

## Report / Decision on Non-notified Resource Consent Application

(Sections 104 / 104B /104D)

<b>Application Number:</b>	<b>RMA92026872</b>
<b>Applicant:</b>	<b>Harewood Investments Ltd</b>
<b>Site address:</b>	<b>32 – 54 Harewood Road</b> (also known as 30-64 Harewood Road, 41 Langdons Road and 22 Chapel Street)
<b>Legal Description:</b>	Lots 1 & 2 DP 59153, Lot 1 DP 63391, RS 41027 Canterbury Dist, Lot 1 DP 204, Lot 2 DP 5985, Pt Lot 1 DP 9715, Pt Lot 9 DP 9715, and Lots 2, 3, 4, 5, 6, 7, 8, 10 & 12 DP 9715
<b>City Plan Zoning:</b>	Business 4 (Suburban Industrial)
<b>Proposed District Plan Zoning:</b>	Industrial General
<b>Activity Status:</b>	Non-complying
<b>Description of Application:</b>	To establish and operate a Mitre 10 Mega store, including associated access, car parking, signage, landscaping and earthworks in two stages. Stage 1 includes the continued operation of the existing Sanitarium Marmite manufacturing plant on the site.

### Introduction

The applicant, Harewood Investments Limited, seek resource consent to establish and operate a Mitre 10 Mega store, including associated access, car parking, signage, landscaping and earthworks on the site at 32 - 54 Harewood Road, commonly known as the Sanitarium site.

The proposed development is to occur in two stages, with a portion of the proposed Mitre 10 building to be constructed and in operation prior to the decommissioning of the existing Marmite manufacturing plant such that the activities will operate concurrently for a period of up to five years until all Sanitarium manufacturing facilities are transferred from the site, at which time additional retail floor area and a garden centre will be constructed.

The proposal has been described in detail in Section 3 of the AEE submitted. In summary, the key aspects of the proposed development include:

#### Buildings

- Construction of a 13,518m<sup>2</sup> Mitre 10 Mega store, with the building consisting of:
  - 7,788m<sup>2</sup> main retail warehouse (including the 132m<sup>2</sup> entry lobby);
  - 500m<sup>2</sup> mezzanine for administration offices;
  - 1,920m<sup>2</sup> garden centre;
  - 131m<sup>2</sup> water store;
  - 175m<sup>2</sup> ancillary café;
  - 256m<sup>2</sup> goods unloading area; and
  - 2,748m<sup>2</sup> drive through area with canopy.
- The proposed building is sited parallel to the eastern boundary, adjacent to the railway corridor, setback 6m from the boundary (railway) and approximately 18.5m from Harewood Road at its closest point.
- Stage 1 includes the retention of the existing Sanitarium processing plant and infrastructure shed located in the north eastern portion of the site; demolition and decommissioning of the remaining existing buildings and construction of 10,551m<sup>2</sup> of the overall 13,518m<sup>2</sup> Mitre 10 Mega building.
- Stage 2 includes the decommissioning and demolition of the Sanitarium processing plant and the construction of 2,967m<sup>2</sup> extension to the northern elevation for additional retail areas and a garden centre. The overall Stage 2 completion target is 2019.

#### Earthworks and Waterway

- Disturbance of up to 14,378m<sup>3</sup> of soil which depending on confirmation of contamination levels could potentially require up to up to 14,378m<sup>3</sup> of soil to be removed from the site. Geoscience have completed a Detailed Site Investigation (DSI) which concludes that contaminated soil is present on the site. A Remedial Action Plan is proposed by the applicant.
- To enclose and pipe the existing 130m length of open Environmental Asset waterway, Kruses Drain, and realignment of the existing piped section of the waterway. The proposal also includes earthworks within 3m of the proposed/subsequent piped and realigned utility waterway.
- The applicant has entered into a Private Developer Agreement with the Council in relation to compensation for fully piping the waterway through the site.
- Installation of 5 (no.) 30,000L tanks capturing all of the roof stormwater runoff, with a combined single 100mm orifice which can adequately attenuate the three critical events to below (or in the case of the 5 hour event, close to) predevelopment levels.

#### Landscaping and protected tree

- A total proposed area of landscaping of approximately 3,832m<sup>2</sup> or 11.5% of the site area<sup>1</sup>, consisting of:
  - Permeable landscaping including: new and existing transplanted trees, shrubs, lawn and other natural or manmade materials
  - Impermeable surfaces to provide pedestrian connectivity to and within the site
  - Retention of the existing Sanitarium fountain
  - Retention of the protected (notable) Tulip tree (*Lirodendron tulipifera*)
  - Retention of existing mature trees along the western site boundary
  - Feature planting at the Harewood Road entry
  - 38 road frontage trees
  - 46 car park trees
  - Replacement of all existing high enclosed fencing with pen palisade style fencing or similar, setback from the boundary to allow for landscape strips.
- Works within 10m of the notable Tulip tree, including construction of 14 car parking spaces and a pedestrian connection.

#### Signage and lighting

- A total of 427.71m<sup>2</sup> signage (at the completion of Stage 2) consisting of: building mounted signage and three free-standing pylon signs – one each on the Langdons Road, Chapel Street and Harewood Road frontages.
- Parking and loading areas that are used at night shall be illuminated to a minimum level of 2 lux, consisting of a combination of wall mounted and bollard lighting.

#### Access and car parking

- A total of 294 on-site car parking spaces will be provided for Stage 1, increasing to 340 spaces upon completion of Stage 2.
- 47 spaces will be marked for staff use.
- 10 covered and 12 uncovered cycle parking spaces will be provided adjacent to the south-west corner of the building at Stage 1, with another 14 space stand provided at the northern end of the building on completion of Stage 2.
- A loading and service area located in the south-east corner of the site.
- Access to the site is proposed in two locations:
  - A 10m wide access located on Harewood Road, approximately 21m east of the Matsons Avenue intersection (opposite); and
  - An existing access on Chapel Street midway between Langdons Road and Hoani Street (opposite). It is intended that this access will be the main entry point for larger service and delivery vehicles.
  - A third 8m wide egress-only crossing is proposed on Harewood Road in the south-west corner of the site approximately 30m from the railway crossing (utilising an existing access point). This egress provides for left-turn exit manoeuvres only and will be used as the exit for larger vehicles from the loading dock.
- Pedestrian connections will also be provided to/from Harewood Road and Chapel Street as well as within the site (through the car park).

#### Traffic generation

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<sup>1</sup> Note: this figure will have increased following amendments reducing the width of the Harewood Road vehicle access.

- Upon completion of Stage 2 of the development, the proposed Papanui Mitre 10 Mega store is estimated to generate a weekday traffic volume of around 2330 vehicle trips per day, and around 4160 vehicle trips per day on Saturdays during the peak November trading month.
- During the weekday PM peak period on the adjoining road network the proposal is estimated to generate around 230 vehicle trips per hour, while during the Saturday peak period the proposal is estimated to generate around 620 vehicle trips per hour.

## Background / Submissions

The Commissioner considered the issue of whether or not this application should be notified under Sections 95A and 95B of the Resource Management Act on 3<sup>rd</sup> December 2014. He accepted the recommendation that the application need not be publicly notified, but that a number of persons may be adversely affected by the proposal.

As none of these persons had not given their written approval to the application, it was determined that the application needed to be processed on a limited notified basis. A copy of the application was served on those persons and they had an opportunity to make submissions on the proposal. No other persons have a right to make submissions on the application. (Note: In making this decision, the Commissioner is required to consider Section 104(3)(d), which states that the consent authority must not grant a resource consent if the application should have been notified and was not. Other than this, the Commissioner has no jurisdiction to consider the matter of notification at the current proceedings. The only way the notification decision itself can be challenged is by seeking a judicial review through the High Court.)

This application for resource consent was received on 27<sup>th</sup> August 2014 and requests for further information were subsequently made of the applicant. Notice was served on the affected persons on 12<sup>th</sup> December 2014 and the submission period closed on 30<sup>th</sup> January 2015. A total of one submission was received during this period – in opposition. The location of the submitter in relation to the application site is shown in **Figure 1** below. A copy of the submission received has been provided to the Commissioner.

The reasons for the submission in opposition are summarised as follows:

- Concern about the orange building colour scheme
- Concern about the amount of signage in excess of the City Plan standards
- Concern about the provision of car parking spaces (number)
- Concern about traffic generation and effects.

Having stated that they wished to be heard in support of their submission, on 13<sup>th</sup> February 2015 the submitter advised Council that they no longer wish to be heard.

## Revised plans

In considering some of the concerns raised in the submission, and following discussion with Council officers, on the 20<sup>th</sup> of February 2015, the applicant provided amended signage plans and landscape plan imagery reflecting the following changes:

- Reduced the Harewood Road and Langdons Road pylon signs from 40m<sup>2</sup> each to 16m<sup>2</sup> each, including a reduction in height of 1.0m for both pylons (7m height now proposed);
- Increased setback of the Harewood Road pylon sign from the road boundary of 3m;
- Confirmation that trees are to be planted 'hard up to the building' in the landscape area identified adjacent to the southern elevation of the building;
- Total signage proposed revised to 427.71m<sup>2</sup> (Stage 2).

## The existing environment

The applicant has provided a comprehensive description of the application site and surrounding environment, including the road network, in Section 2 of the AEE submitted – I refer the reader to that description and adopt it as my own.

However, in brief, I note the following key points:

- The site is zoned Business 4 (Suburban Industrial);
- The site has a total site area of 32,889m<sup>2</sup> and is held in multiple titles;
- The predominant existing activity is the Sanitarium Health Food Factory, with other commercial/industrial activities on the smaller titles;
- The site contains a notable Tulip tree (*Lirodendron Tulipitere*);

- An environmental asset waterway, Kruses Drain, crosses the site and is partially piped;
- A rail corridor adjoins the eastern site boundary, with Business 2 zoned land beyond (including Northlands Mall);
- The surrounding area to the west and south is zoned Living 2 consisting of a mix of standard residential development and several resthome / carehome complexes;
- The immediately adjoining site to the west contains a Methodist Church;
- To north-west across Langdons Road is land zoned Business 4 and Business 5;
- Harewood Road is a minor arterial road; Chapel Street is a local road; Langdons Road is a collector road.



**Figure 1: Application site and surrounding area**

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## Planning Framework

### Christchurch City Plan

The site is zoned Business 4 (Suburban Industrial) under the City Plan. The zone description explains that the Business 4 zone includes a number of light industrial and servicing areas in the city generally located within or adjoining suburban living areas. It also includes light industrial areas servicing areas adjoining some large suburban centres.

The Plan anticipates that the Business 4 zone will provide for light industry, warehousing and service industries, and some commercial activities such as offices. Some retailing is provided for in these areas, with an emphasis on retail activities of a nature and scale that do not lead to significant adverse effects on the function and amenity of the central city and district centres.

Retail activity is subject to restrictions in scale in order to prevent the adverse effects of dispersal and dilution of this activity outside the Business 1 and 2 zones, and the Central City zone, as these zones serve as important focal points for community activity and provide convenient access to a range of goods and services.

Environmental results anticipated for the Business 4 zone are:

- (a) *A diverse range of light industrial activities, some office and commercial service activities and limited retail activities, with frontages of larger industrial enterprises set aside for parking, landscaping and offices.*
- (b) *A zone environment with a high density and scale of industrial, office and commercial service buildings. Some limited retail activity buildings establishing at a small to medium scale in reflection of traditional established activities. A proportion of smaller sites developed intensively.*
- (c) *Relatively high levels of traffic generation with standards for access and manoeuvring to mitigate adverse effects.*
- (d) *Noise outcomes limited at living zone boundaries to levels consistent with adjacent living zones and standards of amenity.*
- (e) *A visually mixed environment, with a predominantly industrial character but with standards on development to improve and enhance street scene character, with requirements for frontage landscaping and street setbacks for buildings to mitigate building scale and storage areas as development and redevelopment takes place.*
- (f) *Concentration of office or residential accommodation on site frontages, to enhance the visual impact of industrial and other activities.*
- (g) *Residential occupation confined to on site management or security in reflection of the higher level of impacts from the dominant activities, and which is limited in scale and to protect the extent and operation of adjoining business activities....*

The objectives and policies for the industrial business zones generally seek to provide for industrial areas which accommodate a diversity of appropriate business activities and to provide a standard of amenity in industrial areas recognising their location and function whilst avoiding, remedying or mitigating adverse effects on the environment resulting from activity and development in these areas. Key objectives and policies are discussed in detail in a later section of this report.

This proposal fails to comply with the following City Plan rules:

#### **Business zone standards**

- **Development Standard 3-5.2.7(a) Landscaped areas – 10% of the site is required to be in landscaping; (a)(v) on sites adjoining a living zone at least half of the required landscaping shall be located along the zone boundary.**

11.5% of the site is proposed to be in landscaping, however, less than half of the required landscaping is located along the living zone boundary.

