclude that the potential for adverse distributional effects is appropriately addressed and positively resolved⁶⁵. Mr Hegarty agrees⁶⁶.

Effects of rural productivity

71. There are no effects on rural productivity as that resource has already been allocated for urban development under the fast-track consents and being accommodated within the Urban Growth overlay in the PODP.
72. Mr Hegarty agrees that the effects on rural productive capacity are negligible⁶⁷.

Effects on Cultural values

73. The Council provided in advance the Cultural Advice Report dated 25 July 2024 from Mahaanui Kurataiao Ltd on behalf of Kaitiaki Rūnanga. The conditions and recommendations sought have been volunteered by the applicant and are contained within the s42A Report. Consequently, the effects on cultural values are appropriately addressed.

Character, Design and Amenities

⁶² Heath EIC [31, 32]

⁶³ Peer Review. Formative [5.4]

⁶⁴ S42A [151,152]

⁶⁵ Canterbury Regional Policy Statement. **Policy 6.3.6** 'to ensure the provision of business land In a manner which: ...

(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.

⁶⁶ S42A [160]

⁶⁷ S42A [149, 150]

74. In considering amenity values associated with the proposal for the purposes of s104(1)(a), I am guided by the following:

(a) Amenity values are defined as meaning:

“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”.

(b) It is understood that amenity effects are to be assessed in a range of nil to substantial. A substantial effect is not necessarily a substantial adverse effect but rather an assessment of the degree of change to amenity.

(c) The ‘change’ in amenity for this environment has already occurred in terms of the legal existing environment, as the existing environment has been amended as a result of the change from rural to urban characteristics as provided for by the fast-track consents. There is no existing experiential character that is specifically valued by an in-situ residential community. This proposal is not being inserted into an established and mature residential environment with a well-defined character and amenity, but will be formed alongside the establishment of the surrounding community.

(d) The environment for the purposes of s104(1)(a) anticipated by the fast track consents is akin to the Medium Density Residential Zone (MDZ) in the PODP. The MRZ proposes a high-quality on-site amenity⁶⁸, and whilst home occupations and a narrow list of non-residential activities are provided for, larger scale commercial activities – such as that proposed are not anticipated in the zone. Whilst not directly applicable, guidance as to non-residential activities in the assessment matters⁶⁹ relates to considering the appropriateness of the scale, size and intensity of the building; extent to which the development engages with the street network; effects on the transport network; effects on residential character and amenity including hours of operation; and whether the activity will provide goods and services to meet the daily needs of the local neighbourhood.

(e) Comparably, the amenity outcomes associated with a local centre (akin to which the form and function of the proposal will operate) is that amenity is to be attractive, meet the principles of good urban design and be compatible with its residential surroundings⁷⁰. In terms of urban design⁷¹, the development is to incorporate good urban design principles, including

⁶⁸ MRZ-Overview
⁶⁹ REZ-MAT16 ‘Non Residential Activities’
⁷⁰ LCZ-Overview
⁷¹ CMUZ-MAT3

contributing to the vibrancy and attractiveness of adjacent streets, minimise building bulk through articulation and modulation whilst having regard to functional requirements; incorporate landscaping to provide for increased amenity, provide safe and legible access for all transport modes, and include interface treatment (landscaping, fencing etc) to mitigate adverse visual and amenity effects of the development on adjoining residential.

- (f) As outlined in the evidence of Mr Clease,⁷² *'form follows function'*. Accordingly, there are specific operational and functional elements that must be delivered in the provision of a contemporary modern supermarket. Within that context the Proposal's design and materiality, planting and landscaping, provides for a quality-built form that recognises and provides for its functional needs. The proposal is compatible with the quality of the environment and amenity values at the interface with the emerging medium density residential environment.

75. In synthesizing these matters, I agree with the reporting officer that the quality of the environment and amenity values as anticipated by the fast-track consents is the relevant starting point for the assessment of effects.
76. The s104(3)(a)(ii) written approvals to the south and west negate the need to specifically consider effects at this interface, and the wide expanse of the landscaped Shillingford Boulevard reduces the potential for adverse effects as experienced to the north.
77. In considering amenity effects based on a broader lens, I consider that whilst there will be a change in amenity and character to that anticipated by the fast-track consents, the substantive nature of any change in this environment is associated with the urbanisation process. Any residual adverse effects associated with amenity and urban design of this commercial proposition in a wider residential context are considered to be, at worst minor and localised to the frontage with Goulds Road.
78. Significant agreement now exists between the technical experts for transport, acoustics, landscape and largely urban design for both the applicant and Council. Matters at the interface with residential properties are accepted as appropriate subject to design and mitigation, and Management Plans⁷³ which provide for ongoing controls.
79. For the Goulds Road frontage, the application has been amended to account for matters raised by the Council's landscape and urban design experts.

⁷² EiC Clease [17, 18, 19]

⁷³ S42A Conditions [59] – Loading Bay Management Plan, [20] Loading Management Plan and [22] Certified Lighting Plan.

- (a) Fencing along the courier parking areas has been made permeable (75mm palings, separated by 75mm to provide 50% visual permeability, coloured rusty-brown, and suitably more robust than a pool fencing equivalent) and slightly reduced in height (1.8m from 2.3m) to improve compatibility within the broader residential context whilst still functioning to demarcate and separate this area as a 'working environment' rather than one accessible by the public.

Ms Wolfer agrees with the need for demarcating this space,⁷⁴ however considers the fence to be visually dominant and over-scaled, consequently at odds with CMUZ-P4, and needing to be reduced to 1.2m in height.

I consider that Ms Wolfer's references to fence heights within the MRZ unhelpful⁷⁵ as is noted by Mr Cleave secondary fences in the Medium Density residential zones are provided for up to 1.8m with 50% permeability⁷⁶, and her reference to a fence length at 32m being perhaps misinformed⁷⁷ given a frontage length of 18.5m (**Figure 1**). This component of the proposal will operate as a working area associated with courier movements and loading / unloading. It does not present public entries or glazing. I consider that the amended proposed approach of: a 1.8m fence; with a visual permeability of 50%; tree planting; and a management regime to ensure these trees are limbed to a height above 1.2m to retain passive surveillance⁷⁸ is an appropriate design response for the site and does not result in material adverse effects on amenity and visual street values⁷⁹ for the reasons set out in the evidence of Mr Scott⁸⁰ and Mr Cleave⁸¹.

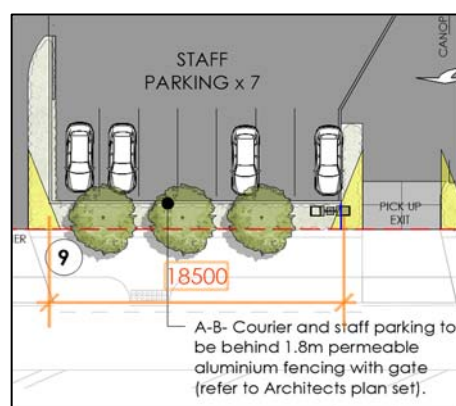


Figure 1: Extent of fencing
fronting Goulds
Road

74 S42A [Appendix 5] G Wolfer [pgs 9, 10]
75 Presumed to be MRZ-R5
76 EiC Clease [44] Reference MRZ-R5(1)(b)(ii)
77 S42A [Appendix 5] G Wolfer [pg 9]
78 Refer s42A Condition 10(d)(i) as volunteered.
79 PODP CMUZ-MATb 'Fencing and Storage'
80 EiC Scott [21]
81 EiC Clease [47]

- (b) Signage, with the exception of the Pylon sign, has been reduced as a consequence of input from the Council Team. Signage is of an appropriate scale and character to not be incompatible with the residential and collector road interface, and will reduce cumulative visual effects, whilst still fulfilling the signs operational and directional purpose as part of a coherent signage strategy as associated with the proposal.
- (c) The extent of corporate 'colour' on the Goulds Road frontage has been reduced from 60% to 43%⁸², noting that this corporate colour is not considered to constitute a component of signage for the purposes of the District Plan. Furthermore, as identified by Mr Clease the 'Green Colour' is both recessive and benefits articulation as associated with the massing of the building⁸³. I consider Ms Wolfer's suggested reductions of colour on the northern façade⁸⁴ and eastern façade⁸⁵ to present an austere design response reducing articulation of the building. I understand that the applicant's changes are accepted by Mr Hegarty⁸⁶.
- (d) With regard to the Pylon Signage, Ms Wolfer for the Council considers that the proposed pylon signage is over scale and dominant in a residential context suggesting support from Policy CMUZ-P5(2). She suggests this signage should be reduced to a height not exceeding 6m as this is consistent with existing commercial signage (e.g Pak n Save⁸⁷). Mr Hegarty agrees, albeit more due to cumulative effects. As noted, the Shillingford access pylon has been reduced from 3m x 9m to 2.75m x 7.5m in the amended plans, along with the directional signage fronting Goulds Road. In addition, I note that Ms Wolfer appears reliant on historical free-standing heights⁸⁸ as provided under the provisions of the Operative District Plan which limited free standing signage in a commercial context to a height not exceeding 6.0m⁸⁹, whereas the PODP provides for and anticipates free standing signage at 9.0m even for far smaller neighbourhood centres with a minimum of 51m of road frontage⁹⁰. On that basis, and also noting the widened extent of road reserve adjoining the Pylon signs, I consider these

⁸² Notified application: Total extent of Woolworths Green on Goulds Road façade (170.44m²). Amended Green extent (121.24m²). Total façade extent 281.21m²

⁸³ EiC Clease [51]

⁸⁴ S42A Appendix 5 Wolfer Figure 4

⁸⁵ S42A Appendix 5 Wolfer Figure 5

⁸⁶ S42A [122]

⁸⁷ RC216016, Levi Road Rolleston

⁸⁸ S42A Appendix 5 Wolfer [6.4]

⁸⁹ ODP: Freestanding Sign 6.0m – Rule C19.19.1.1.5

⁹⁰ PODP: SIGN-REQ-1 Free Standing Signage. permits 9m high pylon signs (even at a Neighbourhood Centres) where road frontage exceeds 50m; and at a ratio of 1:vehicle access. The subject site has some 300m of perimeter adjoining road reserve. The area of the No.13 Pylon signage (11.1m²) is less than the 18.0m² permitted by the Plan.

to be prominent but appropriately scaled in terms of what the PODP anticipates at the commercial / residential interface.

- (e) Lastly, whilst Ms Wolfers comments as to wayfinding in relation to pedestrian movements from the south along Goulds Road through the Click 'n Collect are acknowledged, this area is to function as a working area with pedestrian movements to be discouraged. The absence of a pedestrian walkway and nature of the canopy and associated vehicle movements, and instructions from employees should reinforce that deterrence without the need for additional physical constraints. For this area to function efficiently and appropriately public pedestrian movements are to be actively discouraged. For pedestrians movements to and from the south, the Goulds Road pedestrian pathway provides a connected, wide and legible walkway to the main pedestrian entrance leading directly to the Supermarket entry and at no additional distance. I also note that this matter is not raised as a concern within the Novo Peer Review affixed to the s42A Report, and as the functional purpose of the Click n Collect area is to preclude pedestrian movements the recommended condition for a safety audit⁹¹ *'to improve pedestrian safety through and within this site area'* is opposed.

80. I conclude that the potential for adverse effects associated with landscape, amenity, operational hours, noise, transport movement and generation and urban design are appropriately addressed and will be compatible within the establishing residential environment resulting in less than minor effects to the north, south and west, as well as the wider environment. Along the interface with Goulds Road, I consider these effects to be no more than minor. Mr Hegarty agrees with the exception of the Pylon signage⁹² and courier area fencing. I note that adverse visual effects would also decrease as the mitigation planting successfully establishes, both on the site and as associated with the frontage with Shillingford Boulevard.

81. This conclusion is based on several contextual and locational factors which are particularly relevant to this proposal. These include:

- (a) The nature of the receiving environment. The Rural zoned environment is artificial. The proposal is seeking to develop in parallel with an emerging urban area, rather than being inserted into an area with an established and mature residential amenity.
- (b) The written approvals associated with the wider fast track residential development at the interface to the south and west.

⁹¹ S42 Conditions [21]
⁹² S42A [125]

- (c) The presence of the collector road network which provides a buffer to residential development to the north and east, and the size of the site which enables setbacks, landscape treatment, the separation of 'working areas' and associated vehicle movements, and more public orientated access and movements.
- (d) The responsive and iterative approach between the Council and the applicant team has addressed matters to the extent that the residual contested elements are the scale of the pylon signage (9m vs 6m) and Courier area signage fronting Goulds Road (1.8m vs 1.2m).

Conclusion as to effects

82. Based on the above, I consider that the Proposal comfortably passes through the first gateway test under s 104D].

OBJECTIVES AND POLICIES ASSESSMENT

83. In terms of s104(b)(vi), Mr Hegarty and I agree that the proposal remains subject to the relevant objectives and policies of both the ODP and PODP given the PODP remains subject to a number of appeals⁹³.
84. We agree that the proposal is not contrary to any objectives and policies in either the Operative District Plan or Partially Operative District Plan. I note that these provisions are discussed in detail in the AEE⁹⁴ and within the s42A Report⁹⁵.
85. The relevant lens to assessing the Proposal against the policies and objectives of the Plan(s) is, in my view, to contextualise the relevant provisions against the environment as anticipated by the consented baseline. This is particularly relevant in considering outcomes associated with rural productive capacity and amenity where those values have already been overtaken by the fast track consents.

Operative District Plan

86. We agree that the Proposal is consistent with, or does not undermine the relevant Plan provisions.
87. To summarise, we agree that the proposal is consistent with:

⁹³ S42A [X]

⁹⁴ AEE [7.4]

⁹⁵ S42A [District Plans – Section 104(1)(b)(vi).

