

Ashburton District Council  
PO Box 94  
Ashburton 7700

Attn: Planning Administration – Deanna Reynolds

30<sup>th</sup> November 2023

Dear Deanna,

**RE: APPLICATION FOR LAND USE CONSENT UNDER SECTION 88 OF THE RMA 1991 – ASHBURTON RIVERSIDE DEVELOPMENTS LTD, MELROSE ROAD, ASHBURTON, LOT 2 DP 382372.**

Please find enclosed an application for land use consent under Section 88 of the Resource Management Act 1991.

The deposit fees for this application will be invoiced upon acceptance.

This application has been filed online.

If you require any further information, please do not hesitate to contact me on the details below.

Yours faithfully,



David Harford

RESOURCE MANAGEMENT PLANNING  
P 029 307 7164 PO Box 603 Ashburton 7740  
david@dhconsulting.co.nz www.dhconsulting.co.nz



**Application for Land Use Consent  
under the Resource Management  
Act 1991**

**Ashburton Riverside Developments  
Ltd,**

**Proposed Road widening of  
Scheduled Activity land on the  
Riverside Outline Development Plan  
Melrose Road, Ashburton**

**November 2023**

**Ashburton District Council**

Reference: 22-224

Revision: Final



## TABLE OF CONTENTS

<b>1.0</b>	<b>introduction</b>	<b>5</b>
1.1	Site Information	5
1.2	Summary of the Proposal	6
1.3	Activity Classification	8
<b>2.0</b>	<b>Site and Surrounds</b>	<b>9</b>
2.1	The Application Site and Surrounds	9
<b>3.0</b>	<b>Proposal</b>	<b>11</b>
	Signage	14
	National Environmental Standard (NES) for Soil Contamination	14
<b>4.0</b>	<b>STATUTORY FRAMEWORK</b>	<b>16</b>
4.1	RESOURCE MANAGEMENT ACT 1991 (RMA)	16
<b>5.0</b>	<b>District Plan Assessment</b>	<b>18</b>
5.1	District Plan Status	18
5.2	Zoning	18
5.3	Activity Definition	18
5.4	Compliance Assessment	18
5.1	Activity Status	31
<b>6.0</b>	<b>STRATEGIC PLANNING CONTEXT</b>	<b>33</b>
6.1	CANTERBURY REGIONAL POLICY STATEMENT	33
<b>7.0</b>	<b>Assessment of Effects</b>	<b>37</b>
7.1	Assessment of Effects – Scheduled Activity and ODP	37
7.2	Assessment of Effects – Outline Development Plan – Riverside	38
7.3	Assessment of Effects – Earthworks	39
7.4	Assessment of Effects – Traffic Effects	42
7.5	Assessment of Effects – Noise	43
7.7	Assessment of Effects - Natural Hazards	44
7.8	National Environmental Standards	44
7.9	Consideration of Alternatives	44
7.10	Effects Summary	47
<b>8.0</b>	<b>OBJECTIVES AND POLICIES</b>	<b>48</b>
	Rural A Zone	48
<b>9.0</b>	<b>Part II of the Resource Management Act</b>	<b>50</b>
9.1	Section 5	50
9.2	Section 7	51
<b>10.0</b>	<b>Sections 104 &amp; 104D - Consideration of Applications</b>	<b>52</b>

<b>11.0 Notification –Sections 95 and 95A-F.....</b>	<b>54</b>
<b>12.0 Conclusion .....</b>	<b>57</b>

**Annexure A: Form 9**

**Annexure B: Record of Title**

**Annexure C: Development Plans**

**Annexure D: Planning Map**

**Annexure E: Location Plan**

**Annexure F: Novo Group Ltd – Traffic Report**

**Annexure G: LLUR**

**Annexure H: Outline Development Plan Appendix 5-3- Business D Zone Riverside**

**QUALITY ASSURANCE**

**Project Reference:** 22-224

**Title:** Application for Land Use Consent – Ashburton Riverside Developments Ltd

**Client:** Ashburton Riverside Developments Ltd

**Filename:** 22-224 – Proposed Resource Consent for road widening and amendments to the ODP Riverside.

**Version:** Final

**Lodgement Date:** November 2023

**Prepared By:** David Harford

## 1.0 INTRODUCTION

Section 88(2)(b) of the Resource Management Act 1991 requires that any application for a resource consent should include an assessment of any actual or potential effects that the activity may have on the environment and the ways in which any adverse effects may be mitigated.

Section 88(2)(b) also requires that any assessment shall be in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment and shall be prepared in accordance with the Fourth Schedule to the Resource Management Act 1991.

Form 9 as required by Section 88 of the Resource Management Act 1991 is provided as Annexure A to this application. The body of this application addresses the character of the land, the proposed land use activity, and the relevant provisions of the District Plan. It also includes an assessment of effects on the environment as required by the Fourth Schedule to the Resource Management Act 1991.

### 1.1 Site Information

Site Address:	21 Melrose Road, Ashburton
Legal Description:	Lot 2 DP 382372, Section 1 SO 18829, RS 36406, Lot 1 DP 382372, Easement EC A204518.7, Lot 1 DP 382372.
Records of Title	329320, 329319, 975273, 329319 - Refer Annexure B
Site Area:	9.2875ha Allenton Rugby Club
District Plan Zone:	Rural A and Business D - Operative Ashburton District Plan
Planning Maps	U40
Special Noted Features	Site included as part of Outline Development Plan 5.3 Riverside. S16 - Scheduled Activity – Allenton Rugby Club. Designation 21 Ecan Sec 1 SO 18829

## 1.2 Summary of the Proposal

This application seeks resource consent for a development within the Rural A and Business D Zone. The proposal is to undertake road widening of Melrose Road by utilising land from the Allenton Rugby Football Club (Zoned Rural A and listed as a Scheduled Activity – S16) and undertaken future development within the Business D zone on land included as part of the Outline Development Plan – Riverside and within Designation 21 Environment Canterbury including future building development within 100m of the Ashburton River Stopbank.

