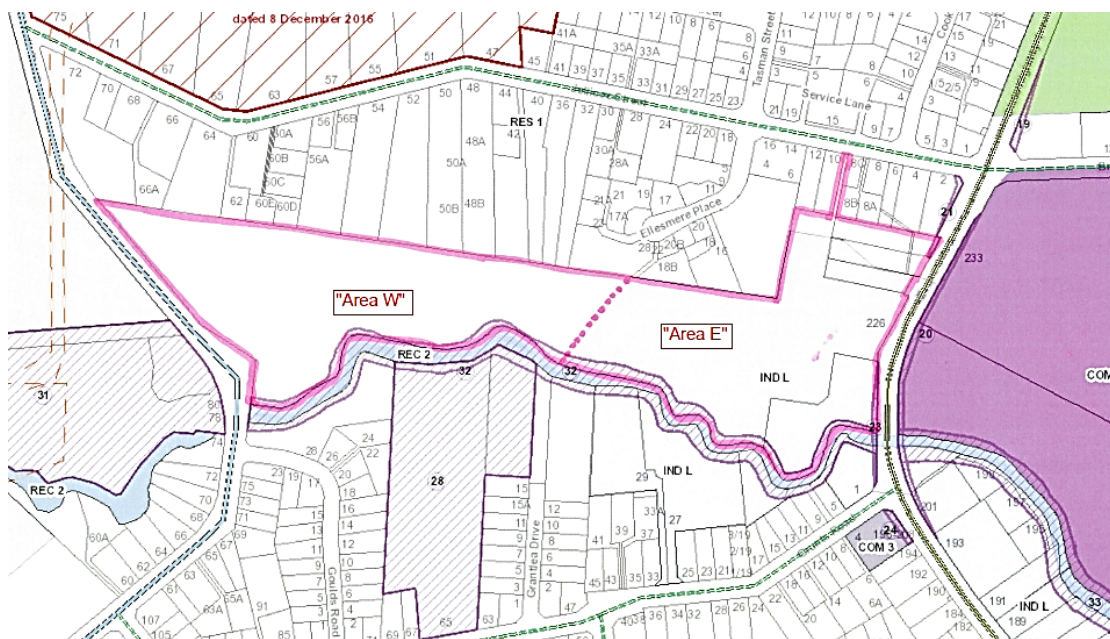


## SUBMISSION BY HARVEY NORMAN PROPERTIES (N.Z.) LIMITED ON THE DRAFT GROWTH MANAGEMENT STRATEGY

### 1.0. INTRODUCTION

- 1.1. This submission on the Timaru District 2045 – Draft Growth Management Strategy ("DGMS") is made on behalf of Harvey Norman Properties (N.Z.) Limited ("Harvey Norman").
- 1.2. Harvey Norman is the proprietor of a significant landholding at 226 Evans Street ("the Site"). The Site measures almost 9ha and comprises several allotments as identified in **Attachment 1**.
- 1.3. The Site presently has a split zoning arrangement under the Operative District Plan. The eastern "half" of the Site is predominantly zoned Industrial L. The western "half" of the Site is zoned Residential 1. For ease of reference, the two halves are referred to in this submission as "Area E" (eastern half) and "Area W" (western half) – refer image below.



- 1.4. "Area E" is presently occupied by several retail and commercial activities, including the Harvey Norman store and PGG Wrightson's premises, amongst others. This part of the Site is currently zoned Industrial L, except for a small area of Residential 1 zone near Jellicoe Street.
- 1.5. "Area W" is undeveloped and currently leased for grazing.
- 1.6. In February 2017, Harvey Norman provided feedback on the District Plan Review and requested the following zone changes to its landholding:
  - a) To re-zone "Area E" for commercial activities.
  - b) To re-zone "Area W" for light industrial activities.
- 1.7. A copy of that submission is included as **Attachment 2**.

## **2.0. CONTEXT OF THE GROWTH MANAGEMENT STRATEGY**

- 2.1. The purpose of the Growth Management Strategy is to provide direction on the nature and location of growth within the District. Its main role, as acknowledged in Part A of the DGMS, will be to inform the District Plan Review process.
- 2.2. The DGMS acknowledges that, importantly, the rate of growth identified for Timaru is not significant, both relative to New Zealand but also in terms of the District's current population.
- 2.3. In terms of its forecast for different land uses, the DGMS concludes, that:
  - a) There is sufficient residential land to provide for the projected residential growth over the next 30 years.
  - b) That no additional commercial land will be required over the next 30 years.
  - c) That no additional industrial land is required in the short to medium term given the extent of vacant and available industrial land for both light and heavy industry uses.
- 2.4. These projections reflect the reality of low, or negative, population growth faced by many provincial towns and settlements throughout New Zealand. Harvey Norman recognises this trend and generally supports the DGMS's strategy of maintaining and consolidating existing centres, residential and employment areas, instead of creating new ones. As will be explained below, Harvey Norman considers that its rezoning requests are consistent with this strategy.

### 3.0. THE SUBMISSION

- 3.1. In line with its submission on the District Plan Review, Harvey Norman seeks that its rezoning requests be also recognised in the Growth Management Strategy.

#### Area E

- 3.2. The existing retail and commercial activities in “Area E” were established following the granting of resource consents in 2003 and 2005.
- 3.3. In July 2015, Timaru District Council granted a further resource consent to expand retail and commercial spaces within “Area E” from 3,300m<sup>2</sup> to 6,550m<sup>2</sup>. A copy of that resource consent is included as **Attachment 3**. The consent holder has until 2 July 2025 to give effect to that consent.
- 3.4. The land use character of “Area E” has, over time, become “incompatible” with its underlying Industry zone. “Area E” is, for all intents and purposes, a commercial and large format retail precinct, and is likely to remain so indefinitely. It is therefore logical that the District Plan Review should re-zone “Area E” to a commercial zone to reflect its existing and consented uses.
- 3.5. A commercial zoning will better facilitate the ongoing operation and evolution of existing and consented activities. This, in turn, is consistent with the broader strategy of maintaining and consolidating existing business and employment areas.

#### Area W

- 3.6. “Area W” possesses unfavourable characteristics and constraints which make residential development both inappropriate and undesirable. These include:
- a) Much of the eastern part of “Area W” is within the 1 in 200-year flood zone of the Taitarakihi Creek.
  - b) It is situated on a south-facing slope, with compromised sunlight access, making it unsuitable for residential development purposes.
- 3.7. Harvey Norman considers that the characteristics of “Area W” makes it more suited to light industrial uses such as transport depot, warehousing, storage and lock up activities. These activities are less sensitive to the site’s development constraints.
- 3.8. “Area W” has direct access onto Old North Road, which means that trucks and other vehicles do not need to navigate through residential streets in order


to gain access onto an arterial road. This characteristic also makes "Area W" well-suited to non-residential activities.

- 3.9. The current residential zoning is very limiting in terms of the type of non-residential activities that could take place within "Area W". Consequently, alternative land uses have not been explored. This has resulted in the ongoing underutilisation of the land. The status quo is clearly undesirable and needs to be addressed by the DGMS and the District Plan Review.
- 3.10. For the above reasons, Harvey Norman requests that "Area W" be re-zoned as a light industrial zone to facilitate the efficient and productive use of this land resource.
- 3.11. It is noted that the rezoning of "Area W" to industrial does not result in a net increase in the District's industrial land supply; it merely makes up for the loss of "Area E" to a commercial zone.

Harvey Norman wishes to be heard in respect of its submission.

Harvey Norman also welcomes the opportunity to discuss its concerns with the relevant Council staff through more informal means.

Please do not hesitate to contact the writer to discuss or clarify any matter.