- (a) *Natural Resources*⁹⁶. The site is not Highly Productive Land in accordance with the New Zealand Land Resource Inventory (LUC4). Given the Fast Track consent, the Proposal does not result in any additional loss or reduction in the District's Soil resources or recognised habitat or fauna.
- (b) *Physical Resources – Transport*⁹⁷. The Proposal will not compromise the safety or capacity of the supporting road network. There are sufficient on-site carparks to cover parking demand periods without reliance on the on-street parking resource. The site's pedestrian and cycling infrastructure (and connections to the wider network) has been agreed by the Transport experts as being appropriate and will be subject to a Loading Management Plan for the retail tenancies to the north. In terms of Policy B2.1.7 there remains a contested matter as to the need for a safety audit to improve pedestrian safety moving through the Click 'n Collect as raised on urban design grounds by Ms Wolfer. As discussed under the s104(1)(a) consideration, pedestrians in this space would conflict with the purpose of the Click 'n Collect and pedestrians are supported by legible wayfinding pathways outside of this space.
- (c) *Physical Resources – Utilities and Waste*⁹⁸. The site can be served by utilities.
- (d) *Health and Safety Values – Natural Hazards*⁹⁹. The site is not identified in a Flood Area in the Operative District Plan. Recommended Conditions of Consent address confirmation of an appropriate FFL¹⁰⁰ and a 1% AEP storm design for stormwater discharges¹⁰¹.
- (e) *Health and Safety Values – Culture, Historic Heritage and Protected Trees*¹⁰². The site is not subject to any of these overlays or notations.
- (f) *Health and Safety Values – Quality of the Environment*¹⁰³. The 'rural character' of the environment is effectively urbanised to that established pursuant to Subdivision Consent RC235205 and Land Use Consent RC235206. On that basis, the Proposal is not incongruent with the character and amenity expectations provided for under that consent, including as associated with the proposed pylon sign height and courier area fencing.

⁹⁶ Objective B1.1.1, Objective B1.1.3, Policy B1.1.2, *Objective B1.2.1, Objective B1.2.2, Objective B1.2.3, Policy B1.2.1*

⁹⁷ Objective B2.1.1, Policy B2.1.2, Policy B2.1.6, Policy B2.1.7, Policy B2.1.10, Policy B2.1.17.

⁹⁸ Objective B2.1.1, Objective B2.1.2, Policy B2.2.1, Policy B2.4.2

⁹⁹ Objective B3.1.1, Objective B3.1.2, Policy B3.1.3

¹⁰⁰ S42A Condition [24]

¹⁰¹ S42A Condition [47]

¹⁰² Objective B3.3.1, Objective B3.3.2, Policy B3.3.3

¹⁰³ Objective B3.4.1, Objective B3.4.2,

- (g) *Health and Safety Values – Rural Character*¹⁰⁴. As above, the rural character has been superseded by the fast-track consents. In terms of B3.4.10 Signage as proposed will not generate safety risk, adverse operational effects nor result in nuisance effects within this environment as sought in the policy. That conclusion is predicated on the scale and configuration of the Proposal as a whole, and that signage is predominantly buffered by both the arterial road network, landscaping and the Council landscaped road reserve.
- (h) *Health and Safety – Glare*¹⁰⁵, *Noise and vibration*¹⁰⁶, *Dust*¹⁰⁷, *Shading and Setbacks*¹⁰⁸, *Reverse sensitivity*¹⁰⁹, and *Temporary Activities*¹¹⁰. Mr Hegarty and I agree that the proposal, through either design, applicable standards (such as NZS6803) and / or management plans and conditions will satisfactorily address these provisions. This includes engagement with MoEd prior to works commencing¹¹¹.
- (i) *Township Volume – Quality of the Environment*¹¹², *Business Development*. The Proposal and the scale of both the Supermarket and associated small scale retail / commercial services is appropriate in terms of the changing community and the need for convenient services for the surrounding residential community.

Partially Operative District Plan

- 88. Mr Hegarty and I agree that the Proposal is consistent with, or does not undermine the relevant Plan provisions.
- 89. We both acknowledge the potential tension with GRUZ-P5, which is directive in terms of the avoidance of commercial activities in the absence of an operational or functional need. However, I note that:
 - (a) Mr Hegarty resolves that conflict appropriately through acknowledging the inconsistency¹¹³, but based on a holistic approach considers the proposal generally consistent with the plan¹¹⁴.

¹⁰⁴ Policy B3.4.1, Policy B3.4.3, Policy B3.4.6, Policy B3.4.9, Policy B3.4.10
¹⁰⁵ Policy B3.4.11
¹⁰⁶ Policy B3.4.13
¹⁰⁷ Policy B3.4.16
¹⁰⁸ Policy B3.4.17, Policy B3.4.18
¹⁰⁹ Policy B3.4.20, Policy B3.4.21
¹¹⁰ Policy B3.4.23
¹¹¹ S42A Condition [5]
¹¹² Policy B3.4.8, Objective B4.3.8
¹¹³ S42A [207]
¹¹⁴ S42A [223]

- (b) As stated in the AEE¹¹⁵, the fast track consents have resulted in such a changed environment that this outcome can no longer reasonably be achieved within the surrounding context. It is agreed by Mr Hegarty¹¹⁶ that there is an operational need to establish the Proposal in this location, given it supports a proximate and emerging residential catchment, without which there is not sufficient development capacity to support associated community needs. Consequently, the provisions should be read in a manner that is consistent with the surrounding environment. In this instance the proposal is necessary to ensure sufficient development capacity to meet short and medium term needs as is agreed by Mr Heath and Mr Foy.

90. To summarise, we agree that the proposal is consistent with:

- (a) *Strategic Directions*¹¹⁷. We agree that the proposal will support the social and economic needs of the emerging local community, that the proposal integrates with and maintains the safe and efficient use of the transport network and encourages active modes, and that there is no prospect of material distributional effects on the centres hierarchy including the Town Centre.

The site can be appropriately serviced, and hazard risk managed through appropriately set FFLs and on-site stormwater management.

In terms of taking account of the anticipated character of individual communities, it is considered that the design, landscaping and architectural style of the Proposal is congruent with the anticipated character of the area, including at the interface with anticipated and emerging residential development.

- (b) *Transport*¹¹⁸. There is agreement between the transport experts that the Proposal can be appropriately accommodated in the road network, and associated traffic generation and access / egress will not be incompatible with the role and function of the supporting Collector Road network.

Mr Metherell also notes the positive transport effects as associated with reduced VKT, trip journeys and the enablement of more active modes to service proximate convenience needs of the surrounding residential catchment.

¹¹⁵ AEE [7.4.3]

¹¹⁶ S42A [236]

¹¹⁷ SD-DI-O1, SD-DI-O2, SD-DI-O5, SD-DI-O6, SD-UFD-O1, SD-UFD-O2, SD-UFD-O3, SD-UFD-O4

¹¹⁸ TRAN-O1, TRAN-O2, TRAN-P3, TRAN-P4, TRAN-P5, TRAN-P7, TRAN-P9, TRAN-P10, TRAN-P11,

The site itself is linked with the wider pedestrian network, with internalised connections providing legible and safe pathways to retail frontages, and the parking and loading is segregated between Back of House and customer circulation and carparking to avoid conflicts between these purposes.

The inclusion of a safety audit to improve pedestrian safety through the click 'n collect is opposed¹¹⁹. This has not been raised by either of the transport engineers, and in my view is not necessary to engage with in terms of the Rymans submission which is addressed by the pedestrian refuge within Goulds Road.

- (c) Hazards and Risks¹²⁰. Recommended Conditions of Consent address confirmation of an appropriate FFL¹²¹ and a 1% AEP storm design for stormwater discharges¹²².
- (d) General District Wide Matters. Earthworks¹²³, Light¹²⁴, Noise¹²⁵, Signs¹²⁶. Mr Mr Hegarty and I agree that the proposal, through either design, applicable standards (such as NZS6803) and / or management plans for construction (ESDMP and CNVMP) or operation (Loading Management Plan, Loading Bay Noise Management Plan and Light Plan for Certification) and conditions will satisfactorily address these provisions.

In terms of signage, the remaining contested matter is that the Council seeks reduction of the Pylon signs from 9m to 6m. The plan provisions for all commercial centres (including smaller neighbourhood centres) provide for free standing signage to a height of 9m at a ratio one/access for sites with 50m of road frontage¹²⁷. The site has five accesses, and a road perimeter of 300m. I do not therefore consider the scale of the pylon signs (noting that fronting Shillingford Boulevard has been reduced to 7.5m in height) to be inconsistent with supporting policy SIGN -P1 and P2).

- (e) *General District Wide Matters – Urban Growth*¹²⁸. Mr Hegarty and I agree that the Proposal is to provide a commercial outcome as congruent with a suburban location and will integrate with the transport network and supporting services. Mr Heath and Mr Foy agree that the creation of a new commercial centre will not result in material distributional effects on the

¹¹⁹ S42A Condition 21]
¹²⁰ CL-O1, NH-O1, NH-P3, NH-P10, NH-P13
¹²¹ S42A Condition [24]
¹²² S42A Condition [47]
¹²³ EW-O1, EW-P3, EW-P4
¹²⁴ LIGHT-O1, LIGHT-P1, LIGHT-P3
¹²⁵ NOISE-O1, NOISE-P1
¹²⁶ SIGN-O1, SIGN-P1, SIGN-P3
¹²⁷ SIGN-REQ1.21.
¹²⁸ UG-O1, UG-O2, UG-O3, UG-P15,

centres network, including the Town Centre and will provide direct benefits to the local community. In terms of UG-P15 as noted in the AEE the provision of a commercial centre in the location of the Proposal is identified in the Rolleston Structure Plan (2009).

- (f) *General Rural Zones*¹²⁹. Mr Hegarty and I agree that the provisions are no longer reflective of the anticipated environment given the approved urban land use provided by the fast-track consents. An urban use of the Site is now a *fait accompli* given the residential consented environment. This existing consent will allow high density urbanisation, and associated implications in terms of building density, primary production, and delineating the rural urban interface. Accordingly, the Proposal does not derogate, or further reduce these outcomes as they are already superseded by the fast track consent. The tension with GRUZ-P5 is addressed above, but neither Mr Hegarty nor I consider that any tension is such as to cause offense to the plan provisions as read as a whole based on the nature of the environment being considered.
- (g) *Residential Zones*¹³⁰. Mr Hegarty has considered these provisions, acknowledging the proximity of the proposal to residential sites. At the outset I consider that the Proposal does not engage with the Residential zone provisions. Arguably the CMUZ and Local Centre Zone provisions would be the more appropriate, but equally unable to be engaged. However, given Mr Hegarty's consideration that the proposal is generally consistent with these provisions, there is no need to consider this matter further, with the exception of the stated contested matters relating solely to the pylon sign height and courier area fencing.

- 91. Both Mr Hegarty and I agree that the Proposal passes through the second gateway test under s 104D.

HIGHER ORDER PLANNING DOCUMENTS

S104(1)(b)(iii) – National Policy Statement – Urban Development

- 92. Mr Hegarty and I agree that the proposal is consistent with the outcomes in the NPS-UD.
- 93. The proposal is consistent with a well-functioning urban environment¹³¹, especially given that there are no zoned Local Centre zones in Rolleston, and the existing

¹²⁹ GRUZ-O1, GRUZ-P1, GRUZ-P4, GRUZ-P7

¹³⁰ RESZ-01, RESZ-05, RESZP3, RESZ-P5 and RESZ-P17

¹³¹ Objective 1, Policy 1.

distribution of Neighbourhood Centre zones¹³² is not the most economically efficient way of delivering convenience retail and meeting resident needs within south Rolleston.

94. As outlined in the evidence of Mr Heath¹³³, the proposal is necessary to meet, and support expected demand, in my view advancing the achievement of **Policy 2**.
95. Based on the consideration of the effects of the proposal on the amenity and the character of the environment, I consider the proposal achieves **Objective 4**, acknowledging the change in amenity values in response to the diverse and changing needs of people, communities and future generations.
96. The proposal also advances a reduction in trip generation and VKT and supports active modes of transport to access convenience goods (and services), hence supporting reductions in greenhouse gas emissions (**Policy 1(e)** and **Objective 8**), as well as being integrated with planned transport improvements to Shillingford / Guilds Road (**Objective 6**).

S104(1)(b)(v) – Canterbury Regional Policy Statement

97. Mr Hegarty and I agree that the proposal is consistent with the outcomes in the CRPS, and a detailed assessment is provided in the application¹³⁴.
98. In terms of *Chapter 5 – Land Use and Infrastructure*¹³⁵, the Proposal positively responds to a recognisable need to meet the needs of residential growth in southern Rolleston with access to supermarket-based convenience retail in an accessible and proximate manner. The Proposal will also assist in meeting social and cultural wellbeing through providing a legible community hub in this locality. The Proposal efficiently and effectively integrates with transport infrastructure and manages and avoids incompatible effects and incompatibilities both at the boundary with adjoining sites, and internally.
99. In terms of *Chapter 6 – Recovery and Rebuilding of Greater Christchurch*¹³⁶, The proposal contributes to consolidating growth within the Rolleston urban area and ensures that the convenience-based wellbeing needs of a burgeoning residential area can be better met within the spatial form of Rolleston, and successfully integrated with supporting infrastructure. The economic analysis identifies that the Proposal is uniquely located to meet local commercial needs, and – in response to matters raised in the submission from Environment Canterbury there is agreement

¹³² AEE [Figure 9, Table 1]

¹³³ Heath EiC [25]

¹³⁴ AEE [7.3.1]

¹³⁵ Objective 5.2.1, Policy 5.3.7

¹³⁶ Objective 6.2.1, Objective 6.2.2, Objective 6.2.5, Objective 6.2.6, Policy 6.3.1, Policy 6.3.5, Policy 6.3.6

between Mr Heath and Mr Foy that the Proposal does not result in significant (or any material) distributional effects on the existing zoned centres network. Importantly, the Proposal also results in positive transport and urban design outcomes for communities within southern Rolleston.

OTHER MATTERS

100. In terms of s104(1)(c), Mr Hegarty and I agree that the following are matters to be had regard to in considering the proposal.

Rolleston Structure Plan (2009)

101. The Structure Plan identifies a 'Local Centre' at the location in which the proposal is now sought.
102. The Structure Plan identifies at Section 6.5 guidelines for the location of Centres, including (6) *potential for a consolidated urban centre to reduce reliance on cars*, and at Section 6.11 provides analysis of the Local and Neighbourhood centre approach, identifying the need for Local Centres that provide for a 'small grocery store and small groups of shops'.
103. I consider that the Structure Plan reinforces the analysis undertaken by Mr Heath that the District Plan has not appropriately provided for the middle 'local centre' tier within the zoned retail hierarchy to meet local and convenience based community retail needs.