The purpose of the road widening is to enable future traffic movements over Melrose Road into the land owned by Ashburton Riverside Developments Ltd zoned Business D and the future development potential of this land.

The roading development as shown on the subdivision scheme plan within the Business D zone will be included in the subdivision application detail. This proposal predominantly deals with the roading within the Rural A zone with its inherent linkage to the Business D zone as explained in the application.

For many years, the applicant has undertaken consultation and considered various options of securing access to this land. This is detailed in the assessment of alternatives further in the application.

A subdivision application will be applied for in conjunction with this proposal.

The proposal for the road widening is not within the ODP area however it is relevant because the purpose of the widening is to enable the road connection to land that is within the Business D zone area.

The proposal includes earthworks and site development for the purpose of establishing a sealed surface for the transport and logistics associated with the road widening.

The proposal is utilising land as part of the proposed future roading and subdivision development that has Designation 21 over it. The purpose of that designation was for soil conservation and river control/protection. This will include the existing stopbank and existing river planting of vegetation that has already been given effect to. Those works are fixed and only cover part of the land which is circa 6.6ha of the applicant's land. However, as this proposal is for something other than the designated purpose and there is an

interconnection between the subject land and the Designated land either an Outline Plan in accordance with section 176A of the Resource Management Act 1991 will be applied for or as may be more appropriate, a waiver be applied for as the works are already undertaken for river protection.

The proposal requires consultation with NZTA due to the increase in road utilisation that will occur from this proposal at the intersection of Melrose Road with State Highway 77 (Alford Forest Road). This has been undertaken and approval will be sought direct from NZTA.

A traffic impact assessment has been undertaken and this is included as Annexure F which undertook discussion with NZTA regarding intersection layout.

There are two indicative stormwater treatment areas proposed. One is within the applicant's land being Section 1 SO 18829 (a circa 4450m<sup>2</sup> area), and the other within adjoining land being Lot 1 DP 53125. This latter area is an indicative area proposed for infiltration and came about following discussions with the ADC Commercial Manager.

An application under the NESCS for Soil Contamination that may affect human health has been addressed further in this application as it relates to RS 36406 in part. There is an area of the land that is captured by the Ashburton Clay Target Club.

An Outline Plan in accordance with the Resource Management Act can be lodged for the works with the Designated Area however as it's over the applicants land it may well be this can be waived subject to Ecan consultation with regards to the proposal.

Discharge of contaminants to land for construction and operational Phase stormwater and land use consent for earthworks will be lodged with Environment Canterbury as part of the subdivision consent application to create the development.

The proposed development will be in accordance with the plans and details accompanying this application and which should be read as part of it. A more detailed description of the proposed activity is to be found in the assessment of effects on the environment which accompanies this application, and which should also be read as part of this application.



### 1.3 Activity Classification

#### Operative Ashburton District Plan

This is the only relevant District Plan for this proposal.

#### 5.10.3 (e) Outline Development Plans and Limitations on Activities

- e) *No development shall take place in the Business D Zone at Riverside, except in accordance with the Outline Development Plan attached in Appendix 5-3.*

This rule in the District Plan is a zone standard. Non-compliance with this rule is a non-complying activity in accordance with the following,

#### 5.8.6 Non-Complying Activities

- a) *Any Activity which does not comply with any one or more of the relevant Zone Standards shall be a Non-Complying Activity, provided that they are not listed as a Prohibited Activity.*

This site is zoned Business D and Rural A under the District Plan.

An Outline Development Plan is in place in the District Plan as Appendix 5.3 which shows the proposed layout of the Business D zone Riverside land.

Not all of the applicant's land is captured by the ODP Riverside. Further, the main access points indicated on the ODP is not included as the proposal is to access the site via Melrose Road as shown on the proposed scheme plan included as Annexure C.

The proposal for this part of the site will require resource consent as it's for activities outside of what is permitted by the Outline Development Plan.

There are other non-compliances which are addressed in the compliance table below.

Earthworks are not defined as a permitted activity within the Business D zone however it is permitted within the Rural A zone subject to the site standard for earthworks. As the proposal exceeds a 2000m<sup>2</sup> area and likely the 5000m<sup>3</sup> volume consent is required a discretionary activity under the Rural A zone.

The site and critical standards for the zone are addressed in the compliance table below and any non-compliances will be addressed as part of the application.

## 2.0 SITE AND SURROUNDS

### 2.1 The Application Site and Surrounds

The application site is located on land located between the Ashburton River stopbank and the existing Business zoned land located along Alford Forest Road. The Allenton Rugby Football Club land is located adjoining Melrose Road.

The site is a relatively flat site topographically.

The site has been farmed and still is at this time however the land is zoned for business purposes with the exception of some of the land closest to Allenton Rugby Football Club.

The land is legally described as Lot 1 DP 382372 and Section 1 SO 18829, held in Record of Title 329319, RS36406 held in title 975273 and Lot 1 DP 546930. A copy of the Records of Title forms Annexure B to this application.

The location of the site is shown in the location plan included as Annexure E to this application.

