

BEFORE AN INDEPENDENT COMMISSIONER ON BEHALF OF THE CHRISTCHURCH CITY COUNCIL

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF An application by Landpower Group to establish in agricultural equipment sales, servicing and training facility, with ancillary Activities, including office and associated signage at 33 and 69 School Road, Yaldhurst being Lot 1 and Lot 2 DP 24408

DECISION OF THE COMMISSIONER

PAUL ROGERS

22 July 2022

INTRODUCTION

1. I have been appointed by the Christchurch City Council (the **Council**), as consent authority, to Act as an independent commissioner in accordance with section 34A of the Resource Management Act 1991 (the **Act** or **RMA**) to determine if a resource consent application (the application) should be granted to Landpower Group (the **Applicant**) to establish an agricultural equipment sales, servicing and training facility, with ancillary activities, including office and associated signage at 33 and 69 School Road Yaldhurst (the **site**).
2. The application was lodged with the Council on 15 March 2021, with a section 92 request for information sent to the Applicant on 6 April 2021. All required information was received by 30 June 2021. The application was publicly notified on 23 September 2021. The submission period closed on 21 October 2021. A total of 14 submissions were received during this period, six in support six, six in opposition and two of which were neutral. The reporting officer's report at appendix 7 identified the location of the submitters in the immediate area of the site.
3. During the period of February to early April 2022 the Applicant submitted amended plans and further information to Council. The application was placed on hold on 17 March through to 11 April 2022.
4. A hearing was held on the 30th of May 2022, following which various exchanges occurred between the Applicant and the Council pertaining to replies and conditions. The hearing was formally closed on 28 June 2022.
5. At the hearing I heard from Mr Richard Wilson, who covered matters relating to the search by the Applicant for a suitable site, and he also provided details on the operations of the Applicant. I heard and received expert evidence from David Smith on traffic and transportation issues, Rewa Satory on acoustic matters, James Bentley on landscape and amenity issues, and Jonathan Cleese on planning matters. I also received legal submissions from Amanda Dewar.
6. While some submitters had earlier advised of their intention to appear at the hearing Mr Brian Mortimer was the only submitter who appeared and presented evidence. Essentially, he was concerned about non-rural activities locating in the area. He expressed concerns about the rural amenity and outlook of the locality being adversely affected by the proposed activity. He had concerns about traffic issues particularly the use of School Road for the Applicant's traffic and how that use would impact on the rural and residential amenity of the area. He raised issues relating to the Applicant's traffic movements mixing with pupils coming and going from the Yaldhurst Model School located immediately adjacent the application site.
7. For the Council I heard from Rachel Cottam, who provided a comprehensive section 42A report assessing the effects of the proposed activity, also considering how the proposal sat alongside relevant provisions of the Christchurch District Plan, the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health as well as briefly considering the Canterbury Regional Policy Statement.
8. In undertaking her evaluations, she considered and relied on the expert evidence of Jeremy Head, who provided expert evidence on landscape issues and undertook a visual assessment of the proposal, Agnes Kloosterman who provided expert assessment of noise, and Mr John Dore, who provided a transportation assessment. These experts appeared and presented summaries of these assessments as evidence at the hearing.
9. Significant amendments were made to the proposal as it progressed through to the hearing

phase. Landscaping plans were amended. Changes also included a reduction in signage. The amendments also provided substantial landscaping and reduced the quantities of materials used on the proposed buildings.

10. These changes arose following engagement with Council officers to resolve concerns raised by both Mr Head as part of the section 95 report on notification and by several opposing submitters. Essentially as detailed in Mr Bentley's landscape evidence, particularly at paragraph 21, the design of the facility and associated landscaping was modified to ensure the proposal sits comfortably within the local context of Yaldhurst village. The Applicant's position was these amendments reduced the extent of effects on rural landscape and character values.
11. Earlier, when undertaking the assessment for the section 95 decision, I had the opportunity to visit the site and its surrounds.

DESCRIPTION OF THE PROPOSAL

12. The background to the proposal is detailed in a land use consent application dated 10 March 2021, prepared by Planz Consultants and the Council reports/evidence described above.
13. While the proposal is comprehensively described in detail in section 3 of the application, in summary, the Applicant proposes to establish an integrated rural farm machinery sales and servicing facility with ancillary administration, and a field-based driver and apprentice training programme on the application site.
14. The various aspects to the proposed activity include the sale and lease of farm machinery, including tractors, bailors, combine harvesters and fertiliser spreaders, the service assembly and repair of that machinery, parts storage and distribution of machinery, training and demonstration for both machinery operators and apprentice service technicians and finally ancillary administration support/management offices.
15. The hours of operation of the activity will be variable given the seasonal nature of agricultural contracting and the resultant times of heavy machinery use. However, hours of operation are typically between 7am and 6pm Monday to Friday and 8am to 2pm on Saturday. However, I was told that the Applicant operates 24 hours, seven days a week within the hours outside of the times recorded above to undertake and respond to field calls and service of machinery primarily undertaken off-site. Access to the site for equipment vehicles and possibly parts will be required with the occasional emergency repair undertaken at the Applicant's workshop.
16. Approximately 89 staff are employed across the workshop, sales, and ancillary office parts of the business with an additional 20 staff operating as field-based service technicians. The head office staff number 35 positions.
17. The proposal will provide backup stock for neighbouring dealers in the South Island. The majority of parts stored on site would be sold in the Canterbury region. The site will also be the Applicant's support centre which will include some head office functions. These functions I understood to include technical support, human resources, IT, marketing and finance. Some of the staff roles contain elements relating to supporting the Canterbury based business. Other administration roles on site are focused on the operations in the Canterbury area and the proposals other functions.
18. As to the built form of the buildings proposed on site as part of the application the main building covers some 6,586m² excluding canopy structures. The storage shed is 611m² and

of an open bay design. Overall, the built site coverage is 7,197m² or 13.6% of the site.

19. Two rural dwellings are currently located on the site. The Applicant seeks to retain the dwelling in the north-west corner of the site, with this dwelling and curtilage to continue to be used for residential purposes. Whilst this existing dwelling forms part of the application site, it does not form part of the proposed rural machinery related activity. No subdivisions are proposed in this application. The existing dwelling and associated accessory buildings in the north-east corner of the site are to be removed and the land formed as a grassed paddock.
20. In terms of transport and access there are two proposed access points to the site, one each from State Highway 73(**SH73**) and Hasketts Road. No vehicle access will be provided from School Road and any existing vehicle crossing will be made redundant. The 9m wide entrance from Hasketts Road is for heavy vehicles only. It is set back from the SH73 intersection by approximately 58m. Minor curb widening is proposed to the Hasketts/SH73 intersection as detailed in the applicant's transport assessment. These works will be located within the road berm and therefore be subject of separate agreements with the road controlling authority, being Waka Kotahi New Zealand Transport Agency.
21. The 7m wide SH73 site access will be dedicated to the use of light passenger vehicles, including by staff and visitors and smaller delivery such as couriers. This access location is approximately halfway along the SH73 Road frontage.
22. A total of 81 car parks are provided on the site, being made up of 75 staff parks along with three visitor spaces and three mobility spaces. Further informal parking is available within the yard area for service technicians. 12 covered staff cycle parks are provided within the covered canopy in the north-east corner of the workshop area. A further four visitor cycle parks are located adjacent to the entrance to the showroom.
23. In relation to signage, a single free standing 6.58m² pylon sign is proposed west of the proposed SH73 entrance to the site. The front façade of the building will also include branding consisting of a Landpower sign above the showroom area and the CLAAS logo adjacent to the parts counter.
24. A 1m high graded bund with a 1.5m high acoustic fence on top will be placed along the School Road frontage of the site. A 2.5m high acoustic fence is proposed to extend from the workshop area of the building running north to meet the proposed School Road fence. The proposed site layout provides various areas of extensive landscape planting as well as retention of open space.
25. The estimated total volume of earthworks required to construct the proposed development will be approximately 5500m³ associated with the building foundation construction, and associated formation of hardstand and landscaping. Maximum fill depths will be 1.5m being the School Road landscape bunds. Maximum depth of excavation excluding works associated with the foundation construction will be no more than 2m associated with the installation of services and soak pits.
26. A preliminary level 3 waters assessment for infrastructure considerations has been undertaken on behalf of the Applicant by GHD limited. This preliminary analysis reveals the need for on-site water storage for both potable and firefighting purposes, and wastewater and stormwater treatment. Treatment options include septic tank or secondary treatment system followed by discharge to ground via the disposal field.
27. Accordingly additional resource consents are required from Environment Canterbury for the