- **Development Standard 3-5.2.7(b) Landscaped areas – trees - (i) Based on a road frontage of 375m, a total of 38 road frontage trees are required; (iv) In addition to (i) one tree shall be planted for every 5 car parking spaces required on the site and shall be planted within or adjacent to the car parking area; (vi) Any trees required by this rule shall be of a species capable of reaching a minimum height at maturity of 8 metres and shall be not less than 1.5 metres high at the time of planting. Any trees listed in Part 3, Appendix 3 are deemed to comply with this rule.**

38 road frontage trees are proposed, complying with (i), however, a total of 68 car park trees are required based on provision of 340 car parking spaces (Stage 2) and only 46 trees are proposed, resulting in a shortfall of 22 trees under (iv). Three tree species are proposed, one of which (*Prunus yedoensis*) only reaches 5m height at maturity, resulting in a breach of (vi).

#### **General city rules**

- **Development Standard 9-5.2.4 Filling, excavation and building adjacent to waterways and the coastline - Any filling or excavation, or the erection of buildings shall be a discretionary activity within 3 m of a utility waterway or 7m of an environmental asset waterway.**

The proposal seeks to enclose and pipe the existing environmental asset waterway known as Kruses Drain as shown in Part 9, Appendix 1 where there is a 130m open section that flows in a northwest direction through the application site. Additionally, the proposal seeks to establish car parking within the 3 m setback of the new piped utility waterway. Based on the above the proposal is to be assessed as a discretionary activity with Councils discretion limited to the matter(s) subject to the standard.

- **Critical Standard 9-5.8.1 Content of fill and excavation material – Any filling or excavation of land is a non-complying activity where (a) the fill or excavated material contains putrescibles, pollutant, inflammable or hazardous components.**

The applicant has provided a preliminary site investigation (PSI) which identifies four potential sources of contamination. Whilst the presence of contaminants has not been confirmed nor conclusive evidence of any remediation having taken place following historical activities on site, a conservative approach is being undertaken with the applicant assuming that contaminants may be present. The applicant proposes that imported materials will be tested to confirm their suitability for use prior to placement on site.

### **Heritage and amenities standards**

- **Development Standard 10-2.4.1 Protected trees** – Any work defined by Clause 2.2.4(b), (c) or (d) affecting a notable tree identified in Appendix 4, shall be a discretionary activity, with the exercise of the Council's discretion limited to the impact of the works on the tree... where Clause 2.2.4(b) is: the construction of any building, or laying of overhead or underground services, any sealing, paving, soil compaction, or any alteration of more than 75mm to the ground level existing prior to work commencing, any depositing of chemical or other substances harmful to the tree within 10 metres of the base of any protected tree.

The site contains a notable Tulip tree (*Liriodendron tulipifera*), and proposed works to form the car park will occur within 10m of the tree.

- **Development Standard 10-3.4.1 Outdoor advertising – area and number** – (d)(i) Based on a road frontage of 375m, the maximum total area of signage permitted on the site is 187.5m<sup>2</sup>, provided that the maximum area of any single free-standing sign shall be 18m<sup>2</sup>; (d)(ii) the total number of free-standing outdoor advertisements on any site shall be one except that for sites with more than 40m of road frontage, the maximum number of free standing outdoor advertisements shall be one for every 20m of road frontage provided that no more than two of these free-standing outdoor advertisements shall exceed 1m<sup>2</sup> in area – based on a road frontage of 375m, 18 free standing signs are permitted.

The total area of signage proposed is 427.71m<sup>2</sup>, exceeding the permitted area by 240.21m<sup>2</sup> (or 2.28 times the permitted area of signage). A total of three free-standing signs are proposed, however, all exceed 1m<sup>2</sup> in area (16m<sup>2</sup>, 16m<sup>2</sup>, and 5.4m<sup>2</sup> proposed).

- **Development Standard 10-3.4.2 Outdoor advertising - Building identification outdoor advertisements** - For outdoor advertisements for building identification purposes only the maximum height of any individual lettering, symbol or other graphic, shall be 1m.

Building identification signage and logos range from 1.3m high to 4m high.

- **Development Standard 10-3.4.5 Outdoor advertising – street scene** – The street scene rule for a building in that zone shall apply to free-standing outdoor advertisements... where any such outdoor advertisement fails to comply with Rule 3.4.1.

The proposed free-standing signs are located within the 10m setback to Harewood Road and Chapel Street and the 6m setback to Langdons Road.

### **Transport standards**

- **Development Standard 13-2.2.1 Parking space numbers** – A total of 471 on-site car parking spaces are required for the Stage 1 development, increasing to 591 spaces upon completion of Stage 2, which includes a nominal 30% of drive-through area used for parking and vehicle manoeuvring.

294 car parking spaces are provided for Stage 1, increasing to 340 spaces upon completion of Stage 2; resulting in a shortfall of 136 – 251 spaces.

The staff car parking requirement for Stage 1 is 75 spaces, increasing to 77 spaces for Stage 2; 47 staff car parking spaces will be marked on site (28 – 30 space shortfall).

The cycle parking requirement for Stage 1 is 52 covered spaces, increasing to 63 for Stage 2; 12 uncovered spaces will be provided for Stage 1, increasing to 26 spaces for Stage 2 (37 – 40 space shortfall).

The proposed on-site parking areas also depart slightly from the City Plan design standards in that the parking spaces will be marked at 5.0m deep whereas the City Plan requires a minimum depth of 5.4m.

- **Development Standard 13-2.2.4 Staff car parking** – All required staff car parking spaces are to be signed and marked for the exclusive use of staff employed on the site.

As above, there will be a 28 – 30 space staff car parking shortfall.

- **Development Standard 13-2.2.5 Parking spaces for people with disabilities** – 7 disabled car parking spaces are required and 7 are provided, however, the dimensions do not meet City Plan standards.
- **Development Standard 13-2.2.6 Cycle parking** – *For any activity, the owner, occupier or developer shall make provision for on-site covered cycle parking in accordance with column 4 of Table 1.*

As above, there will be a 37 – 40 space cycle parking shortfall, and the cycle parking provided will not be covered.

- **Development Standard 13-2.2.14 Queuing spaces** – A 15.5m – 20.5m queue space is required at the Chapel Street access; 5 - 6m queue space proposed.
- **Development Standard 13-2.3.3 Length of vehicle crossings** – *The minimum and maximum vehicle crossing lengths shall be 4m and 9m, respectively.*

The Harewood Road crossing will be 10m.

- **Development Standard 13-2.3.8(a) High traffic generators** – *Any activity on a site which is not in the Central City Business Zone which generates more than 250 vehicle trips per day (vtpd) and/or provides more than 25 parking spaces shall be a discretionary activity with the Council's discretion limited as follows: retail activities in... B4... zones: matters associated with any traffic effects of the activity.*

A total of 340 parking spaces will be provided on site, with traffic generation estimated to be 2,330 – 4,160 vtpd on completion of Stage 2.

It is noted that the retail activity proposed (trade supplier) complies with the requirements of Rule 3-5.3.1 (Retail activities).

The applicant has stated that the proposal will comply with the relevant noise standards of the Plan.

### **Proposed Christchurch Replacement District Plan**

The Proposed Christchurch Replacement District Plan was notified on 27 August 2014, however pursuant to section 86B of the Resource Management Act the rules do not have legal effect until decisions on the plan have been notified.

### **National Environmental Standard (Managing contaminants in soil to protect human health) (NES)**

The NES controls soil disturbance on land where an activity on the Hazardous Activities and Industries List (HAIL) is being carried out, has been carried out, or is more likely than not to have been carried out. The application site has been identified as HAIL land therefore the provisions of the NES apply.

The proposal requires consent under the NES as it breaches the following provisions:

- **Regulation 8(3)(c)** – the total volume of soil disturbed will exceed 25m<sup>3</sup> per 500m<sup>2</sup> (the proposal is to disturb approximately 10,688m<sup>3</sup> – 14,378m<sup>3</sup> of soil over 33,000m<sup>2</sup> of the site area – compared to a permitted volume of 1,650m<sup>3</sup>).
- **Regulation 8(3)(d)(ii)** - the volume of soil to be removed from the site will exceed 5m<sup>3</sup> per 500m<sup>2</sup> (the proposal will disturb up to 14,378m<sup>3</sup> of soil which depending on confirmation of contamination levels could potentially require up to up to 14,378m<sup>3</sup> of soil to be removed from the site compared to a permitted volume of 66m<sup>3</sup>).
- **Regulation 8(3)(f)** – it is highly likely that the activity will exceed 2 months duration given the staged nature of the proposal and overall redevelopment period of 5 years.

The DSI demonstrated that soil samples analysed for BTEX and TPH compounds were below the laboratory limit of reporting and are considered to meet the Tier 1 acceptance criteria for a commercial land use. Asbestos fibres were detected in soil samples collected along the eastern side of the main production buildings, and because of this the activity shall be considered restricted discretionary in accordance with Regulation 10 of the NES.

### **Overall activity status**

Overall, the proposal is for a non-complying activity.

I note the applicant's statements in Section 5.1 of the AEE regarding the potential "unbundling" of the application – considering the majority of the application as a restricted discretionary activity, and the earthworks / content of fill activities under the particular tests applicable to non-complying activities.

### **Actual and potential effects on the environment of allowing the activity [Section 104(1)]**

As a non-complying activity the Council's assessment is unrestricted and all actual and potential effects of this proposal must be considered. Relevant guidance is contained in the reasons for the rules breached and the relevant assessment matters as to the effects that require consideration.

Having regard to this planning framework I consider that the adverse effects of the proposal on the environment relate to traffic effects, effects on visual amenity, effects on a protected tree, waterway effects, stormwater effects, soil contamination, earthworks and construction effects.

#### **Positive effects**

The proposal will result in positive economic benefits for the applicant, and the local economy through the creation of jobs. As noted in the assessment below, the proposal also maintains some of the existing well-known landscape features of the Sanitarium site.

#### **Traffic effects**

The proposal results in a number of non-compliances with the relevant transport standards of the City Plan, however, the key effects considered to result from the proposal relate to traffic generation. The applicant has prepared a comprehensive assessment of the traffic effects of the proposal in sections 5.9 – 5.13 of the AEE submitted and in the supporting Transportation Assessment (Annexure I). The applicant has included discussion on the permitted baseline in regards to traffic generation specifically in Section 5.2 of the AEE submitted and provided an example / calculations in Annexure G to the application. I note from the outset that I agree with the permitted baseline and existing environment arguments set down by the applicant; however, I consider that the changes proposed by this application, over and above the existing environment and baseline scenarios, will result in adverse effects on the amenity of specific adjoining residential properties as a result of changes in traffic generation. This is discussed further below.

Council's Senior Transport Planner, Mr Mike Calvert, has been involved in considerable pre-application discussions with the applicant, and has undertaken a full review of the application details in relation to transport. Mr Calvert's assessment of the traffic related effects of the proposal is as follows:

*The site is proposed to have access to Harewood Road, which is a minor arterial adjacent to the site. It is worth noting that Harewood Road is proposed to form part of the 'Wheels to Wings Cycle Route'. This is one of the 13 major cycle routes that are planned for the City based on the Christchurch Transport Strategic Plan.*

*A secondary access is also proposed to Chapel Street, which is a local road in the City's road hierarchy.*

#### **Evaluation of Extent of Adverse Effects Resulting from Non-compliance**

*The proposed development has the following transport non-compliances:*

*13-2.2.1 Parking space numbers – The visitor car parking requirement for the proposed development is 471 spaces for Stage 1 increasing to 591 for the full development. The applicant proposes to provide 294 spaces in Stage 1 resulting in a shortfall of 136 spaces. This shortfall increases to 251 spaces at the completion of Stage 2. There is also a technical non-compliance in the design standards with the spaces proposed to be marked at 5.0 metres deep.*

*The required number of car parking spaces in the City Plan is based on generic requirements for retail activities and includes such high generating activities as supermarkets, whereas trade suppliers have lower overall and peak parking requirements. Therefore, where actual survey data is available for specific activities it is preferable to use these figures as it will either capture a lower (or higher) actual demand than the Plan requirements. In this case surveys of similar Mitre 10 Mega outlets have shown*



a lower parking demand for car parking. The site is also well serviced by public transport and cycle facilities, with good pedestrian access available from both the adjacent residential and commercial areas. I therefore consider that the proposed on-site parking supply should be a more appropriate number of spaces to provide for the activity and the Plan requirement would result in an over-supply of on-site car parking.