Melrose Road is a sealed road from State Highway 77 to just beyond the entrance to the Allenton Rugby Football Club. From there it is a metalled road that provides access to the Ashburton bike trails, landowners off this road and the Ashburton River.

There are few properties that access this road beyond the Allenton Rugby Club except for the applicants who access their land via a gate at the end of the Rugby Club grounds and other landowners on the west side of the road.

The applicants land can only be accessed from Melrose Road, and this is via a right of way over the Allenton Rugby Club land. A copy of the Records of title and digital survey shows this.

All adjoining and surrounding land is therefore either service/industrial or rural and with few residential units within 1km of the subject site.

In terms of the NESCS, there is only a small part of the land area owned by the applicant that is listed as a HAIL site. This is at the southern end of the site within RS 36406.

Melrose Road is classified as a Local Road in the District Plan; this is a metalled road with a minimum 5m wide carriageway.

### 3.0 PROPOSAL

This application is seeking resource consent for this development to.

- undertake earthworks for road widening of Melrose Road by utilising land from the Allenton Rugby Football Club (Zoned Rural A and listed as a Scheduled Activity – S16) and for earthworks within the Business D zoned land for roading and infrastructure.
- Access roading not in accord with Outline Development Plan Riverside Business D zone.
- Future buildings within 100m of an existing stop bank.
- Works within a designation for other than its designated purpose.

The widened road will have a carriageway of a minimum 10m and there is proposed to be kerb and channel and footpaths on both sides. provide access to the Business D zoned land the applicant owns however this road connection is not in accord with the Outline Development Plan Business D Riverside.

The proposal includes undertaking future development within the Business D zone on land included as part of the Outline Development Plan – Riverside and within Designation 21 Environment Canterbury including future building development within 100m of the Ashburton River Stopbank.

The proposed subdivision concept is shown on the Subdivision Concept Layout Plan included as Annexure C.

The purpose of the road widening is to enable future traffic movements over Melrose Road into the land owned by Ashburton Riverside Developments Ltd zoned Business D and the future development potential of this land.

The site is contained within *Appendix 5.3: Outline Development Plan – Business D Zone: Riverside*. A copy of this ODP is included as Annexure H to this application.

The proposal includes earthworks and site development for the purpose of establishing a sealed surface for the transport and logistics associated with the road.

This application addresses all of the road widening proposed alongside earthworks and future built form in relation to the stopbank.

On stormwater management, hardstand stormwater from the road will discharge to kerb and channel.

## **Earthworks**

There are substantial earthworks to be undertaken by the approved contractor and involve excavator and dump truck units. In terms of earthworks to level the site and remove stockpiled materials and topsoil for the road widening. This will also include basecourse and top course material for compaction before sealing of the entire road. Indicative figures for these earthworks for the road contraction from the edge of the Allenton rugby club at the northern end to the point where the road curves to the point of the boundary between the Allenton Rigby Club and the applicants land is upward 20000 m<sup>3</sup> of earthworks excluding swale formations and inground service installations.

The proposal is that disturbed soils will be reused on the site as much as possible. Any soils removed off-site will be removed to an approved location.

Management of contamination in soil and any unexpected discovery of contamination will be in place throughout all phases of earthworks on site.

The extent of earthworks would be confirmed as part of the detailed civil design works.

The net fill volume will consist of base course and hard course. Any organic or other unsuitable materials will be removed from the site and disposed of to an approved landfill site. Topsoil will be stockpiled for reuse where practical.

A Construction Management Plan can address the manner in which the fill material will be brought to the site.

During site clearance and earthworks, soil and erosion control measures comprising hay bales and silt fences will be utilised.

Any earthworks and silt control measures to be adopted for site works will be in accordance Ashburton District Council requirements. The requirements of the Operative Ashburton District Plan requires earthworks activities to be considered as a non-complying activity.

Under **5.8.6(b)** of the Business Zone rules which states;

*All activities unless listed, which is not listed as a permitted, controlled, restricted discretionary, discretionary, or prohibited Activities are non-complying.*

***Earthworks:** means the disturbance of land surfaces by the removal or depositing of material, excavation, filling or the formation of roads, banks or tracks, but excludes the digging post-holes, cultivation, tending or landscaping gardens, planting trees or removing dead or diseased trees, or drilling bores. Excavation for the purpose of land drainage is included within the definition of earthworks.*

Under **3.9.13 (b)** of the Rural zone site standards states,

*b) Earthworks in the Rural A and B zones (excluding dig and fill for drainage works), shall not exceed a maximum volume of 5000m<sup>3</sup> over an area no greater than 2000m<sup>2</sup> on any one site per annum.*

In terms of this rule, the volume and area of earthworks will be exceeded.

Given the nature, location, and size of the proposed roading and stormwater development it is anticipated that as a condition of approval, the applicant will be required to prepare a Construction Management Plan (CMP) for the physical construction works. A CMP, generally submitted at the time of the building consent application, would address the following elements:

- *Construction timetable.*
- *Disposal of surplus material.*
- *Dust management.*
- *Vibration of construction equipment.*
- *Means of compliance with NZS 6803:1999 "Acoustics – Construction Noise" and NZS 6803P:1984 "The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work".*

- *Any maintenance of access to adjoining private properties.*
- *Ensuring pedestrian safety along public footpaths.*
- *Any need for temporary road closures and/or other restrictions on the surrounding road network for the transportation of plant, machinery, and materials.*
- *Site perimeter security.*
- *Advising adjoining landowners and occupiers of planned construction activities; and*
- *Handling and addressing of complaints.*

The development plans for the proposal are included as part of Annexure C to this application.