The Mahaanui Iwi Management Plan

104. We agree that the recommendations of the Cultural Advice Report produced by Mahaanui as inserted as appropriate conditions and advice notes to be affixed to any consent granted.

PART TWO

105. I agree in part with Mr Hegarty's view as to the application of Part 2.
106. The anticipated environment, as authorised by existing consents which are likely to be implemented, is not reflected in relevant planning instruments. It is also arguable that the Plan does not appropriately account for the requirements of the NPS-UD in terms of providing for good accessibility within the urban environment and the need for well-functioning urban environments given the insufficient provisions of local centres. As a result, recourse to Part 2 is appropriate to consider whether the proposal provides for the outcomes in Part 2.

107. In my view, in the context of this application, sustainable management is most appropriately achieved by managing the use of land in a way which enables the people in the growing Rolleston community to access convenient supermarket services in geographically appropriate locations where adverse effects are avoided, remedied or mitigated. Section 5(2)(a) specifically requires the reasonably foreseeable needs of future generations are to be considered, and residential growth without services to cater to that growth would not adequately provide for foreseeable future needs. The NPS-UD also specifically provides that:

- (a) Objective 3 – district plans should enable community services to be located in areas of urban development where there is high demand;
- (b) Objective 4 – local authority decisions on urban development should be strategic over the medium term and long term;
- (c) Policy 1 – planning decisions should contribute to well-functioning urban environments which enable a variety of sites that are suitable for different business sectors in terms of location and site size and have good accessibility; and
- (d) Policy 2 – at all times local authorities provide sufficient development capacity to meet expected demand for business land.

108. The NPS is required to be implemented through the plan provisions. However, in this context the plan has not kept up with the ongoing changes in the area enabled by consented developments.

109. It is relevant to my Part 2 assessment:

- (i) Whether the Plan appropriately accounts for the requirements of the NPS-UD in terms of the provision of appropriate business activities in appropriate locations¹³⁷; and
- (ii) Whether the plan adequately provides for Part 2 matters, in light of the changing environment. For example, maintain a rural character and amenity as required by GRUZ-P5 would not result in appropriate use of the land which provides for sustainable management by recognising the changing needs of the community.

110. In my view:

- (a) The proposal seeks to manage the use and development of resources in a way (location, convenience retail and proximity to an immediate residential

¹³⁷ NPS-UD Policy 1(b)

catchment, design, management plans and conditions) and at a rate (scale) that enables people and communities to provide for their wellbeing¹³⁸;

- (b) Does not impact on life supporting capacities, and adverse effects are avoided or mitigated¹³⁹;
- (c) Through FFLs for buildings and the 1%AEP storm event stormwater approach manages significant risks from natural hazards¹⁴⁰;
- (d) represents the efficient use of resources, meeting growing district grocery needs and providing for such in a location that is proximate to a substantial area of greenfield residential development reducing both trip generation and VKT to meet those needs, and on land that is appropriate and well serviced by existing public transport and infrastructure¹⁴¹;
- (e) through design and materiality, planting and landscaping, and conditions provides a quality-built form that recognises and provides for its functional needs, and maintains the (anticipated) quality of the environment and amenity values¹⁴².

111. I conclude that the proposal accords with Part 2 of the Act.

PROPOSED CONDITIONS OF CONSENT

112. There have been considerable discussions between myself and Mr Hegarty (informed by the respective technical experts) as to the Conditions volunteered with the proposal, as well as those sought by the Council to manage additional matters. Accordingly, unless stated below, I accept the comprehensive suite of conditions attached to the s42A Report unless as amended with track changes as **Attachment A** to this evidence (noting renumbering in that Attachment).

113. I have detailed in the s104(1)(a) assessment where I consider that the s42A Condition suite extends into matters that I consider do not have an evidential nexus justifying constraint or to resolve minor administrative matters without consequential effects. These are as follows as amended through either red and bold, underline for an insertion or ~~red and struck~~ out for removal:

¹³⁸ Section 5(2)
¹³⁹ Section 5(2)(b) and (c)
¹⁴⁰ Section 6(h)
¹⁴¹ Section 7(b)
¹⁴² Section 7(c) and (f)

Signage

114. I consider that the pylon signage is appropriate at a height of 9m and 7.5m (Goulds and Shillingford respectively).

Signage

15. Signage must proceed in accordance with the information and plans submitted as ASC Architects, Project Number 23826, Sheets RC10, dated XX XXXX 2024), including that:
- Signs numbered as No.7, No. 8 and No.10 do not exceed 800mm (w) x 1000mm (h);
 - ~~The Pylon sign~~ The Sign-numbered as No.9 **does not exceed a support of 2.2m x 3.0m with signage not** ~~does not exceed~~ **ing** 3.0m² ~~and does not extend beyond the Click 'n Collect canopy roofline;~~ and
 - The Pylon Signs adjoining the access to Shillingford Boulevard and Goulds Road do not exceed a height of **67.5m and 9.0m respectively** (Signs 12 and 13).
16. All signs must remain unilluminated between **2200** ~~0700~~ hours and **0700** ~~2200~~ hours

Courier fencing

115. I consider that the courier fencing is appropriately sized at 1.8m as subject to controls on visual permeability and limbing trees to 1.2m¹⁴³.
14. As shown on ASC Architects, Project Number 23826, Sheets RC01 to RC0X, dated XX XXXX 2024, interface fencing with Goulds Road adjoining the Courier / Staff Parking area must consist of a maximum **1.82m** high 'powder coated fence' in 'Interpon Futura D2525 Ordos Sable (RGB 124,89,65, LRV 15%)' and permeability not being less than 50%. This fencing must be maintained in good order, including being free of graffiti and must not be used for signage or advertising.

Safety Audits

116. There is no road infrastructure to be vested in the Council and none of the traffic experts have identified any traffic safety concerns that requires further review or mitigation. Requirement for a safety audit for 'improved pedestrian safety' through the Click 'n Collect area is opposed for the reasons stated.

~~21. Prior to the opening of the supermarket to public sales, the Consent Holder must undertake a safety audit of the 'click n collect' area at the Consent Holder's expense. The purpose of the audit is to identify measures to improve pedestrian safety through~~

¹⁴³ S42A Condition [10(d)]

~~and within this site area. The audit must be provided to Council for certification and any safety measures must be implemented prior to the supermarket opening.~~

~~32. All vested roading infrastructure must be constructed in accordance with a Safe System Audit that must be supplied at time of Engineering Acceptance. An audit must be undertaken by an independent assessor at the consent holder's expense, with the report provided to Council prior to Engineering Acceptance.~~

Engineering

117. Mr Jagvik has recommended amendments to Conditions 34, 35 and 36 attached to the s42A Report. As stated in his evidence in chief the amendments are largely either administrative or provide for necessary flexibility in implementation without consequential adverse effects.

Conditions 34 and 35 as combined:

34. Private water reticulation infrastructure inside the boundary must be sized assuming 310kPa at the point of supply to the SDC water network (upstream of the RPZ). All water for firefighting sprinkler systems must pass through a private storage tank prior to further pumping unless otherwise formally agreed to in writing by the Selwyn District Council (during the Building Consent stage).

~~35. The dedicated firefighting system must not be supplemented via the Selwyn District Council's water supply. Where a private water tank is required to supplement the requirements of the private firefighting system all water for firefighting sprinkler systems shall pass through that storage tank prior to further pumping. The Any fire sprinkler system water storage tank volume must be sized for the full firefighting volume requirements of the sprinkler system (it cannot be supplemented via the SDC water supply) and must have an orifice plate/restriction on the inlet to the tank so that the tank is limited to refill in 6 hours.~~

Condition 36 as modified:

~~356~~ A single 63mm water connection for the use of potable water supply to the property is permitted to supply the development site with potable water. Subject to detailed design during the Building Consent phase, further potable water supply connections may be required and are to be approved by Council. The single connection, along with any others as approved by Council, must be metered and must have the appropriate backflow prevention fitted as prescribed by Council Policy W213 – Backflow Protection at Point of Supply Policy.

RESPONSE TO SECTION 42A REPORT

118. Mr Hegarty and I agree that the proposal meets s104D(1)(a) and (1)(b), and the proposal can be considered pursuant to s104. Other than very narrow matters (pylon signage and fence height) discussed above we agree that the Proposal can be granted subject to conditions of consent pursuant to s108 and s108AA.

RESPONSE TO SUBMISSIONS

119. Despite being publicly notified, only three submissions were received. This demonstrates the general acceptance within the community of the Proposal. Notably, no submissions were received from surrounding landowners or from business owners operating within the Rolleston centre.

Ministry for Education

120. The submission raises matters relating to construction nuisance and traffic effects despite Lemonwood Grove School and Waitaha School being some distance from the Proposal. These matters are resolved through the volunteered Temporary Traffic Management Plan (TTMP), ESDMP and CNVMP. In relation to matters relating to operational traffic, both Mr Metherall and Novo Group advise that the road network can safely and efficiently absorb generated vehicle activity, including construction vehicles, from the proposal. Lastly, the applicant has volunteered a Condition relating to engagement with the MoEd prior to works commencing¹⁴⁴. It is considered that all the matters submitted on are resolved.

Canterbury Regional Council

121. The submission seeks careful and robust consideration of distributional effects (CRPS Policy 6.3.6). Both Mr Foy and Mr Heath agree that there is no prospect of such effects.
122. In addition, a condition is sought as to any 'found' contamination during construction works, which is resolved through Condition 6¹⁴⁵.

Ryman Healthcare

123. Ryman's seek confirmation as to the safety of pedestrians / provision of safe crossing facilities of pedestrians accessing the site from the south. This matter has been specifically considered by the transport experts, with Novo Group confirming that the addition of the pedestrian refuge as part of the wider streetworks should resolve this matter¹⁴⁶.
124. In terms of noise, both AES for the applicant and Marshall Day for the Council have confirmed noise levels will be appropriate and additional noise barriers are not required along Goulds Road.

¹⁴⁴ S42A Condition [5].

¹⁴⁵ S42A Condition 6.

¹⁴⁶ S42A Appendix 5 – Novo [31, 32]

125. Lastly, in terms of matters relating to visual amenity along Goulds Road, I consider that the amendments made in the application relating to landscaping, signage and fencing along this boundary represent an appropriate response.
126. All concerns identified by submitters have been appropriately addressed. This is reflected in the fact that none of the submitters are now seeking to be heard in relation to their submissions.

CONCLUSION

127. The Proposal addresses an identified gap in the centres network within Rolleston and improves the provision of convenience retail in the rapidly expanding Rolleston township. The Proposal meets the wellbeing needs of the burgeoning residential population of southern Rolleston in a way, and at a rate that manages the actual and potential effects on the environment, in a manner compatible with the identified centres hierarchy and which meets the requirements of the statutory framework, including the NPS-UD and the Selwyn Operative and Proposed District Plan.
128. The proposal will have no more than minor adverse effects on the environment. This is a consequence of the 'environment' for consideration being urbanised due to Subdivision Consent RC235205 and Land Use Consent RC235206, and through design, landscaping, management and conditions
129. The Proposal is consistent with the relevant policies and objectives of the Plans. Any residual tension with GRUZ-P5 is overcome as the need to maintain rural character and amenity, and provision of activities to serve a functional rural need as sought in that policy have been subsumed by the fast-track consents. The Proposal supports a proximate and emerging residential catchment, without which there is not sufficient development capacity to support associated community needs.
130. Accordingly, the proposal finds support within the NPS-UD, and is not inconsistent with the CRPS as there are no material distributional effects on the centres network or the Rolleston Town Centre.

131. I consider that the Proposal passes both gateways in s104D, and consent can be granted in considering those matters under s104, and subject to conditions pursuant to s108 and 108AA of the Act, as set out in the s42A Report as amended above and with the updated Landscape (appended to the evidence of Mr Scott) and Architectural Plans (**Attachment C**).



Matt William Bonis

2 September 2024

Attachment A

Conditions

ATTACHMENT A – AMENDED S42A CONSENT CONDITIONS

Key: Amendments are in red either as **inserts** or ~~deletions~~.

CONDITIONS OF CONSENT

RC245088 Land Use Consent Conditions

General Conditions

1. Except where modified by conditions, the development must proceed in general accordance with the information and plans submitted with the application, including the further information/amended plans submitted. The Approved Plans have been entered into Council records as RC245088 (X pages) and include the following:
 - a) Location Plan, Site Plan, Floor Plans, Elevations, Recession Planes & Signage, and Exterior Materials (ASC Architects, Project Number 23826, Sheets RC01 to RC01~~18~~~~X~~, dated ~~26 08~~~~XX~~~~XXXX~~ 2024);
 - b) Landscape Resource Consent Package dated ~~23~~~~2~~ August 2024 (Kamo Marsh Landscape Architects: Landscape Plan Drawing No. Ref No. 5440 Revision ~~KH~~, Landscape Master Plan and Specimen Tree Plan);
 - c) Assessment of Environmental Effects by Planz Consultants Limited and associated technical reports dated 16 February 2024; and
 - d) Further Information Response Letter from Planz Consultants Limited dated 22 April 2024.

Construction Management

[Renumbered from 1.]

2. All earthworks authorised by this consent shall be undertaken in general accordance with the current edition of Environment Canterbury's Erosion and Sediment Control Toolbox, and the Erosion, Sediment and Dust Management Plan (ESDMP). This shall be submitted to the Selwyn District Council for certification at least 15 Working Days prior to any land disturbance associated with RC245088 commencing.