In my opinion the parking supply will adequately provide for the demands of the activity and will not adversely affect the surrounding road network.

13-2.2.4 Staff parking provision – The staff parking requirement is 75 spaces increasing to 77 spaces in Stage 2, whereas the proposed provision is for there to be 47 staff spaces marked on-site.

As with visitor car parking numbers the staff requirement is based on generic requirements for various land use activities. In this case the Mitre 10 Mega is a very specific activity and the developer has detailed knowledge of the staff requirements for these types of trade supply outlets. The store is on a frequent bus route, it is adjacent to the Railway Cycleway and Council is proposing to construct another cycleway along the Harewood Road frontage to the site. Given the availability of alternative transport and the developer's knowledge of actual staff numbers I am confident that the proposed shortfall in on-site staff car parking will not result in adverse effects on the safety and efficiency of the road network.

13-2.2.5 Parking spaces for people with disabilities – A total of 7 spaces will be provided which complies with the requirements, but the design of the spaces will not comply with the design requirements in the City Plan.

The non-compliance is technical in nature and complies with the updated parking standards and the NZ Building Code. I am therefore satisfied that there will be no adverse effects as a result of the non-compliance.

13-2.2.6 Cycle parking – The City Plan requirement is for the provision of 52 covered cycle spaces, whereas it is proposed that a total of 36 spaces will be provided, 10 of which will be covered staff parking.

Again, the parking requirement for cycles is based on generic figures for retail use. Whilst we do not have specific figures for trade suppliers it is acknowledged that the demand is likely to be less than for some other retail outlets. The provision of covered staff cycle parking also aligns with the direction of the proposed changes to the City Plan. I am satisfied that the effects of the shortfall in cycle parking will be less than minor.

13-2.2.7 Loading areas – There is the requirement for the provision of 6 HGV loading bays and 1 99 percentile car space to be provided for the proposal. No formal loading areas are proposed to be provided on the site.

I accept that whilst the loading areas required by the Plan are not specifically marked the activity, by its very nature, requires adequate on-site loading to be provided to ensure its efficient operation. The design of the heavy vehicle route and covered storage area provide more than adequate space for the HGV requirements of the activity and therefore in my opinion the effects of the non-compliance will be less than minor.

13-2.2.14 Queue space – Whilst the Harewood Road access provides a complying queue space the access from Chapel Street will only provide for 6 metres queuing rather than the required 15.5 metres.

The Chapel Street access will not comply with the requirements of the Plan due to the proximity of the vehicle access to the entry/exit to the rear of the proposed building. This lane will only provide for staff entering and exiting the northern staff parking area. I note that vehicles entering the site will have right of way and will therefore not need to stop and that staff exiting will be controlled by a Give Way control. I therefore consider that the chances of conflict occurring in this area are low and will not affect the safety and efficiency of the local frontage road and footpath. Therefore, in my opinion the effects of this non-compliance will be less than minor.

13-2.3.3 Length of vehicle crossing – The City Plan specifies a maximum vehicle crossing length of 9 metres whereas the Harewood Road crossing is proposed to be 10 metres wide and the Chapel Street crossing is proposed to be 14 metres wide.

*There have been extensive discussions held with the applicant regarding the design of the Harewood Road access due to the excessive width of the original design. Harewood Road has been identified as one of the City's Major Cycle Routes and therefore minimising access points and their widths has been a priority to ensure the safety for cyclists using the future cycle facility. Since the original application design the access has been redesigned to narrow it from 22 metres to 10 metres. Whilst this is still not compliant with the 9 metre maximum width required by the Plan I am satisfied that the design will provide adequate access for the occasional HGV using this access while ensuring that light vehicle drivers are required to slow down when crossing the footpath and future cycle facility.*

*The Chapel Street access is also wider than the maximum required by the Plan, with the access width widening from 10 metres at the boundary of the property to 14 metres at the kerb. This is an existing access that was put in place for HGV access to the Sanitarium factory and is proposed to be retained for the Mitre 10 Mega development. The access is onto a local road which is 10 metres wide and there is a road narrowing immediately to the north of the access. Swept paths for HGV's expected to enter the site from Chapel Street have been provided by the applicant and the extra width is required to provide safety for the larger vehicles on this road, which is narrower than Harewood Road. Casual observations during site visits indicate that Chapel Street has low pedestrian and cyclist numbers – this is probably due to the close proximity to the Railway Cycleway which is a parallel route along the eastern boundary of the Sanitarium site. I am therefore satisfied that the non-compliance will have a minimal effect on the safety of Chapel Street.*

*13-2.3.8 High traffic generator – The proposed activity will require more than 25 parking spaces and will generate more than 250 vehicle trips per day (up to 4,160 trips per day are anticipated).*

*The traffic generation and distribution for the site has been modelled with the Council's CAST model and whilst the applicant has revised the predicted generation down from original estimates the higher figures used in the modelling provides a useful sensitivity test on network effects. The outputs from the model showed that there were no adverse effects on the efficiency of the local road network from the traffic generated by the proposed Mitre 10 Mega. A number of intersections were also modelled using the intersection modelling software SIDRA to provide a more detailed assessment<sup>2</sup> of the intersections operation. The outputs from this further detailed modelling also indicated that the predicted flows can be accommodated without adversely affecting the safety and efficiency of the road network. The applicant has also provided forecast traffic volumes that could be generated based on a scenario of a complying development on the B4 zoned site. The scenario presented generated higher volumes than forecast for the proposed Mitre 10 Mega outlet and the applicant has argued that the effects of the proposal are less than could be anticipated with the zoning.*

*The Harewood Road access was also modelled to ensure that the effects on the road network were not more than minor. The outputs from the SIDRA modelling show that the access works with a high level of service, with the longest queue occurring during the Saturday peak hour at about lunch time. During this time the 95<sup>th</sup> percentile queue for the right turn from Harewood Road (eastern approach) into the site is predicted by the model to be 3 metres (1/2 car length). Putting this another way, the output shows that for most of the time there will be no queue and that there will be a less than 5% chance of a one car queue for most of the time. Based on the modelling results, in my opinion the access will not have an adverse effect on the safety and efficiency of Harewood Road.*

*Overall I consider that the effects of the additional traffic generated will have a less than minor effect on the safety and efficiency of the network.*

### **Conclusion and recommendations**

*In my opinion, the proposed development will have a less than minor effect on the safety and efficiency of the transport network.*

*Should the consent be approved then I would recommend that the following conditions are imposed:*

- *Old or redundant vehicle crossings must be reinstated (the kerb, berm and footpath to match existing) at the time the new vehicle crossing is constructed.*
- *Any new vehicle crossings and associated changes to the road environment shall be constructed in accordance with the Christchurch Construction Standard Specifications (SD611) and shall be completed prior to the Mitre 10 Mega commencing operation.*

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<sup>2</sup> SIDRA provides a greater level of detail regarding the operation of the intersection that includes each turning movement, queuing data and level of service.

- *Wheel stop barriers shall be installed within all car parking areas adjacent to a landscape strip or pedestrian facility to ensure that they are not diminished by vehicle overhang.*

I accept Mr Calvert's assessment and adopt his conclusion that any adverse effects on the safety and efficiency of the road network resulting from the proposal will be less than minor.

Notwithstanding his conclusion above, Mr Calvert has further addressed the specific traffic concerns raised in the submission received, as follows:

### 1. Parking

*The submitter has expressed concerns regarding the failure of the applicant to meet the parking requirements in the City Plan for both Stages 1 & 2 of the proposed development and the subsequent possible overspill of excess car parking into the surrounding residential streets, which already suffer from all day parking.*

*The car parking requirement in the City Plan is based on generic requirements for retail and includes such high generators as supermarkets and fast food outlets. Therefore, where there is more relevant survey data available for specific land-uses this is normally used in preference to the City Plan rates as an over-supply in car parking leads to under-utilisation of land and under-supply often results in staff being required to park off the site to provide more customer car parking.*

*The applicant has provided survey data from a number of similar developments from a holiday (Labour) weekend when trade retail outlets are normally busiest. They have used the 85th percentile figure to determine the potential demand for the proposed development which is an accepted methodology recognising that designing for the 100th percentile for the busiest day of the year would result in an oversupply of car parking for the majority of the time.*

*I also note that whilst the staff parking requirement is also lower than the City Plan requirement it does cater for the anticipated staff numbers. The site has good access to public transport with bus stops located on Harewood Road immediately adjacent to the site and also on Papanui Road which is a short 300 metre walk from the site. Two major cycleways are also proposed to be constructed adjacent to the site with the first along the railway corridor immediately to the east of the site and the second along Harewood Road. The proposed development is therefore well served by alternative forms of transport which will reduce staff parking demand.*

*In my opinion, based on the survey data provided in the application I am confident that the car parking (including the staff parking) provided will more than adequately cater for the parking demand from the proposed development.*

### 2. Traffic

*The submitter has raised concerns that the traffic right turn out of the Harewood Road access will be dangerous and that the exit onto Chapel Street would be a far more effective way of allowing vehicles to safely leave the premises.*

*The safety and efficiency of the Harewood Road access has been tested using the traffic distribution adopted from the CAST modelling for traffic onto the surrounding network. The traffic distribution was used in a SIDRA model developed for the Harewood Road access to ensure that the delays for drivers did not increase to the level where drivers would choose to undertake dangerous manoeuvres to enter Harewood Road. The modelling, which was checked by Council staff, indicates that the access will operate with acceptable delays during both the weekday evening peak (delay 15.5 secs) and the Saturday Peak (delay 14.4 seconds). The delays equate to a level of service C for the evening peak and level of service B for the Saturday peak. Safety concerns are normally raised when the delays result in a drop in the level of service to E or F, with resulting high delays for drivers leading to impatient manoeuvres.*

*I note the suggestion from the submitter that exiting traffic should use Chapel Street, but in my opinion this would lead to a lower level of service for drivers and would, in fact be a less safe option than distributing the traffic over two access points.*

### Traffic related amenity effects

As indicated above, it remains that the proposal has the potential to result in adverse effects on residential amenity for nearby residential properties as a result of increased levels of traffic generation and / or changes in the characteristics (timing, frequency, nature of traffic, etc) of traffic generated.

I acknowledge and accept the applicant's multi-unit (retail) permitted baseline scenarios (in Section 5.2 of the AEE submitted), and note that, overall, the proposed Mitre 10 Mega development will result in a lower traffic generation than a permitted development. However, I note that a permitted development would necessarily consist of individual commercial units that provide no more than 25 car parking spaces or generate no more than 250 vehicle trips per day with each unit provided with its own vehicle access.

In comparison, the proposed Mitre 10 Mega development is anticipated to generate 700 vehicle movements per day (weekdays) and 1660 vehicle movements per day (Saturdays) through the Chapel Street access<sup>3</sup>; and 1630 vehicle movements per day (weekdays) and 2500 vehicle movements per day (Saturdays) through the Harewood Road access. Residential development is located opposite the site on both of these frontage roads. I consider that the proposal will result in a change in the nature of traffic generated from the site (both in terms of the existing environment and compared to the baseline scenario above) and particularly, that the traffic generated by the Mitre 10 Mega will be concentrated through two access points (as compared to multiple access points as would be the case for the permitted baseline scenario). I do note that from a network safety and efficiency perspective (as discussed by Mr Calvert above) that the preference is to have fewer vehicle crossings; and my consideration of associated amenity effects does not diminish the good result achieved in that respect. However, I consider that the change in nature and concentration of traffic generated by the proposed Mitre 10 Mega development has the potential to result in minor adverse amenity effects on the adjoining residential properties who are located directly opposite the vehicle crossing points; specifically those parties identified as affected in the s95 Commissioners' decision, being: 27, 1/29, 2/29, 31 and 35 Chapel Street and 41, 43, 47 and 51 Harewood Road. I note that of those parties served notice of the proposal, the only party to submit on the application is from 47 Harewood Road. The submitter has raised concerns around traffic generation through the Harewood Road access point, specifically in relation to the impact of right-turn egress onto Harewood Road. I note that the submitter has not specifically raised concerns in relation to traffic-related amenity effects other than in relation to the potential for overflow on-street parking which Mr Calvert has addressed.

Given the lower volume of traffic anticipated through the egress-only to Harewood Road in the south-eastern corner of the site, I consider that any amenity related traffic effects resulting from traffic generation through that egress will be less than minor.

I consider that any adverse traffic related amenity effects on other nearby residential properties will be less than minor, as overall and as noted by Mr Calvert above, a higher level of traffic could be generated from the site under permitted baseline scenarios; once on-road, the traffic generated by the Mitre 10 Mega would be indistinguishable from traffic generated by permitted developments in the zone. In reaching this conclusion it is recognised that the existing Sanitarium site has operated at a lower level of traffic generation for a long period of time and that this proposal will be a significant change to the existing environment; notwithstanding this the City Plan anticipates this site to be developed to such a level as a permitted activity.