In addition, and separately to this application, an Outline Plan in accordance with Section 176A of the Resource Management Act 1991 may be required due to the designation over the land.

### **Signage**

It is proposed that any on site signage will be erected on the road frontage near the entranceway of the subdivision site.

Any building façade signage is proposed to be illuminated such that it complies with the District Plan lux spill or light spill requirements.

Signage will comply with the standards of the Ashburton District Plan.

The applicants are required to meet this level of parking as part of an internal arrangement or agreement for the development.

The traffic impact assessment prepared by Novo Group is included at Annexure I.

### **National Environmental Standard (NES) for Soil Contamination**

The NES standard became operative on the 1st of January 2012 and seeks to ensure that land affected by contaminants in soil is appropriately identified and assessed before its developed and if necessary, the land is remediated, or contaminants contained to make the land safe for human use.

The Environment Canterbury Listed Land Use Register (LLUR) does not identify a HAIL activity having previously existed on the site.

### **Environment Canterbury Consents**

Any resource consents from Environment Canterbury for this development will be applied for separately. They may well or could include.

- Discharge of stormwater to land on a contaminated or potentially contaminated site.
- Discharge of construction and operation phase stormwater consents.
- Land Use consent for earthworks (if required)



## 4.0 STATUTORY FRAMEWORK

### 4.1 RESOURCE MANAGEMENT ACT 1991 (RMA)

Part II of the RMA sets out the purpose and principles of the Act. Section 5 sets out the purpose of the RMA, being “to promote the sustainable management of natural and physical resources” which is defined to mean:

*“Managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –*

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment”.*

Whether the purpose of the RMA is being achieved involves “an overall broad judgement”. This assessment is informed by reference to the matters set out in Sections 6, 7 and 8 of the Act and:

*“allows for comparison of conflicting considerations and the scale or degree of them and their relative significance or proportion in the final outcome”.*  
*(Eden Park Trust Board and Eden Park Neighbours Association vs Auckland City Council, A130/97).*

Section 6 sets out matters of national importance relative to the natural character of the coastal environment, protection of outstanding natural features, protection of areas of significant indigenous vegetation and habitats of indigenous fauna, maintenance and enhancement of public access along coastal marine areas, lakes and rivers, and the relationship of Maori and their culture and traditions.

Section 7 requires particular regard to be had to ‘other matters’. Of relevance to this application are:

- “(b) the efficient use and development of natural and physical resources.*
- (c) the maintenance and enhancement of amenity values.*
- (f) maintenance and enhancement of the quality of the environment.*
- (g) any finite characteristics of natural and physical resources”.*

Section 8 requires the principles of the Treaty of Waitangi to be taken into account.

Section 104 of the RMA sets out the matters consent authorities are to have regard to when considering an application for resource consent. Section 104 (1) states:

*“When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to –*

- (a) any actual or potential effects on the environment of allowing the activity; and*
- (b) any relevant provisions of –
  - (i) a national policy statements*
  - (ii) a New Zealand coastal policy statement.*
  - (iii) a regional policy statement or proposed regional policy statement*
  - (iv) a plan or proposed plan; and**
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application”.*

The assessment undertaken in Section 5 of this AEE addresses actual or potential effects of the proposal having regard to matters in Part II of the RMA that are considered to have specific relevance to this proposal.

Section 104 (2) codifies the “permitted baseline” concept for the purpose of assessing effects:

*“(2) When forming an opinion for the purposes of subsection (1) (a), a consent authority may disregard any adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect”.*

This is relevant when considering the degree of compliance with the District Plan achieved by this proposal, as outlined in this AEE. From a bulk and location perspective the form, size and scale of the proposal complies with all relevant provisions, and it is a matter of the noncompliance with the Outline Development Plan and works to widen the road over scheduled activity land and building setbacks from a stopbank.

## 5.0 DISTRICT PLAN ASSESSMENT

### 5.1 District Plan Status

The Ashburton District Plan is an Operative Plan.

### 5.2 Zoning

The application site is zoned Rural A and *Business D'* under the Operative Ashburton District Plan.

### 5.3 Activity Definition

Under the Operative Ashburton District Plan the development falls into the category of an activity that does not meet the criteria for the Outline Development Plan and is therefore a non-complying activity.

### 5.4 Compliance Assessment

The compliance assessment below identifies the non-compliances with the Site Standards set out within the Operative District Plan.

Rule	Requirement	Activity Status / Comments
<b>Business Zone Standards</b>		
<b>5.8.6 Non-Complying Activities</b>		
<p><i>a) Any Activity which does not comply with any one or more of the relevant Zone Standards shall be a Non-Complying Activity, provided that they are not listed as a Prohibited Activity.</i></p> <p>The proposal is not completely in accord with the Outline Development Plan.</p>		
<p><i>b) All activities unless listed as Permitted, Controlled, Restricted Discretionary, Discretionary or Prohibited Activities are non-complying.</i></p> <p>The proposed earthworks are not specified in this zone and therefore fall to be a non-complying activity under the District Plan.</p>		