The ESDMP must 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) Avoiding 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 prone to wind erosion;
- g) Removing stockpiles from site as soon as possible. Stockpiles will be kept tidy and constructed in a safe manner, noting that they must not be greater than 4m in height and 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.
- 3. The Consent Holder must implement best practicable option measures to avoid or mitigate the dispersal and deposition of dust from construction and earthworks activities beyond the boundaries of the Site.
- 4. The Consent Holder must implement best practicable option measures to avoid or mitigate the discharge of sediment laden runoff beyond the boundaries of the Site.
- 5. The Consent Holder must ensure that a Construction Traffic Management Plan (CTMP) is prepared in accord with Waka Kotahi's Code of Practice for Temporary Traffic Management procedures. The objective of the CTMP is to provide specific details and management responses as to the site-specific design, implementation, maintenance and removal of temporary traffic management measures whilst construction work commissioned by RC245088 is carried out on the road corridor (road, footpath or berm). The CTMP must be submitted to the Selwyn District Council for certification at least 15 Working Days prior to any construction works commencing that affect the normal operating conditions on the roading network.
- 6. The Consent Holder must formally provide written confirmation to Lemonwood Grove and Waitaha Schools, via the Principal of each school, of notice of works commencing, at least 15 working days prior to any construction works commencing. The Consent Holder shall formally provide written confirmation to the Ministry of Education, via resource.management@education.govt.nz, of notice of works commencing, at least 15 working days prior to any construction works commencing.
- 7. 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 must immediately cease within 10m of the contamination. Works must not recommence in this area until the Consent Holder commissions a suitably qualified and experienced contaminated land practitioner to assess the contamination, and their necessary recommendations to ensure human health have been implemented by the Consent Holder.
- 8. Any contaminated soils removed from the site must be disposed of at a consented facility whose waste acceptance criteria would be met. Evidence of waste disposal, such as weighbridge receipts, must be submitted to Selwyn District Council within two months of completion of works.
- 9. An accidental discovery protocol (ADP) must be in place during all earthworks required to exercise this consent to deal with archaeological finds and protect the interests of mana whenua. This condition does not constitute a response under the Heritage New Zealand Pouhere Taonga Act (HNZPT 2014). Refer Appendix 1 – Accidental Discovery Protocol (as below).
- 10. The Consent Holder must submit a Construction Noise and Vibration Management Plan (CNVMP) to be reviewed and certified by the Council. The objective of the CNVMP is to identify, require and enable the adoption of the best practicable option to minimise adverse construction noise and vibration effects. The CNVMP must include details of all mitigation measures to ensure compliance with consent conditions. The CNVMP must be prepared with reference to Annex E of NZS 6803:1999 Acoustics – Construction Noise and must address the following matters as a minimum:
 - a) The consented construction noise and vibration limits;
 - b) Limitations on working hours;
 - c) Minimum separation distances for compliance for all noisy equipment and heavy plant;
 - d) Details of noise and vibration mitigation measures;
 - e) Details for advising the occupiers of the neighbouring buildings of the works, including timeframes and when the highest noise and vibration levels can be expected;
 - f) Procedures for response to concerns from neighbours and dealing with any complaints;
 - g) Procedures for any noise and vibration monitoring to be undertaken during the works; and
 - h) Details for ensuring that contractors and operators on site are aware of the requirement to minimise noise and vibration effects on the neighbouring sites.

Landscaping

11. A minimum of 15 working days prior to construction commencing on the Site, the Consent Holder must submit a detailed landscape plan and specification to the Selwyn District Council for certification. The objective of the detailed landscape plan is to provide the planting specifications, methods and ongoing management and maintenance schedule to achieve the outcomes of the landscape plan referred to in Condition 1(ii). The detailed landscape plan shall include the following:
- It is in general accordance with the Landscape Plan (Condition 1(ii));
 - A detailed planting schedule identifying the grade of trees by height and calliper, and all landscape plants that are to visually soften the building by grade, botanical name, quantity and spacings;
 - Details of tree pit design, including custom tree pit '*Laurus nobilis*' (as shown on Kamo Marsh Landscape Architects: Landscape Plan Drawing No. Ref No. 5440 Revision H, Landscape Master Plan and Specimen Tree Plan Notes Item 4), landscape irrigation, and tree protection measures from vehicles, pedestrians, and shopping trolleys; and
 - A landscape management plan identifying:
 - Landscape maintenance plan / schedule for the first three years of establishment from date of planting to ensure landscape planting is well established after three years, including:
 - All roadside boundary and carpark trees to be limbed to 1.2m as they reach maturity including three *Magnolia grandiflora* 'Little Gem' adjoining Goulds Road fronting the Click 'n Collect (as shown on Kamo Marsh Landscape Architects: Landscape Plan Drawing No. Ref No. 5440 Revision H, Landscape Master Plan and Specimen Tree Plan Notes Item 3,) and provides adequate coverage, plant health and vigour;
 - Provision of root barrier along only the interface of the carpark to the planted area associated with the northeast boundary of the carparking area to Shillingford Boulevard (i.e. no root barrier is required at the interface of the planted area fronting the Shillingford Boulevard Reserve);
 - A regular maintenance and trimming schedule for any trees within 6m to the carpark lighting posts to ensure landscape planting is well established but maintains illuminance for the proximate carparking area;
 - Ongoing landscape maintenance to ensure all trees are maintained to reach their full height and form.
 - If no response is received from Selwyn District Council after 10 working days of submission, the detailed landscape plan and specification must be treated as certified.
12. Prior to any retail activity commencing at the Site, the proposed landscaping must be established in general accordance with the detailed landscape plan and specification certified under Condition 10.
13. All specimen trees identified on the Tree Species list (Condition 1(ii)) must be a minimum height / scale at the time of planting, as follows:

Latin Name	Common Name	Scheduled Size
<i>Carpinus betulus</i> 'Fastigiata'	European Hornbeam	2200/45L
<i>Dodonaea viscosa</i> purpurea	Purple Ake Ake	1500/12L
<i>Griselinia littoralis</i> (hedge)	Kapuka/Broadleaf	700/6.0L, spaced at 600mm centres
<i>Laurus nobilis</i>	Bay Laurel	2200/35L
<i>Magnolia grandiflora</i> 'Little Gem'	Magnolia Little Gem	1800/45L
<i>Pittosporum eugenoides</i>	Lemonwood / Tarata	2500/45L
<i>Podocarpus totara</i>	Tōtara	2200/35L
<i>Prunus</i> 'Amanogawa'	Upright Flowering Cherry	2200/45L

If alternative species are proposed, they must achieve the same outcome as the approved landscape plan and any substitute species must be of the same or greater height / scale at the time of planting.

Once established, the trees must be allowed to grow to their full natural height, except as required by Condition 10.

14. All required landscaping must be maintained. Any dead, diseased or damaged landscaping must be replaced immediately with plants of similar species. If any tree dies within the first three years they must be replaced with the same species and grade within the next available planting season in accordance with the certified Landscape Plan.
15. As shown on ASC Architects, Project Number 23826, Sheets RC01 to RC0X, dated XX XXXX 2024, interface fencing with Goulds Road adjoining the Courier / Staff Parking area must consist of a maximum 1.2m high 'powder coated fence' in 'Interpon Futura D2525 Ordos Sable (RGB 124,89,65, LRV 15%)' and permeability not being less than 50%. This fencing must be maintained in good order, including being free of graffiti and must not be used for signage or advertising. If an alternative material is proposed it must achieve the same outcome, and maintain the same height and permeability.

Signage

15. Signage must proceed in accordance with the information and plans submitted as ASC Architects, Project Number 23826, Sheets RC10, dated XX XXXX 2024), including that:
 - a) Signs numbered as No.7, No. 8 and No.10 do not exceed 800mm (w) x 1000mm (h);
 - b) The Pylon sign ~~The Sign~~ numbered as No.9 does not exceed a support of 2.2m x 3.0m with signage not does not exceeding 3.0m² ~~and does not extend beyond the Click 'n Collect canopy roofline;~~ and
 - c) The Pylon Signs adjoining the access to Shillingford Boulevard and Goulds Road do not exceed a height of 67.5m and 9.0m respectively (Signs 12 and 13).
16. All signs must remain unilluminated between 2200 ~~0700~~ hours and 0700 ~~2200~~ hours

Transport

16. Car parking, cycle parking and access must be established in general accordance with the approved Site Plan (Condition 1), including carparking spaces to be provided on site and a minimum of:
 - a) 5 mobility impaired parking spaces; and
 - b) 38 cycle parking spaces to be provided on-site.
17. The Consent Holder must inform all delivery drivers under its direct control that access for semi-trailers is restricted to entering the Site via the Goulds Road service access, with exit via a right turn to Road 7 in Arbor Green, and a right turn onto Shillingford Boulevard.
18. The Consent Holder must ensure that no obstruction of more than 1m in height is located within visibility splays in order to ensure drivers and pedestrians / cyclists have suitable intervisibility of one another.as set out below:
 - a) For pedestrian and driver intervisibility a 2m-wide x 5m-long visibility splay at each of the following accesses.
 - i. Exit side of the two-way Goulds Road car park access;
 - ii. Both sides of the one-way Goulds Road pick up exit;
 - iii. Exit side of the two-way Goulds Road service access; and
 - iv. Both sides of local road truck exit.
 - b) For cyclist and driver intervisibility a sightline on all access exit lanes to Goulds Road. The sightline must be measured as follows to both directions on the shared path:

From the centre of the exit lane 3m back from the edge of the shared path to the centre of the shared path at a location 25m along the shared path from the centre of the exit lane.

Advice Note: There is no specific requirement at the Shillingford Boulevard access as the pedestrian path is separated from boundary.

19. Prior to the opening of the accessory retail units, the Consent Holder must provide to Selwyn District Council a Loading Management Plan for certification. The objective of the Loading Management Plan is to ensure that freight deliveries to the accessory retail units does not affect the functioning of the Shillingford Boulevard vehicle entrance. The Loading Management Plan must be implemented for the duration of the accessory retail units' use.
- ~~20. Prior to the opening of the supermarket to public sales, the Consent Holder must undertake a safety audit of the 'click n collect' area at the Consent Holder's expense. The purpose of the audit is to identify measures to improve pedestrian safety through and within this site area. The audit must be provided to Council for certification and any safety measures must be implemented prior to the supermarket opening.~~

[Renumbered from 20.]

Lighting

20. Prior to the issue of a building consent for the supermarket and/or accessory retail units, the Consent Holder must provide to Selwyn District Council a Lighting Plan for certification. The objective of the Lighting Plan is to ensure that lighting provides for safe movement of vehicles and pedestrians to and through the Site, as well as addressing light spill onto the surrounding area. The Lighting Plan must contain the following:
 - a) Drawings and information regarding the lighting under the carpark pedestrian canopy and 'click n collect' canopy; and
 - b) Drawings and information of the artificial outdoor lighting design, including confirmation that the calculated maximum horizontal and/or vertical illuminance at the boundary of any adjoining property is less than 5 lux during the hours of darkness from 6000 hours to 2200 hours and less than 1 lux during the period from 2200 hours to 0600 hours.
21. All security lights must be directed into the Site and away from neighbouring properties.

Development Engineering and Servicing

22. The Consent Holder must ensure that the finished floor level for the proposed building is at least +40.80 LVD37.

Advice Note: The finished floor level above may require updating once flood modelling for the adjoining subdivision has been completed. The Consent Holder is advised that modification of the building's floor levels, and a new Flood Assessment Certificate may be required once further flood modelling is completed. These modifications may also require an application under section 127 of the Resource Management Act to change Condition 1 of this decision. This Condition does not apply to the loading dock canopy or the 'click n collect' area.

23. The engineering design plans and specifications for all works must be submitted to the Development Engineering Manager for engineering approval. No related work must commence until engineering approval has been confirmed in writing. Any subsequent amendments to the plans and specifications must be submitted to the Development Engineering Manager for approval.

24. The engineering design plans and specifications for all works must be submitted to the Development Engineering Manager for approval including, but not limited to:
- a) Water supply;
 - b) Sewerage;
 - c) Stormwater;
 - d) Roading, including streetlighting and entrance structures;
 - e) Upgrade of existing road frontages;
 - f) Shared accessways; and
 - g) Landscaping and irrigation.

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

25. All work must comply with the conditions set out in the Engineering Approval and be constructed in accordance with the approved engineering plans.
26. All work must comply with the Engineering Code of Practice, except as agreed in the Engineering Approval.
27. The Consent Holder must include with the engineering plans and specifications submitted for Engineering Approval, copies of any other consents required and granted in respect of this subdivision, including any certificate of compliance or consent required by Canterbury Regional Council.
28. The Consent Holder must provide accurate 'as built' plans of all services to the satisfaction of the Development Engineering Manager. All assets being vested in Council must 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 must be borne by the consent holder.
29. The Consent Holder must provide a comprehensive electronic schedule of any assets to be vested in the Council to the satisfaction of the Development Engineering Manager. The schedule must include but not be limited to installed material unit costs, type, diameter, class, quantity and include summary details.
- ~~30. All vested roading infrastructure must be constructed in accordance with a Safe System Audit that must be supplied at time of Engineering Acceptance. An audit must be undertaken by an independent assessor at the consent holder's expense, with the report provided to Council prior to Engineering Acceptance.~~

[Renumbered from 30.]

36. The Consent Holder must install stormwater reticulation treatment and disposal systems to service the proposed development in accordance with the requirements of any resource consent issued by Canterbury Regional Council.
37. Private water reticulation infrastructure inside the boundary must be sized assuming 310kPa at the point of supply to the SDC water network (upstream of the RPZ). All water for firefighting sprinkler systems must pass through a private storage tank prior to further pumping unless otherwise formally agreed to in writing by the Selwyn District Council (during the Building Consent stage).
- ~~38. The dedicated firefighting system must not be supplemented via the Selwyn District Council's water supply. Where a private water tank is required to supplement the requirements of the private firefighting system all water for firefighting sprinkler systems shall pass through that storage tank prior to further pumping. The Any fire sprinkler system water storage tank volume must be sized for the full firefighting volume requirements of the sprinkler system (it cannot be supplemented via the SDC water supply) and must have an orifice plate/restriction on the inlet to the tank so that the tank is limited to refill in 6 hours.~~

32. A single 63mm water connection for the use of potable water supply to the property is permitted to supply the development site with potable water. Subject to detailed design during the Building Consent phase, further potable water supply connections may be required. The single connection, along with any others as approved by Council, must be metered and must have the appropriate backflow prevention fitted as prescribed by Council Policy W213 – Backflow Protection at Point of Supply Policy.
33. A flow meter and privately owned and maintained RPZ backflow preventor must be installed at the Selwyn District Council point of supply at the road reserve/allotment boundary. No water can be extracted from the Selwyn District Council reticulation network until a flow meter and certified and tested RPZ arrangement is in place. The RPZ must be located inside private land.
34. No irrigation is permitted from the Council Water Supply.
35. Water infrastructure sizing within private land and firefighting requirements must be documented in a report submitted to council for approval of connection type and size at the time of building consent application.
36. All Water connections must be metered. Meters must be installed in the road reserve in accordance with Engineering Code of Practice and the accepted engineering plans. (Note that multi meter boxes may be utilised).
37. Connection into Council's reticulated water supply must either be carried out by Council's Five Waters maintenance contractor, or a suitably qualified water installer under the supervision of Council's five waters contractor. Costs incurred through supervision by CORDE must be met directly by the consent holder.