---

Daniel Shao

Date: 15 May 2017

On behalf of Harvey Norman Properties (N.Z.) Limited

**Address for Service:** Harvey Norman Properties (N.Z.) Limited  
C/- Haines Planning Consultants Limited  
PO Box 90842  
Victoria Street West  
AUCKLAND 1142

Attention: Daniel Shao

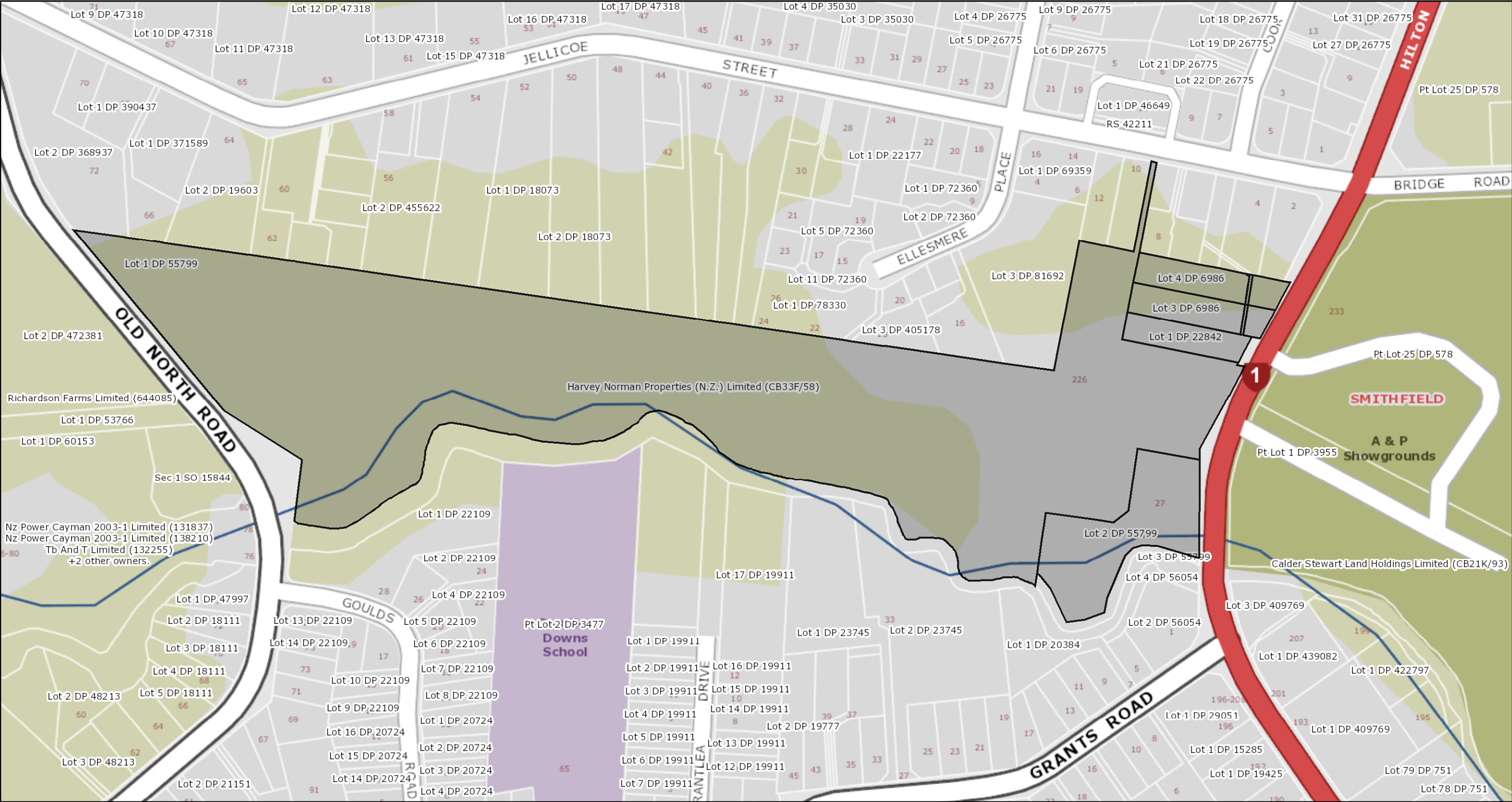
Telephone: (09) 360 1182

Facsimile: (09) 360 0182

Email: [daniel.shao@hainesplanning.co.nz](mailto:daniel.shao@hainesplanning.co.nz)



# Harvey Norman Timaru Properties



February 9, 2017

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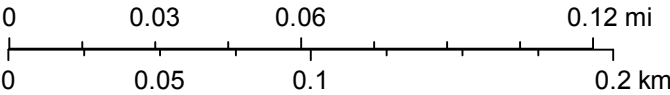


Override 1

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1:2,500





9 February 2017

Timaru District Council  
2 King George Place  
TIMARU 7910

Email: [kylie.galbraith@timdc.govt.nz](mailto:kylie.galbraith@timdc.govt.nz)

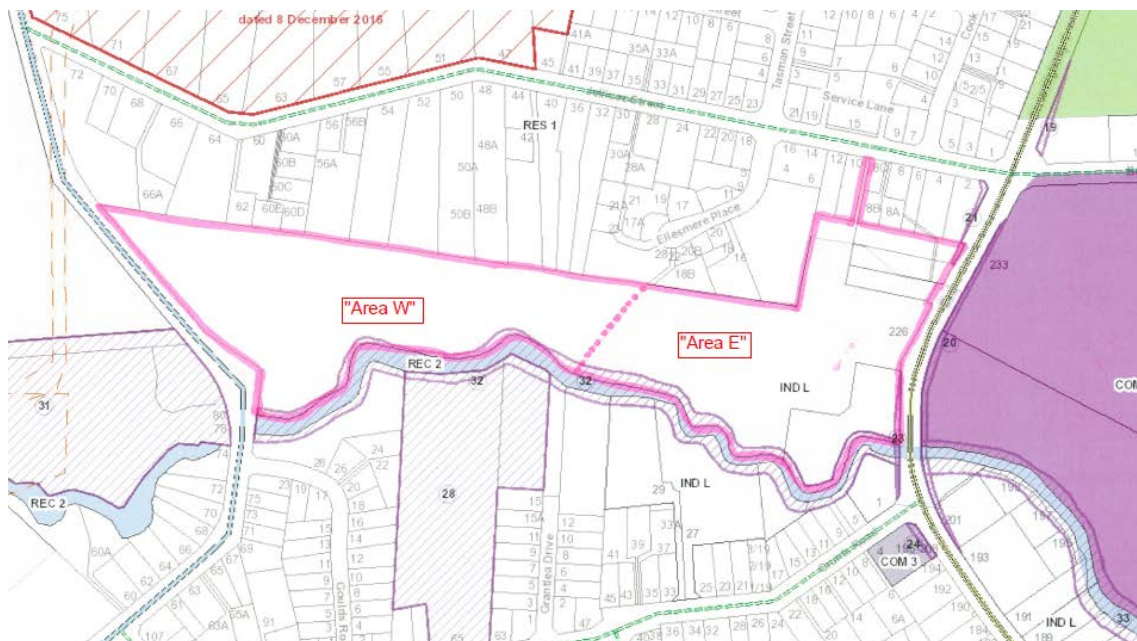
Dear Kylie,

**Re: Submission by Harvey Norman on the Timaru District Plan Review**

On behalf of Harvey Norman Properties (N.Z.) Limited ("*Harvey Norman*"), we make this submission on the Timaru District Plan Review ("*DP Review*").

Harvey Norman is the proprietor of a significant landholding at 226 Evans Street ("*the Site*"). The Site measures 8.9984ha and comprises several allotments as identified in **Attachment 1**.

The Site presently has a split zoning arrangement under the Operative District Plan. The eastern "half" of the Site is predominantly zoned Industrial L (identified below as "*Area E*"). The western "half" of the Site is zoned Residential 1 (identified below as "*Area W*").



Level 12, 17 Albert Street, Auckland, New Zealand PO Box 90842, Victoria Street West, Auckland 1142, New Zealand  
Phone: 09 360 1182 Fax: 09 360 0182 Email: [info@hainesplanning.co.nz](mailto:info@hainesplanning.co.nz) [www.hainesplanning.co.nz](http://www.hainesplanning.co.nz)

Harvey Norman submits that the DP Review should:

- a) Recognise and provide for the ongoing operation of the existing retail and commercial activities by re-zoning "Area E" as a commercial activity zone; and
- b) Enable light industrial activities by re-zoning "Area W" as a light industrial zone.

The reasons for seeking the above re-zonings are set out below.

### **Rezoning "Area E" to reflect existing commercial/retail activities**

"Area E" is presently occupied by a number of retail and commercial activities, including the Harvey Norman store and PGG Wrightson's premises, amongst others. This part of the Site is zoned Industrial L, except for a small area of Residential 1 zone near Jellicoe Street.

On 2 July 2015, Timaru District Council granted resource consent to expand retail and commercial spaces within "Area E" from 3,300m<sup>2</sup> to 6,550m<sup>2</sup>. A copy of that resource consent is included as **Attachment 2**. The consent holder has until 2 July 2025 to give effect to that consent.

Harvey Norman considers that it is both desirable and logical for this part of the Site to be re-zoned to a commercial zoning to better reflect its current and likely future uses.

### **Rezoning "Area W" for light industrial activities**

"Area W" is zoned Residential 1. This part of the Site is undeveloped and is leased for grazing. Due to the presence of flood hazards, south facing slopes and access limitations, "Area W" is not considered to be suitable for residential development.