proposed activity, but they have not yet been applied for. Those resource consents will likely relate to a land use consent to install a bore, or to take and use for an industrial process and finally wastewater and stormwater discharge.

THE SITE AND EXISTING ENVIRONMENT

28. The application site and surrounding environment are described in detail in section 2 of the AEE submitted with the application. The surrounding site is also described in detail in the section 95 report. In summary, the immediate site context is that of a rural village. The village is roughly arranged along the two east-west road corridors, each with quite different visual and functional characteristics.
29. School Road provides the residential access of the village, and contains a primary school, church and recreation domain.
30. SH73 provides the commercial access of the village and includes a tavern, dairy, petrol station, garden centre, multiple industrial activities, and the "Norwood" branded farm machinery activity on the south-eastern side of the SH73 and the Hasketts Road intersection.
31. Figure 1 within the section 42A report and figure 1 and figure 2 within the statement of evidence of Jonathan Cleese were all very helpful to understand the make-up of the existing environment. These figures also supported the Applicant's opinion that the existing environment supported and contained a diversity of activities which was in the Applicant's view a contrast with the underlying zoning which is Rural Urban Fringe Zone.
32. I agree that this location does support a wide range of activities, many of which are not what would typically be regarded as rural activities, which is pastoral activities. The Applicant contended this localised context had to be recognised and borne in mind because that localised context goes to the heart of conclusions regarding the compatibility of the proposal with the surrounding rural character including the diversity of activities and built outcomes found within the Rural Urban Fringe Zone. I agree and accept there are a wide range of activities, some expected and others not so. I also agree that understanding the localised context is important to enable the compatibility of the proposal with the surrounding rural character to be assessed.

DISTRICT PLAN AND NATIONAL ENVIRONMENTAL STANDARDS - RELEVANT RULES AND ACTIVITY STATUS

Christchurch District Plan

33. The Applicant and Council agree the site is zoned Rural Urban Fringe under the District Plan. This zone provides for a range of rural-based activities, including farm buildings, rural projects, conservation and recreation activities and residential activities.
34. There was agreement between the Council and the Applicant as to which rules in the District Plan the proposal required consent under. The relevant rules are set out within the section 42A report at paragraph 16.

NES for Contaminated Soils

35. Advice was received Advice from Council's Paula Kloosteman, an Environmental Health Officer, as detailed in appendix 3 to the section 42a Report, that she agreed with the

Applicant's assessment that the site is not considered a 'piece of land' under the NES and therefore not subject to the NES. I accept that advice.

Activity Status

36. The Applicant and the Council agreed overall the proposal must be considered as a non-complying activity under the District Plan. I agree.

SUBMISSIONS

37. Consultation has occurred between the Applicant and Christchurch International Airport Limited (**CIAL**) resulting in agreement, particularly around an agreed suite of conditions as volunteered by the Applicant which addresses concerns raised by CIAL. I was informed as a result CIAL did not wish to be heard, however they had not rescinded their original position of being in opposition to the application
38. Many of the submissions raised concerns that the proposal will have adverse impacts upon the existing rural character and amenity. The submitters were concerned about the change from rural land to a commercial/industrial activity and the consequent eroding of rural character.
39. The opposing submitters expressed the view that the rural environment includes an openness that the current pastoral views provide which will no longer be available if the proposal receives consent. The submitters also contended that the existing industrial commercial areas (because they are located on the southern side of SH73) are visually separated from the village. If granted this application, given it is located on the northern side of SH73, will detract from that existing separation.
40. Submitters were concerned that the proposal does not make for a rural community environment while contending that the other or existing non-rural activities assist with maintaining rural character.
41. Submitters noted that there was already a commercial tractor operation in a similar location and were concerned about this proposal (if consented) establishing a precedent for new future additional applications. Submitters were concerned that the proposed landscaping would not assist in mitigating amenity effects of the proposed buildings. They were of the view the building had an appearance of a commercial activity in nature.
42. Submitters were concerned it was unclear if the proposed vegetation would be established along the entirety of School Road. As well noise was identified by submitters as a cause for concern, contending that would affect residential neighbouring properties and affect the existing nature of the site.
43. Submitters were also concerned about signage and about infrastructure servicing. Transportation was a key issue raised by submitters. They were concerned that the proposal should not encourage site vehicle access along School Road, including heavy vehicles or farm machinery. Submitters pointed out that the school population of pupils and teachers and parents utilise School Road for transporting children to and from school.
44. Those submissions in support were of the view that the proposal and its operation will enhance the local area and that the proposal fits the local rural character and is more suitable than other businesses. Those submitters were of the view that the site would provide a convenient location for the rural community, and it would assist in providing a semirural outlook to the Yaldhurst area.

45. Supporting submitters were also of the view the proposal will assist to reduce traffic noise from SH73 on the School Road area particularly on the residents located there. The submitters noted that the mitigation measures including acoustic fence mitigation and proposed vegetation with mounds were all acceptable in terms of reducing effects on the Yaldhurst Model School.
46. Supporting submitters were not concerned with servicing of the site. They noted that the proposed septic tank and disposal field were acceptable and were likely to prevent any effects on neighbouring properties water and takes. In terms of transport, the supporting submitters were of the view the built form will assist to reduce traffic speeds within the locality and that the proposal would not increase traffic substantially. Submitters in support were encouraged that no access or egress to the application site would be enabled on School Road.
47. The submission from Waka Kotahi noted it had been consulted and it was generally agreeable to the proposed access arrangements but reserved the right to work with the Applicant on refined details of the proposal.
48. The Yaldhurst Rural Residents Association were not opposed to the application provided rural amenity was maintained, the built environment was sympathetic to its surroundings and display machinery should be limited on the boundary of the site and permitted noise level should not be exceeded.

RESOURCE MANAGEMENT ACT 1991

49. When considering this application and the submissions I must have regard to the matters listed in section 104, 104B, and 104D of the Act. Subject to Part 2 of the Act which contains the Act's purpose and principles including matters of national importance I shall have regard to:
 - (a) Any actual and potential effects on the environment of allowing the Activity.
 - (b) Any relevant provisions of a plan or proposed plan.
 - (c) Any other matter I consider relevant and reasonably necessary to determine the application.
50. Under section 104D and irrespective of any decision made for the purpose of section 95A in relation to minor effects, I may grant a resource consent if the effects on the environment will be minor, or that the application is for an activity that will not be contrary to the objectives and policies of the plan.
51. Further where one of the threshold tests in section 104D is met I still retain an overall discretion to grant consent or not. That discretion is to be exercised having regard to the criteria set out in section 104.
52. I also note that section 104(3)(a)(ii) provides that I must not have regard to any effect on a person who has given written approval to the application. The Applicant had obtained the written approval of some parties, the details of which were included in Mr Wilson's evidence.