	<b>Site Standards</b>	<b>Activity Status / Comments</b>
5.9.1	<p><b>Height of Buildings</b></p> <p>a) Maximum height of any building shall be:</p> <p>Business D = 15m</p> <p>b) In the amenity setback area adjacent to the Ashburton River (Hakaterere) in the Business D Zone (Riverside) identified on the Outline Development Plan in Appendix 5-3, the maximum height of any building shall be 6m.</p>	Will comply
5.9.2	<p><b>Setback from Streets</b></p> <p>5m except that for Company Road: buildings up to and including 5m in height – 5m buildings over 5m in height – 10m</p>	Complies
5.9.3	<p><b>Setback from Neighbours</b></p> <p>a) Minimum setback of buildings from internal boundaries shall be as set out in Table 0-3 below:</p> <p>Business F – for buildings which are used for the housing or slaughtering of animals or for the processing of meat or produce.</p> <p>30m</p> <p>except that minimum setback distance for all buildings from the western internal boundary of Part Reserve 1774 with the adjoining railway land shall be 10m.</p>	n/a
5.9.4	<p><b>Building Coverage</b></p> <p>75% of the net site area</p>	<p>Complies</p> <p>Future proposed building coverage will be well within this standard for net site area.</p>
5.9.5	<p><b>Verandas</b></p> <p>a) In the Business A Zone, every building adjoining a road boundary, on its erection or on being reconstructed or altered in any way</p>	<p>NA</p> <p>Site is not found within the Business A Zone.</p>

	that substantially changes the exterior appearance, be provided with a veranda.	
5.9.6	<p><b>Windows</b></p> <p>a) In the Business A Zone, every building adjoining a road boundary shall contain window(s) covering a minimum of 65% of the area of the ground floor wall(s) along the road frontage(s), for the purposes of the display of goods and services.</p>	<p><b>NA</b></p> <p>Site is not found within the Business A Zone.</p>
5.9.7	<p><b>Outdoor Storage and Display</b></p> <p>b) In the Business A, B, C and D Zones, the outdoor storage of goods (excluding vehicles or the display of goods for sale) shall be sited to the rear of any building and screened from public view.</p>	<p><b>Will comply</b></p>
5.9.8	<p><b>Landscaping and Trees</b></p> <p>b) All sites in the Business B, Business C (except Tinwald), Business D and Business E zones shall be provided with tree planting on road boundaries as follows:</p> <ul style="list-style-type: none"> <li>• road frontages shall be planted with a minimum of one tree for every 10m of frontage.</li> <li>• trees shall not be planted a distance of more than 25m apart or closer than 5m.</li> <li>• at the time of planting all trees shall have a minimum height of 1.5m or be at least 3 years of age. (See Figure 0-5 below.)</li> </ul>	<p><b>Will Comply</b></p>
5.9.9	<p><b>Amenity</b></p> <p>a) Where a site adjoins a site zoned Residential, Rural or Open Space, the following standards shall apply:</p> <ul style="list-style-type: none"> <li>• the minimum setback of buildings from the Zone boundary shall be 4.5m;</li> <li>• buildings shall not project beyond a building envelope constructed by recession lines from points 2.3m above internal boundaries adjoining Residential Zones, as shown in Appendix 4-1 to the Residential Zone</li> </ul>	<p><b>Will Comply</b></p> <p>The proposal does partly adjoin a Rural zone boundary.</p> <p>Will comply</p>

	<p>section;</p> <ul style="list-style-type: none"> <li>a landscaped area with a minimum width of 2m shall be established and maintained along internal boundaries adjoining the Residential or Open Space Zone, and shall be planted with species, which at maturity, will screen the buildings from the adjoining sites. In addition, a solid wall or close boarded fence with a minimum height of 1.8m shall screen any outdoor storage areas.</li> </ul> <p>Note: For the purposes of this rule ONLY, where two sites are separated by a road, they are not considered to be adjoining.</p>	<p>No landscaped area of 2m is required as it does not adjoin a Residential or Open Space Zone.</p>
5.9.10	<p><b>Setback from Stopbanks and Water Bodies</b></p> <p>a) All buildings shall be set back a minimum distance of 100m from the centre line of any stopbank.</p>	<p>Does not Comply</p> <p>Some buildings for the future subdivision over this land will be within 100m of the existing stopbank.</p>
5.9.13	<p><b>Hours of Operation, Including the Sale of Liquor</b></p> <p>a) Where located on a site adjoining a Residential Zone, no activity, other than residential activities, visitor accommodation or emergency service emergency call outs shall operate outside the hours of 0700 to 2100 Monday to Friday and 0900 to 1700 Saturday, Sunday, and public holidays</p>	<p>N/A</p> <p>The site does not adjoin a Residential Zone.</p>
5.9.14	<p><b>Effluent Disposal</b></p> <p>a) There shall be no effluent disposal on to land within the Business F Zones at Fairton (except within Area 2 of the Silver Fern Farms meat processing facility Outline Development Plan) and Northpark Road.</p>	<p>n/a</p>
5.9.15	<p><b>Residential and Visitor Accommodation Activities</b></p> <p>a) Residential activities, for the purpose of custodial or site management, in the Business D, E and F Zones shall be:</p> <ul style="list-style-type: none"> <li>designed in such a way that they do not rely on open windows for ventilation in</li> </ul>	<p>Will Comply</p> <p>There may be need in the future for custodial or site management requirements for the Business D zone. This will be designed to comply if that eventuates.</p>