While Harvey Norman does not have any immediate plans to develop "Area W", it considers that a light industrial zoning is the most sensible planning outcome for this area. This view is reinforced by the findings of the Issues and Options Report prepared to inform the development of the Timaru District Growth Strategy 2015-2045, which concludes that:

- a. There is sufficient residential zoned land to accommodate projected residential growth in Timaru over the next 30 years<sup>1</sup>.
- b. There is sufficient retail GFA (gross floor area) to meet the current and anticipated requirements of the district over the foreseeable future<sup>2</sup>.

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<sup>1</sup> Timaru District Growth Strategy – Issues and Options Report, page 12.

<sup>2</sup> Ibid, page 16.



- c. Additional industrial zoned land will be required in Timaru in the medium to long term (10-30 years)<sup>3</sup>. It is expected that most of the growth of industrial activities will occur at Washdyke<sup>4</sup>, which is approximately 2.5km north of the Site.

Harvey Norman appreciates that the thematic discussion documents which the Council has invited submitters to comment on do not explicitly address the issue of zoning. However, Harvey Norman considers its suggested re-zoning of the Site is a very sensible proposition such that it should be addressed and agreed on early in the DP Review process.

Harvey Norman welcomes the opportunity to discuss this matter further with the relevant Council staff, and wishes to remain in the loop for any future updates on the DP Review process.

Please do not hesitate to contact the writer to discuss or clarify any matter.

Regards

Yours sincerely

**Haines Planning Consultants Limited**



Daniel Shao | Senior Planner

2067 TIMARU DP REVIEW LTR

Cc Mr J O'Sullivan  
Development and Asset Manager  
Harvey Norman Stores (NZ) Pty Ltd

**Via Email:** [Jerome.OSullivan@nz.harveynorman.com](mailto:Jerome.OSullivan@nz.harveynorman.com)

---

<sup>3</sup> Ibid, page 17.

<sup>4</sup> Timaru District Growth Strategy – Issues and Options Report Supporting Documents, page 117.





2 July 2015

Harvey Norman Stores (NZ) Pty Limited and Harvey Norman Properties  
C/-Haines Planning  
PO Box 90842  
Victoria Street West  
Auckland 1142

Attention Laura Swan

Dear Laura

**RESOURCE CONSENT NO.102.2014.147**  
**226 Evans Street, Timaru**

I advise that your resource consent application no.102.2014.147 was granted consent subject to conditions under delegated authority by Timaru District Council on 2 July 2015. Please find attached the decision on the application and the approved plans.

If you have any queries on this matter, please do not hesitate to contact me at the details listed below.

Yours faithfully

A handwritten signature in black ink, appearing to read "Mark Geddes", is written over a light blue horizontal line.

Mark Geddes  
**DISTRICT PLANNING MANAGER**



**DECISION OF TIMARU DISTRICT COUNCIL  
RESOURCE CONSENT NO. 102.2014.147**

Acting under the delegated authority from Timaru District Council, I have considered the subject application for landuse consent and have decided, pursuant to sections 104, 104B and 108 of the Resource Management Act 1991, that consent be GRANTED subject to the following conditions:

**General**

1. That the proposed development be undertaken in accordance with the plans and information contained in the application prepared by Haines Planning, dated August 2014 and referenced 1295.

**Retail/Commercial Activities**

2. Any future business activities located in units A, C-E and F-I shall be restricted to those activities that are permitted under the Timaru District Plan for the Industrial L zone.

**Traffic**

3. (a) The weekday evening peak hour traffic generation for all activities on the site that have access to State Highway 1 shall not exceed 450 vehicle movements per hour (vph) based upon the following method of calculation.

Activity Type	Traffic Generation Rate	Gross Floor Area (m <sup>2</sup> )	Traffic Generation (vph)
Trade based retail	4vph/100m <sup>2</sup> GFA	A	4A/100
General Retail	10vph/100m <sup>2</sup> GFA	B	10B/100
Office	1.6vph/100m <sup>2</sup> GFA	C	1.6C/100
Warehouse	0.9vph/100m <sup>2</sup> GFA	D	0.9D/100
Café/restaurant	4vph/100m <sup>2</sup> GFA	E	4E/100
Medical/vet	6vph/100m <sup>2</sup> GFA	F	6F/100
<b>Total</b>			

- (b) Prior to occupation, or change of occupation of any of the proposed units, the landowner shall submit to the Timaru District Council District Planning Manager a description of the type of activity that will be conducted in the unit. The description shall include an assessment of the vehicle movements

associated with the development, calculated in accordance with the table in Condition 3(a).

*Note: If the use of any unit means that the weekday evening peak traffic generated will exceed 450vph, calculated as per the above table, resource consent will be required. Accordingly, you are advised to provide this information to Timaru District Council before signing any lease agreement. The resource consent will be classified as a discretionary Activity and therefore may be granted or refused.*

- (c) Prior to additional land use activities opening for business on the site (excluding the existing Harvey Norman and Wrightsons activities), the Grants Road/State Highway 1 signalised intersection shall be constructed and operational.
- (d) If a proposed activity will result in a total traffic generation that exceeds the threshold set out in condition 3(a), a traffic engineering assessment, including actual monitoring of vehicle movements to and from the site, shall be undertaken and provided to the Council to demonstrate that compliance with condition 3(a) will be achieved.

*Note:*

*If the assessment is unable to confirm that the traffic generation will comply with the threshold in condition 3(a), resource consent will be required to either vary the thresholds in condition 3(a), or a new consent sought, in order for the proposal to proceed.*

## **Landscaping**

- 4. That prior to construction activities commencing, a detailed landscape and maintenance plan, prepared by a suitably qualified person, shall be submitted to the Council for approval. The landscape and maintenance plan shall demonstrate how the performance standards of Rule 6.19.2 Landscaping are met. The landscape and maintenance plan shall include the following:
  - a. Size and species of existing vegetation, and whether it is to be retained;
  - b. Size of proposed stock for planting;
  - c. Number, location and spacing of proposed plants; and
  - d. The ongoing maintenance of all plantings.
  - e. Screening along the northern boundary to screen the car park and manoeuvring area that is located to the north of Harvey Norman's existing warehouse.
- 5. The approved landscape and maintenance plan shall be implemented within the first planting season following commencement of construction of each stage of the development.

## **Noise**

- 6. That all activities on site shall not exceed the noise levels as set out and measured according to Rule 6.21 of the Timaru District Plan

## **Construction Noise**



7. That the consent holder is to ensure that noise levels emitted from the site do not exceed the performance requirements contained in NZS 6803P:1984, the Construction Noise Standard.

### **Fencing**

8. A 2m high fence shall be constricted along the common boundary of land zoned Industrial L, where it adjoins the following identified privately owned land zoned Residential 1:
  - Lot 3 DP81692
  - Lot 2 DP368237
  - Lot 3 DP 405178

### **Lighting**

9. That prior to construction activities commencing, a Light Plan shall be submitted to the Council for approval. The Lighting Plan shall include provision for security lighting during night-time hours in the car parking areas, along pathways, building entrances, the service land and storage yard. The Lighting Plan shall demonstrate light source does not exceed the levels as set out and measured according to Performance Standards 5.10 and 5.11 of the Timaru District Plan.

### **Outdoor Storage**

10. Any outdoor storage shall be contained within the service yard located to the rear of the building and as indicated on the Proposed Site Plan, prepared by Gravitas Consulting Limited, Revision 0, dated 1 April 2014 where it will be screened from the adjoining properties and the road.

### **Car Parking Spaces**

11. That the design of the access, all parking spaces and manoeuvring aisle widths shall meet or exceed AS/NZS 2890.1:2004 requirements. Engineering design drawings for the proposed parking areas, including accessible car parks shall be submitted to Council for acceptance prior to works commencing on site.
12. Subject to a staging plan being submitted to and accepted by the Council, that a minimum of 380 car parks, including nine accessible parking spaces, shall be provided on site.

### **Consent Lapse Date**

13. Under Section 125 of the RMA, this consent lapses 10 years after the date it is granted unless;
  - a. The consent is given effect to; or
  - b. The Council extends the period after which the consent lapses.

### **Review**

14. Within ten working days of each anniversary of the date of this decision the Council may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this resource consent for any of the following purposes:

- a. To deal with any adverse effects on the environment which may arise from the exercise of the consent which were not foreseen at the time the application was considered and which it is appropriate to deal with at a later stage.
- b. To deal with any adverse effects on the environment which may arise from the exercise of the consent and which could not be properly assessed at the time the application was considered.
- c. To avoid, remedy and mitigate any adverse effects on the environment which may arise from the exercise of the consent and which have been caused by a change in circumstances or which may be more appropriately addressed as a result of a change in circumstances, such that the conditions of this resource consent are no longer appropriate in terms of the purpose of the Resource Management Act 1991.