EFFECTS

53. I agree with the Applicant and Council officers that the relevant effects are positive effects,

rural character and amenity effects, reverse sensitivity, servicing, and transport and construction effects.

54. At the outset I note there is broad agreement between the Applicant and Council's experts regarding the management potential effects. However, I note the submitters in opposition hold a different position on potential effects of the proposal on the environment.
55. As to permitted baseline I agree that there is no permitted activity which is similar to the proposal and further I agree that there is no clear statement in Chapter 17 of the District Plan of what is anticipated in the Rural Urban Fringe Zone specifically. So I agree a permitted baseline need not be used in this effects assessment.

Positive Effects

56. The Applicant identified and outlined positive effects principally in section 7.12 of the AEE. The proposal is considered to consolidate the Applicant's operation in one location, providing a more efficient operation within the Canterbury region. As well the proposal provides an accessible service to rural customers on the outskirts of urban areas. The proposal will also create jobs, which will assist in alleviating the shortage for skilled agricultural drivers, operators and service people in the farming industry. Finally, I agree taking into account the mitigation measures included in the proposal they will increase the general amenity along School Road by providing new and denser landscaping.
57. The Applicant noted the removal of a dwelling from being located within the noise contours as a positive effect. I agree.
58. Primarily the Applicant advised that the proposal enables the Christchurch-based operations to be consolidated into a single, purpose designed facility with associated efficiencies in terms of landholdings, staff interaction and enhanced customer services. I accept this as a positive effect.

Rural Amenity and Character

Visual Effects

59. These effects were assessed and discussed in the evidence of Mr Bentley for the Applicant and Mr Head for the Council. The Applicant accepted that the need to effectively mitigate potential effects on the rural landscape and associated rural character is the key effect in play in this application.
60. The exchanges that occurred between Applicant and Council following notification of this application evidenced the critical nature of this potential effect. In particular, the Applicant (following notification) made amendments to the proposal to ensure that the site layout, building design and landscape design received attention to ensure the proposal integrates within its immediate context.
61. As I read and understood the evidence there was agreement between the landscape experts, Mr Bentley and Mr Head regarding an appropriate assessment methodology as well as the effectiveness of the mitigation that now forms part of the application. In particular, applying that agreed methodology, Mr Bentley was of the view that the proposal will result in low adverse landscape and visual effects, moving to very low as the vegetation proposed matures. He concluded (and I understood Mr Head to agree) that the choice of these thresholds equates to a finding of a less than minor effect in RMA terminology, in respect of the tests associated with section 104D.

62. Essentially Mr Head was able to alter his earlier assessment of the proposal, accepting that the proposal will now create low visual effects, which will reduce over time to very low. This is because the Applicant amended the proposal to ensure that the materials of the main building will be in recessive colours, which allows the building to appear as a large farm building from some viewpoints, and that this will differentiate it from other nearby commercial and industrial operations.
63. The amended denser landscaping proposal will offset the building and commercial activities from SH73 and School Road. As the landscaping matures over time it will become more effective so that it will further reduce visual effects including any cumulative effects. As well Mr Head accepted that with these alterations the appearance of the proposal will be more sympathetic than the nearby Norwood's operation, with result that this proposal and the Norwood's operation will be visually separate.
64. Overall, I understood Mr Head to conclude that the proposal will be an acceptable fit in the Rural Urban Fringe setting. As well it was his expert view that most of the submitters concerns in terms of rural amenity issues and effects are addressed by the changes proposed. Mr Head proposed conditions in terms of landscaping, signage and building materials which the Applicant had largely accepted. Further discussion on condition details occurs below.
65. I agree with the evidence of Mr Head and for that matter Mr Bentley. In particular, I agree in terms of visual effects those effects on rural amenity and character will be no more than minor and consequently acceptable given the landscaping revisions.

Noise Acoustic Effects

66. Noise effects were addressed in the evidence of Ms Satory for the Applicant and Ms Kloosterman and Ms van der Erf for Council. Ms Satory concluded that the Activity will comply with the District Plan daytime standards. She also concluded that, in the unlikely event that heavy vehicles access the site during night-time, even if such activity breaches the district plan noise standards that the resulting noise levels remain below 45dB_Laeq at the notional boundary of all dwellings.
67. As well she noted these events are expected to occur infrequently and already there will be occasional night-time heavy vehicle noise in the area. It was her expert view that the acoustic effects will be minimal.
68. The Council experts agreed with the conclusion of the Applicant's acoustic assessment report that the adverse effects of noise will be minimal. The expert's findings rely on the provision and maintenance of acoustic fencing along the northern and eastern sides of the main works yard.
69. These fences were identified and shown on plans accompanying the original application. My attention was drawn to the fact that these fences are now shown on Annexure A of Ms Satory's evidence and have been added into the landscape plans attached to Mr Bentley's evidence. As well the Applicant offered an additional acoustic condition to ensure that the acoustic fencing I have referred to will be installed prior to the workshop being occupied for farm machinery with that fencing to be maintained thereafter.
70. Ms Satory responded to submitters concerns about noise. She identified the site that an anonymous submitter occupies, noting that the boundary and notional boundary of that property are some 100m and 200m respectively from the facility. She concluded that noise at that particular property is expected to comply with the district plan limits at all times

without a bund to the residential property on the corner of Hasketts Road and School Road. She concluded no further mitigation was required. I accept that expert view.

71. Ms Satory commented upon other submitters but in particular I note she comments upon the Ministry of Education and its neutral submission pointing out the Ministry supported the construction of the bund acoustic fence on the northern boundary. That acoustic fence will provide mitigation of noise for the school.
72. Taking these matters into account I agree with the acoustic assessments of the experts that the acoustic effects of the proposal will be less than minor.

Rural production-on-site and off-site

73. I agree with Ms Cottam assessment in terms of effects on rural production. I agree with her view that only a few activities could be established on the site due to its size. Those activities might include market gardens, intensive farming, small-scale farming and possibly renewable energy facilities. I accept the training and demonstration area where farm machinery will be demonstrated and where training will be provided on the use of the farming machinery, will be using the natural resource of the site being the soil. However, the training and demonstration activity is not the primary activity.
74. I agree that there will be some loss of rural production land. However, as already noted because of the size of the site and its proximity to other zones that circumstance already limits the range and scale of rural primary activities available. Essentially given the size of the site, the loss of the site to productive uses will be less than minor.
75. In terms of off-site effects, the proposal will have a positive effect as it is providing a service to rural production largely in the Canterbury area. An outcome of that service is likely to assist in achieving greater efficiency and creating higher outputs in terms of farming production and agricultural production. In this way the proposal will create a positive net effect to rural production.

Reverse sensitivity

76. I agree with Ms Cottam and Mr Clease that reverse sensitivity effects on existing rural activities are negligible given that none of the site neighbours are engaged in farming activities and reverse sensitivity concerns were not raised in submissions.
77. Mr Clease noted that the Applicant had engaged with CIAL over its concerns regarding the need to acoustically insulate those parts the building to be used for administration and training and to appropriately design the stormwater system to avoid attracting bird species that could give rise to increased risk of bird strike for aircraft. Both of those matters have in my view been adequately addressed in the conditions.
78. For these reasons I consider reverse sensitivity effects to be less than minor.