Advice Notes

- *For supervision purposes a minimum of 5 working days' notice is required. Please note a connection fee being the actual cost quoted by Council's Five Waters maintenance contractor will apply.*
 - *Applications for new water connections can be made online via SDC's website (Selwyn District Council - New Water Connection approval form). Applications should be made at least 8 working days prior to commencement of work (allow a minimum of 10 working days for watermain shutdowns).*
38. A 1050mm diameter manhole must be installed at the property boundary that connects directly to the 150mm diameter wastewater lateral provided to service the development site. This manhole will become the designated Council maintained point of supply for wastewater and will be vested to Council. The manhole will be protected by an easement in gross favour to Council that grants Council access rights for maintenance purposes.
 39. All gravity wastewater laterals must be installed ensuring grade and capacity are provided for and in accordance with Council's Engineering Code of Practice, giving regard to maximum upstream development density.
 40. All vested wastewater reticulation must meet Council's pressure testing and CCTV inspection standards as prescribed by the Engineering Code of Practice. Supporting documentation must be supplied to Council.
 41. Connection to the Council sewer must be arranged by the Consent Holder at the Consent Holder's expense. The work must be done by a registered drainlayer.
 42. The Consent Holder must install stormwater reticulation treatment and disposal systems to service the development in accordance with the accepted engineering plans and the requirements of the associated discharge consent.
 43. Post development stormwater discharges will not exceed pre-development stormwater discharges for all critical duration design storm events up to and including the 1% AEP storm. Designs and supporting information will be submitted to Council via development.engineer@selwyn.govt.nz for review and acceptance.

44. All stormwater infrastructure within the development site is required to have stormwater treatment installed to meet the stormwater treatment outcomes prescribed by the Land Water Regional Plan or a related discharge consent.
45. Any stormwater generated from solar panels (where incorporated) and roof areas known to generate contaminants (such as copper guttering and roofing) will be required to be treated for heavy metals and other contaminants prior to discharge to ground in accordance with Environment Canterbury requirements.
46. Where a specific discharge consent is issued by Canterbury Regional Council, any consent or associated conditions will be subject to Council acceptance, where these obligations will be transferred to Selwyn District Council Draft CRC consent conditions must be submitted to Council for acceptance via development.engineer@selwyn.govt.nz prior to Engineering Acceptance being granted, once accepted, will thereafter form part of the Approved Consent Document.

Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, the Consent Holder must submit a revised documents for acceptance. The acceptance process must follow the same procedure and requirements as outlined in condition

Advice Notes

- *The Development Engineering Manager (or their nominee) will either accept, or refuse to accept, the documentation within 30 working days of receipt. Should the Development Engineering Manager (or their nominee) refuse to accept the documentation, they will provide a letter outlining why acceptance is refused; and*
 - *The consent holder will hold, operate and maintain the CRC operational discharge consent for the lifetime of the development.*
47. The Consent Holder will notify Council no earlier than 10 working days prior to commencement of discharging treated stormwater from the Site into Council's infrastructure.
 48. The Consent Holder must demonstrate that the operational discharge stormwater is compliant with any Canterbury Regional Council consent that is held in the Consent Holder's name for the Site.
 49. Any change in ground levels must not cause a ponding or drainage nuisance to neighbouring properties. All filled land must be shaped to fall to the road boundary. Existing drainage paths from neighbouring properties must be maintained.
 50. Entrance structures must not be placed on Council road reserve.
 51. The Consent Holder must ensure that Council is indemnified from liability to contribute to the cost of erection or maintenance of boundary fences between reserves and adjoining lots.
 - a) This must be ensured by way of a fencing covenant registered against the computer freehold register to issue for each adjoining lot. The covenant is to be prepared by Council's solicitor at the expense of the consent holder; and
 - b) The Consent Holder must procure a written undertaking from the consent holder's solicitor that the executed fencing covenant will be registered on prior to the public opening of the supermarket.

Operational Noise Management

52. All external mechanical plant (except for the emergency backup generator) must be designed to achieve a 35 dB LAeq noise level at the site boundary at all times, unless the Consent Holder has demonstrated that higher mechanical plant levels can be accommodated at the Site boundary without causing cumulative night-time noise levels from all activity on the site, to exceed 40 dB LAeq at residential sites, or 42 dB LAeq at residential sites opposite along Goulds Road.
53. The Consent Holder must ensure that all activities on site measured in accordance with NZS 6801:2008 "Acoustics – Measurement of environmental sound", and assessed in accordance with the provisions of NZS 6802:2008 "Acoustics – Environmental noise", must not exceed the following noise limits at any point

within the boundary of any other site:

- a) 0700 to 2200 hours: 55 dB LAeq; and
 - b) 2200 to 0700 hours: 45 dB LAeq and 70 dB LMax.
54. Truck deliveries to be limited to the daytime hours of the District Plan (0700 – 2200 hours).
55. A Loading Bay Noise Management Plan is to be adopted for the loading bay, which describes best practice to reduce adverse noise effects, including limiting deliveries to the daytime period and describing managerial measures such as signage to ensure that truck deliveries which take longer than 5 minutes to unload will turn off their engine, and refrigeration units attached to delivery trucks are turned off during unloading.
56. A minimum of 15 working days prior to operation commencing on the Site, the Consent Holder must submit the Loading Bay Noise Management Plan under Condition 59 to the Selwyn District Council for certification. If no response is received from Selwyn District Council after 10 working days of submission, the detailed landscape plan and specification must be treated as certified.
57. Non-tonal reversing alarms must be installed on forklifts, and they must be set so that they are no louder than required for safety reasons.
58. Noise barriers must be erected along that boundary of the site as shown on Kamo Marsh Landscape Architects: Landscape Plan Drawing No. Ref No. 5440 Revision H, Landscape Master Plan [Page 1001] 'C-D 2.3m high acoustic solid timber fence' meeting the following minimum specifications:
- a) Height – at least 2.3 meters;
 - b) Surface mass – at least 10 kg/m²; and
 - c) The fence must be continuous and maintained with no gaps or cracks. For timber fences, this will require palings to be well overlapped (25 mm minimum) or a “board and batten” system, and a sleeper rail connecting the base of the palings to the ground. A minimum paling thickness of at least 25mm is required to help resist warping.

Attachments

1. RC245088 Land Use Approved Plans – Location Plan, Site Plan, Floor Plans, Elevations, Recession Planes & Signage, and Exterior Materials (ASC Architects, Project Number 23826, Sheets RC01 to RC018X, dated ~~26 08XX-XXXX~~ 2024).
2. RC245088 Approved Landscape Plans - Landscape Resource Consent Package dated ~~232~~ August 2024 (Kamo Marsh Landscape Architects: Landscape Plan Drawing No. Ref No. 5440 Revision ~~KH~~, Landscape Master Plan and Specimen Tree Plan);

DEVELOPMENT CONTRIBUTIONS (LAND USE CONSENT)

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. Any objection or request for reconsideration must be made in writing in accordance with the Development Contribution Policy.

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 .

XXXX

SELWYN DISTRICT COUNCIL ADVICE NOTES FOR THE CONSENT HOLDER

Lapse Period (Land Use Consent)

- a) Pursuant to section 125 of the Resource Management Act 1991, if not given effect to, this land use consent shall lapse five years after the date of issue of the decision, i.e. the date of receipt of the Notice of Decision email, unless before the consent lapses an application is made to the Council to extend the period after which the consent lapses and the Council decides to grant an extension.

Resource Consent Only

- b) This consent is a Selwyn District Council resource consent under the Resource Management Act. It is not an approval under any other Act, Regulation or Bylaw. Separate applications will need to be made for any other approval, such as a water race bylaw approval or vehicle crossing approval.

Building Act

- c) 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

- d) This activity may require resource consent(s) from Canterbury Regional Council (ECan). It is the Consent Holder's responsibility to ensure that all necessary resource consents are obtained prior to the commencement of the activity.

Monitoring

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

Vehicle Crossings

- i) Any new or upgraded vehicle crossing requires approval from Council's Infrastructure and Property Department prior to installation. Applications to install a new vehicle crossing or upgrade an existing one can be made online via the SDC website (Selwyn District Council - Application to Form a Vehicle Crossing (Entranceway)). For any questions regarding the process please contact the Roading Team via email at transportation@selwyn.govt.nz.

Accessible Carparking Spaces

- j) The District Plan and the Building Code have different requirements for accessible carparking. Therefore, the carparking plan approved as part of this resource consent may not comply with the Building Code. Early engagement with the building consent team is recommended to ensure all requirements can be met.

Impact on Council Assets

- k) Any damage to fixtures or features within the Council road reserve that results from construction or demolition on the site shall be repaired or reinstated at the expense of the Consent Holder.

Vehicle Parking During the Construction Phase

- l) Selwyn District Council is working to keep our footpaths safe and accessible for pedestrians, including school children. The Council also seeks to avoid damage to underground utility services under footpaths, e.g. fibre broadband. During the construction phase (and at all other times), please:
 - park only on the road or fully within your property – it is illegal to obstruct or park on a footpath; and
 - arrange large deliveries outside of peak pedestrian hours, e.g. outside school start/finish times.

Businesses Preparing or Serving Food and/or Alcohol

- m) Any Consent Holder for a business preparing or serving food and/or alcohol will need to ensure that the business complies with any requirements under the Food Act 2014 and the Sale and Supply of Alcohol Act 2012 and associated regulations.
- n) Any Consent Holder for a business preparing food will need to ensure the business complies with any requirements of the Selwyn District Council Trade Waste Bylaw. More information is available on the Council's website <https://www.selwyn.govt.nz/services/water/wastewater/trade-waste-discharge>

Development Engineering

- o) The fire sprinkler system water storage tank volume must be sized for the full firefighting volume requirements of the sprinkler system (it cannot be supplemented via the SDC water supply) and must have an orifice plate/restriction on the inlet to the tank so that the tank is limited to refill in 6 hours.
- p) A trade waste permit is to be obtained prior to any retail activity being undertaken on the site. The Consent Holder is to formally provide to Council's Compliance and Monitoring Team, compliance@selwyn.govt.nz receipt of a Trade Waste permit responding to either of the following internal wastewater designs:
 - i. Establishment of a separate dedicated trade waste line that terminates into a 1050mm diameter manhole located immediately upstream of the Council maintained point of supply. This manhole will become the sampling point and must also be protected by an easement in gross favour of Council granting Council access rights for maintenance and sampling purposes; or
 - ii. Use the Council maintained point of supply as the trade waste sampling point.

- q) No physical connections or operation of the development site can occur until the related section 224(c) for the Arbor Green Development is issued.
- r) 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/
 - i. The application shall include:
 - ii. Design specifications
 - iii. Design drawings
 - iv. Design calculations
 - v. Relevant Resource Consents or Certificates of Compliance.
 - vi. All correspondence regarding engineering approvals is to be directed to: Development.Engineer@selwyn.govt.nz

TE TAUMUTU AND NGĀI TŪĀHURIRI RŪNANGA ADVICE NOTES FOR THE CONSENT HOLDER

- s) The Consent Holder is encouraged to use predominantly indigenous species to increase the biodiversity in the takiwā.
- t) The Consent Holder must undertake appropriate maintenance to extend the life of the proposed solar panels. In addition, consideration must be given to appropriate disposal at end of life.
- u) The Consent Holder should incorporate the Ngāi Tahu Subdivision and Development Guidelines to the greatest practical extent. The development should incorporate sustainable urban design features with respect to stormwater runoff and greywater reuse including:
 - i. Greywater capture and reuse.
 - ii. Rainwater capture and reuse (i.e., rainwater collection tanks).
 - iii. Minimising impervious cover (e.g., using permeable paving and maintaining grass cover).
 - iv. The use of rain gardens and swales (or other land-based methods) rather than standard curb and channel.
 - v. Avoiding the use of building material known to generate contaminants such as copper guttering and roofing.

APPENDIX 1 Accidental Discovery Protocol

PRIOR TO COMMENCEMENT OF ANY WORKS, A COPY OF THIS ADP SHOULD BE MADE AVAILABLE TO ALL CONTRACTORS WORKING ON SITE.

Purpose

This Accidental Discovery Protocol (ADP) sets out the procedures that must be followed in the event that taonga (Māori artefacts), burial sites/kōiwi (human remains), or Māori archaeological sites are accidentally discovered. The Protocol is provided by Ōnuku Rūnanga. Ōnuku Rūnanga are the representative body of the tangata whenua who hold mana whenua in the proposed area.

Background

Land use activities involving earthworks have the potential to disturb material of cultural significance to tangata whenua. In all cases such material will be a taonga, and in some cases such material will also be tapu. Accidental discoveries may be indicators of additional sites in the area. They require appropriate care and protection, including being retrieved and handled with the correct Māori tikanga (protocol).

Under the *Heritage New Zealand Pouhere Taonga Act 2014*, an archaeological site is defined as any place associated with pre-1900 human activity, where there is material evidence relating to the history of New Zealand. It is unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site (known or unknown) without the prior authority of the Heritage New Zealand Pouhere Taonga (HNZPT). This is the case regardless of the legal status of the land on which the site is located, whether the activity is permitted under the District or Regional Plan or whether a resource or building consent has been granted. The HNZPT is the statutory authority for archaeology in New Zealand.

Note that this ADP does not fulfil legal obligations under the Heritage New Zealand Pouhere Taonga Act 2014 regarding non-Māori archaeology. Please contact the HNZPT for further advice.