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Bob Nixon  
**Commissioner**

Date: 2 July 2015

## **ADVICE NOTES**

### **Commencement**

This resource consent commences on the date the decision was notified, or on such later date as stated in the consent, unless an appeal or an objection has been lodged, at which time the consent commences when this has been decided or withdrawn, or in the case of an appeal to the Environment Court on such later date as the Court may state in its decision.

### **Right of Objection**

If you do not agree with the decision, you may have a right to object to the whole or any part of the decision under section 357A of the Resource Management Act, so long as:

- the application was processed on a non-notified basis; or
- the application was processed on a notified basis and no submissions were received in relation to the application, or all submissions were withdrawn; and
- the application was not refused consent under section 104B of the Act (determination of applications for discretionary or non-complying activities) or 104C of the Act (determination of applications for restricted discretionary activities);
- an officer of a consent authority acting under delegated authority did not refuse consent to the application under section 104B or 104C of the Act.

Notice of any objection must be in writing, set out the reasons for the objection, and be lodged with the Timaru District Council within 15 working days of receipt of this decision.

### **Subsequent Right of Appeal to the Environment Court**

Any person who has made an objection under section 357A of the Act may appeal to the Environment Court against the decision on the objection pursuant to section 358 of the Act.

Notice of such an appeal must be in the prescribed form, state the reasons for the appeal and be lodged with the Environment Court (85 Armagh Street, PO Box 2069, Christchurch) within 15 working days after the decision on the objection being notified to that person, or within such further time as the Environment Court may allow.

### **Appeal Direct to the Environment Court**

If you do not agree with the decision, an alternative to a section 357A objection, or if section 357A does not apply, is to appeal the decision under section 120 of the Act to the Environment Court.

The notice of appeal shall be in the prescribed form; state the reason for the appeal and the relief sought; state any matters required by the regulations; and be lodged with the Environment Court (85 Armagh Street, PO Box 2069, Christchurch) within 15 working days' notice of the decision being received. Notice of the appeal must also be served on Timaru District Council within 15 working days within the same period. Notice of the



appeal must also be served on any person who made a submission in relation to the application within 5 working days of the notice being lodged with the Environment Court. If you are in any doubt about the correct procedures, you should seek legal advice.

#### Minor Correction of Resource Consents

Section 133A of the Act provides the consent authority may at its discretion issue an amended consent that corrects minor mistakes or defects in the consent within 15 working days of the grant. If you consider that the consent contains a minor mistake or defect you may advise the Timaru District Council of the same.

#### Lapsing of Consents

A resource consent lapses on the date specified in the consent or, if no date is specified, 5 years after the date of commencement of the consent unless, before the consent lapses: the consent is given effect to; or, an application is made to the consent authority to extend the period after which the consent lapses, and the consent authority decides to grant an extension.

#### Change or Cancellation of Conditions

An application to change or cancel a condition of this consent can be made under section 127 of the Act.

#### Review of Consent

A consent authority may, in accordance with section 129 of the Act, serve notice on a consent holder of its intention to review the conditions of a resource consent.

#### Monitoring of Consent

Pursuant to section 35 of the Act, the local authority shall monitor the exercise of this resource consent. Additional charges may be payable for this monitoring.

#### Charges

Charges, set in accordance with section 36 of the Act, shall be paid to the Timaru District Council for the carrying out of its functions in relation to the administration and monitoring of resource consents and for carrying out its functions under section 35 of the Act.

#### Other Consents May Be Required

This resource consent authorises the land use or subdivision applied for only. The consent does not give the consent holder the right to:

- Use, subdivide or develop land that contravenes a rule in the District Plan other than that which has been consented to by way of the subject application, or that which has already been legally established.
- Conduct any activity that requires resource consent from Environment Canterbury (Ecan). You are advised to contact Ecan to ascertain if consent is required for the proposed development.

- Authorise building or utility services construction work that requires separate consent/approval.

#### District Services Advice Notes

##### Service Connection Application Form -

An application form to connect to Council services (water, sewer, stormwater, vehicle access) is attached. This form (and its accompanying Information Sheet) is periodically reviewed and updated. Please refer to the Council's website [www.timaru.govt.nz](http://www.timaru.govt.nz) or contact Customer Services for current versions of the above documents including application fees.

##### Road Opening Notice –

All work undertaken within the road corridor (i.e. carriageway, berm or footpath) will also require a Road Opening Notice (RON) from the Road Controlling Authority (RCA).





## REPORT ON A LANDUSE CONSENT APPLICATION

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<b>CONSENT NO:</b>	102.2014.147
<b>APPLICANT:</b>	Harvey Norman Stores (NZ) Pty Limited and Harvey Norman Properties
<b>ACTIVITY:</b>	Establish commercial & large format retail development
<b>LOCATION:</b>	226 Evans Street, Timaru
<b>ZONING:</b>	Residential 1 and Industrial L
<b>LEGAL DESCRIPTION:</b>	Lot: 1 DP: 55799; Lot 2 DP: 55799, Lot 3, Lot 3A and Lot 4A DP 6986, Lot 1 DP 22842
<b>ACTIVITY STATUS:</b>	Non-Complying Activity
<b>RMA CRITERIA:</b>	Sections 95A-95G
<b>RECEIVED DATE:</b>	8 August 2014
<b>DUE DATE:</b>	

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### 1.0 INTRODUCTION

This report has been prepared under section 42A of the Resource Management Act (the Act) to document the assessment of the subject landuse consent application. This report also constitutes the decision and reasons for the decision as required under section 113 of the Act.

This decision has been reissued pursuant to section 133A of the Act to address minor issues in the conditions.

#### 1.1 PROPOSAL DESCRIPTION

Haines Planning have submitted a resource consent application on behalf of Harvey Norman Stores (NZ) Pty Limited and Harvey Norman Properties (herein "the applicant") to extend the current Harvey Norman store in Timaru.

The applicant wishes to extend the current store from 3,300m<sup>2</sup> to 6,550m<sup>2</sup> of new retail and commercial space on site. No changes are proposed to the existing Harvey Norman store and associated warehouse or to the PGG Wrightsons building.

The proposed development will have a total gross floor area (GFA) of 10,750m<sup>2</sup>. A minimum of 380 parking spaces will be provided including 9 accessible parking spaces.

The GFA has been nominally split into the following tenancies, but the final unit sizes may vary depending on the specific needs of actual tenants:

Unit A: 700m<sup>2</sup>  
Unit C: 250m<sup>2</sup>  
Unit D: 250m<sup>2</sup>  
Unit E: 250m<sup>2</sup>  
Unit F: 1,275m<sup>2</sup>  
Unit G: 1,275m<sup>2</sup>  
Unit H: 1,275m<sup>2</sup>  
Unit I: 1,275m<sup>2</sup>

As previously noted, unit B has a total floor area of 3,300m<sup>2</sup> and it is currently occupied by Harvey Norman retail store (2,300m<sup>2</sup>) and its warehouse facility (1,000m<sup>2</sup>). These activities will remain.

The future tenants of the additional new units are yet to be confirmed but the activities will be those that are permitted in the Industrial L zone. The activities permitted in the Industrial L zone are as follows:

- Any industry or goods storage that does not require an Offensive Trade License;
- Retailing of:
  - Goods produced on the site
  - Building or plumbing supplies
  - Automotive parts, electrical parts, and mechanical parts
  - Licensed premises, restaurants and takeaway food outlets
  - Furniture
  - Gardening supplies
  - Antiques and second hand goods
  - Vehicles, boats and caravans
  - Machinery sales
  - Floor and wall coverings
- Veterinary and farm supplies;
- Offices;
- Places of Assembly;
- Hire of equipment;
- Consulting rooms for health practitioners and veterinary clinics;
- Emergency services facilities

Vehicle access to the site will continue to be provided via the existing access on Evans Street. No changes to this access are proposed.

The applicant proposes to establish a minimum of 380 car parks on the site including 9 accessible car parks.

All goods loading and unloading activities, appropriate to the tenants needs, will be accommodated within the site in accordance with the District Plan requirements. The proposed loading bays are shown on the site plan contained in Annexure 2 of the application. The new buildings will be serviced via a rare access lane that will be closed to the general public.



An Integrated Traffic Assessment has been completed by Traffic Design Group (TDG). The report addresses the parking provision, loading facilities and traffic generation. This report is attached in Annexure 3 of the application.

Pattle Delamore Partners Ltd (PDP) has prepared a Flooding Assessment to determine flood levels to ensure that the development will not be adversely affected by flooding or reduce capacity of the flood plain. This report is contained in Annexure 4 of the application.

A ten year lapse period is sought for the proposed development to provide the opportunity to appropriately stage the development, if required. A ten year period also reflects the scale of the proposed development.

## **1.2 SITE DESCRIPTION**

The subject site is located at 226 Evans Road. The location of the site is illustrated in Figure 1, while the site's adjoining development is illustrated in Figure 2.