### **Visual Amenity**

Whilst the proposal complies with the total area of landscaping requirement (10% required; approximately 11.5% proposed), several non-compliances with the relevant business zone landscape requirements remain. Council's Senior Landscape Architect, Ms Jennifer Dray, has reviewed the application and landscape proposal and comments as follows:

*The proposal is compliant with City Plan rules regarding Street Scene, separation from neighbours, recession planes, location of storage areas and building height. The proposal is also compliant with rules requiring a minimum 10% of the site to be landscaped. The landscape treatment has been designed around the retention of the fountain and the notable tree *Liriodendron tulipifera* (Tulip Tree) as well as some other large trees along the western boundary. The Tulip tree is a mature specimen with a height of 23m and a spread of 18m. Approximately 30 medium to large trees are to be removed.*

*The 130m long section of Kruses drain (Environmental Asset Waterway) that bisects the site is proposed to be piped. This is to be further commented on by Council Waterways Engineers.*

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<sup>3</sup> Refer page 43 – 44 of the AEE submitted.

Stormwater is proposed to be captured within five 30,000L tanks to provide attenuation during storm events.

The proposed building is 11m in height, compliant with the 15m height rule. The Garden Centre to the north of the building is to be 5m in height, adding variety to the building profile. A small area of planting containing five *Magnolia kobus* trees is proposed for the south west corner of the building, which is the closest point of the building to the Living zoned area opposite (18m from boundary).

A portion of the gardenesque style existing planting is to be retained along the boundaries of the site, with some hedging, feature planting, amenity planting and tree planting to be added. Plants are to be a combination of native and exotic shrubs and groundcovers which provide colour and texture. An open grassed area is to surround the southern end of the existing water fountain, and to flank either side of the Harewood Road entrance.

The existing low wall on the Harewood Road frontage is also to be retained however to facilitate the proposed pathway some of the existing wall may need to be removed. The ends of the cut wall will be remediated in keeping with the existing style and end columns will be constructed.

*Lonicera* hedging to 750mm in height is proposed to provide separation between the car park areas and open space.

Other fencing takes the form of "Armourfence Pallisade fencing or similar" and is to contain the secure yard areas at the northern and southern ends of the buildings. These fences are to be set back 4m from any road frontages to allow for tree planting in front. With the exception of the low concrete wall on the Harewood Road boundary, other fencing is to be removed, particularly the high fencing at the northern-most end of the site.

New trees include *Prunus yedoensis* (Flowering Cherry – mature height 4m) planted at a grade of 2m and *Magnolia kobus* (*Magnolia* – mature height 10m) and are to be planted along the road frontages and within the car park area.

The waterway piping and the majority of the landscape works are to be associated with Stage 1 of the development. Further landscaping which includes tree and amenity planting and lawn areas in the northern portion of the site will occur in association with the remaining Stage 2 developments.

Work around the notable tree includes a portion of the carpark totalling 14 spaces and a 6m wide pedestrian connection. A methodology detailing works within this 10m zone of the protected tree has been provided and involves working with a permeable paving system and structural soils to Council Standard Specifications (CSS). This will be further commented on by Council Tree Officers.

It is proposed to erect three freestanding signs along the three road frontages. A total of 294 on-site parking spaces are proposed for Stage 1 and this will be increased to 340 spaces upon completion of Stage 2. Site access is proposed in two locations – Harewood Road and Chapel Street. An egress only access is proposed on Harewood Road at the south east corner of the site. Pedestrian pathways are proposed to link the new building with Harewood Road and Chapel Street, with a 6m wide path at the base of the Tulip Tree, and a raised pedestrian area at the building's point of entry.

## **Assessment**

The proposed landscaping exceeds the required landscape area by 1.5% however there is a non compliance in relation to the requirement that half of the required landscaping be along the zone boundaries, and additionally there is a shortfall of 22 trees across the site. Historical features such as the water fountain, the front wall and some trees and shrubs are to be retained.

The goods delivery area is located to the east of the building against the railway corridor and will not be visible from the road. The outdoor storage areas are to be screened by 4m wide landscape strips containing trees and underplanting. Security fences are to be set back 4m from the boundaries. Pedestrian circulation is to be enhanced across the site.

The nearest residential dwellings are located at least 20m from the site boundaries, separated by Harewood Road and Chapel Street. The Methodist Church is the nearest neighbour. The building is to

be located 6m from the eastern rail corridor boundary allowing for open areas to the west, north and south of the building. The closest corner of the building, the south west corner, is chamfered and screened by a landscape bed containing tree planting.

The proposed amenity planting and tree planting is being concentrated along the Harewood Road and Chapel Street frontages, with the central portion of the site open to provide for car parking, lawn areas and the historic water fountain. This proposed landscape treatment references the factory garden which existed previously and also relates well to surrounding residential gardens. It also provides amenity, softening and some screening for the new building.

An approximately 1.0m wide strip of planting containing Magnolia trees is to be planted along the boundary shared with the Methodist Church. It is unclear what is proposed for this boundary in terms of fencing. I recommend that fencing on this boundary is discussed and agreed with the Church if this is required.

Removal of existing high fences and shrubbery will ensure the site has less enclosure and more visibility and sightlines, resulting in greater safety and security for the public. However it will be necessary to ensure Crime Prevention Through Environmental Design (CPTED) policies are followed by trimming the undersides of tree canopies to a minimum 2.6m in height and ensuring shrubs and ground covers are a maximum 1.0m in height.

The piping of Kruses Stream will alter the character of the site. This will be partially mitigated by the transplanting on site of some of the tree and shrub specimens and by the addition of amenity and feature planting across the site. This change in character is unavoidable, considering the removal of a natural waterway, however the result of this on the landscape amenity of the overall site will be no more than minor. Native planting is to be used as feature planting to introduce some biodiversity and add to the ecological value of the site.

In terms of providing half the landscaping along the zone boundaries, with regard to this particular site, this includes all four boundaries. The remaining portion of landscape area that is not provided on the boundaries provides amenity within the site, particularly the large car parking area and the permeable area around the notable tree. I consider that this non compliance does not result in any loss of visual amenity.

With regard to non compliance in terms of car park tree numbers; mitigation includes the retention of 5 large established trees, including the listed Tulip Tree. In addition, trees to be planted are to be 2.0m at time of planting. A good portion of the proposed street trees are also associated with car park areas and so will soften the large areas of paving. Permeable paving and structural soils are proposed to ensure the protection of the roots of the existing mature tree species. Proposed feature planting is of a high quality and will also mitigate the shortfall in tree numbers.

Landscape treatment around the historic water fountain includes a path which connects Harewood Road to the main car park area, and which follows the circumference of the fountain. Some feature planting sits to the back of the water fountain and an open grassed area sits to the front. Combined with the retention of the historic low concrete wall on the Harewood Road boundary, this treatment adds visual amenity to the site, particularly with regard to the residential area opposite, and serves to maintain the landscape character of the site and surroundings.

## **Recommendations**

1. To ensure Crime Prevention Through Environmental Design (CPTED) policies in relation to visibility and sightlines are followed, undersides of tree canopies must be trimmed to a minimum 2.6m in height and shrubs and ground covers kept to a maximum 1.0m in height.
2. I recommend that fencing on the boundary shared with the Methodist Church is discussed and agreed with the Church if this is required. This is to augment the proposed landscape strip and tree planting which have been proposed to mitigate negative visual and amenity effects of a car park upon this boundary.

## **Conclusion**

*The proposal is generally in alignment with what is anticipated for a Business 4 Zone. It is compliant with rules that impact on the visual amenity, such as building height and setback. While the removal of a natural waterway will result in a change in landscape character of the area, this will be no more than minor. Non compliance in terms of location of landscape areas along zone boundaries and required car park tree numbers, are mitigated by the retention of some large existing trees and one notable tree, and the planting of a large amount of good quality tree and feature planting. Historic features such as the water fountain, the low front wall and the open grassed areas are to remain in order to reference the old factory garden of the era, and will retain a high level of landscape and visual amenity.*

*If the proposal is to proceed in alignment with the submitted landscape plans, the affect on the surrounding visual amenity and landscape character will be less than minor.*

Ms Dray has also provided further comment on the revised signage and landscape concept plans provided by the applicant, from a landscape perspective as follows:

*The applicant has reduced the height and area of the proposed pylon signage on the Harewood Road frontage and the Langdons Road/Chapel Street corner. Mr Amerasingam has made comment on these revisions with which I concur. The Location of the Harewood Road pylon sign has now been set back 3.0m from the road boundary and "feature planting" is to extend from the boundary to the base of the sign. This planting will help to integrate the base of the sign into the landscape, albeit at a lower level.*

*The applicant has also revised the Landscape Concept Plan to indicate tall planting at the southernmost edge of the building (as a preference over a "green wall") with details to be confirmed. Three trees are indicated, and this would be appropriate for this space. Magnolia kobus would be an appropriate species, reaching 10m at maturity.*

I accept Ms Dray's assessment and conclude that any adverse visual amenity effects associated with the proposed landscaping will be less than minor. I also note that the proposed landscaping will assist in mitigating any built-form and signage related adverse visual effects. I accept Ms Dray's recommended condition (1) (CPTED); however, consider that her recommended condition (2) is more appropriate as an advice note.

### Signage

The total area of signage proposed is 427.71m<sup>2</sup>, exceeding the permitted area by 240.21m<sup>2</sup> (or 2.28 times the permitted area of signage). A total of three free-standing signs are proposed, however, all exceed 1m<sup>2</sup> in area (16m<sup>2</sup>, 16m<sup>2</sup>, and 5.4m<sup>2</sup> proposed). In addition, the proposed building identification signage and logos range from 1.3m high to 4m high and the proposed free-standing signs are located within the 10m setback to Harewood Road and Chapel Street and the 6m setback to Langdons Road. As noted above, the applicant has revised the signage plans for the site following the close of submissions to reflect some of the concerns of the submitter.

Council's Urban Designer, Mr Dhanesh Amerasingam, has reviewed the revised signage plans and the submission received, and comments as follows:

*Whilst the proposed extent of signage remains substantially in excess of what is permitted, I am now satisfied that the amendments made by the applicant following our most recent discussion adequately address the areas that I had previously highlighted as being of greatest concern, in effect reducing the signage that I deemed to have the most detrimental visual impact on the surrounding residential properties and streetscape.*

*From a design perspective I am still of the belief that the extent and array of signage is over proportioned for the site and is well beyond what is needed support the business function of Mitre10, however I appreciate that the signage is very much brand led and a reflection of what they (and others) are doing elsewhere, including within very close proximity. It would also be fair to say that the majority of the signage, being wall mounted, benefits from a substantial building setback and layers of landscape treatment which help mitigate the visual impact on the surroundings to the degree that I would suggest the outcome that is almost certainly an improvement on what potentially could have resulted from the permitted baseline and most definitely an improvement on the large scale business uses within the vicinity that are built and signposted at a much closer proximity to the street.*

*In terms of my initial assessment, my greatest concern with regard to the visual impact of the signage was principally focussed on the scale, location and thus the visual dominance of the two large signage*

plinth pylons. The pylons were initially proposed to be 8.0m x 5.0m (height x width) of solid construction and were proposed to be positioned at the corner of Chapel Street/ Langdons Road and close to a proposed vehicle entry point along Harewood Road. They were both positioned adjacent to the pavement contravening the recommended setback in each location. Whilst the proposed building is somewhat integrated into the site using comprehensive landscaping and a significant setback, in my opinion the placement of the signage pylons, which is effectively in excess of a 2 storey (closer to 3 storey) building in quite an imposing location would have a significant visual impact on the neighbouring residences. Whilst efforts have been made by the applicant to provide landscape treatment to soften the edges of the development, the prominent position of the signage pylons would have somewhat negated the positive contribution the proposed landscape treatment stood to make due to its imposing scale, solidity, colour and monotonous commercial nature.

During the most recent discussion with the applicant, a number of recommendations were made to help reduce the visual impact of the pylons whilst being mindful of their commercial requirements. Recommendations included:

- Exploring alternative means of signposting the vehicle entry point and the store such as sculptural or landscape elements.
- Reducing the scale of the large scale pylons, particularly the height.
- Reduced the solidity of the pylons, particularly around the base.
- Allowing for a greater setback from the street edge.
- Combining landscape/planting and signage pylon to soften the appearance, particularly at street level.

In the latest iteration of the signage proposal, the applicant has taken on board the above comments made the following amendments in line with the comments:

- Reduced the height of the pylon by 1m – approximately 12.5%
- Cut out a large section of the pylon to reduce its imposing nature along the street and create a more transparent base, whilst maintaining good visibility for the sign for passing motorists - reducing the surface area of the pylons from 40sqm to 16sqm per side.
- Relocating the Harewood Road pylon further from the street edge.