Construction phase dust management, soil contamination and servicing effects

79. I agree with Mr Clease that all of the above matters were addressed comprehensively within the application and none of these issues have given rise to any concern by Council officers.
80. Mr Clease noted that in relation to the three water services that will require consent from the Canterbury Regional Council. Those consents are of a technical nature and it was his view it was appropriate for the land use consent components of the proposal to be

considered separately. I agree.

81. As well I note there are advice notes associated with conditions drawing attention to the fact that separate consents from the Regional Council will be required.
82. In so far as the construction phase, in particular dust management, Council officers were of the view that standard practice erosion and sediment control measures would suffice. Such control measures would avoid any nuisance effects arising from construction works.
83. Overall, I consider the earthworks effects to be less than minor and acceptable and I agree that the servicing effects are also less than minor and I agree this land use consent can be considered and determined separately from the Regional Council consents.

Transport Effects

Onsite parking and Layout

84. Mr Smith for the Applicant, Mr Dore and Mr Brosnahan within the section 95 assessment addressed on-site parking and layout. The issue identified by Mr Brosnahan has been addressed by the Applicant by way of amending the landscaping plan to ensure heavy machinery can travel between proposed buildings and the training demonstration fields. It was noted that the heavy machinery may create maintenance issues for the car park but Mr Dore considered this was an internal maintenance issue which will not affect the transportation network. I agree. I accept that parking and layout creates less than minor effects.
85. Ms Cottam relied on Mr Brosnahan's section 95 report in relation to an assessment relating to queuing spaces and vehicle crossings. That report determined that the proposal has less than minor effects in relation to both of those issues. I accept the outcome of that report and agree that the proposal has less than minor effects in terms of queuing spaces and vehicle crossings.

Safety and efficiency of the road network

86. Mr Smith for the Applicant confirmed he was the author of the transportation assessment report dated 3 March 2021 included within the application. He also advised that he engaged directly with Waka Kotahi and he provided input into the Applicant section 92 responses.
87. Mr Smith detailed the site has frontage to SH73, Hasketts Road and School Road. He noted all road frontages are generally of rural character, with wide grass berms and no formed curb and channel.
88. Along the site frontage both Hasketts Road and School Road have a 50km/h speed limit whereas on SH73 the speed limit he advised had been recently reduced to 60km/h along that site frontage.
89. The site is proposed to have a vehicle access from SH73 and the other from Hasketts Road. The SH73 access will be the main site access and used by visitors and the office and retailing and servicing staff.
90. The Hasketts Road access will only be used by heavy commercial vehicles servicing the site and the maintenance team who will be using company utility vehicles. Courier vans and other small-scale deliveries will also use the main site access on SH73. For the avoidance of doubt no vehicle access is proposed from School Road to the site.

91. As to trip generation Mr Smith advised the site is expected to generate a total of 298 vehicle trips per day including service vehicles. He expected the morning commuter peak to be the busiest single hour with up to 93 vehicle trips expected per hour and the majority of traffic will arrive from the east accessing the site from SH73 access. Mr Brosnahan agreed that the effects from trip generation will be less than minor and acceptable. I accept the assessment of Mr Smith and Mr Brosnahan on trip generation effects.
92. The site will be serviced by a range of heavy commercial vehicles transporting machinery and parts. A comprehensive tracking assessment is presented in the TIR which demonstrates that heavy vehicles can access the site and manoeuvre within the site safely and efficiently. Mr Smith noted a key focus of the site design was to provide as much separation as possible between areas where heavy vehicles manoeuvre and more pedestrianised areas where there will be a presence of staff and visitors. It was his view that separating out access for heavy vehicles from the general public is an important aspect of the site design to ensure the safe and efficient operation of the site.
93. Mr Smith noted that to avoid trucks turning into Hasketts Road having to cross the centreline on Hasketts Road he proposed shifting the limit line on the Hasketts Road approach of the intersection back by approximately 1.5m. Localised intersection widening was proposed as well. He noted that this would likely require two power poles moved further back from the carriageway. He noted for me that this intersection upgrade and shoulder widening requirement was captured in conditions.
94. I note in its submission Waka Kotahi confirmed that the design of the access to SH73 was acceptable. However, it would also seek to have further involvement when the detailed design access arrangements are confirmed.
95. Usefully both Mr Smith and Mr Dore noted the need for a separate (and subsequent) process involving the road controlling authority (Council in the case of Hasketts and School Roads and Waka Kotahi for SH73). Both organisations will need to approve the detailed design and associated works within the road corridors that are necessary to form the new site entrances and undertake any associated refinements to the Hasketts/SK73 intersection. This subsequent process is provided for in conditions.
96. The proposal provides that no access is proposed along School Road. To this effect, the Applicant has agreed to remove the existing crossings (with a residential dwelling is to be removed) and prevent any further vehicle crossings from being created. I agree with Ms Cottam that this will minimise and/or mostly avoid heavy vehicles utilising School Road. I note the Applicant accepted a condition to this effect. Essentially the application has somewhat avoided the issue of utilising School Road by the design and location of site entry points.
97. Mr Dore expressed concern that there was not adequate width on SH73 to provide for right hand turns. He was also concerned in relation to the Hasketts Road proposed vehicle crossing and intersection. He recommended as well as the subsequent processes with the Road Controlling Authorities that a safety audit should be applied. This has been included in conditions.
98. Mr Dore expressed the view the consequence of the challenges presented by these intersection modifications was that School Road would likely be utilised to gain access to the Hasketts Road access point. Heavy vehicle traffic is required to use the Hasketts Road access. In discussion with him I understood his view to be that he was not troubled by heavy vehicles utilising School Road primarily because of their limited number. He did not consider heavy vehicles using School Road (given the presence of the School) would cause traffic

safety concerns.

99. I understood Mr Dore to have concerns relating to heavy vehicles utilising the Hasketts Road and SH73 intersections in terms of safety. He accepted that the number of heavy goods vehicle trips generated are low and the probability of a crash is low. However, he was concerned that the high-speed environment on SH73, particularly in relation to the Hasketts Road intersection, was such that it was likely that if a crash did occur it would result in a death or serious injury. It was his view the overall crash risk linked to the utilisation of those crossings was assessed as moderate. He noted that this traffic safety issue could be mitigated by physically widening the intersection of SH73/ Hasketts Road to allow for a right turn median. Another alternative was to allow heavy vehicles to utilise School Road during nonpeak hours.
100. The matter of utilising School Road developed further in discussions between the Applicant and Council in two options in conditions were proposed for me to consider. I address that matter below under the heading of Conditions.