The Applicant owns 8.9984ha of land located at Evans Street Timaru. The land is split zoning of Residential 1 and Industrial L under the Timaru District Plan.

The subject site is located on the western side of Evans Street (SH1) in north Timaru. Vehicle access to the site is currently via one formed access to Evans Street at a priority controlled intersection. This access serves Harvey Norman, the PGG Wrightsons and the transport depot activities located immediately to the south of the existing Harvey Norman Store.

## **1.3 DESCRIPTION OF THE SURROUNDING ENVIRONMENT**

The site has an irregular shape, with road frontage onto Evans Street of approximately 200m in length. The southern boundary of the subject site adjoins Taitarakahi Stream. The eastern portion of the site, adjacent to Evans Street, has been developed and is occupied by commercial activities, including Harvey Norman's retail store. This portion of the site is predominantly zoned Industrial L.

The rest of the site, comprising approximately 5ha, is predominantly zoned Residential 1 and is un-developed and leased for grazing to control vegetation. The western-most portion of the site has frontage to Old North Road. There is also a small portion of Residential 1 zoned land located at the northern part of the site fronting Evans Road.

The character of Evans Street area is strongly influenced by the presence of other industrial/ commercial activities and the functioning of Evans Street as a state highway. State Highway 1 is the primary road link to Timaru's town centre from the subject site.

The land on the eastern side of Evans Street, opposite the site, is zoned Commercial 2B and will be developed for retail and commercial activities. The land to the north and south of the subject site is zoned Residential 1 and Industrial L.

## **1.4 SITE HISTORY**

The following is a summary of the relevant site history pertaining to the subject site:

### Resource Consent No. 5042

Land use consent was granted in 2003 for the establishment of a large format retail development with a gross floor area of 2,780m<sup>2</sup> (2,300m<sup>2</sup> of retail and 480m<sup>2</sup> of warehouse space) and 72 parking areas on the subject site.

Resource Consent No. 5433

Land use consent was granted on 13 April 2005 to establish an additional 700m<sup>2</sup> retail unit. This was amended to extend the existing warehouse, as opposed to establishing the 700m<sup>2</sup> retail unit.

## **2.0 STATUTORY CONSIDERATION**

This section of the report details the provision of the Act that are relevant to the consideration and determination of the application. The remainder of this report has been set out to address these provisions.

### **2.1 DETERMINATION OF APPLICATION**

After considering an application for a resource consent for a discretionary activity or non-complying activity, section 104B of the Act states that a consent authority —

- (a) may grant or refuse the application; and
- (b) if it grants the application, may impose conditions under section 108.

### **2.2 CONSIDERATION OF APPLICATIONS**

When considering a resource consent application and any submissions, section 104 of the Act provides that the consent authority, must, subject to Part 2, have regard to the following:

- any actual and potential effects on the environment of allowing the activity;
- any relevant provisions of:
  - a national environmental standard;
  - other regulations;
  - a national policy statement;
  - a New Zealand coastal policy statement;
  - a regional policy statement or proposed regional policy statement;
  - a plan or proposed plan;
- any other matter it considers relevant and reasonably necessary to determine the application.

When forming an opinion for the purposes of actual and potential effects on the environment of allowing the activity, subsection 104(2) of the Act states that a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.

Subsection 104(3) of the Act states that a consent authority must not when considering an application have regard to trade competition or the effects of trade competition, or any effect on a person who has given written approval to the application.

Subsection 104(3) of the Act also provides that a consent authority must not grant a resource consent:



- To do something that will or is likely to, have a significant adverse effect on a recognised customary activity, unless written approval is given to conduct the activity from the holder of the customer rights order.
- If the application should have been notified and was not.

Subsection 104(6) of the Act states that a consent authority may decline an application for a resource consent on the grounds that it has inadequate information to determine the application.

## 2.3 CONDITIONS

Section 108 of the Act provides the consent authority with the ability to impose conditions on resource consent applications.

## 2.0 ACTIVITY STATUS

The subject site is split zoned Residential 1 and Industrial L by the Timaru District Plan. The activity status of the proposed development is commented on below.

- A portion of the proposed parking occupies part of the Residential 1 zoned area of the site and under Rule 4.1 of Part D (4) is a **non-complying activity**.
- Rule 5.9 of Part D(4) states that where a site adjoins a Residential Zone boundary a screen fence not less than 2 metres in height shall be provided for the length of the common boundary. The site has split zoning of Industrial L and Residential 1 as well as adjoining other land zoned Residential 1. The applicant does not propose to install a 2 metre high fence along the internal zone boundary of the site, and it is not considered the intent of the rule. Although this rule is breached and the application a **non-complying activity**, it is considered a technical non-compliance.
- Rule 6.7.2(1)(c) states that tracking curves shall be provided to certain specifications for ingress and egress of vehicles to and from the road, and for the manoeuvring of vehicles within the site. Unit A will use the same access route and loading area as Unit B. However, careful manoeuvring is required at the entry to the existing access for this area to allow for two-way vehicle movement involving a standard rigid truck. The proposed activity is therefore, a **discretionary activity**.
- Rule 6.7.3(13) states that any site fronting a Primary Road has frontage to a Secondary Road, all vehicle access to the site shall be provided to the Secondary Road. The proposed development will continue to use the existing access onto State Highway 1 and therefore the proposed activity is a **discretionary activity**.
- Rule 6.7.5(2) states that any activity with vehicle access to and/or from a State Highway is a **discretionary activity** where it involves a retail activity. The proposed is for retail activities and vehicle access will be from State Highway 1.

Overall, the application is assessed as a **Non-Complying Activity**.



## **3.0 ASSESSMENT OF APPLICATION**

### **3.1 ADEQUACY OF INFORMATION**

It is considered that the information provided by the application is adequate to determine the application in terms of section 104(6) of the Act.

### **3.2 ASSESSMENT OF ENVIRONMENTAL EFFECTS**

#### **3.2.1 Introduction**

The following assessment of environmental effects has been carried out in accordance with section 104 of the Act. The assessment has regard to the Act's definition of an 'environmental effect' and the Applicant's assessment of environmental effects, and addresses:

- the permitted baseline;
- written approvals;
- the actual and potential environmental effects of the proposal on:
  - land, flora and fauna;
  - infrastructure;
  - people and built form;
  - culture;
  - traffic generation and vehicle movements;
  - nuisance;
  - natural hazards.

#### **3.2.2 Permitted Baseline**

As stated above, a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or plan permits an activity with that effect. This is termed the 'permitted baseline'. It is at the consent authority's discretion as to whether the permitted baseline is taken into account when considering an application.

The permitted baseline has been considered. It is noted that the Industrial Zoning permits the built form proposed.

The adverse effects of these permitted activities have been disregarded in the following assessment.

#### **3.2.3 Written Approvals**

Section 104(3) of the Act provides that a consent authority may not have regard to any effect on a person who has given written approval to the application.

The applicant has submitted a written approval from PGG Wrightson with the application. After a Section 92 request, and additional modelling, assessment and peer reviews of the actual and potential traffic effects of the proposal, the applicant obtained written approval from NZTA. No other parties are considered to be affected by this proposal.

### 3.2.4 Effects on Infrastructure

Adverse Effect	Effects on the Environment	Comment
Water Supply	Less than minor	<p>There will be a connection to the Council's reticulated water and sewer system which is located on the site and within Evans Street.</p> <p>The applicant proposes that there are two possible methods by which the development will dispose of stormwater. One option being seeking approval from Council to connect to the reticulated network, the second option; discharging directly into the adjoining Taitarakihi Stream.</p> <p>The applicant has proposed two conditions relating to these issues which seek to gain approval from Council. Provided this approval is met the effects are likely to be <b>less than minor</b>.</p>
Wastewater Disposal	Less than minor	
Stormwater Disposal and Land Drainage	Less than minor	

Overall, it is considered that the adverse effects on the environment in terms of infrastructure will be less than minor

### 3.2.5 Effects on People and Built Form

Adverse Effect	Effects on the Environment	Comment
Character	Less than minor	<p>The applicant has proposed additional landscaping to what is currently on site. This will provide a buffer between business and residential uses which will reduce the adverse effects in terms of amenity for these residential properties. Additional landscaping will be provided in the proposed car parking areas to ensure no adverse visual effects will arise and the amenity of the site will be consistent with the surrounding environment.</p> <p>A 2 metre high screen fence will be provided along the external Industrial L boundary where the new buildings are proposed adjacent to land zoned Residential 1. The fence will maintain the amenity anticipated by the District Plan and will limit any visual amenity effects due to the differing topography. The fence will also provide screening of the refuse and servicing areas as required by the District Plan.</p> <p>Therefore, the proposed development is likely to have <b>less than minor effects</b>.</p>
Building Coverage/Density	Less than minor	
Amenity	Less than minor	
Views and Outlook	Less than minor	
Streetscape	Less than minor	

Accordingly, it is considered that the adverse effects on the environment in terms of people and built form will be less than minor.