	<p>bedrooms,</p> <ul style="list-style-type: none"> <li>• limited to one per site,</li> <li>• ancillary to a business undertaken on that site, and</li> <li>• any residential unit shall be developed in accordance with the Residential A zone rules.</li> </ul>	
	<b>Zone Standards</b>	<b>Activity Status / Comments</b>
<b>5.10.1</b>	<p><b>Lighting</b></p> <p>a) All fixed exterior lighting shall be directed away from adjacent properties, roads, and railways.</p> <p>b) No activity shall result in greater than a 10 lux spill (horizontal and vertical) of light on to any adjoining property within the zone, measured 2m inside the boundary of any adjoining property.</p> <p>c) No activity shall result in greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned Residential measured at any point more than 2m inside the boundary of the adjoining property.</p>	<p><b>Will Comply</b></p> <p>The lighting within the site will be designed to be contained within the site which will include future subdivision lighting.</p> <p>Will comply.</p> <p>n/a</p>
<b>5.10.2</b>	<p><b>Offensive Processes</b></p> <p>a) No activity involving the following processes shall be undertaken within a Business A, B, C or D Zone, or within Area 1 of the Ashburton Business Estate (Business E Zone):</p> <ul style="list-style-type: none"> <li>• processes requiring offensive trade licenses under the Health Act 1956;</li> <li>• the manufacture and processing of chemical fertilisers;</li> <li>• meat processing or any associated processing of meat and meat by-products or co products (refer to Section 6.2 Definitions).</li> <li>• fish curing, cleaning, treatment, preserving</li> </ul>	<p>n/a</p> <p>It is not proposed any of these activities in the future would locate to this subdivision. If there is any such proposal or similar type proposal then a separate resource consent would be required.</p>

	<p>and storage.</p> <ul style="list-style-type: none"> <li>• cement and concrete products manufacture (except this restriction shall not apply to concrete products manufacture in the Business C and D Zones).</li> <li>• hot-mix asphalt paving manufacture; • glass or fibre-glass manufacture;</li> <li>• wood-pulp manufacture and processing;</li> <li>• foundry processes, electro-plating works, melting of metals, steel manufacture and galvanising;</li> <li>• natural gas, oil, or petroleum distillation or refining.</li> <li>• manufacture of hardboard, chipboard, or particle board.</li> <li>• timber treatment;</li> <li>• wool scouring;</li> <li>• auto dismantling.</li> </ul>	
5.10.3	<p><b>Outline Development Plans and Limitations on Activities</b></p> <p>e) No development shall take place in the Business D Zone at Riverside, except in accordance with the Outline Development Plan attached in Appendix 5-3.</p> <p>f) No development shall take place in the Business D Zone at Riverside, in the area indicated on the Outline Development Plan attached in Appendix 5-3 as deferred zoning, until such time as roading access has been established through land zoned Business C to State Highway 77.</p>	<p><b>Does not comply</b></p> <p>This proposal is not fully in accordance with the Outline Development Plan. The roading connections from the east are not proposed and instead access is from Melrose Road via roading upgrades.</p> <p>There is reference to a deferred zone but that is not shown on the ODP.</p>
5.10.5	<p><b>Flood Risk</b></p> <p>a) All new buildings in the Business D Zone (Riverside) shall be such that the floor height of the building is a minimum of 150mm above the assessed flood waters with a 0.5 percent probability in any one year.</p>	<p>Will comply</p> <p>At the time of building consent demonstration that this rule has been complied with will be required.</p>

Table 1: District Plan Compliance Assessment-Business D Zone



Operative District Plan		
Rule	Requirement	Comment
Rural Zone Rules		
3.8.2	<p>The following activities shall be Permitted Activities, provided that they comply with all of the relevant Site and Zone Standards below and all relevant District-Wide Rules and, are not listed as Controlled, Discretionary or Prohibited Activities</p> <p>(m) - Earthworks</p>	The proposal best fits this definition subject to the volume of earthworks meeting the maximum volume and area site standard referred to in the table below.
3.8.5	<p>The following activities shall be Discretionary Activities, provided that they comply with all of the relevant zone standards:</p> <p>i) Any other Activity, which is not listed as a Permitted, Restricted Discretionary, Non-Complying or Prohibited Activity.</p>	The proposed road widening will fit as any other activity as per this activity standard
Site Standards		
3.9.2	<p>Site Coverage</p> <p>a) Maximum percentage/area of the net area of any site covered by buildings and impervious surfaces shall be:</p> <p>Rural 10% of net site area or 2000m<sup>2</sup>, A whichever is the lesser.</p>	<p>Does not Comply</p> <p>With the addition of the proposed road widening there is circa 5000m<sup>2</sup> of impervious area within the Rural A zone.</p>
3.9.3	<p>Maximum Height of Buildings</p> <p>10m in Rural A and B for buildings used other than for the purposes of undertaking a farming activity</p>	<p>n/a</p> <p>no buildings are proposed in the Rural A zone and if there are, they will not exceed 10m</p>
3.9.4	<p>Setbacks from Roads</p> <p>a) The minimum setback of buildings from road boundaries shall be 10m</p>	Will Comply
3.9.5	<p>Setbacks from neighbours</p> <p>a) Minimum setback of buildings from internal boundaries of any site held in separate ownership shall be:</p>	Will comply