Conditions

101. Because the conditions seek to avoid remedy or mitigate effects of the proposal on the environment it seems to me appropriate now to discuss conditions.
102. As is usually the case the conditions developed iteratively over time. The Applicant provided a draft set of conditions at the hearing. I raised a range of questions about those draft conditions, particularly in relation to certainty and enforceability.
103. At the conclusion of the hearing, it was agreed that parties to the hearing would circulate further draft conditions and meet and discuss them. The upshot of those discussions resulted largely in agreement between the Applicant and Council in relation to proposed conditions. However, there remained some minor points of difference.
104. I received the Applicant's right of reply accompanied by draft conditions on 10 June 2022. It seems discussions were still continuing between Applicant and Council on conditions as I received a memorandum from Ms Cottam dated 13 June 2022 accompanied by further draft conditions. Next on 23 June 2022 I received a further reply from the Applicant including a further set of draft conditions. I have taken all of these into account within the discussion below.
105. Those points of difference related to the head office component of the proposal and landscaping, particularly the issue of the height of trees that would be utilised from the outset for landscaping. The other issue was the control of heavy vehicles utilising School Road and intersection upgrades.
106. As to the head office issue addressed in condition 2, I prefer and so adopt the Council's condition wording. I think it important that for the head office activity to remain ancillary, it be restricted to a gross floor area of the building measured at the time of the grant of consent, as well as ensuring that the number of staff employed by the Applicant related to head office function shall not exceed 40% of the total staff count employed on the site. I had expressed reservation with the enforceability of the prior draft consent condition. I consider Council drafting better addresses that reservation than that of the Applicant.
107. The landscaping sequencing condition also received attention. By way of background the Applicant and Council both acknowledged that timing of implementation of landscaping was important so as to ensure that the built form of the proposal was adequately mitigated as

soon as possible.

108. Mr Head was of the opinion that the landscaping along SH73 and School Road be established as soon as possible, hence he recommended the exclusion of the first planting season requirement from the draft condition. However, the Applicant's (while acknowledging the benefits of the timely establishment of landscaping to help mitigate visual effects) is concerned with the practicality of successfully implementing Mr Head's proposed alternate landscape conditions.
109. The Applicant's preference was to continue to include reference to the first planting season for some elements of the landscaping sequencing. To a level when the Applicant expresses concerns with the technicality of implementing conditions that matter must be given some weight. It is a little unfortunate that the issue was not further developed at the hearing. In the end I have settled on a blend of the Council and Applicant condition on landscaping sequencing.
110. The next issue concerned the height of trees at the time of planting. Basically, the higher the trees are at the time of planting the more effective they will be in terms of providing screening from the outset. So, Council recommended a condition that those trees shall be 3m to 4m high at the time of planting.
111. The Applicant proposed an alternative approach reliant on the capacity of the root ball of the large and medium specimen trees. Effectively the Applicant appeared to be of the view provided the root ball of the large and medium specimen trees was between 25L and 45L then the trees would be of suitable height at the time of planting. However, Mr Head disagreed. His opinion was the height of the tree at the time of planting is more critical than root ball size.
112. The Applicant also noted that sourcing the requisite number of specimen trees at that height will be challenging. The Applicant further contended the successful establishment will also be challenging as this height, given the exposed nature of the site and absence of any reticulated irrigation infrastructure, might place the survival of those trees in jeopardy.
113. While I understand those concerns, again I come back to the position evidenced in the submissions in opposition. As well, the Applicant and Council were agreed that to mitigate effects (including visual effects of the built form of the proposal landscaping and landscaping that was affected) providing screening sooner rather than later was important. The survival of the trees and any landscaping is a matter for Applicant to address. So, I conclude that the Council condition related to tree height is to be preferred. This condition also, to a level, addresses submitter rural amenity concerns.
114. As to condition 34 the memorandum of Rachel Cottam dated 13 June 2022 informs me the Council and Applicant have agreed to changes in the wording of condition 34. That condition relates to the shoulder widening works at Hasketts Road.
115. The next matter relates to proposed condition 36, which deals with entrance and exit of heavy vehicles to the site being restricted to the Hasketts Road/SH73 intersection. The condition as drafted noted the purpose of the condition is to prevent trucks (which I take to mean heavy vehicles) from travelling along School Road.
116. In the Council's response on conditions the council transport engineer Mr Dore expressed the opinion that the safety risk of development generated traffic (which I took to mean heavy vehicles) travelling along School Road is minor compared to the risk of generated traffic travelling through the intersection of SH73 and Hasketts Road.

117. So Council's transport engineer developed a condition requiring the Applicant to avoid utilising School Road where possible, recommending that heavy vehicles be excluded from utilising School Road during the hours of 8:30am to 9am and 14.45pm to 15.15pm, Monday to Friday. The time limitation on the use of School Road coincides with the usual arrival and departure of pupils to and from the Yaldhurst Model School.
118. The Applicant in the additional right of reply did not specifically address this condition. However, I note in their further and additional right of reply the Applicant expressed a preference for the condition wording as provided in the first right of reply. That condition wording did not include the additional refinements I have referred to above proposed by Council's transport engineer Mr Dore.
119. I note that Mr Smith (the traffic expert for the Applicant) did not hold the same concerns as Mr Dore relating to the safety and utilising the SH73/Hasketts Road intersection for heavy vehicles. As well I note that the transport traffic conditions require a traffic safety audit report to be undertaken by a suitably qualified independent traffic engineer. That traffic safety audit will need consider the safety of the SH73/Hasketts Road intersection for use by heavy vehicles, taking into account the proposed intersection works the Applicant intends to undertake.
120. Reading the submissions from those in opposition rural amenity and character are highly prized by those who live nearby the site. So, the Applicant proposes to restrict heavy vehicle entrance and exit to the site via the Hasketts Road/SH73 intersection. The drafting of the condition notes that the purpose of the condition is to prevent trucks (which I take to be heavy vehicles) from travelling along School Road. This is an Applicant promoted condition.
121. As well if I were to include Mr Dore's refined condition allowing use of School Road but excluding that use during certain hours of the day that proposed condition creates uncertainty in the overall condition set relating to site access.
122. For these reasons I prefer the Applicant's proposed condition relating to all heavy vehicles being restricted to leave and or into the site via the Hasketts Road/SH73 intersection. In addition, if there are safety concerns, I am trusting that the intended traffic safety audit report would identify such concerns requiring the Applicant to ameliorate such concerns.

Conclusions on Effects

123. In conclusion as to effects, there was common ground between the Applicant's experts and Council officers that the offered mitigation, combined with the agreed comprehensive suite of conditions, means that the proposal will not give rise to any environmental effects that would exceed a less than minor threshold. There was also agreement that the proposal will result in a range of positive effects.
124. Having carefully considered the matters raised in Mr Brian Mortimer's hearing presentation and having particularly read and considered the submissions in opposition, while no doubt the matters raised therein are of genuine concern to the residents, I consider the conditions and mitigation measures advanced adequately provide for and address those concerns.
125. The changes made to the application by the Applicant since the notification decision and submission have, in my view, reduced the effects of the application to no more than minor for the short term, and those effects will reduce further to less than minor once the proposed vegetation is established and mature. I agree that most of the adverse effects previously identified have been resolved or are able to be mitigated so that I consider that the effects are appropriate, no more than minor and are acceptable. This is particularly so taking into

account the conditions as discussed above.