### 3.2.6 Effects on Culture

Adverse Effect	Effects on the Environment	Comment
Heritage	Nil	The site does not contain any listed heritage buildings. This site is not known to contain any archaeology or have any special significance to Takata Whenua.
Archaeology	Nil	
Takata Whenua	Nil	
Socio-Economic	Positive	The proposed activity will support growth in the Timaru District, by providing new employment opportunities.

The adverse effects on the environment in terms of culture will be less than minor.

### 3.2.7 Effects on Traffic Generation & Vehicle Movements

Adverse Effect	Effects on the Environment	Comment
On-site Parking	Less than minor	The applicant has proposed 380 car parks on site as well as 9 accessibility parks. Therefore, there will be <b>less than minor</b> effects off-site.
Vehicle Crossing	Less than minor	There is adequate visibility for vehicles entering and exiting the site.
On-site Manoeuvring	Less than minor	There is adequate area within the site for vehicles to manoeuvre.

#### Traffic Generation and Vehicle Movements:

The applicant provided an Integrated Traffic Assessment with the application. This assessment outlined the following:

- They will continue to utilise the existing vehicle access on Evans Street. This access currently serves three existing businesses, and the proposed activities are anticipated to occur on site and will be served by existing infrastructure, including the existing infrastructure.
- Written consent was obtained from PGG Wrightsons Ltd and therefore, effects on that party, including traffic, must be disregarded.
- Despite the site having a frontage to both Old North Road and Evans Street, it is not considered desirable to direct traffic from the proposed new development onto Old North Road. This would involve construction of a lengthy private road through land zoned Residential 1. As well as topography restraints and potential flood hazards, a bypass could have adverse traffic and safety effects.
- The applicant determined that a two way traffic volume of 400-450 vehicles per hour (vph) can be accommodated at the access before the level of service is reached in the weekday evening peak period. This represents an increase of 250-300vph compared to the existing situation and indicates that the existing access is underutilised.
- The applicant has concluded that the parking requirement will be in the range of 330 and 380 spaces. Therefore, they have proposed that they will provide a minimum of 380 spaces which equates to 3.8 spaces per 100m<sup>2</sup> of GFA. In addition to the 380, the applicant has provided 9 3.6m wide spaces for accessible parking.

- The new buildings will be predominantly serviced using a rear access land that will be closed to the general public. All manoeuvring has been designed to accommodate the largest vehicle required to service the site.

A section 92 request, dated 4 September 2014, asked the applicant to obtain written approval from NZTA as it was considered that they were an affected party. Following discussions between NZTA and the Council, the traffic assessment was peer reviewed and additional modelling was undertaken. The Applicant subsequently provide dan additional four conditions of consent to address traffic issues, and on this basis the Transport Agency provided their written approval, being ultimately satisfied that the proposed activity would be unlikely to have an adverse effect on the safety and functionality of the State Highway.

Therefore, I consider that the effects on traffic generation and vehicle movements to be no more than minor. NZTA has provided written approval for this application.

The Council's Transport Unit provided input regarding the wording and inclusion of the proposed consent conditions. These comments have been included as part of the conditions of consent.

### 3.2.8 Natural Hazards Effects

Adverse Effect	Effects on the Environment	Comment
Land Stability / Geotechnical	Less than minor	The Lower Taitarakihi Creek catchment is prone to flooding, with recent significant flood events occurring in 2012, 2000 and 1986. The site is located adjacent to the Taitarakihi Creek. Annexure 4 of the application provides a report stating that the proposed buildings are outside of land subject to risk of flooding which exceeds both the 2% and 0.5% AEP floodplains for all of the design events modelled. The proposed development is outside of the area designated by ECan. As such, the proposed activities are likely to be <b>less than minor</b> .
Flooding	Less than minor	
Hazardous Substances / Installations	Less than minor	The site is not known to be subject to any hazardous substances and is not listed on the LLUR.

Any adverse effects on the environment in terms of natural hazards will be less than minor.

### 3.2.9 Conclusion

I have considered the actual and potential effects of the proposal and reviewed the Applicant's AEE and the relevant parts of the District Plan. I agree with the Applicant's assessment of effects, and have also considered the supporting information provided with the application, including the legal opinion prepared in support of the non-notification of the application. Overall it is my view, as identified in the assessment of



the effects in the above sections, that the proposal will have less than minor adverse effects.

### **3.3 ASSESSMENT OF APPLICABLE STATUTORY DOCUMENTS & REGULATIONS**

The Timaru District Plan is the only statutory planning document or regulation that is pertinent to the consideration of the subject application. It has been prepared in accordance with the provisions of the Act, and is consistent with the Canterbury Regional Policy Statement. Accordingly, and in the interests of conciseness, no other statutory planning documents or regulations are considered in this assessment.

#### **3.3.1 Timaru District Plan**

The District Plan contains various provisions that are relevant to the proposed activity. The Plan's Objectives and Policies most relevant to the subject application aim to:

- Provide a safe and efficient transport network that provides for a range of users (Part B, Section 8 - Roading )

These provisions have been considered in the assessment of this Application. The proposal is for a renewal activity, and restrictions are proposed that will ensure that actual and potential effects on neighbouring properties and the community are appropriately managed.

#### **3.3.2 Conclusion**

Subject to conditions, it is considered that the proposed development accords with the relevant provisions of the District Plan.

### **3.4 Any Other Matter**

It is considered that there are no other matters that are relevant or reasonably necessary to determine the application.

### **3.5 Part 2 Matters**

Part 2 of the Resource Management Act stipulates the purpose and principles of the Act. The purpose of the Act is to promote the sustainable management of natural and physical resources. The various principles provided under Part 2 support this purpose. It is considered that the proposed activity is consistent with Part 2 of the Act.

## **4.0 CONCLUSION & REASON FOR THE RECOMMENDATION**

With the above matters in mind and subject to conditions being imposed on the consent, it is considered the proposed development is acceptable in terms of the matters listed under section 104 of the Act.



## 5.0 RECOMMENDATION

Pursuant to sections 104, 104B and 108 of the Resource Management Act 1991, it is recommended that consent be GRANTED subject to the conditions that start on page 2 of this document.

Reported on and Recommended by:



Andrew Henderson  
Consultant Planner

Date: 19/6/2015

Council's decision is contained on Page 2 of this document.