Immediately following the discovery of material suspected to be a taonga, kōiwi or Māori archaeological site, the following steps shall be taken:

- A. All work on the site will cease immediately.
- B. Immediate steps will be taken to secure the site to ensure the archaeological material is not further disturbed.
- C. The contractor/works supervisor/owner will notify the Kaitiaki Rūnanga and the Area Archaeologist of the HNZPT. In the case of kōiwi (human remains), the New Zealand Police must be notified.
- D. The Kaitiaki Rūnanga and HNZPT will jointly appoint/advise a qualified archaeologist who will confirm the nature of the accidentally discovered material.
- E. If the material is confirmed as being archaeological, the contractor/works supervisor/owner will ensure that an archaeological assessment is carried out by a qualified archaeologist, and if appropriate, an archaeological authority is obtained from HNZPT before work resumes (as per the *Heritage New Zealand Pouhere Taonga Act 2014*).
- F. The contractor/works supervisor/owner will also consult the Kaitiaki Rūnanga on any matters of tikanga (protocol) that are required in relation to the discovery and prior to the commencement of any investigation.
- G. If kōiwi (human remains) are uncovered, in addition to the steps above, the area must be treated with utmost discretion and respect, and the kōiwi dealt with according to both law and tikanga, as guided by the Kaitiaki Rūnanga.
- H. Works in the site area shall not recommence until authorised by the Kaitiaki Rūnanga, the HNZPT (and the NZ Police in the case of kōiwi) and any other authority with statutory responsibility, to ensure that all statutory and cultural requirements have been met.
- I. All parties will work towards work recommencing in the shortest possible time frame while ensuring that any

archaeological sites discovered are protected until as much information as practicable is gained and a decision regarding their appropriate management is made, including obtaining an archaeological authority under the *Heritage New Zealand Pouhere Taonga Act 2014* if necessary. Appropriate management may include recording or removal of archaeological material.

- J. Although bound to uphold the requirements of the Protected Objects Act 1975, the contractor/works supervisor/owner recognises the relationship between Ngāi Tahu whānui, including its Kaitiaki Rūnanga, and any taonga (Māori artefacts) that may be discovered.

IN DOUBT, STOP AND ASK; TAKE A PHOTO AND SEND IT TO THE HNZPT ARCHAEOLOGIST

Contact Details

- HNZPT Archaeologist: (03) 357 9615 archaeologistcw@historic.org.nz HNZPT Southern Regional Office (03) 357 9629 infosouthern@historic.org.nz HNZPT Māori Heritage Advisor (03) 357 9620 mhadvisorcw@historic.org.nz

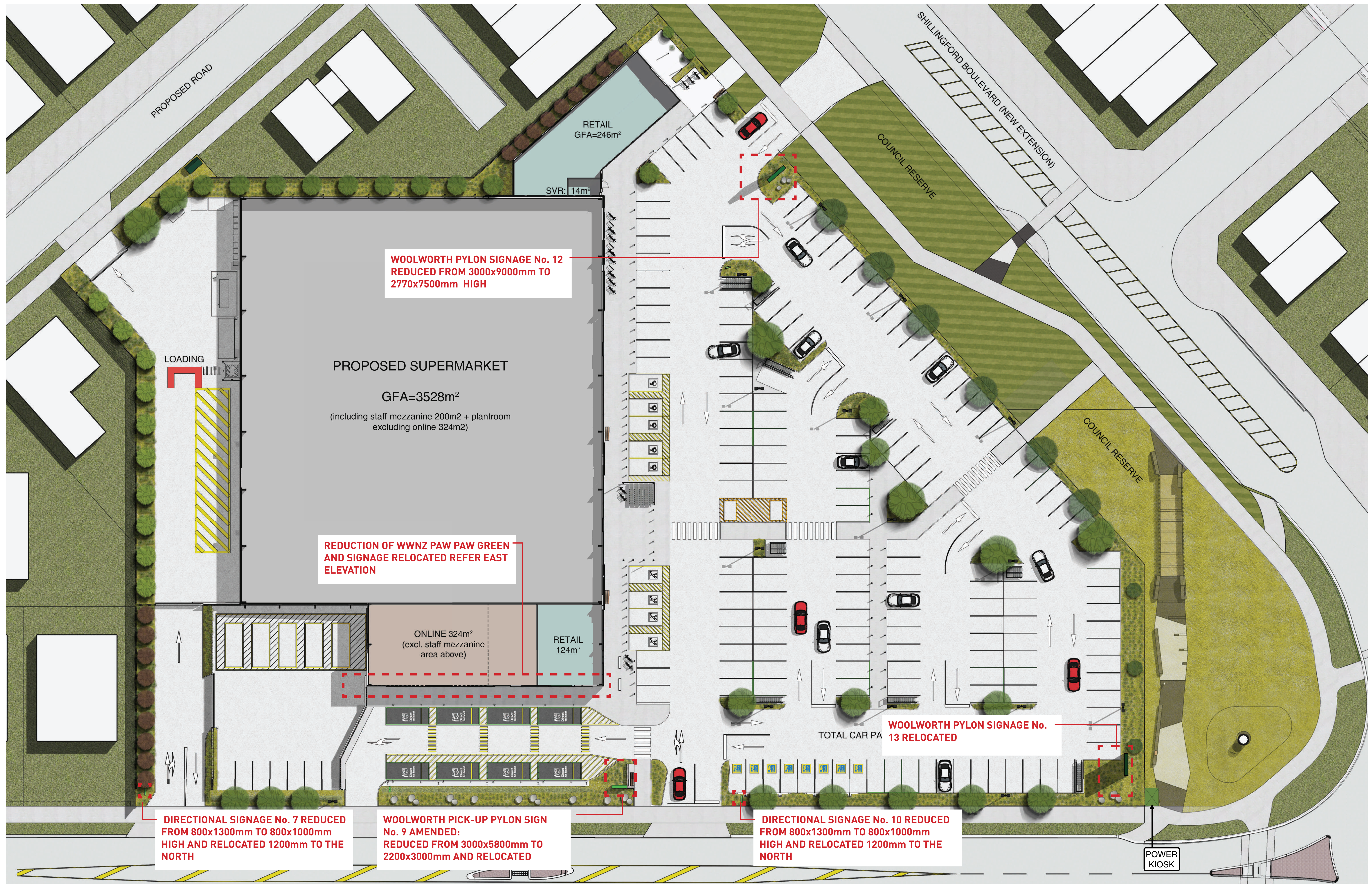
Kaitiaki Rūnanga:

- Ngāi Tūāhuriri Rūnanga: Office 03 313 5543, tuahiwi.marae@ngaitahu.iwi.nz
- Te Taumutu Rūnanga: 03 371 2660, taumutu@ngaitahu.iwi.nz

Attachment B

Architectural Plans

**ATTACHMENT B –
ARCHITECTURAL PLANS DESIGN RESPONSE TO
SDC REQUESTS**

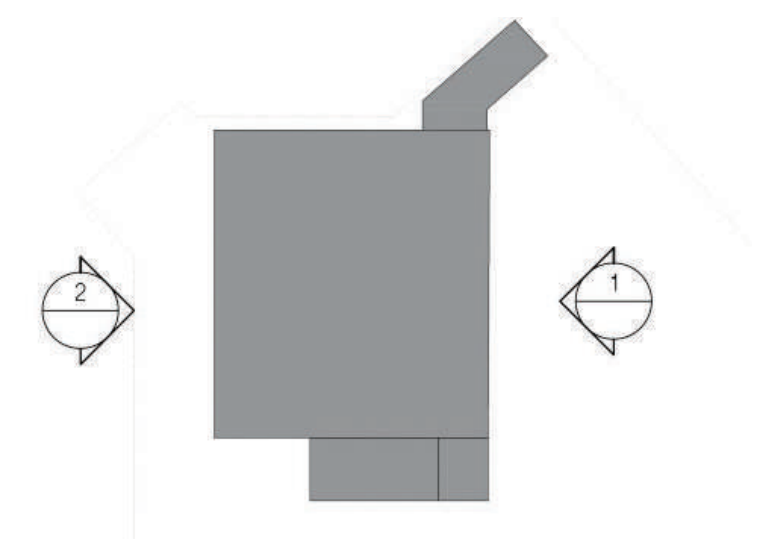




PROPOSED ELEVATION 01 - NORTHERN ELEVATION



PREVIOUS ELEVATION 01 - NORTHERN ELEVATION - DATED ON 10/04/2024





WOOLWORTHS NZ
PROPOSAL FOR ROLLESTON SOUTH - FARINGDON OVAL DEVELOPMENT

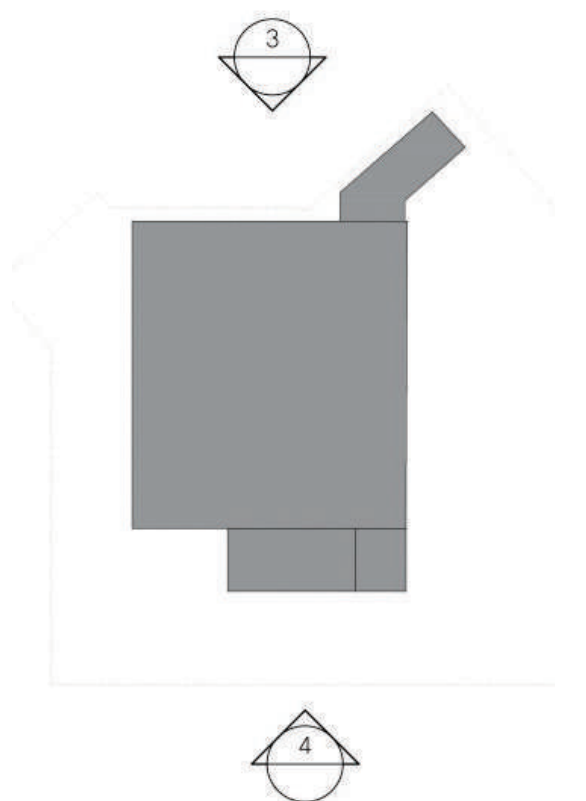
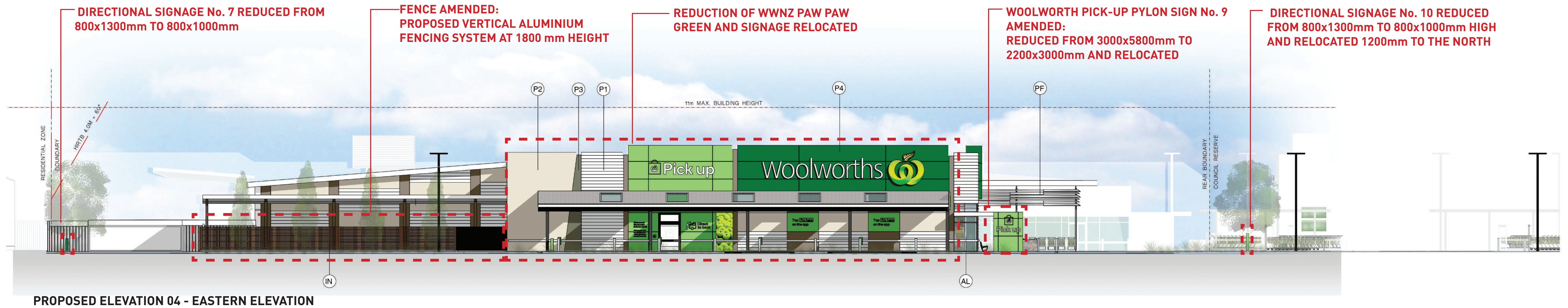
SUPERMARKET SOUTH ELEVATIONS

CHANGES RESPONSE

Revisions	-	RC ISSED	08.02.2024
	1	RC RFI	04.04.2024
	2	RC RFI	26.08.2024

Project No.:	23826
Scale:	
Date:	26 AUGUST 2024

RC-03



Attachment C

Plans

ATTACHMENT C –

RC245088 LAND USE APPROVED PLANS –

LOCATION PLAN, SITE PLAN, FLOOR PLANS,

ELEVATIONS, RECESSION PLANES & SIGNAGE, AND

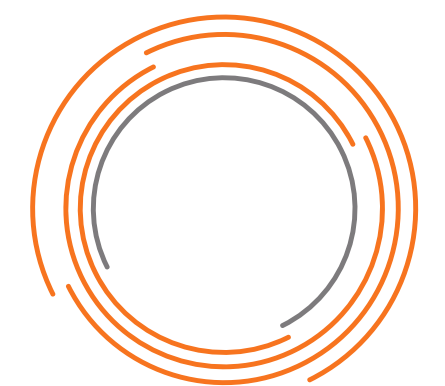
EXTERIOR MATERIALS (ASC ARCHITECTS,

PROJECT NUMBER 23826, SHEETS RC01 TO RC018,

DATED 26 08 2024)