OBJECTIVES AND POLICIES

126. Mr Clease in his evidence recorded that he and Ms Cottam were largely in agreement regarding the alignment of the proposal against the District Plan policy framework. I also understood that to be so.
127. Mr Clease in his evidence referred me to section 8.1 of the application which I had earlier read and considered. The section includes a comprehensive assessment of the proposal against the relevant objectives and policies. I noted that this assessment was further developed in the Planz letter dated 18 Fairbury 2022, which was attached to the section 42 a report along with the Applicant's feedback regarding staffing numbers.
128. I note Ms Cottam agrees with the Applicant's assessment of the proposal against Chapter 3 strategic objectives as set out in the un-amended application.
129. Ms Cottam referred me to Chapter 17 Rural Objectives and Policies, noting that the Rural Chapter contains one objective, being Objective 17.2.1.1. Broadly expressed the objective seeks in terms of use and development of rural land an outcome that supports, maintains and where appropriate enhances the function, character and amenity values of the rural environment and in particular the potential contribution of rural productive activities to the economy and well-being of the Christchurch District. The use and development is also required to avoid significant effects and remedy or mitigate other reverse sensitivity effects on rural productive activities.
130. With that objective in mind she identified for me the most relevant policies for this proposal as being policies 17.2.2.1, 17.2.2.2 and 17.2.2.5.
131. In relation to Policy 17.2.2.1, Ms Cottam considered that the retailing, training, warehousing and servicing elements of the proposal are enabled by that policy because they have a direct relationship with and are dependent on rural productive activities. She noted the proposal provides an essential service to farming agriculture in the Canterbury region. This was the same conclusion that the Applicant had reached in relation to that policy.
132. However, Miss Cotham was of the view that she did not consider that there is a relationship of dependency on the rural resource because the activity is primarily related with agriculture and horticulture off-site and not this piece of land or other resources on it. I am not sure I agree that the words rural resource (as they appear within policy 17.2.2.1) need be given such a limited interpretation to relate it to the subject site. Nevertheless, even when Ms Cottam applies this interpretation, she still concludes that policy is at least partially satisfied. I agree with that outcome.
133. A point of difference related to the head office component of the wider activity arose when considering Policy 17.2.2.1. Ms Cottam applied an approach where she separated out this head office component and assessed it separately against the policy framework. Mr Clease was critical of this approach, noting this was an unnecessarily fine-grained approach to take, especially as Ms Cottam agreed that this part of the activity occupies a relatively small area of the land (that is 5% of the building plus some additional car parks).
134. On the other hand, Mr Clease submitted that the appropriate approach to take was to accept that the head office component is clearly ancillary to the overall operation. He referred me to the definition of ancillary in the District Plan as having its ordinary dictionary meaning except that it excludes any activity or any part of an activity carried out on another site. He

noted the Collins Dictionary defines it simply as something that is a 'subsidiary or auxiliary thing or person'. As a guide, and accepting that this is a different zone, he noted the industrial general zone provisions regard any office activities that makes up less than 500m² or 30% of the gross floor area of all buildings on the site as being ancillary (Rule 16.4.1.1 (P14)).

135. Mr Clease was of the view that it was simply unnecessary to artificially separately analyse this discrete element of the overall Activity. He accepted it would be different were the head office administration to be the predominant activity on the site, or alternatively whether it be of a significant scale such as a major corporate headquarters. He noted that neither of the scenarios was the case here. He observed the existing head office function is currently co-located with the repair and parts storage operation on the existing Applicant's site at the airport precinct. The Applicant was simply seeking to retain this integration with the balance of the firm's rural facing operations at the proposed new location.
136. In any event Mr Clease noted Ms Cottam ultimately came to a similar conclusion whereby she finds that the inclusion of the head/regional office does not materially impact on how the site would be laid out. She likewise concludes that a strategic need to be located in the rural zone is present for the activity as a whole. Furthermore, Ms Cottam noted the site provides a convenient and accessible location for rural productive activities to utilise the majority of the proposed activities. She considered it is logical for a head office, which assists in the running of the company, to be located on site and other South island locations to be situated within the site, alongside the servicing and sale functions of the activity. Further she noted that while the head office activity could be performed in other zones, this location is more of a strategic, coordinated and efficient option for this business as a whole, as demonstrated by the Applicant.
137. As well with the condition relating to the head office component of the proposal in place, I am satisfied any reservations Ms Cottam raised in relation to the head office component of the proposal and how well or not that component sits with the policy framework is appropriately addressed.
138. Ms Cottam considered the proposal represents an efficient use of natural resources under Policy 17.2.2.1 a. v. While acknowledging the proposal results in a loss of rural productive land on the site, she acknowledges that it promotes productive uses of rural land elsewhere. I agree with that.
139. Ms Cottam also fully addressed Policy 17.2.2.5 a in her report. She considers the proposal was consistent with that policy because a strategic need is present for the activity as a whole. I agree with that interpretive assessment of policy 17.2.2.5.
140. In terms of policy 17.2.2.5 a.iii I agree with Ms Cottam the proposal is providing a service to rural productive activities rather than causing any reverse sensitivity effects. The proposal is providing benefits to these are rural activities. As well reverse sensitivity effects have been assessed and are considered to be less than minor and appropriate. Again, I agree with this interpretive approach of that policy.
141. I also accept that while the proposal is not readily related to the rural resource where the words 'rural resource' are interpreted as being the piece of rural land itself assuming a restrictive interpretation is taken, it is nevertheless directly related to rural productive activities across the region. I accept Ms Cottam's opinion that the activity will not increase the amount of non-rural activities in the surrounding environment. It is unlikely that consenting this proposal would create a rapid increase of agricultural machinery supply and servicing businesses in the surrounding environment. Therefore I agree with Ms Cottam's

conclusion that the proposal does not create an inconsistency with Policy 17.2.2.5a.iv.

142. In terms of Policy 17.2.2.5.a.v I agree with Ms Cottam's assessment of that policy that any rural character and amenity value effects are considered to be no more than minor at most and are acceptable as determined above.
143. Ms Cottam at her paragraph 86 considers the proposal against Policy 17.2.2.3.b.i-iv, 17.2.2.3.c and 17.2.2.4. She considers the proposal to be consistent with those policies for the reasons she advances in paragraph. I agree.
144. Ms Cottam's overall conclusion of her consideration of the relevant objectives and policies in Chapter 17 is to the effect that she considers Policy 17.2.2.1 enables a large component of the activity and that the establishment of the regional/national office activity itself is not precluded by Policy 17.2.2.5 or any other policy in the plan as there is a strategic need to establish the core business activity in the rural environment. She is of a view that there are some tensions with these policies. However, overall, she considers the proposal to be generally consistent with the objectives and policies of chapter 17. I agree
145. So, notwithstanding the different pathway adopted by the two planners they ultimately came to a similar overall conclusion, in that they are in agreement regarding the proposal's overall consistency with the district planning policy framework.
146. Ms Cottam also considers in her report transportation objectives and policies found at Chapter 7, earthworks at Chapter 8. Her reasoning for her opinion that the application is consistent with relevant transport objectives and policies is that the proposal maintains the routes for all transport modes, and cycle or public transport routes are not located in this area and accordingly are not affected by the proposal, the proposal is supporting safe and efficient operations of the transport network particularly when regard is had to conditions, there is sufficient space in the roading network for utility services, the development avoids significant adverse transport effects and finally the parking and loading spaces will provide for the expected needs are of the Activity and is accessible for those we are there mobility is restricted. I accept that assessment.
147. Concluding the assessment of the application against the relevant objectives and policies of the district plan I agree that there are some tensions with Policy 17.2.2.1 however the proposal is consistent with Policy 17.2.2.5. In my view overall I consider the proposal is consistent with the applicable as identified above objectives and policies of the District Plan.

THRESHOLD TESTS

148. Given my findings on effects on my assessment of the proposal against the relevant objectives and policies of the plan I conclude that the application satisfies both tests, namely that the adverse effects on the environment will be no more than minor and secondly that the application is not contrary to the objectives and policies of the plan.