Whilst it is the above largely deals with the most fundamental matters, it is probably worth noting that there are other areas for potential improvement, whilst not critical would go some way to addressing some of the concerns outlined by the neighbour in their submission. Rather than suggest a wholesale reduction in the extent of signage I believe there are a number of things that the applicant could do to reduce the impact on the surroundings. It is probably worth noting that simply reducing the extent of signage to a compliant level would not necessarily provide a good outcome as it may encourage more intense levels of signage in more prominent and potentially more sensitive locations on the road frontage and therefore immediately opposite neighbouring residential properties. I also believe that whilst the issues raised by the submitter were of some merit, they weren't necessarily as a result of the non-compliant extent of signage.

Given the brand standard approach taken by the applicant, the building effectively reads as a large orange backed sign. In reality the signage, whilst large, is actually relatively simple and confined to a number of areas. The landscape treatment and the generous setback of the building in areas provide good mitigation for reducing the visual impact of the majority of the worded signage, particularly on the western façade. The real issue is that the corporate colouring, whilst technically not part of the signage, due to being a strong part of the brand, and own its own being easily identifiable with the business appears as an extension of the signage. The expansive and continuous orange clad area also reinforces the monolithic appearance of the building, which makes it difficult for it to sit unobtrusively within the site. Whilst it is technically outside of the scope as my initial concern was to resolve the signage non-compliance, my recommendation is that the applicant considers reducing and replacing the expanse of orange with a more muted colour in areas that do not benefit from the setback particularly to the south of the site (around the drive through component) due to their proximity to neighbouring residential. Changing the colouring of the upper portion of the building in places as suggested would break the continuous orange strip that reinforced the scale and shape of the building and would also help emphasise the different functional components of the business, helping to identify the drive through from the main body of the shop. Whilst it is true that Harewood Road is littered with large scale signage, although not quite to the extent as what is proposed for this application, alongside reducing the scale of the pylons I would also recommend reducing the size of the typed signage on the



southern façade, as despite the orientation of the building, the signage is still likely to be relatively visible from both the street and neighbouring properties, however it is worthwhile noting that this is not dissimilar to the scenario further down the street or indeed what would be achievable under the permitted baseline, however I believe it would be a better design outcome for the street and surrounding residential at little detriment to the commercial aspect of the intended use.

In conclusions I feel that the amendments as outlined sufficiently address my concerns raised from my initial assessment relating to the visual impact of the signage pylons. Whilst I believe that there is almost certainly room for improvement as outlined I do not believe simply reducing the amount of signage on the building would necessarily achieve a substantially better outcome, with the greater issue of visual impact relating to the building colour.

Undoubtedly the amount of signage proposed on the site is very high; to that end I agree with Mr Amerasingam. However, I particularly note that Mr Amerasingam is satisfied that the applicant has addressed his previous key concern regarding the two larger pylon signs, and that whilst further improvements could (always) be made, overall Mr Amerasingam considers that the proposed signage is acceptable. Based on the advice of Mr Amerasingam, and for the following reasons, I conclude that the effect of the proposed signage on the visual amenity of the site and surrounding area will be less than minor:

- The majority of signage is building mounted and visual effects of the signage will be mitigated by the large setbacks of the majority of the building from road and site boundaries;
- The angle/orientation of the building to the predominant road frontages reduces the visual impact from the street;
- The setbacks and orientation (above) and multiple road frontages mean that only some of the signage will be visible from any external view point; and
- Existing and proposed landscaping will soften the impacts of both the building mounted and free-standing signage.

With specific regard to the building colour scheme raised as a concern by the submitter, and commented on above by Mr Amerasingam, I note that the City Plan does not contain any controls on colour or materials. Noting this, and the comments made by both the submitter and Mr Amerasingam, I consider that the visual impact of the building including the orange colour scheme will be softened as the proposed landscaping is established and through the retention of some of the existing specimen trees on the site.

### ***Effects on a protected tree***

The application site contains a protected Tulip Tree (*Liriodendron tulipifera*) – Unique Tree ID Number 5843 – within 10 metres of which works are proposed. The applicant has provided an arborist report, following a request for further information from Council's Arborist, Mr John Thornton. Mr Thornton's comments are as follows:

#### ***The actual and potential effects on the environment of allowing the activity are?***

*The Notable Tulip Tree is a very large tree for its species, and is easily one of the largest and most mature Tulip Trees in the protected tree lists, being about the 5<sup>th</sup> largest on record. Currently it is in reasonably good condition, but the site works could have a significant effect on the condition of the tree if not carried out correctly.*

*Tree root systems contain large, permanent roots and smaller, short-lived absorbing roots. Large, woody roots grow horizontally and are located mostly in the top 100 - 500 mm soil depth. Their main functions include water and mineral transport, food and water storage, and anchorage.*

*The root zone of trees generally extend horizontally from the tree for a distance at least equal to the tree's height, but usually substantially further.*

Soil compaction from the operation of heavy machinery on site is a possible cause of damage, though less likely if operated on existing sealed surfaces. Damage to the lower crown of the tree is also possible if tall machinery is operated on site.

Care needs to be exercised when the proposed work is carried out to ensure the longevity of the tree. Older trees do not adapt to environmental changes as well as younger trees, and are more susceptible to environmental change.

### **Proposed Work**

The proposed work has potential to have some adverse effects on the tree root system, due to the damage that could occur during the site work.

The work will require some soil excavation for the installation of car parks, and this should be done carefully by hand or by small digger when possible, to avoid possible root damage.

This work is to be carried out under the supervision and direction of the appointed Arborist.

### **Tree Protection & Tree Roots**

It is recommended that a suitably experienced and qualified Arborist will be engaged by the applicant to liaise with the contractors carrying out the work, to ensure that tree protection occurs for the duration of the proposed work. The appointed Arborist is to be approved by the City Arborist, Christchurch City Council.

The appointed Arborist will monitor the works within the vicinity of the tree to ensure that tree protection occurs, and supervise the works within 10 metres of the trunk of the tree, to minimise damage to the tree.

The use of hand digging methods is recommended when removing soil within 10 metres of the trees, rather than machinery.

The design and documentation will comply with the requirements of the Christchurch City Council Civil Engineering Construction Standard Specification (CSS).

It is proposed that the area of carparking beneath the drip line of the tree will be formed using the Firth Ecopave system (or similar system), to ensure that the supply of oxygen and water to the tree root system is maintained.

It is recommended that structural soil is used underneath the ecopaved area, which will be designed in accordance with the correct specifications outlined in CSS Part 1, Section 37.

All underground services within the tree's 10 metre setback shall be installed using trenchless methods.

Before excavation for foundation work commences the trees should be fenced off, and this should remain in place while the potential for root damage is possible from heavy machinery. This period is to be determined by a qualified arborist.

The fencing is to be placed outside the crown drip line or as seen as appropriate by the Arborist, who must set the fencing line or oversee its placement and positioning.

Roots that are exposed during the works (that are to be retained) are to be covered with damp Hessian material to prevent desiccation. Where Hessian material is used, the Hessian is to be kept damp at all times, until the area is backfilled.

Tree roots that require removal are to be cut cleanly to the edge of the excavation face with sharp pruning tools. Root pruning is to be undertaken by the appointed Arborist. Tree roots measuring more than 50 mm in diameter should be retained and protected from damage wherever possible.

### **Removal of Kruses Drain**

The proposed piping of Kruses drain will remove an abundant water supply that the tree has been utilising for many years, and this has no obviously been a factor in the tree growing to its current size. As suggested in the Allwood Trees report to the applicants, a possible method to ensure continued water supply to the root system is to use a deep water irrigation system by driving pipes into the ground to allow water to penetrate to the rootball.

*Another method is to construct the drain in a way that allows water to continue to seep into the surrounding soil. I recommend that either one of these methods is used. The selection of which method used will be subject to the engineering requirements for the drain and car park areas.*

### **Conclusion**

*The proposed work does have the potential to have some adverse effects on the tree, due to the damage that could occur during the site development work.*

*However, potential detrimental effects on the tree can be minimised to less than minor effects if the proposed work is carried out using the recommendations below.*

Mr Thornton goes on to recommend a number of conditions to mitigate adverse effects on the health of the protected Tulip tree. I accept Mr Thornton's advice and adopt his conclusion that subject to compliance with the recommended conditions of consent, any adverse effects on the protected Tulip tree will be less than minor.

### **Waterway effects**

The proposal includes the piping of an existing open environmental asset waterway, Kruse's Drain which passes through the site. The City Plan requires that any works within 7m of an environmental asset waterway be considered as a restricted discretionary activity. Council's Waterways Ecologist, Dr Belinda Margetts has reviewed all information provided by the applicant, and has also been involved in considerable pre-application discussions with the applicant. Dr Margetts comments are as follows:

*Kruses Drain which flows through the site is classified at this location as an Environmental Asset. The Council generally does not support piping of these types of waterways due to the six values approach of the 'Waterways and Wetlands Natural Asset Management Strategy' – drainage (open waterways are more resilient), heritage, ecology, recreation, culture and landscape. Environmental Assets are thought to have some ecological value and potential for enhancement. However, each case needs to be assessed on its own merits in terms of the specific reach of the waterway and the catchment as a whole. I therefore assessed whether there would be adverse effects of this piping on ecology and landscape/amenity. Brian Norton provided an assessment on drainage effects.*

*The applicant was requested to carry out an ecological survey of the reach of Kruses Drain within the site, to allow an assessment of effects. This survey was undertaken by Boffa Miskell and as expected, they concluded that the ecological value / stream health at this location was low / poor, regardless of the significant landscaping in the riparian margins. Specifically the waterway had:*

- *slow water flow, with stagnant areas*
- *high sediment depths*
- *instream sediments contaminated with metals*
- *little instream habitat*
- *depauperate and pollution-tolerant aquatic invertebrate and fish (limited only to short-fin eels – and predominantly only young juveniles) communities, indicating probable severe enrichment of the waterway*
- *the waterway within the catchment is fragmented, with piping of the waterway upstream and downstream (this limits the connectivity of fish and invertebrates within the waterway).*

*Taking this low ecological value into consideration and the fragmented nature of the catchment, but also Council's concern with the loss of one of our Environmental Assets, the applicant proposed to compensate this loss by contributing a monetary amount via a Private Developer Agreement (PDA). This money can then be used to enhance a similar length of stream in a nearby section of waterway that holds more potential for successful restoration. The monetary value was determined by assessing the cost to buy a similar amount of land and remediate a similar length of waterway. This PDA has been agreed to outside of the consent process by both the Council and the applicant.*

*Given this compensation through the PDA, I consider that the adverse effects of piping the waterway (which importantly is of low ecological value) will be compensated for by the positive effects provided through the enhancement of another section of waterway with more ecological potential.*

Dr Margetts has reviewed the information provided in relation to the piping of the waterway including the draft Erosion and Sediment Control Plan (dated 21/10/2014) and methodology requested of the applicant for the removal of any fish species from the stream prior to piping and the actual completion of the piping and

associated earthworks. Overall, Dr Margetts concludes that on the basis of the environmental compensation provided for in the PDA and the methodology set out by the applicant for the piping works, that any adverse effects on the waterway will be less than minor. Dr Margetts recommends the following conditions of consent:

*All practicable measures shall be carried out to ensure that the discharge of sediment does not occur into Kruses Drain and the piped network, that fish are not stranded or harmed, or that dust is not discharged to air, during the piping of Kruses Drain within the site; these measures shall be in accordance with Environment Canterbury's Erosion and Sediment Control Guidelines for the Canterbury Region, and the attached Erosion and Sediment Control Plan.*

*The piping of Kruses Drain shall only be undertaken during the summer months and when the forecast is for fine weather for 7 consecutive days from the start of construction, to prevent the discharge of sediment downstream due to instream flows.*

I accept Dr Margetts advice, and note that Dr Margetts has subsequently agreed with the applicant an alternative wording to her second proposed condition (reflected in the conditions at the end of this report). I also note that the existing open section of Kruses Drain which passes through the site is not visible from beyond the site and thus the waterway currently has very low public amenity values. I also note that the piping of Kruses Drain is critical to the layout and functionality of the site for the applicant. Overall, I consider that any adverse effects associated with the piping of the waterway on the natural values, ecology and amenity of the waterway will be less than minor and appropriately compensated through works enabled elsewhere in the catchment through the agreed PDA.