WOOLWORTHS NEW ZEALAND RESOURCE CONSENT FOR ROLLESTON SOUTH - FARINGDON OVAL

26 AUGUST 2024



asc architects

designgroup

17 maidstone street

ponsonby, auckland 1021

po box 5736, auckland 1141

new zealand

p. +64 9 377 5332

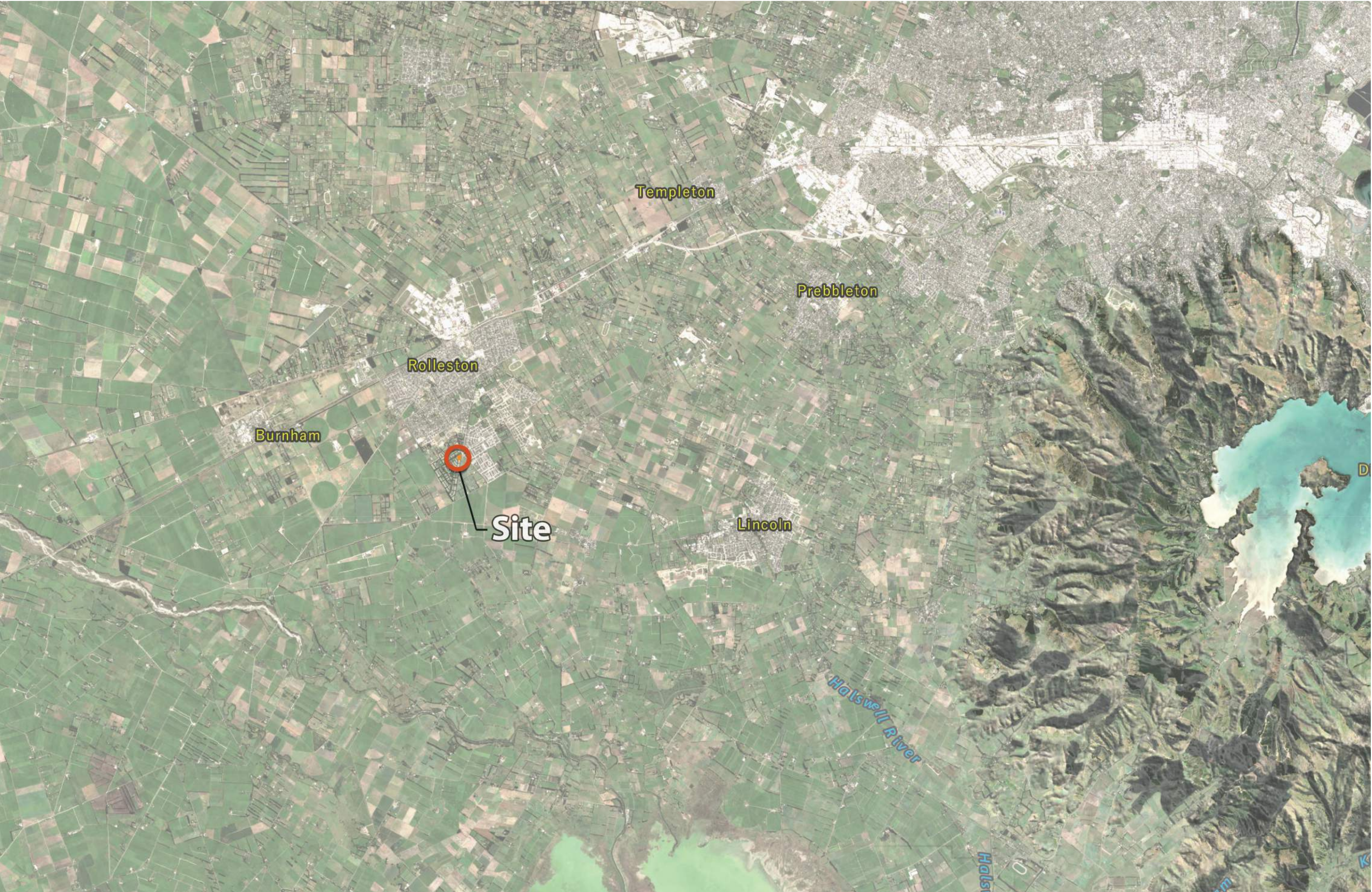
accounts@ascarchitects.co.nz

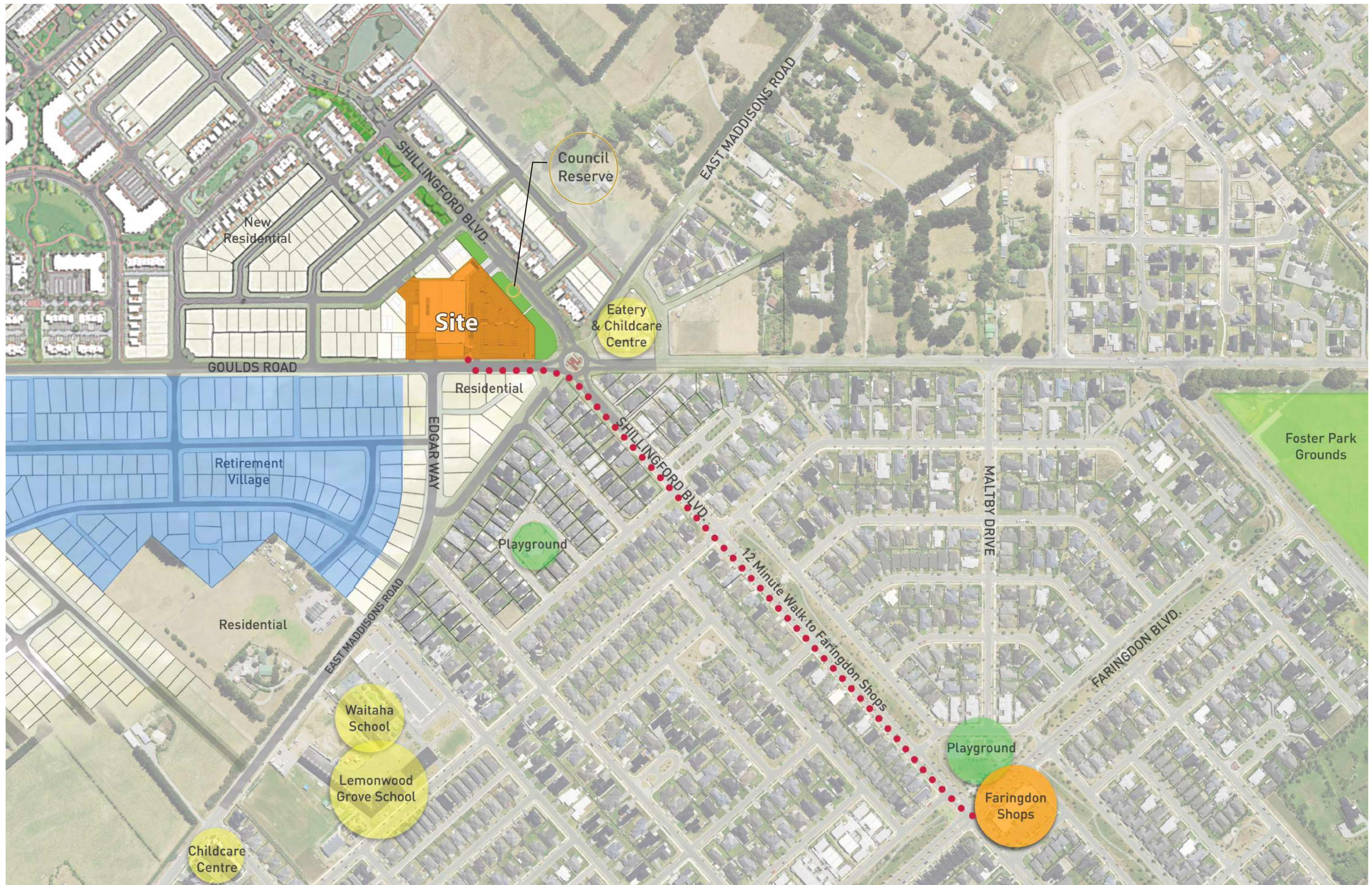
www.ascarchitects.co.nz

architecture

interior design

urban design













ELEVATION 01 - NORTHERN ELEVATION



ELEVATION 02 - SOUTHERN ELEVATION

LEGEND

P1

WEATHER BOARD PROFILE PAINT FINISH RESENE EIGHTH TRUFFLE

P2

PAINT FINISH RESENE NAPA

P3

PAINT COLOUR RESENE DOUBLE MONDO

P4

COLOUR WWNZ PAW PAW GREEN

P5

ACM SIGN PANEL COLOUR WWNZ GRASS COURT GREEN

PF

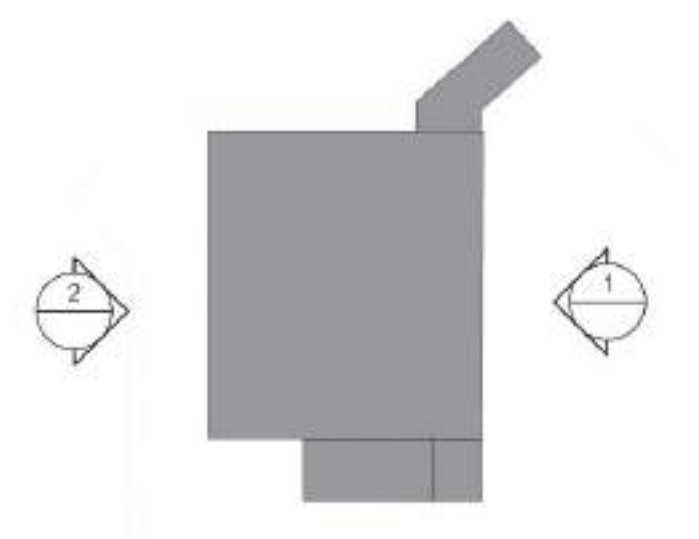
PAINT FINISH FASCIA RESENE ALABASTER

AL

ALUMINIUM GLAZING SYSTEM WITH A POWDER-COATED FINISH IN MILLED ALUMINIUM

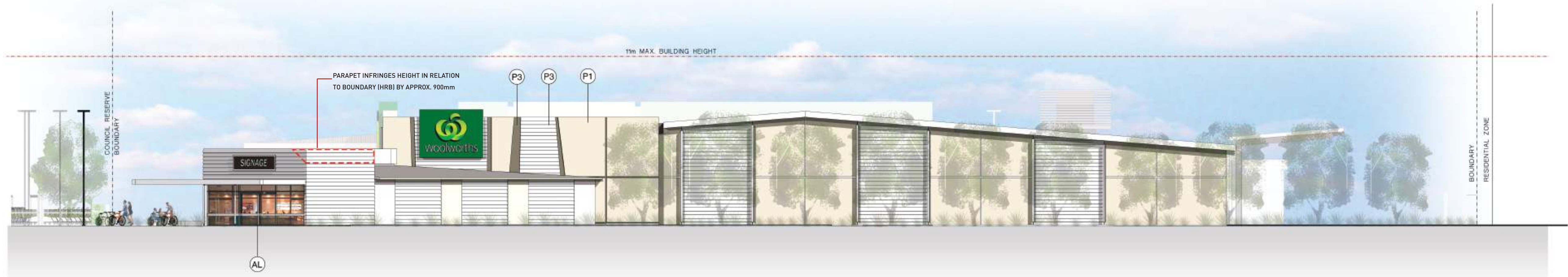
IN

"INNOSCREEN" VERTICAL ALUMINIUM FENCING SYSTEM BY WITH 'INTERPON FUTURA D2525 ORDOS SABLE' POWDERCOAT FINISH

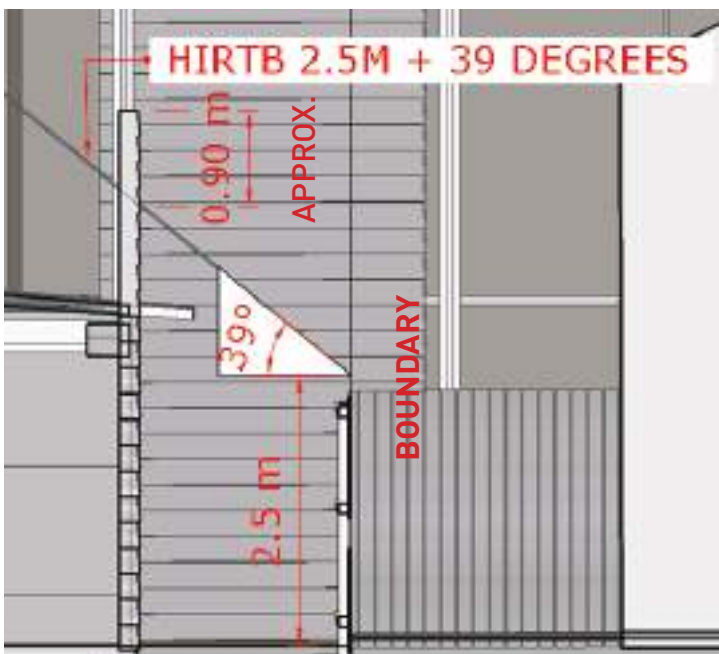




ELEVATION 04 - EASTERN ELEVATION

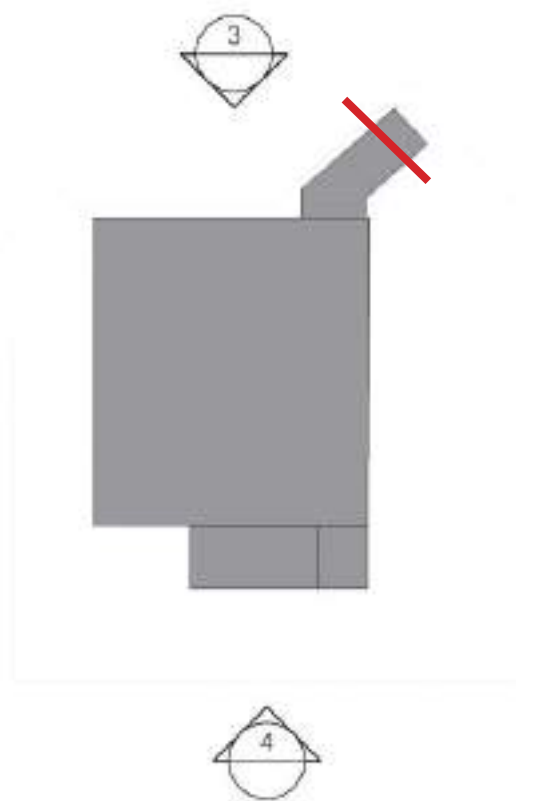


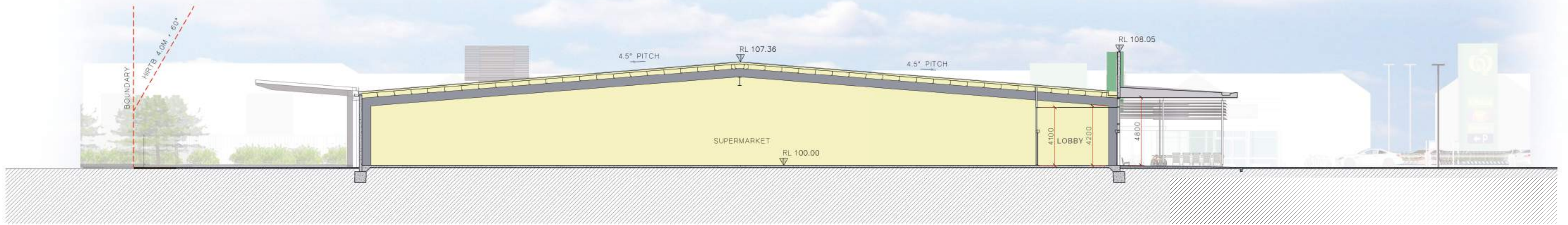
ELEVATION 03 - WESTERN ELEVATION



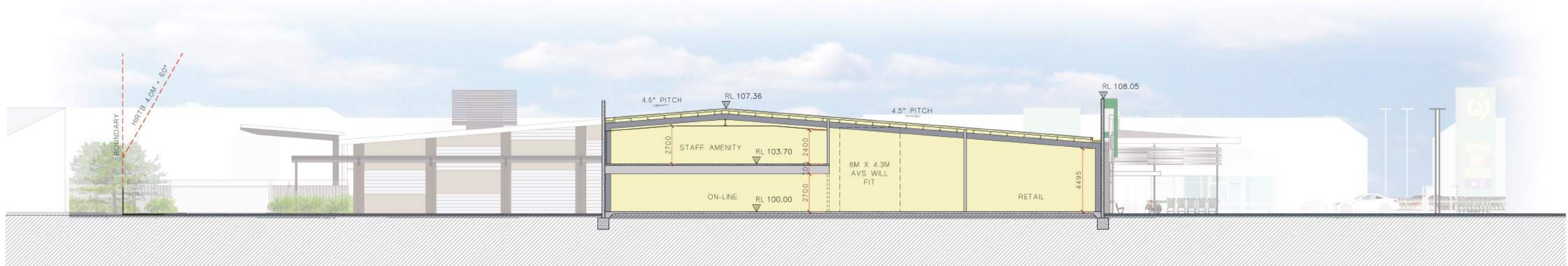
SECTION RETAIL AREA

LEGEND	
P1 WEATHER BOARD PROFILE PAINT FINISH RESENE EIGHTH TRUFFLE	P5 ACM SIGN PANEL COLOUR WWNZ GRASS COURT GREEN
P2 PAINT FINISH RESENE NAPA	PF PAINT FINISH FASCIA RESENE ALABASTER
P3 PAINT COLOUR RESENE DOUBLE MONDO	AL ALUMINIUM GLAZING SYSTEM WITH A POWDER-COATED FINISH IN MILLED ALUMINIUM
P4 COLOUR WWNZ PAW PAW GREEN	IN "INNOSCREEN" VERTICAL ALUMINIUM FENCING SYSTEM BY WITH 'INTERPON FUTURA D2525 ORDOS SABLE' POWDERCOAT FINISH