OTHER RELEVANT STATUTORY DOCUMENTS

149. Ms Cottam referred me to the Canterbury Regional Policy Statement (**CRPS**) and the National Policy Statement for Urban Development (**NPS-UD**). She pointed out that this application would fall under the definition of a rural activity described in section 5 of the CRPS, as a business that supports rural land use activities. However, she was of the view no further assessment is required because she was satisfied that the District Plan has given effect to the CRPS. Essentially it was her view because she considered the proposal is consistent with

the District Plan and because the District Plan is consistent with the CRPS no further attention on the CRPS is required. Mr Cleese agreed with that approach. I too accept that approach.

150. Ms Cottam also considered the NPS-UD (which came into effect on 20 August 2020) was also relevant. She noted that Council had recently amended the District Plan to give effect to the NPS-UD. She noted the District Plan had been amended to no longer require car parking however she considered this element was not relevant as car parking is proposed in this application. She considered the proposal to be consistent with the NPS-UD to the extent it was relevant. I accept that view.
151. Finally, in relation to other relevant statutory documents she noted the District Plan had recently been reviewed and consequently gives effect to the higher order planning documents. Accordingly said there is no need to address them specifically. I accept her advice.

PRECEDENT EFFECT/PLAN INTEGRITY

152. For the sake of completeness I note that given the finding the proposal is not contrary to the objectives and policies I am satisfied that the issue of precedent of plan integrity does not arise. Accordingly I consider that granting consent this application is unlikely to give rise to any significant precedent effect that would challenge the integrity of the district plan.

PART 2

153. The District Plan is the mechanism by which the purpose in principles of the Act are given effect to in the Christchurch District. Given the District Plan is relatively recent and given it was competently prepared following an independent hearing and decision making process I am confident it appropriately reflects the provisions of Part 2. Accordingly no further assessment against Part 2 as considered necessary.

CONCLUSION

154. Given my findings on the actual and potential effects on the environment of allowing this application namely that those effects are at most no more than minor and will reduce to less than minor overtime I consider the proposal acceptable.
155. Furthermore, in my view the proposal is generally consistent with the objectives and policies of the District Plan.
156. I reach the conclusion then that the proposal satisfies both of the threshold tests of section 104D. I recognise I have a discretion to exercise as to whether or not to grant consent.
157. In exercising that discretion I consider granting consent to the proposal supports Part 2 of the Act and having considered section 104, 104 a, 104B and 104D is my opinion that the consent can be granted subject to conditions. Accordingly I grant consent to this application pursuant to those sections and section 108 of the Act subject to the attached conditions.

CONDITIONS

General

1. Except where varied by the conditions of this consent, the development shall proceed in accordance with the information and plans submitted with the application, including the further information/amended plans submitted. The Approved Consent Document shall be entered into Council Records as RMA/2021/589 (65 Pages).
2. For the avoidance of doubt the "Admin Support and Training" activity (which includes the office space for the development but excludes the service academy area) shall remain ancillary to the overall activity and shall not exceed 20% of the consented gross floor area of buildings on the site and staff related to head office functions shall not exceed 40% of the total proposed staff numbers detailed in the application as being 89 staff.
3. Products sold from the site shall only be farm machinery, associated parts, product and equipment.

Construction Methodology

4. All earthworks shall be carried out in accordance with a site specific Erosion and Sediment Control Plan (**ESCP**), prepared by a suitably qualified and experienced professional, which follows the best practice principles, techniques, inspections and monitoring for erosion and sediment control contained in Environment Canterbury's Erosion and Sediment Control Toolbox for Canterbury <http://esc.canterbury.co.nz/>. The ESCP must be held on site at all times and made available to the Council on request. The ESCP shall be prepared and implemented prior to any earthworks activities occurring on the site and may be undertaken in stages.
5. The consent holder must notify Christchurch City Council no less than three working days prior to works commencing, (via email to rcmon@ccc.govt.nz) of the earthworks start date and the name and contact details of the site supervisor. The consent holder shall at this time also provide confirmation of the installation of ESCP measures as per the plan referred to in Condition 4 above.
6. Run-off from the site must be controlled to prevent muddy water flowing, or earth slipping, onto neighbouring properties, legal road (including kerb and channel), or into a river, stream, drain or wetland. Sediment, earth or debris must not fall or collect on land beyond the site or enter the Council's stormwater system. All muddy water must be treated, using at a minimum the erosion and sediment control measures detailed in the site-specific Erosion and Sediment Control Plan, prior to discharge to the Council's stormwater system.

Advice Note:

For the purpose of this condition muddy water is defined as water with a total suspended solid (TSS) content greater than 50mg/L.

7. The ESCP measures shall be maintained over the period of the construction phase, until the site is stabilised (i.e. no longer producing dust or water-borne sediment). The ESCP shall be improved if initial and/or standard measures are found to be inadequate. All disturbed surfaces shall be adequately topsoiled and vegetated or otherwise stabilised as soon as possible to limit sediment mobilisation.

8. Dust emissions shall be appropriately managed within the boundary of the property/site in compliance with the Regional Air Plan. Dust mitigation measures such as water carts, sprinklers or polymers shall be used on any exposed areas. The roads to and from the site, and the site entrance and exit, must remain tidy and free of dust and dirt at all times.
9. All loading and unloading of trucks with excavation, construction or fill material shall be carried out within the subject site.
10. Any surplus or unsuitable material from the project works shall be removed from site and disposed at a facility authorised to receive such material.
11. Any public road, shared access, footpath, landscaped area or service structure that has been damaged, by any person involved with construction works on the site or vehicles and machinery used in relation to the works under this consent, shall be reinstated by the consent holder as specified in the [Construction Standard Specifications](#) (CSS) at the expense of the consent holder and to the satisfaction of the Council.
12. All works on site shall be subject to a Traffic Management Plan (TMP) which must be prepared by a suitably qualified and experienced person and submitted for acceptance prior to the commencement of any earthwork and/or construction works. No works are to commence until the TMP has been accepted by the Council and any relevant traffic management measures installed by the consent holder or its agents.
13. The TMP shall identify the nature and extent of temporary traffic management and how all road users will be managed by the use of temporary traffic management measures. It shall also identify the provision of on-site parking for construction staff. Activities on any public road should be planned so as to cause as little disruption, peak traffic safety delay or inconvenience to road users as possible without compromising safety. The TMP must comply with the Waka Kotahi NZTA Code of Practice for Temporary Traffic Management (CoPTTM) and the relevant Road Controlling Authority's Local Operating Procedures.
14. The TMP shall be submitted to the relevant Road Controlling Authority through the web portal www.myworksites.co.nz). To submit a TMP a Corridor Access Request (CAR) must also be submitted. A copy of the accepted TMP and CAR shall be supplied to the Council's resource consent monitoring team (via email to rcmon@ccc.govt.nz) at least 3 working days prior to the commencement of works under this consent.

Advice Note:

Please refer to <https://ccc.govt.nz/transport/legal-road/traffic-management-news-and-information> for more information.

15. Any change in site ground levels shall not cause a water ponding or water drainage nuisance to neighbouring properties. Any filled land shall be shaped to fall to the relevant road boundary. Any existing drainage paths from neighbouring properties shall be maintained.
16. Any change in site ground levels shall not affect the stability of the ground or fences on neighbouring properties.
17. All filling exceeding 300mm above excavation level shall be in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development. At the completion of the work an Earth Fill report including a duly completed certificate in the form of Appendix A of NZS 4431 shall be submitted to the Council at rcmon@ccc.govt.nz so that the information can be placed on the property record. This report shall detail depths,

materials, compaction test results and include as-built plans showing the location and finished surface level of the fill.