### **Stormwater effects**

As noted by Dr Margetts above, the existing open waterway which passes through the site (Kruses Drain) performs a stormwater function on the site which will be lost through its piping. In addition, the development itself including buildings and increased hard stand areas, results in the need to not worsen existing pre-development flows on/from the site to the network and adjoining sites. Council's Planning Engineer (Stormwater), Mr Brian Norton, has reviewed the application documents and plans and has also been involved in considerable pre-application discussions with the applicant. Mr Norton's comments are as follows:

*The applicant proposes to provide onsite stormwater mitigation for the increased impervious surface coverage and treatment of stormwater runoff from new hardstanding areas. The applicant also proposes to realign and pipe approximately 125 metres of open waterway (Kruses Drain), classified as an Environmental Asset in the District Plan and to realign a further section of existing CCC pipe network.*

### **Assessment of Application**

*The development site discharges stormwater into Kruses Drain which feeds into Horners Drain and the Styx River. The confluence of Kruses Drain and Horners Drain is considered within the north-west quadrant of Cranford Basin, a naturally low lying area subject to frequent ponding.*

*It is therefore necessary that the site restrict peak flows into Kruses Drain to pre-developed rates for all storm event up to and including a 2% annual exceedance probability ("50 year") storm of 24 hour duration (the critical storm duration for ponding depth in Cranford Basin). The applicant proposes to provide the required storage through use of five 30,000 litre rain tanks to capture roof water and discharge it via a controlled orifice into the stormwater network.*

*Treatment of runoff from car parking and hardstanding area prior to discharge is also required as a condition of discharge consent approval. The applicant proposes to treat runoff from hardstanding areas using a proprietary treatment system. Although the system has not yet been specified, the applicant has listed three acceptable devices: the SPEL Bayfilter, Hynds Up-Flo Filter or the Stormwater360 Stormfiler. Proprietary flow-based treatment devices shall be sized to fully treat the peak runoff from a 5mm/hr intensity rainfall event.*

*While Council does not typically encourage piping of open waterways for various reasons, this particular section of Kruses Drain is entirely piped upstream and is partially piped downstream. Hydraulically, the section of open waterway through the site is throttled by a 450mm culvert under Chapel Street which means that the new pipe system only needs to cater for primary flows (20% annual exceedance probability or "5 -year") as secondary flowpath is north along Chapel Street to a low point in Langdons Road. With robust engineering design, it is not anticipated that replacing the open waterway with a pipe will have significant adverse effects on the hydraulic capacity of the system.*

*Replacing an open drain and existing pipe system with a new realigned system will required that the new pipe be protected by easement in gross and will be subject to the Water Related Services Bylaw. The pipe alignment shall therefore be accompanied by an adequately sized easement, registered in favour of Christchurch City Council, in accordance with the Infrastructure Design Standard section 5.9.6.*

*Appropriate materials and proper trenching and bedding practices shall be used in accordance with Construction Standard Specification detail SD344.*

*Detailed assessment of the proposed design is required as part of engineering plan acceptance including details of any headwall structures, trenching and the proposed manhole structures.*

Based on Mr Norton's advice, I consider that any adverse stormwater effects resulting from the proposed Mitre 10 Mega development will be no more than minor. Mr Norton has also recommended a number of conditions of consent which relate largely to minimum infrastructure design standards in relation to the public network and erosion and sediment control.

#### Soil contamination

The applicant has provided both a Preliminary Site Investigation (PSI) and Detailed Site Investigation (DSI) for the site which identifies that the site contains contaminated soils, and the proposal includes considerable earthworks. As well as triggering assessment under the NES, the proposal also triggers consideration under Rule 9-5.8.1 (Content of fill and excavation material). Council's Environmental Health Officer, Ms Kirsten Rayne, has reviewed the application details and comments as follows in relation to the NES for Assessing and Managing Contaminants in Soil to Protect Human Health:

*The DSI demonstrated that soil samples analysed for BTEX and TPH compounds were below the laboratory limit of reporting and are considered to meet the Tier 1 acceptance criteria for a commercial land use. Asbestos fibres were detected in soil samples collected along the eastern side of the main production buildings, and because of this the activity shall be considered restricted discretionary in accordance with Regulation 10 of the NES.*

*Geoscience have recommended that a remedial strategy is developed to mitigate any risks to human health that asbestos fibres may present. The applicant has indicated a Remedial Action Plan will be produced once the foundation design of the new building has been completed. This RAP must be approved by Council prior to work beginning on site and this is noted in the recommendations below.*

*I'm suggesting the following conditions be included -*

- *Christchurch City Council must be notified of the scheduled start date at least 10 working days prior to work commencing. This notification can be by way of email to [envresourcemonitoring@ccc.govt.nz](mailto:envresourcemonitoring@ccc.govt.nz).*
- *A Remedial Action Plan and Site Management Plan must be prepared and sent to the Christchurch City Council's Environmental Compliance Team for review by way of email to [envresourcemonitoring@ccc.govt.nz](mailto:envresourcemonitoring@ccc.govt.nz) no less than 10 working days before the scheduled start date. The Remedial Action Plan and Site Management Plan must be approved by Council before any work on site can take place.*
- *In the event that soils are found that have visible staining, odours and/or other conditions that indicate soil contamination, then work must cease until a suitably qualified and experienced practitioner has assessed the matter and advised of the appropriate remediation and/or disposal options for these soils. The applicant shall notify the Christchurch City Council's Environmental Compliance Team by way of email to [envresourcemonitoring@ccc.govt.nz](mailto:envresourcemonitoring@ccc.govt.nz).*
- *Any soils from the area that require disposal off site must go to a facility authorised to accept material of this kind. Evidence of disposal must be delivered to Council and may be by way of waste manifests and/or weighbridge receipts to email address [envresourcemonitoring@ccc.govt.nz](mailto:envresourcemonitoring@ccc.govt.nz).*

Based on the detailed site investigation provided the applicant and Ms Rayne's advice and recommended conditions, I consider that any potential adverse effects on human health and the environment associated with the disturbance and handling of contaminated soils will be **less than minor**.

## **Earthworks and construction effects**

The proposal includes the staging of development; however, I note the applicant has not sought an extended consent period. As noted in the description of the application above, the proposal includes a significant amount of earthworks and that the development of the site may result in adverse effects associated directly with the construction phase of the proposal. Such effects may include dust, sedimentation/erosion, noise and construction related traffic effects.

The applicant has provided a draft Erosion and Sediment Control Plan (ESCP) and a Remedial Action Plan is also proposed in relation to contaminated soils. I consider that any adverse effects such as dust, erosion and sedimentation will be appropriately mitigated through the proposed ESCP measures proposed. Council's Subdivision Engineer, Mr Doru Hozias, has reviewed the draft ESCP and earthworks plans for the site and has recommended a number of standard conditions of consent which principally deal with site and construction management, erosion and sediment control and construction traffic management.

In addition, Council's Environmental Health Officer, Ms Kirsten Rayne, has recommended a condition requiring the applicant to manage all work in accordance with NZS 6803:1999 Acoustics – Construction Noise.

Subject to compliance with the recommended conditions of consent, I consider that any adverse effects associated with earthworks and construction effects will be **no more than minor** and will be limited to on-site effects. I also note that construction effects are temporary in nature.

### Conclusion on effects

Overall, I consider that the proposal will result in **no more than minor adverse effects** on the environment, and that the proposal will also result in **positive effects**.

## **Relevant objectives, policies, rules and other provisions of the Plan and proposed Plan [Section 104(1)(b)(vi)]**

### **Christchurch City Plan**

The objectives and policies for the industrial business zones generally seek to provide for industrial areas which accommodate a diversity of appropriate business activities and to provide a standard of amenity in industrial areas recognising their location and function whilst avoiding, remedying or mitigating adverse effects on the environment resulting from activity and development in these areas.

### Business

The overarching Business Objective is: *a distribution, and diverse range, of business environments which meet the social and economic needs of the wider community, while avoiding, remedying or mitigating the potential adverse effects of their activities within the immediate area, and on the broader surrounding environment.*

Objective 12.1 (Distribution of Business Activities) and its supporting policies promote a distribution, scale and form of business activity which meets the economic needs of businesses, provides the community with convenient access to goods, services and opportunities for social interaction, in a way that can be managed to maintain the amenity of residential and other sensitive environments, ensuring the function vitality and amenity of existing centres is not significantly affected by new retail, and efficiently serviced by infrastructure including the road and transport network.

Objective 12.10 (Role of industrial areas) and supporting policy 12.10.1 (Range of activities) seek to provide for a wide range of business activities in industrial areas appropriate to the levels of effects provided in those areas, and also having regard to any potential cumulative impacts on the continuing ability of the central city and district centres to provide for the community's social and economic wellbeing while maintaining and enhancing their level of amenity.

The proposal is for the establishment of a trade supplier in the Business 4 zone; a form of retail activity which is permitted and anticipated in the Business 4 zone. Accordingly, the proposal is considered to be consistent with Objectives 12.1 and 12.10 and their relevant supporting policies.

Objective 12.11 (Amenity and effects of industrial areas) seeks a standard of amenity in industrial areas recognising their location and function, whilst avoiding, remedying or mitigating the adverse effects resulting from activity and development in these areas. Relevant supporting policies are:

- Policy 12.11.1 (Amenity improvement) - to improve the visual amenity and street environment in industrial areas.
- Policy 12.11.2 (Environmental constraints) – to limit the development of industrial areas where environmental constraints exist unless they can be adequately mitigated.
- Policy 12.11.3 (Adverse effects) – to control the adverse effects of hazardous substances, glare, noise, shadowing and visual detraction arising from activities and development within industrial areas, having regard to the nature of environments within and adjoining such areas.

The proposal does represent a change from the existing Sanitarium factory activity on the site; however, whilst the proposal overall results in a reduction in landscaping over the existing, the proposal exceeds the required total area of landscaping required and does maintain some of the key features from the Sanitarium site (such as the heritage fencing and fountain). Based on the conclusions reached in the assessment of effects above, the proposal is considered to maintain and enhance the anticipated level of amenity in the Business 4 zone, also taking into account the site's location opposite a living zone. I consider that the proposal is consistent with Objective 12.11 and its supporting policies.

### Outdoor advertising

Objective 4.4 (Outdoor advertising) is the provision for outdoor advertisements, whether temporary or otherwise, that does not detract from amenity values, does not have a detrimental impact upon natural and built heritage values, nor cause potential danger to public safety. Policy 4.4.1 (Amenity values) seeks to ensure that the scale and extent of outdoor advertising is appropriate to the character of the receiving environment and does not detract from the amenity values of that environment. Based on the assessment of effects above I am satisfied that the proposal is not contrary to this objective and policy.

### Transport

Objective 7.2 (Road network) is an efficient and effective road network that allows the City to function and develop with minimal conflict between land uses, traffic and people. Policy 7.2.2 (Planning the network) is to protect the function of the road network and the environment of adjacent land uses from the adverse effects of high traffic generators. Policy 7.2.5 (Land use control) seeks to control the establishment of land use activities to achieve compatibility with the roads they front by avoiding, remedying or mitigating the effects which each has on the other.

In the explanation and reasons to Policy 7.2.5 the Plan notes that the safety and efficiency of the road can be adversely affected by parking, access and pedestrian activity associated with development. Conversely, adjoining land use activities may suffer from the effects of noise, vibration or pollution generated by activity on the road. The assessment of effects above has considered the effects of the proposed development on the safety, efficiency and function of the road network, and also the traffic related amenity effects which may be experienced at adjoining residential properties; based on the conclusions reached in the assessment of effects, the proposal is considered to be consistent with this objective and policy.

Objective 7.6 (Off street parking and loading) is sufficient and accessible off-street parking and loading facilities meeting the normal anticipated demands for each activity, while minimising the adverse effects of such facilities on the safety and efficiency of the transport system. Policy 7.6.1 (Parking requirements outside the Central City) seeks to set minimum parking requirements for each activity and location based on parking demand for each land use, while not necessarily accommodating peak requirements. Whilst the proposal results in a technical shortfall with the City Plan parking standards, the proposal has been assessed on actual demand and based on survey data for other similar activities. The proposed supply of on-site parking is considered to meet the anticipated demands. Accordingly, the proposal is considered to be consistent with policy 7.6.1.

Policy 7.6.5 (Access and manoeuvre standards) is to control the number, size and position of access points to each property and land use to avoid, remedy or mitigate adverse effects of manoeuvring and queuing vehicles. Policy 7.6.8 (Accessible parking) is to ensure that car parking areas in association with non-residential developments are easily accessible and their location obvious from the street. As noted by Mr Calvert, the consolidation of vehicle access points as proposed is considered to result in the best practicable access arrangement for the site, resulting in minimal impact on the safety, function and efficiency of the road network, and Harewood Road in particular. I consider that the proposal is consistent with these policies.