**TIMARU DISTRICT COUNCIL**

Resource Consent No. 102/2014/167

**APPROVED PLANS**

Signed: *[Signature]*

Name: *Meghan Gray*

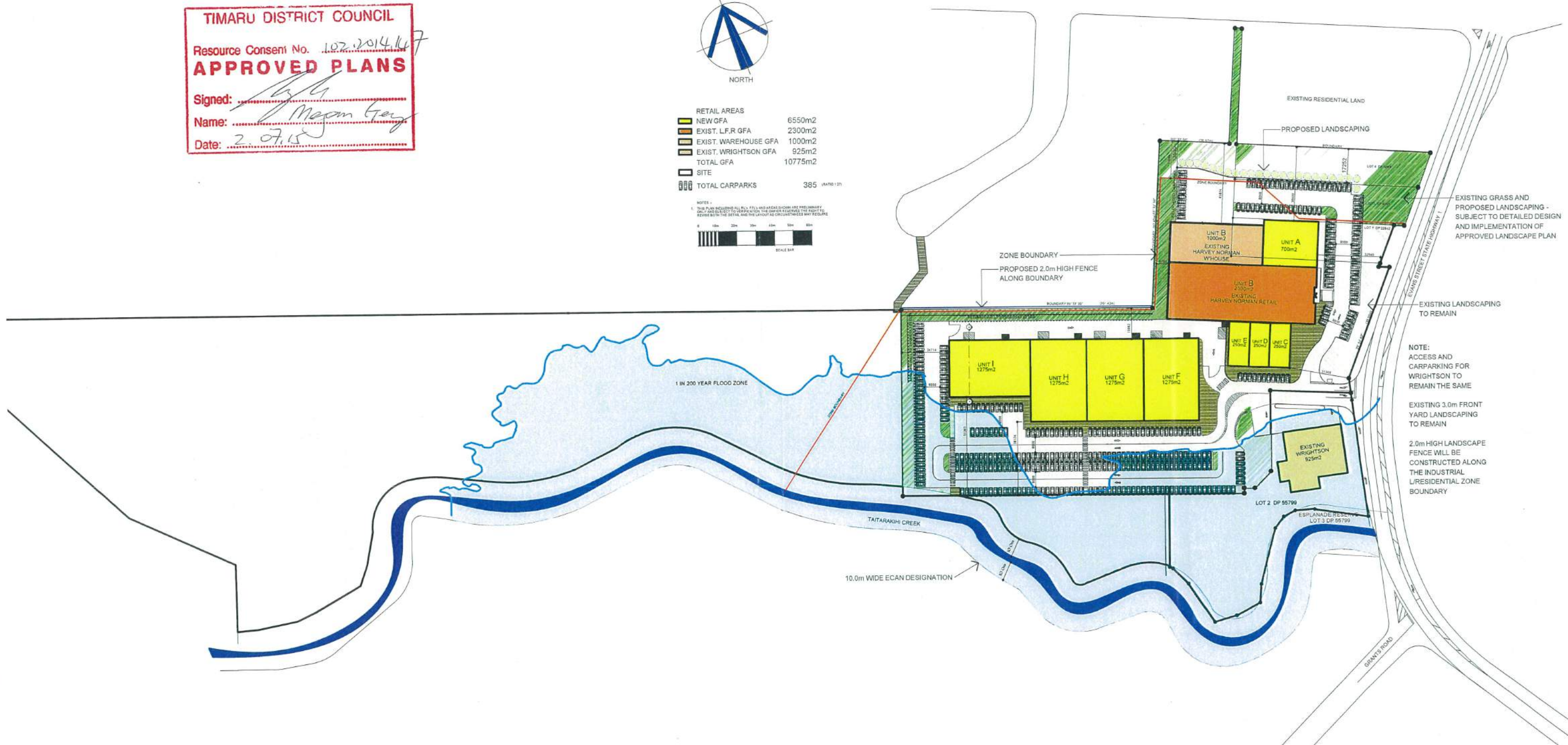
Date: 2.07.15



RETAIL AREAS	
NEW GFA	6550m <sup>2</sup>
EXIST. L.F.R GFA	2300m <sup>2</sup>
EXIST. WAREHOUSE GFA	1000m <sup>2</sup>
EXIST. WRIGHTSON GFA	925m <sup>2</sup>
TOTAL GFA	10775m <sup>2</sup>
TOTAL CARPARKS	385 (ratio 1:21)

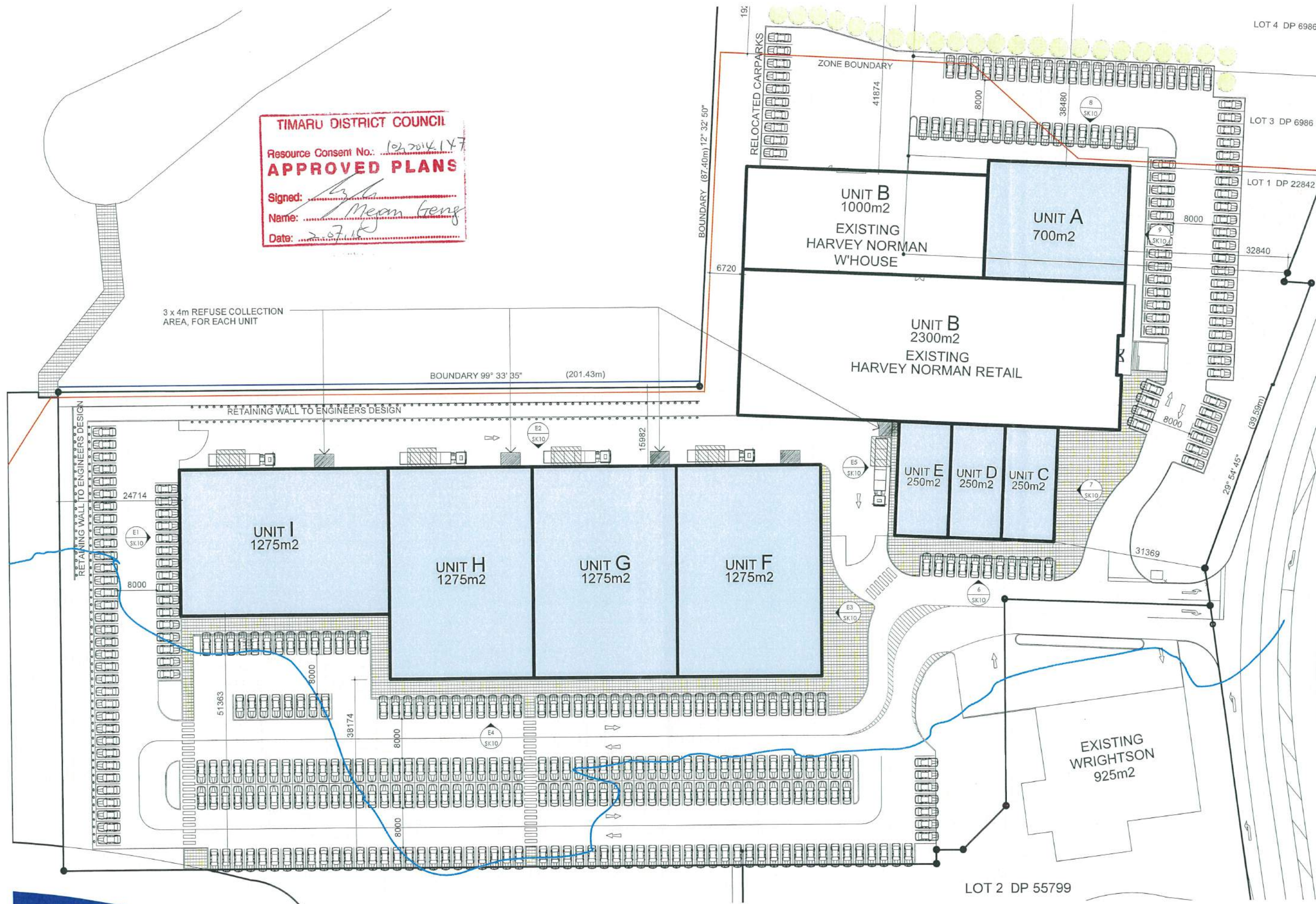
NOTES -  
1. THIS PLAN INCLUDING ALL FILL, FILL AND AREAS SHOWN ARE PRELIMINARY ONLY AND SUBJECT TO APPROVAL BY THE DISTRICT COUNCIL. THE DISTRICT COUNCIL RESERVES THE RIGHT TO REVERSE BOTH THE DETAIL AND THE LAYOUT AS CIRCUMSTANCES MAY REQUIRE.

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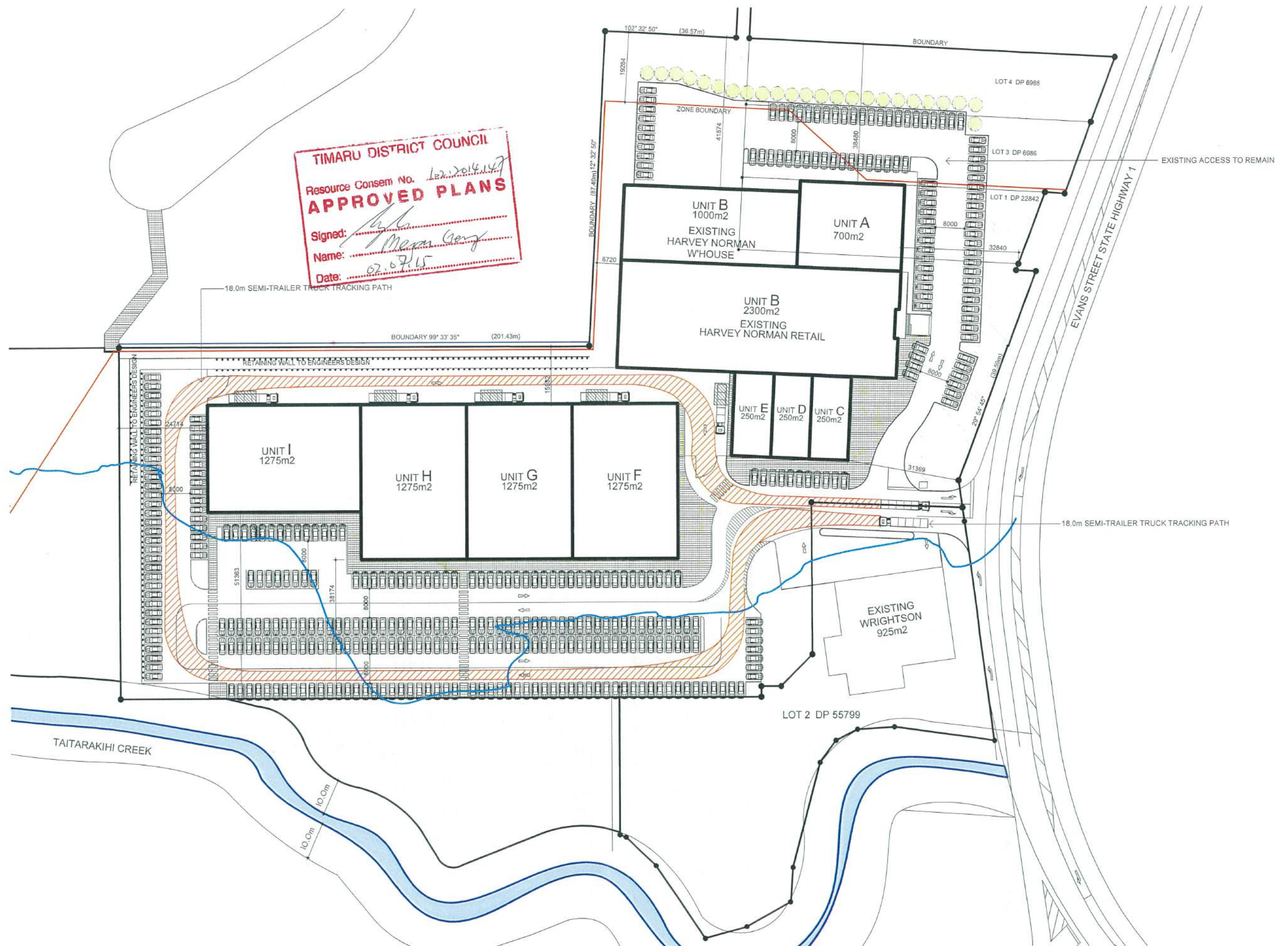
**TIMARU DISTRICT COUNCIL**  
 Resource Consent No.: 102/2014/147  
**APPROVED PLANS**  
 Signed: *[Signature]*  
 Name: *Meera Geng*  
 Date: 20/7/15