3.9.8	<p>Setback from Stopbanks</p> <p>a) All buildings shall be set back a minimum distance of 100m from the centre line of any stopbank erected by the Canterbury Regional Council. (Refer Appendix 3-1.)</p> <p>This standard shall not apply to:</p> <ul style="list-style-type: none"> <li>• additions or alterations to existing buildings (excluding existing buildings where the use of the building is being changed to a residential unit), where the addition or alteration will not increase the gross floor area of the building by more than 20m<sup>2</sup>; or</li> <li>• the replacement of existing buildings provided the gross floor area of the building is not increased by more than 20m<sup>2</sup>.</li> </ul>	<p>Will comply</p> <p>This rule mirrors the Business Zone rule for stopbank setback.</p> <p>There are no proposed buildings within the Rural zone that would be located within the 100m setback.</p>
3.9.9	<p>Flood Risk</p> <p>a) All new structures, buildings or extensions to existing buildings that are to be constructed on a site identified as being at risk from flooding, shall have a minimum floor height of 150mm above the level of the 1 in 200-year flood event, except for:</p> <ul style="list-style-type: none"> <li>• new buildings or extensions to buildings with a gross floor area up to, and including 60m<sup>2</sup>; or</li> <li>• any building with an unsealed or permeable floor.</li> </ul> <p>Note: A report identifying flood risk and the height of the 1 in 200-year flood event can be obtained from the Canterbury Regional Council or a suitably qualified expert.</p>	<p>Complies</p> <p>There is only future road and services proposed within the Rural A zone area so this is not an issue for this part of the development.</p>
3.9.12	<p>Tree Planting</p> <p>b) Tree planting in the Rural A and B Zones:</p> <ul style="list-style-type: none"> <li>• any new tree shall be planted a minimum of 2.5 metres from any internal boundary adjacent to an existing residential unit on a neighbouring property.</li> </ul>	<p>Will Comply</p> <p>If any new trees are required these will meet the 2.5m setback requirement.</p>
3.9.13	<p>Earthworks</p> <p>b) Earthworks in the Rural A and B zones (excluding dig and fill for drainage works), shall not exceed a maximum volume of 5000m<sup>3</sup> over</p>	<p>Does not Comply</p> <p>The maximum volume of 5000m<sup>3</sup> of earthworks will be exceeded along side the area of 2000m<sup>2</sup>.</p>

	an area no greater than 2000m <sup>2</sup> on any one site per annum.	
<b>Zone Standards</b>		
3.10.1	Residential Density  a) Minimum net area for any one residential unit shall be:  • 8ha - Rural A	n/a
3.10.2	Setback of residential units from Intensive farming activities.  a) The minimum setback for new residential units from the following activities shall be 400m: • existing feedpads. • existing dairy/milking sheds. • existing buildings designed and/or used for the housing and/or shelter stock. • existing buildings designed and/or used for any intensive farming activity; and • existing areas used for farm-related effluent storage or disposal.  Note: The standard does not apply to buildings on the same site.	n/a.  The proposal does not involve a new residential unit.
3.10.3	Setback of Buildings from residential units.  a) The following activities shall be setback at least 400m from existing residential units on a site held in a separate title: • feedpads. • dairy/milking sheds. • buildings (over 100m <sup>2</sup> in area) designed and/or used for the housing and/or shelter of stock. • buildings designed and/or used for any intensive farming activity. • areas used for farm-related effluent storage or disposal.  Note: The standard does not apply to buildings on the same site.	n/a  The five activities mentioned are not sought through this application.
3.10.4	High Flood Hazard Areas Rural A and B only  a) No new structures, buildings or extensions to existing buildings shall be erected on a site identified as being at high risk from flooding.  Note: A report identifying flood risk and the height of the 1 in 200-year flood event can be obtained from the Canterbury Regional Council or a suitably qualified expert.	Complies  There are no new structures or buildings within the Rural A area.  The high-risk area is the riverbed side of the stopbank.

3.10.8	Setback from High-voltage Transmission Lines  • Within 12 metres of any High-voltage Transmission line as shown on the Planning Maps, no new buildings or structures shall be erected.	Complies
3.10.9	Lighting  a) All fixed exterior lighting shall be directed away from adjacent properties, and roads, and railways and angled below the horizontal.  b) No lighting from any activity shall result in a greater than 3 lux spill (horizontal and vertical) of light onto any adjoining property within a Residential Zone, measured at any point more than 2m inside the boundary of the adjoining property.	Complies  Any lighting (in particular street lighting) will be designed to comply.
Scheduled Activities		
8.6.2 Private Recreation Facilities		
8.6.2.1	Height of Buildings  a) Buildings shall not exceed a maximum height of:  Allenton Rugby Club 8m	n/a
8.6.2.2	Setback from Streets  a) All buildings shall be set back a minimum distance from road boundaries of:  Allenton Rugby Club 5m	Complies  The road widening of 10m will still retain a setback from the existing building more than 5m
8.6.2.3	Setback from Neighbours  a) Subject to meeting the recession plane requirement, all buildings shall be set back a minimum distance from internal boundaries of:  Allenton Rugby Club 9m	Complies
8.6.2.5	Lighting  a) All exterior lighting shall be directed away from adjacent properties and roads.  b) No activity shall result in a greater than 3 lux spill (horizontal and vertical) of light onto any adjoining property within a Residential Zone, measured at any point more than 2m inside the boundary of the	Will comply  There is only one small area of residential zoning adjoining the part of the area where the road widening is starting at the base of the small hill.

	<p>adjoining property.</p> <p>c) The above standards shall not apply to light associated with emergency service emergency call outs</p>	
8.6.2.6	<p>Hours of Operation</p> <p>a) Where a site immediately adjoins or, faces across a road, a Residential Zone, no activities shall be conducted on the site between the hours of midnight and 7am. Except that on the site of the Ashburton Golf Course, no activities shall be conducted on the site between the hours of midnight and 6am.</p>	n/a
8.6.2.7	<p>Building Coverage</p> <p>a) For the sites listed below, a single building shall not exceed 100m<sup>2</sup> in total floor area. The combined total area of all buildings on site shall not exceed a maximum of 5% of the total site area. These standards are exclusive of children's play equipment.</p> <ul style="list-style-type: none"> <li>• Collegiate Football Club</li> <li>• Allenton Sport Club</li> <li>• MSA Bowling Club</li> <li>• Mid Canterbury Basketball Association</li> <li>• Hampstead All Sports Club (including former Hampstead Bowling Club)</li> <li>• Ashburton Celtic Football Club</li> <li>• Collegiate Football Grounds</li> </ul>	n/a
8.6.2.8	<p>Surfacing</p> <p>a) The site coverage by hard surfacing, including courts, footpaths, swimming pools and car parking areas, shall not exceed:</p> <p>Allenton 30%</p>	<p>Will comply.</p> <p>There is circa 5000m<sup>2</sup> of land area to be used for roading approx. which is less than 7% of the land area.</p>
<b>Transport Standards</b>		
<b>Site Standards – Accessibility and Safety</b>		
10.9.1	<p>Roading, Access and Vehicle Crossings</p> <p>All new roads shall be laid out and vested in the Council, in accordance with Standard</p>	