### Natural Environment

Objective 2.2 (Water) is the maintenance and enhancement of the quality and availability of the City's water resources, and of the natural and cultural values and public accessibility of waterways and their margins. Relevant supporting policies are:

- Policy 2.2.4 (Surface waters) – to manage the location and scale of land use activities and the disposal of stormwater, in a manner which avoids, remedies or mitigates the pollution of surface waters and adverse effects on aquatic ecosystems.
- Policy 2.2.7 (Aquatic habitats) – to enhance the City's waterways as habitats for fish and other aquatic species and plants.
- Policy 2.2.8 (Waterway margins) – to enhance the margins of waterways in terms of their natural, amenity and access values.
- Policy 2.2.9 (Building on waterway margins) – to avoid unnecessary building development in proximity to waterway margins.

As noted by Dr Margetts, the proposal to pipe an environmental asset waterway generally goes against Council's policy to encourage the enhancement of the natural qualities of waterways within the City. However, for the reasons outlined in Dr Margetts' assessment above, the natural values of Kruses Drain through this part of the site are not very high, and somewhat limited by the fact that the waterway is piped on either side of the application site. In addition, the applicant has entered into a Private Developer Agreement with the Council to pay environmental compensation for the loss of the waterway in this location, and to fund the restoration of an equivalent length of waterway elsewhere in the catchment. For these reasons, whilst the proposal is not consistent with the relevant objectives and policies of the Plan, I consider that is not fundamentally contrary to them either. I also note that appropriate stormwater attenuation and treatment is able to occur on-site.

Overall, in my opinion this proposal is not contrary to the objectives and policies of the City Plan for the reasons outlined above.

### **Proposed Christchurch Replacement District Plan**

Stage 1 of the Proposed Christchurch Replacement District Plan was notified on 27 August 2014, and while the rules do not yet have effect regard must be had to the relevant objectives, policies and other provisions. In my opinion the application is consistent with the objectives and policies which are similar to the objectives and policies of the City Plan and generally seek to maintain and enhance the amenity of the industrial business environment and provide for a wide range of activities in industrial business areas.

#### **Relevant provisions of a National Environmental Standard, National Policy Statement, Regional Plan, Regional Policy Statement or Coastal Policy Statement [Section 104(1)(b)]**

The relevant provisions of the NES have been set out above, and discussed in the assessment of effects above. Overall, the proposal is a restricted discretionary activity under the NES for Assessing and Managing Contaminants in Soil to Protect Human Health.

#### **Any other matters which are relevant and reasonably necessary to determine the application [Section 104(1)(c)]**

##### Recovery Strategy for Greater Christchurch

The Recovery Strategy for Greater Christchurch (the Recovery Strategy) prepared by CERA under the Canterbury Earthquake Recovery Act became operative on 1 June 2012. It is a statutory document that must be "read together with, and forms part of" other relevant legislation within the greater Christchurch area. The City and District Plans (and a number of other statutory documents) must not be interpreted or applied in a way that is inconsistent with the Recovery Strategy.

"Recovery" is defined under the CER Act as including both restoration and enhancement (Section 3).

Section 4 identifies the vision for the recovery of Greater Christchurch and supporting goals relating to the six components of recovery. The following goals are of particular relevance to this application:

**Leadership and Integration** – Coordination between public and private sector, and communities to contribute to recovery and future growth by:

- Facilitating a timely and efficient recovery



**Economic** – Revitalise greater Christchurch by:

- Restoring the confidence of the business sector to enable economic recovery and growth
- Ensuring a range of employment options

**Built Environment** – Develop resilient, cost effective, accessible and integrated infrastructure, building, housing and transport networks by:

- Prioritising infrastructure investment that contributes during recovery and into the future
- Supporting innovative urban design, buildings, technology and infrastructure to redefine greater Christchurch as a safe place built for the future
- Rebuild infrastructure and buildings in a resilient, cost-effective and energy-efficient manner
- Drawing on sound information about ongoing seismic activity and environmental constraints.

**Natural Environment** – Restore the nature environment to support biodiversity and economic prosperity, and to reconnect people to the rivers, wetlands and Port Hills by:

- Ensuring recovery activities value, protect and sustainably manage our water sources
- Ensuring ecosystems are healthy and functioning
- Provide public access to and opportunities for outdoor recreation, cultural, social and economic activities
- Enhancing air quality through managing recovery activities that impact on air quality
- Improve the quality and function of estuaries, waterways and wetlands
- Sorting, storing and processing waste in an environmentally safe and effective manner.

Section 5 of the Recovery Strategy identifies a number of priorities for recovery to address and promote social, economic, cultural and environmental wellbeing. These include:

- Supply of land for recovery needs through efficient consenting processes and timely provision, restoration or optimisation of infrastructure.
- A functioning Central Business District and suburban areas that provide opportunities for local businesses and economic activities to relocate, maintain services and grow.

A number of Recovery Plans have been developed in accordance with Section 7 of the Recovery Strategy:

- Christchurch Central Recovery Plan (operative 31 July 2012)
- Transport chapter of the Christchurch Central Recovery Plan entitled “An Accessible City” (operative 31 October 2013)
- Land Use Recovery Plan (operative 6 December 2013).

Granting consent to this application is considered to be consistent with the Recovery Strategy as it does not conflict with any of the identified goals or priorities for recovery.

#### Precedent / Plan Integrity

Given the non-complying status of this application it is appropriate to have regard to the issue of precedent, as well as the effect of granting consent upon the integrity of the City Plan and public confidence in its consistent administration. Case Law has established however, through the High Court in *Rodney District Council v Gould*, that concerns relating to plan integrity and precedent effect are not mandatory considerations. The Court held that they are matters that decision makers *may have regard to*, depending on the facts of a particular case including:

1. Whether a proposal is contrary to the objectives and policies of the plan; and if so
2. Whether in the circumstances of a particular case a proposal can be seen as having some unusual quality.

In this case the proposal is not contrary to the objectives and policies, therefore I am satisfied that issues of precedent or plan integrity do not arise.

#### **Part II of the Resource Management Act 1991 [Section 104(1)]**

The above considerations are subject to Part II of the Act which outlines its purpose and principles.

The proposal is considered to be consistent with Part II matters as it will maintain the amenity of the surrounding environment, in accordance with Section 7(c) and 7(f) of the Resource Management Act 1991.

Section 6(a) recognises and provides for the preservation of the natural character of rivers and their margins, and the protection of them from inappropriate subdivision, use and development. As discussed above, whilst the proposal results in the piping of an environmental asset waterway, the applicant has volunteered to pay environmental compensation for the naturalisation or enhancement of an equivalent length of waterway elsewhere in the catchment. For this reason the proposal is considered to be in accordance with Section 6(a) of the Act.

#### **Non complying activity threshold tests [Section 104D(1)]**

The application satisfies both tests as the adverse effects on the environment will be no more than minor and the application is not contrary to the objectives and policies of the Plan.

#### **Section 104(3)(d) notification consideration**

No matters have arisen in the assessment of this application which would indicate that the application ought to have been notified.

**Recommendation:** That for the above reasons the application **be granted** pursuant to Sections 104, 104A, 104B, 104D and 108 of the Resource Management Act 1991, subject to the following conditions:

1. The development shall proceed in accordance with the information and plans submitted with the application. The Approved Consent Documentation has been entered into Council records as RMA92026872 (537 pages) and includes the stamped approved plans RMA92026872 pages 1 to 21.
2. The applicant shall pay environmental compensation for the piping of Kruses Drain in accordance with the Voluntary Private Developer Agreement that the applicant has entered into with Council. No works shall commence on site prior to payment of the environmental compensation to Council.

#### *Stormwater / Waterways*

3. The piping of Kruses Drain shall only be undertaken during the months of December through to April during baseflow conditions and when the forecast is for fine weather for seven consecutive days from the start of construction, to prevent the discharge of sediment downstream due to instream flows.
4. All practicable measures shall be carried out to ensure that the discharge of sediment does not occur into Kruses Drain and the piped network, that fish are not stranded or harmed, or that dust is not discharged to air, during the piping of Kruses Drain within the site; these measures shall be in accordance with Environment Canterbury's Erosion and Sediment Control Guidelines for the Canterbury Region, and the Erosion and Sediment Control Plan provided with the application (Refer also to Condition 22 below).
5. Fish shall be relocated to a suitable site downstream prior to piping of the waterway, in the following manner:
  - a) dewatering shall be undertaken gradually over several days to provide fish the opportunity to move downstream;
  - b) a suitably qualified and experienced freshwater ecologist should then search the ponded areas for any stranded fish; and
  - c) fish shall then be relocated to an appropriate alternative site (with consideration of the local, resident eel population).
6. The design of all public stormwater infrastructure shall meet the requirements of the Christchurch City Council Waterways, Wetlands and Drainage Guide (WWDG, 2003/12), the Infrastructure Design Standard (IDS, 2013) and the Construction Standard Specifications (CSS, 2013).
7. Authorisation for construction phase and operational phase stormwater discharges shall be obtained either through Christchurch City Council (CCC) or through the Canterbury Regional Council prior to any works commencing on site.
8. Sufficient onsite stormwater storage shall be provided to ensure peak flows from the developed site are restricted to pre-developed rates to the satisfaction of Council engineers for all storm events up to and including a 2 percent annual exceedance probability event of 24 hour duration.

9. Stormwater runoff from hardstanding areas shall be treated via SPEL Bayfilter, Hynds Up-Flo Filter, Stormwater360 Stormfilter, or equivalent approved treatment system designed to treat either the peak runoff rate resulting from a 5mm/hr intensity storm event OR the stormwater volume resulting from the first 25mm or rainfall.
10. All public stormwater infrastructure works shall be performed by a Council authorised drainlayer.
11. New pipe work for Kruses Drain shall be Class 4 or Class 6 600mm diameter (minimum), reinforced concrete with rubber joints unless otherwise approved by Council engineers. Changes in horizontal or vertical pipe alignment or pipe size shall occur only with an appropriately sized manhole structure installation unless otherwise approved by Council engineers.
12. The consent holder shall provide easements in gross over all stormwater infrastructure to be vested in Council. Easement dimensions shall meet or exceed the minimum widths set forth in IDS Section 5.9.6 as determined by Equation 1 Easement Width, unless otherwise agreed by Council engineers.
13. Engineering plans, specifications and calculations for the design and construction of all stormwater infrastructure are to be submitted for acceptance by the CCC Assets and Networks and Unit.
14. The applicant shall provide as-built plans of the installed public infrastructure and confirm that it has been constructed in accordance with the approved plans and comply with the IDS, particular Part 3: Quality Assurance and Part 12: As-Builts.

#### *Contaminated Soil*

15. The Council must be notified of the scheduled start date at least 10 working days prior to works commencing. This notification can be by way of email to: [envresourcemonitoring@ccc.govt.nz](mailto:envresourcemonitoring@ccc.govt.nz).
16. A Remedial Action Plan and Site Management Plan must be prepared and provided to the Council's Environmental Compliance Team for review by way of email to [envresourcemonitoring@ccc.govt.nz](mailto:envresourcemonitoring@ccc.govt.nz) no less than 10 working days before the scheduled start date. The Remedial Action Plan and Site Management Plan must be accepted by Council before any work on site can commence.
17. In the event that soils are found to have visible staining, odours and/or other conditions that indicate soil contamination, then work must cease until a suitably qualified and experience practitioner has assessed the matter and advised of the appropriate remediation and/or disposal options for these soils. The applicant shall notify the Council's Environmental Compliance Team by way of email to [envresourcemonitoring@ccc.govt.nz](mailto:envresourcemonitoring@ccc.govt.nz).
18. Any soils from the area that require disposal off-site must go to a facility authorised to accept material of this kind. Evidence of disposal must be delivered to Council and may be by way of waste manifests and/or weighbridge receipts to email address: [envresourcemonitoring@ccc.govt.nz](mailto:envresourcemonitoring@ccc.govt.nz).

#### *Earthworks / Site development*

19. The development associated with excavation/filling shall proceed in general accordance with the information submitted and plans (mainly STRUCTEX "Cut and Fill" plans – Project 12038 / Issue A) lodged, and entered (TRIM – 14/1413354) into Council records under land use consent number RMA92026872.
20. The consent holder shall be responsible for all contracted operations relating to the exercise of this consent (including in conjunction with work that may continue to be carried out at later stage and in association with what will be required and approved under a building consent approval process) and shall ensure that all personnel (contractors) working on the site are made aware of the conditions of this consent (and / or of building consent conditions), have access to the contents of both consent documents (land use consent and building consent) and to all associated erosion and sediment control plans and methodology, and shall ensure compliance with land use consent conditions.
21. Prior to the commencement of the earthworks pursuant to this consent (and potentially in conjunction with a building consent for the new commercial building) the consent holder shall appoint a site supervisor who has the responsibility to ensure that compliance with conditions of this consent are observed at all times.