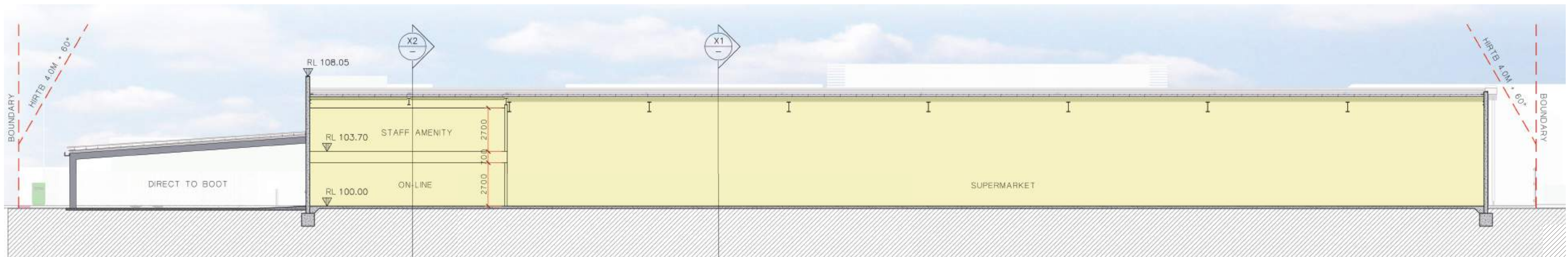




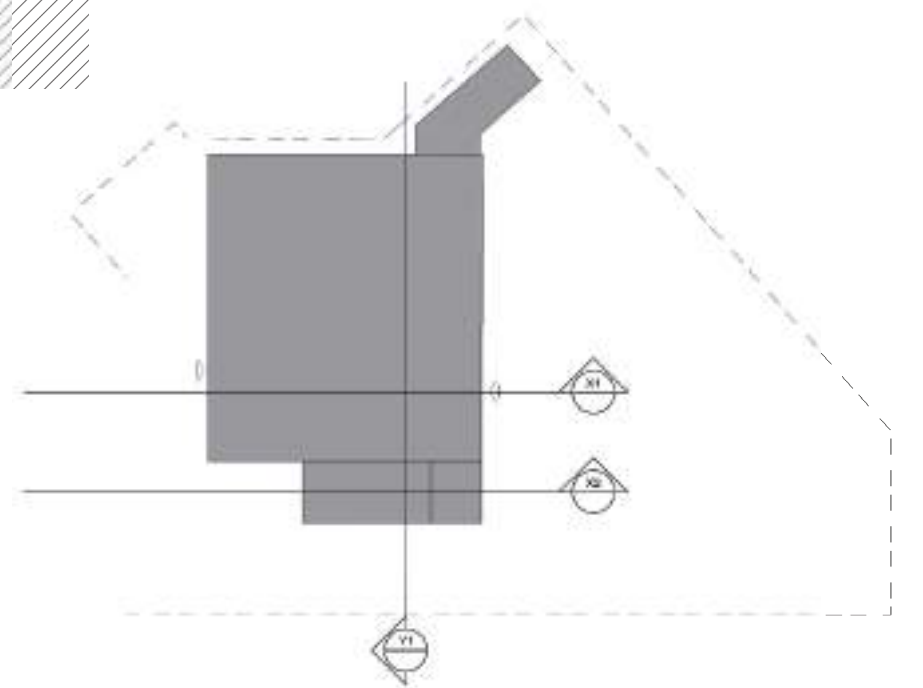
SECTION X1

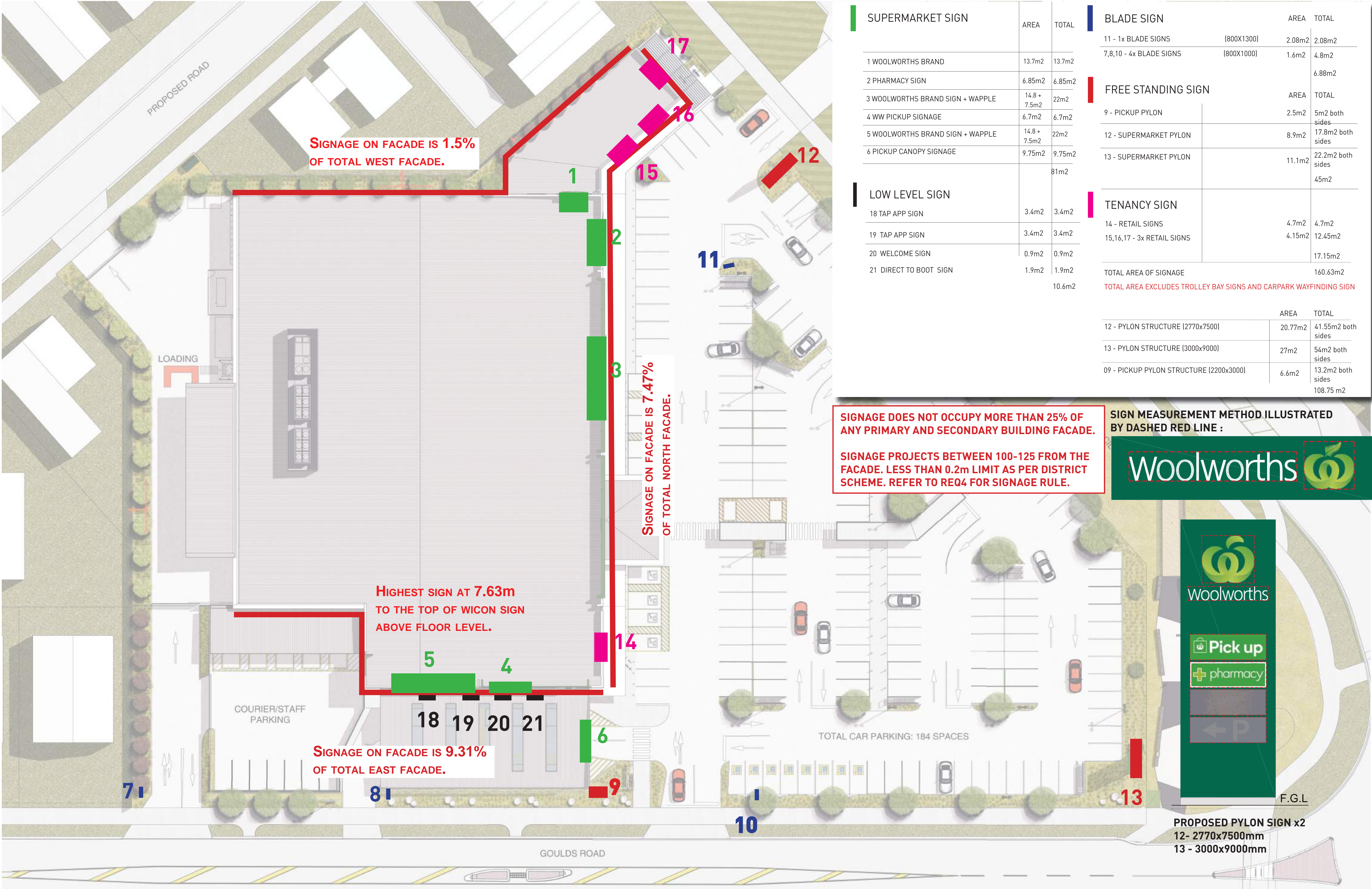


SECTION X2



SECTION Y1





SUPERMARKET SIGN		AREA	TOTAL
1 WOOLWORTHS BRAND		13.7m2	13.7m2
2 PHARMACY SIGN		6.85m2	6.85m2
3 WOOLWORTHS BRAND SIGN + WAPPLE		14.8 + 7.5m2	22m2
4 WW PICKUP SIGNAGE		6.7m2	6.7m2
5 WOOLWORTHS BRAND SIGN + WAPPLE		14.8 + 7.5m2	22m2
6 PICKUP CANOPY SIGNAGE		9.75m2	9.75m2
			81m2
LOW LEVEL SIGN			
18 TAP APP SIGN		3.4m2	3.4m2
19 TAP APP SIGN		3.4m2	3.4m2
20 WELCOME SIGN		0.9m2	0.9m2
21 DIRECT TO BOOT SIGN		1.9m2	1.9m2
			10.6m2

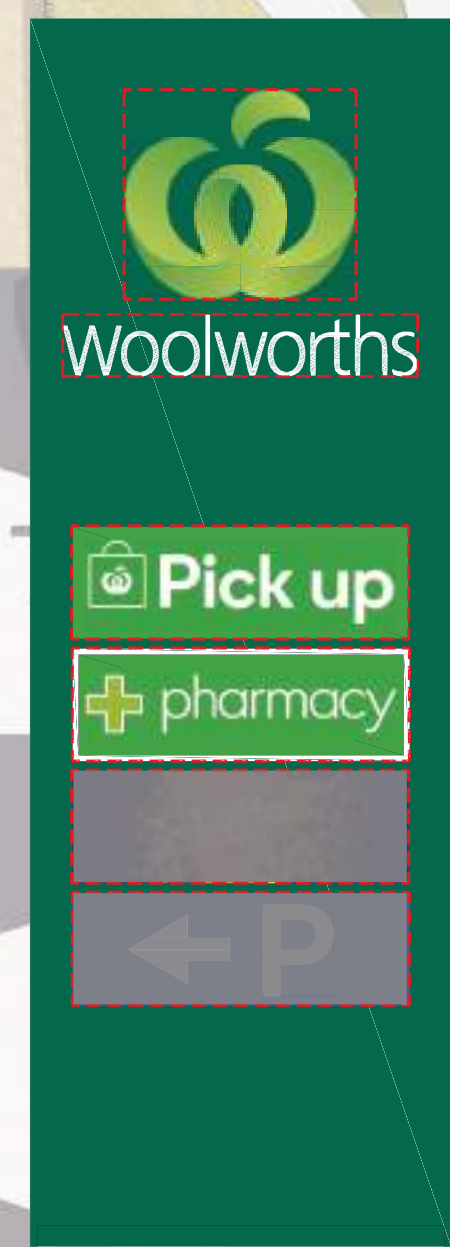
BLADE SIGN		AREA	TOTAL
11 - 1x BLADE SIGNS	(800X1300)	2.08m2	2.08m2
7,8,10 - 4x BLADE SIGNS	(800X1000)	1.6m2	4.8m2
			6.88m2
FREE STANDING SIGN		AREA	TOTAL
9 - PICKUP PYLON		2.5m2	5m2 both sides
12 - SUPERMARKET PYLON		8.9m2	17.8m2 both sides
13 - SUPERMARKET PYLON		11.1m2	22.2m2 both sides
			45m2
TENANCY SIGN			
14 - RETAIL SIGNS		4.7m2	4.7m2
15,16,17 - 3x RETAIL SIGNS		4.15m2	12.45m2
			17.15m2
TOTAL AREA OF SIGNAGE			160.63m2
TOTAL AREA EXCLUDES TROLLEY BAY SIGNS AND CARPARK WAYFINDING SIGN			

	AREA	TOTAL
12 - PYLON STRUCTURE (2770x7500)	20.77m2	41.55m2 both sides
13 - PYLON STRUCTURE (3000x9000)	27m2	54m2 both sides
09 - PICKUP PYLON STRUCTURE (2200x3000)	6.6m2	13.2m2 both sides
		108.75 m2

SIGNAGE DOES NOT OCCUPY MORE THAN 25% OF ANY PRIMARY AND SECONDARY BUILDING FACADE.

SIGNAGE PROJECTS BETWEEN 100-125 FROM THE FACADE. LESS THAN 0.2m LIMIT AS PER DISTRICT SCHEME. REFER TO REQ4 FOR SIGNAGE RULE.

SIGN MEASUREMENT METHOD ILLUSTRATED BY DASHED RED LINE :



PROPOSED PYLON SIGN x2
12- 2770x7500mm
13 - 3000x9000mm