18. Stockpiles of earth and exposed fields shall be planted with grass or vegetation.

Advice Note:

It is the consent holder's responsibility to ensure that the activity, including where carried out by contractors on their behalf, complies with the below Christchurch District Plan standard - failure to do so may result in enforcement action and the need for additional land-use consent:

Rule 6.1.6.1.1 P2 - All earthworks related construction activities shall meet relevant noise limits in Tables 2 and 3 of [NZS 6803:1999 Acoustics - Construction Noise](#), when measured and assessed in accordance with that standard.

Rule 8.9.2.1 P1 Activity Standard f. - [Earthworks](#) involving mechanical equipment, other than in residential zones, shall not occur outside the hours of 07:00 and 22:00 except where compliant with [NZS 6803:1999](#). Between the hours of 07:00 and 22:00 the noise standards in Chapter 6 Rule [6.1.5.2](#) apply except where [NZS 6803:1999](#) is complied with, and the light spill standards in Chapter 6 Rule [6.3.6](#) apply.

Acoustic Design

19. The office and indoor training areas shall be insulated from aircraft noise and designed and constructed to comply with the following indoor sound levels - 65 dB LAE /40 dB Ldn.
20. The consent holder shall submit (via rcmon@ccc.govt.nz) a design report (as part of the building consent application for the construction of the buildings on the site). Following construction, and prior to occupation, the consent holder shall submit (via rcmon@ccc.govt.nz) a design certificate (to confirm the building meets the requirements of Rule 6.1.7.2.2.ii.A of the District Plan).
21. No work shall be undertaken between 10pm and 7am except within the workshop area with the roller doors closed.
22. The acoustic fencing shown on 'Boffa Miskell drawing Revision 3, Figure 1, and dated 12 May 2022', shall be installed prior to the workshop being utilised for the proposal's activities. The fencing shall be maintained thereafter to ensure its acoustic performance is retained as intended by this consent.

Landscaping

23. The proposed landscaping shall be established in accordance with the Landscape Plan (Boffa Miskell drawings 12 May 2022 'Revision 3' (Figure 01 – 04)) labelled RMA/2021/589 Pages 62-65 of the Approved Consent Document.
24. The following landscaping areas shall be established at the timings as determined by site works and building works as below:
 - (a) All planting (except cross section B) along the site boundary of SH73 immediately after the overall site scrape.
 - (b) Cross section B shall be at least half formed immediately after the overall site scrape.

- (c) Native shelter belt as shown on (Boffa Miskell drawings 12 May 2022 'Revision 3' (Figure 2)) immediately after the construction of the acoustic bund and fencing and demolition of the existing dwelling (33 School Road) onsite.
 - (d) The remainder of landscaping shall be established within the first planting season (extending from 1 April to 30 September) following the final, passed building inspection.
25. The 'large and medium specimen trees' identified on the Boffa Miskell landscape plan Revision 3, Figure 2, dated 12 May 2022' shall be 3m-4m high at the time of planting.

Advice Note:

The trees shall be planted with a root ball of between 25L and 45L depending on nursery availability at the time of purchase.

26. The minimum height of the Low Bushy Shrub and Tall Bushy Shrub species specified in the Landscape Plan (Boffa Miskell drawings 12 May 2022 'Revision 3' (Figure 01 – 04)) shall be allowed to grow to at least 1.2m high, including when undertaking maintenance and clipping.
27. All other plant species from the Specimen Trees and Native Shelter belt lists shall be allowed to grow to their natural form and height.
28. All landscaping required for this consent shall be maintained by the consent holder. Any dead, diseased, or damaged landscaping shall be replaced by the consent holder as soon as practicable but no later than within the following planting season (extending from 1 April to 30 September) with trees/shrubs of similar species to the existing landscaping.

Architecture, display and signage

29. The design of the warehouse building shall be in accordance with the Shepherd and Rout drawings dated 17 March 2022 (Approved Consent Document Pages 57-61).
30. The pylon sign shall have a maximum height of 5m and the display area shall be no larger than 4.7m by 1.4m.
31. The outdoor display of any products shall not extend beyond the area denoted as 'Display Area' on the Boffa Miskell Updated Landscape Plan – Figure 01 (Approved Consent Document Page 62).
32. Other than the advertising shown on the building and the pylon sign in the Shepherd and Rout elevations – Sheet RC03 (Approved Consent Document Page 59), there will be no other advertising.

Transport

33. The consent holder shall submit the following documents for acceptance prior to commencing works/construction onsite:
- (a) Traffic Safety Audit Report undertaken by a suitable qualified and experienced independent traffic engineer , including reporting on the operational traffic safety of the applicants SH73/Hasketts Road intersection upgrades and the SH73 access; and
 - (b) Engineering Design Plans and documentation for the required works in legal road.

34. The reports and plans shall be submitted for formal acceptance Christchurch City Council's Subdivision Engineer (via email to rcmon@ccc.govt.nz).
35. All plans and reports shall be undertaken in accordance with the Christchurch City Council Construction Standard Specifications and Infrastructure Design Standards.

Advice Note:

This is in terms of minor kerb widening Hasketts Road, minor intersections works on the Hasketts Road/SH73 intersection and construction of a vehicle access on SH73.

The Applicant will be required to submit a corridor access request to council before work commences in the road. New or extensions to vehicle crossings require application to Council prior to construction <https://ccc.govt.nz/transport/legal-road/vehiclecrossing>. The vehicle crossing onto the highway may require a piped crossing.

36. The shoulder widening works at the Hasketts Road is to be undertaken prior to the final passed building consent inspection of the main building. The shoulder widening and associated formation shall be integrated with the existing formation of the Hasketts Road and SH73 intersection.

Advice Note:

This is ensure the formation of the intersection and shoulder widening is consistent. The shoulder widening and intersection changes are detailed in section 5.4 of the Abley Transport Report.

37. Prior to the development being operational the consent holder shall prepare and implement a communications plan in order to inform customers, employees and contractors undertaking deliveries to the site of access arrangements for the site. This information shall be updated as required and then recirculated to those accessing the site and a current copy will be included on the consent holder's website.
38. All heavy vehicles traffic shall leave or enter the site via Hasketts Road/SH73 intersection. For the avoidance of doubt, the purpose of this condition is to prevent trucks from travelling along School Road.

Servicing

39. Prior to any works taking place on the site, the consent holder shall provide to Council written evidence demonstrating that the extraction of water, discharge of water to ground (constructional and operational) and discharge of wastewater is consented and lawful.

Advice Note:

Consents are to be obtained from Environment Canterbury.

40. All concentrated stormwater or collected groundwater (including from roofs, sealed areas and structures on the site) shall be discharged in a controlled manner. No stormwater from the site will be directed to either neighbouring properties or adjoining roads.

Advice Note:

The development has demonstrated it will comply with SNZ PAS 4509:2008, New Zealand Fire Service Firefighting Water Supplies Code of Practice.

Bird strike

41. Bird hazard risks to aircraft shall be minimised as much as is reasonably practicable through the design and operation of any stormwater system. Stormwater shall not be disposed of via any above ground basins or similar system, which would have potential to attract birdlife and shall be designed to comply with rule 6.7.4.3.1 (P3) of the Christchurch District Plan.

Paul Rogers



Commissioner

22 July 2021