Contact details (name, position / title, phone numbers, e-mail address) of that person shall be sent to all properties that immediately adjoin the application site prior to the commencement of earthworks.

22. All filling and excavation work is to be carried out in accordance with the “Erosion and Sediment Control Plan” (ESCP) presented to Council by E2 Environmental Ltd (Job No 14011 from 21 October 2014) and recorded in Council data base under TRIM-14/1349909.

**Advice note:** The ESCP provided to date covers the piping of Kruses Drain only – a further/updated ESCP will also need to be developed and accepted by Council to cover the remainder of the site works and construction phase activities (See condition 23 below).

23. Any change proposed to the “Erosion and Sediment Control Plan” (as approved by this consent) shall be confirmed in writing by the consent holder following consultation and based on written acceptance of the CCC subdivision / stormwater planning engineer, prior to the implementation of any proposed changes.
24. No work shall commence on site without an “Engineering Completion Certificate” (IDS – Part 3, Appendix VII), signed by an appropriately qualified and experienced engineer (civil / environmental engineer). The Certification will cover the engineer’s responsibility in respect to all of the Erosion and Sediment Control measures (as shown in the E2 Environmental report, and additional if necessary) being properly install in place prior to any earth related or drain diversion related work starting on site. The IDS Certificate shall be sent in to the nominated consent planner and the subdivision engineer.
25. The earthworks and construction work is to be under the control of a nominated and suitably qualified person (civil / environmental engineer or technician).
26. Adequate dust control measures must be in place at all times so as to minimise any nuisance to neighbouring property. Appropriate equipment is to be available on site at all times. The roads to and from the site are to remain tidy at all times. These will need to be regularly monitored and swept (or vacuumed), if necessary, at the end of each week.
27. No soil disturbance or soil shifting, unloading, loading will take place if wind speed is higher than 14 metres / sec.
28. The ESCP is to show the positions of all stockpiles on site. This information should be provided as part of this application. The temporary stockpiles shall be kept covered or moist until such time as they are removed of the site.
29. At the end of each main earthwork stage (or earlier, if conditions allows) the affected areas shall be immediately adequately top-soiled and vegetated (hydro-seeded) as soon as possible to limit sediment mobilisation.
30. A Traffic Management Plan will need to be prepared, approved (by the “Christchurch Transport Operation Centre” – (please refer to [www.tmpforchch.co.nz](http://www.tmpforchch.co.nz) and send request to [tmc@ccc.govt.nz](mailto:tmc@ccc.govt.nz)) and implemented for this construction activity. Activities on any road should be planned such that it will cause, to the road users, as little disruption, delay or inconvenience as possible without compromising safety.
31. Should the Consent Holder cease, abandon work on site, stop the works for a period longer than 6 weeks, or be required to allow time gaps along the earthworks proposed timeline (or event to building works), it shall first take adequate preventive and remedial measures to control sediment discharge / run-off and dust emission, and shall thereafter maintain these measures for so long as necessary to prevent sediment discharge or dust emission from the site. All such measures shall be of a type and to a standard which are to the satisfaction of the Council’s subdivision engineer.
32. No work, with the exception of dust and sediment control, shall be undertaken on Sundays, Public Holidays, or outside the hours of 7.00 am to 6.00 pm Monday to Friday and 8.00 am to 5.00 pm Saturday without the Council’s prior consent.
33. Traffic scheduled on the access roads to the development site (where earthworks will be undertaken) shall be in sync / in co-ordination with the local traffic (on main access roads to development site area), giving priority to the local traffic and avoiding, as much as possible, the morning and afternoon rush hours (mainly school hours) - between 8.00 and 9.00, and between 14:00 and 16:00.

34. All trucks involved with carting out any contaminated material (especially laden with asbestos) shall be covered with impervious tarpaulin / polythene liner (materials will be kept secured under the cover).
35. Surplus or unsuitable material is to be disposed of away from the site to a Council approved destination.
36. If dewatering is required then approval for any dewatering related discharge (to a designated outfall) is required to be obtained by the applicant from CCC – Drainage Team before starting any dewatering activity on the subject site or in relation to the subject site.
37. All work on site shall be managed in accordance with the NZS 6803:1999 “Acoustics – Construction Noise”.
38. In the case that sheet piling is used at any stage during the proposed earthworks or building development, then the works shall be managed in accordance with the vibration limits in German Standard DIN 4150 1999-02 Structural Vibration.
39. Preventative measures are to be installed to ensure that, during periods of rainfall/storm there is minimum or no amount of contaminants / run-off draining into the existing stormwater system adjacent to the construction site.
40. Any change in ground levels is not to cause a ponding or drainage nuisance to neighbouring properties.
41. All loading and unloading of trucks with excavation or fill material is to be carried out within the subject site.
42. If at the completion of the earthworks operations, any public road, footpath, landscaped areas or service structures that have been affected / damaged by contractor(s), consent holder, developer, persons involved with earthworks or building works, vehicles and machineries used in relation earthworks / construction works, shall be reinstated to Christchurch City Council Civil Engineering Construction Standard Specification (CSS) at the expense of those identified as above and to the satisfaction of subdivision engineer or Asset Unit representative.

*Protected tree*

43. The applicant is to appoint a suitably experienced and qualified Arborist that is approved by the City Arborist, Christchurch City Council to monitor and supervise all works within 10.0 metres of the notable Tulip tree for the duration of proposed works.

**Advice note:** The following local Arboricultural firms are considered acceptable to Christchurch City Council:

- |    |   |   |
|----|---|---|
| a) | Treetech Specialist Treecare Ltd                                | Ph 027 2297499  |
| b) | City Care   | 03 941 7200 Fax 03 941 7250                                     |
| c) | Advanced Tree Services  | Ph 03 344 6162  |
| d) | Arbor Vitae<br>(Tree Reports/Assessments only)                  | Laurie Gordon 027 229 2536                                      |
| e) | Lancewood Urban Forestry Ltd<br>(Tree Reports/Assessments only) | Iain MacKinnon 021 223 4403<br>e-mail: lancewood@farmside.co.nz |

44. The appointed Arborist will liaise with applicant’s agents and contractors regarding tree protection requirements, and provide recommendations as the work progresses, to minimise any potential damage to the Tulip tree.
45. The appointed Arborist is to advise the City Arborist in writing, within twenty-four hours of any damage to the Notable tree resulting from the works, which in the opinion of the appointed Arborist is likely to result in more than minor adverse effects on the tree.
46. Before any site work commences, including soil excavation, the tree should be fenced off using a semi-permanent fencing method, which can not be easily circumvented. The exact location of the fence being determined by the Arborist, in consultation with council Arborists.

47. The fencing should remain in place while the site works take place, to limit damage from heavy machinery in particular.
48. The design and documentation will comply with the requirements of the Christchurch City Council Civil Engineering Construction Standard Specification (CSS).
49. The area of car parking beneath the drip line of the Tulip tree will be formed using the Firth Ecopave system (or similar system), to ensure that the required distribution of watering to the tree is maintained.
50. Structural soil is to be used underneath the ecopaved area, which will be designed in accordance with the correct specifications outlined in CSS Part 1, Section 37.
51. All underground services within the Tulip tree's drip line shall be installed using trenchless methods.
52. Any excavation within 10m of the Tulip tree be undertaken using hand tools or a small digger and is to be carried out under the supervision and direction of the appointed Arborist.
53. When soil is cleared around any tree roots they are not left exposed for an extended time, and they shall be protected from desiccation and damage by the use of damp Hessian or good quality topsoil.
54. No ripping of roots is to occur, and any significant tree roots greater than 30 mm in diameter are to be retained if possible and should be protected from damage.
55. If any roots encountered at the levels of excavation have to be severed, they are to be severed cleanly with pruning secateurs or a hand saw only by the appointed Arborist.
56. To ensure the Tulip tree continues to get the water supply it is used to, either a deep water irrigation system using vertical pipes driven into the ground is used, or the new piped drain is constructed in a way that allows water to continue to seep into the surrounding soil. The selection of which method used will be subject to the engineering requirements for the drain and car park areas.
57. No materials or machinery/vehicles are to be stored/parked under the crown of the Tulip tree during the construction work, including excavated soil, chemicals or building materials.
58. Disposing of water used to wash down machinery (e.g. concrete mixers, etc) on the root plate of the Tulip tree is prohibited.
59. No herbicides harmful to the tree are to be applied to the soil as part of the new landscaping.

#### *Traffic*

60. Old or redundant vehicle crossings must be reinstated (the kerb, berm and footpath to match existing) at the time the new vehicle crossing is constructed. The new crossings shall be constructed in accordance with the relevant sections of Christchurch City Council's Standards for commercial vehicle crossings.
61. The vehicle crossings and associated changes to the road environment shall be constructed in accordance with the Christchurch Construction Standard Specifications and the Stamped Approved Plans and shall be completed prior to the Mitre 10 Mega commencing operation.
62. Wheel stop barriers shall be installed within all car parking areas adjacent to a landscape strip (or pedestrian facility) to ensure that they are not diminished by the vehicle overhang.

#### *Landscaping*

63. The proposed landscaping shall be established in accordance with the landscape plan submitted with the application, prepared by Earthwork Landscape Architects Ltd ("Stage 1 – Landscape Concept" (dated 18/09/2014), "Stage 2 – Landscape Concept" (dated 02/12/2014), "Existing trees to be removed/retained" (dated 18/09/2014), "Imagery" (Figures 1 - 4 dated 02/12/2014), "Sections" (dated 13/02/2014), "Indicative Planting Proposal" (dated 13/02/2014). These plans are labelled RMA92026872 pages 8 to 16 of 21 in Council records.
64. The existing vegetation which has been identified on the plan labelled RMA92026872 page 16 of 21 to be retained, must be maintained at all times. If it dies or is damaged, it must be replaced within the next suitable planting season with plants capable of attaining a similar extent of screening as the existing landscaping.
65. All required landscaping (Stage 1) shall be provided on site prior to the commencement of the operation of the Mitre 10 Mega store. All required landscaping (Stage 2) shall be completed within 3 months of the date of issue of the Code Compliance Certificate for the Stage 2 building works.
66. All landscaping required for this consent shall be maintained. Any dead, diseased, or damaged landscaping is to be replaced immediately with plants of a similar species.
67. Proposed planting of specimen trees (*Prunus yedoensis* and *Magnolia kodus*) must be at least 2.0 metres in height at the time of planting.
68. To ensure Crime Prevention Through Environmental Design (CPTED) policies in relation to visibility and sightlines are followed, undersides of tree canopies must be trimmed to a minimum 2.6m height and shrubs and ground covers kept to a maximum 1.0m in height.

#### Advice Notes:

- It is recommended that fencing on the boundary shared with the Methodist Church is discussed and agreed with the Church if this is required. This is to augment the proposed landscape strip and tree planting which have been proposed to mitigate negative visual and amenity effects of a car park upon this boundary.
- The Council will require payment of its administrative charges in relation to monitoring, as authorised by the provisions of section 36 of the Resource Management Act 1991. At present the monitoring charges include:
  - (i) A monitoring fee of \$112 to cover the cost of setting up a monitoring programme and carrying out a site inspection to ensure compliance with the conditions of this consent; and
  - (ii) Time charged at an hourly rate of \$116 (incl. GST) where additional monitoring is required.
- This may be an archaeological site as specified in the Historic Places Act 1993. An archaeological site is any place in New Zealand that was associated with human activity that occurred before 1900, and is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand. Sections 10 to 20 of the Historic Places Act apply, and any destruction, damage, or modification of any part of the site must first be authorised by the Historic Places Trust. ***Please contact the Historic Places Trust on phone 365 2897 before commencing work on the land.***

#### Development Contribution

- Please note that a development contribution is likely to be required under the Development Contributions Policy 2013. The Council requires Development Contributions to be paid prior to the issue of a Code Compliance Certificate for a building consent, the commencement of the resource consent activity, the issue of a section 224 certificate for a subdivision consent, or authorisation of a service connection.

The contributions are defined in the Council's ***Development Contributions Policy 2013***, which has been established under the Local Government Act 2002 and is included in the Council's Christchurch City Three Year Plan. Full details of the Policy are available at [www.ccc.govt.nz/dc](http://www.ccc.govt.nz/dc). If you have any queries in relation to this matter, please contact our Development Contributions Assessors on phone (03) 941 8999.

**Reported and recommended by:** Kathryn Stapleton, Senior Planner

**Date:** 24/02/2015

**Decision**

That the above recommendation be adopted for the reasons outlined in the report.

**Commissioner:**

Name: David Collins

Signature: 

Date: 25th February 2015