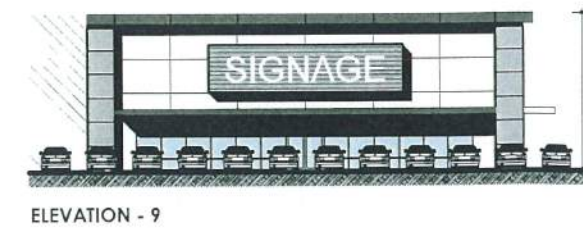
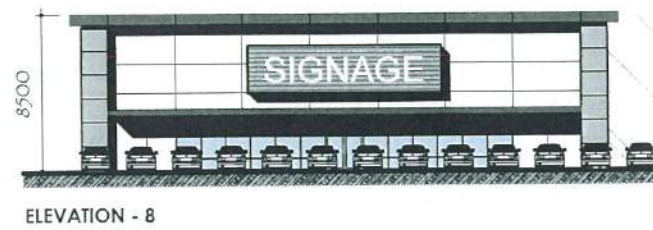
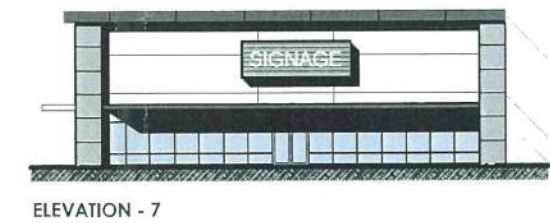
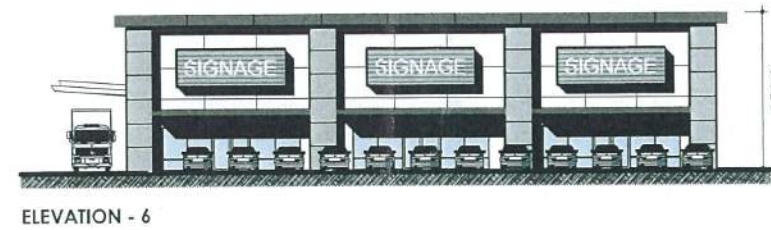
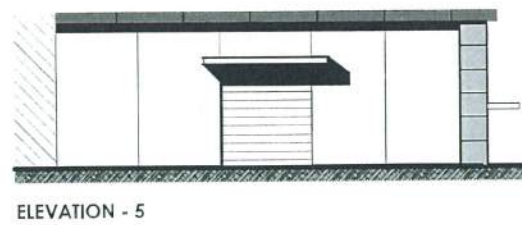
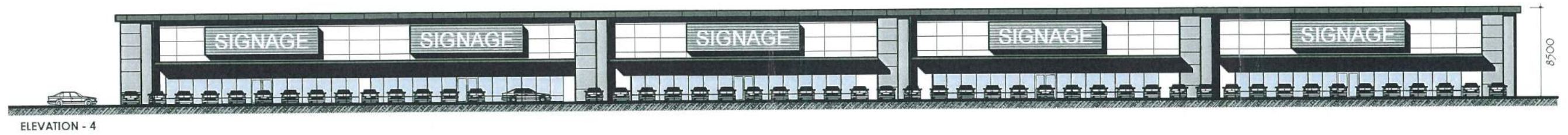
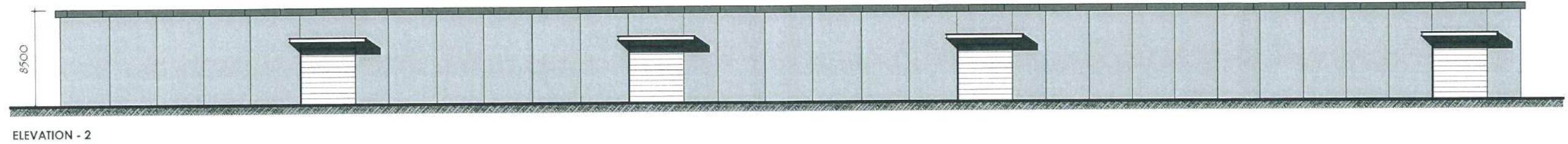
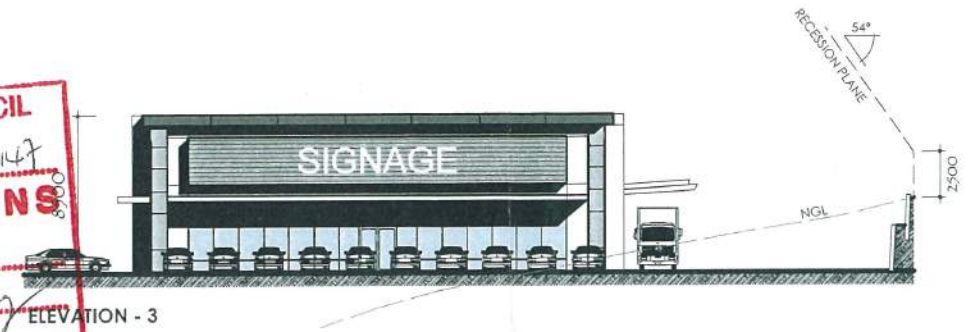


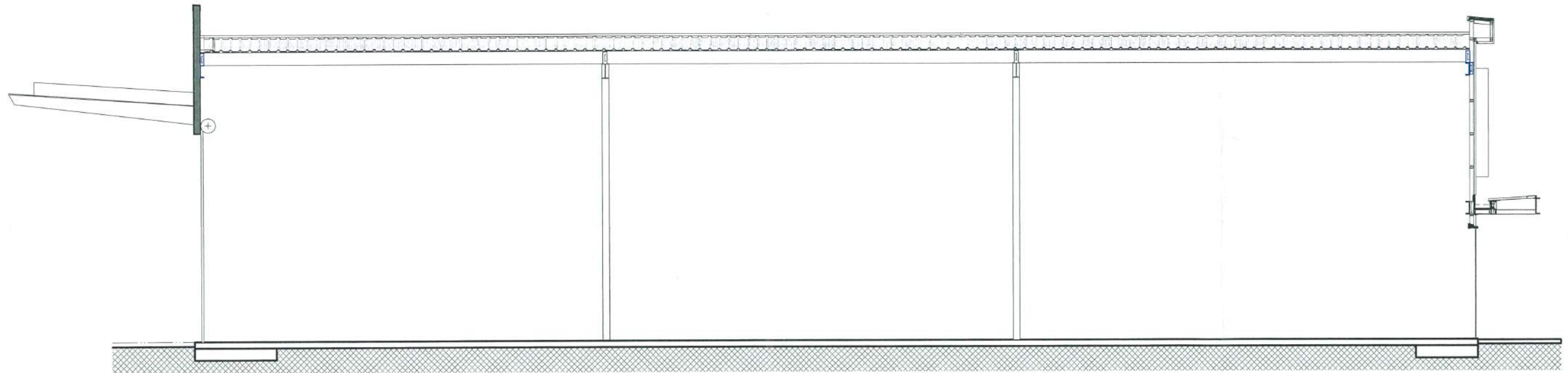












**SECTION A-A**