	<p>NZS4404:2010</p> <p>a) Where a new road transport network is proposed that is located in a manner that makes it capable of being extended in the future to service additional land, the future potential daily traffic volume for the extended road shall be used to determine the minimum and maximum widths required in Table 10-4 above. This determination shall be based on the greater of the actual number of allotments served or the potential number of allotments that could be served as a permitted or controlled activity.</p> <p>b) The carriageway of all new road transport networks laid out and vested in accordance with a) above shall be formed and sealed.</p> <p>c) Footpaths shall be constructed as a sealed strip of 1.5m width within the berm.</p> <p>d) d) All areas of berms not sealed in footpath are to be formed in grass.</p> <p>e) Cul-de-sac shall be constructed with turning heads of the following radii, measured from the centre of the turning head to the kerb face:</p> <ul style="list-style-type: none"> <li>• Residential zones and the Residential and Rural-Residential Areas of the Aquatic Park Zone – 9.5m</li> <li>• All other zones – 15m</li> </ul> <p>f) If the corner lot is included in any subdivision, the corner at the road intersection shall be splayed with a diagonal line reducing each boundary by at least 4 metres from the corner, except that in a Business or Rural Zone or if the highest speed limit on either frontage road is greater than 50km/h, then the diagonal line reducing each boundary shall be at least 6 metres from the corner.</p>	<p>The roading proposal here is a widening of Melrose Road (an existing 10m legal width road) and extension through the Rural A zone to connect to the Business D zone.</p> <p>The ODP Riverside is designed for roading extensions from the two existing roads in the Smallbone Business Estate.</p> <p>Will comply</p> <p>Will comply however there may only be footpath on one side</p> <p>Can be designed to factor grass where no footpath is provided</p> <p>Will comply</p> <p>Will comply.</p>
--	--	--

	<p>The corner rounding or splay shall be vested in the Council.</p> <p>g) Within any new subdivision, provision shall be made for pedestrian and cycle access links, to a level appropriate to the scale and location of the development.</p> <p>h) Where a subdivision adjoins land not yet subdivided, provision shall be made for pedestrian, cyclist, and vehicle access linkages between the areas, including vesting of land for future road transport network reserves for the purpose of facilitating connections to future roading extensions to serve surrounding land, or planned road links that may need to pass through the subdivision.</p>	<p>This can be addresses at subdivision stage within the Business D zone area.</p> <p>This will be factored as part of the subdivision of the Business D zoned land. This proposal is providing the road linkage to the Business D zone. The ODP shows road linkages from Robinson and Range Streets.</p>
10.9.2	<p>Vehicular Access</p> <p>a) All vehicular access to fee simple title allotments, cross leases, unit titles or leased premises shall be in accordance with the standards set out in Table 10-6. This rule shall not apply to vehicle crossings directly on to individual sites, which do not involve an access (refer to the definition of "access").</p>	<p>This will be dealt with at the time of subdivision of the Business D zoned land.</p>
10.9.3	<p>Distances of Vehicle Crossings from Intersections</p> <p>a) No part of any vehicle crossing shall be located closer to the intersection of any roads than the minimum distances specified in Table 10-7: Collector – Arterial Road = 20m</p>	<p>Will Comply</p>
10.9.5	<p>Maximum Number of Vehicle Crossings</p> <p>a) The maximum number of vehicle crossings to a site per road frontage shall be in accordance with Table 10-8 below:  Collector Road – (any speed limit) frontage length 101m+ = 3 crossings</p>	<p>Will Comply</p>
10.9.6	<p>Sight Distances from Vehicle Crossings</p> <p>a) Unobstructed sight distances shall be available from all vehicle crossings, in accordance with the minimum sight distances specified in Table 10-9: 81-100km/hr = 160m</p>	<p>Will Comply</p>
10.9.7	<p>Design and Construction of Vehicle Crossings onto Arterial Roads</p>	<p>Will Comply</p>

	<p>a) The length of any vehicle crossing shall be in accordance with dimensions set out in Table 10-9 below: Table 10-9: Vehicle Crossing Length</p> <table border="1"> <thead> <tr> <th></th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Residential</td> <td>3m</td> <td>7.5m</td> </tr> <tr> <td>Other</td> <td>4m</td> <td>9m</td> </tr> </tbody> </table> <p>b) The vehicle crossing length shall be measured along the property boundary.</p> <p>c) All vehicle crossings on to arterial and principal roads where the speed limit exceeds 50km/hr shall be designed and constructed in accordance with the diagrams included in Appendices 10-7 – 10-8, except for vehicle crossings to farming activities in Rural Zones; this standard shall only apply where a vehicle crossing provides access or a driveway to building(s).</p>		Minimum	Maximum	Residential	3m	7.5m	Other	4m	9m	Melrose Road is a Local Road
	Minimum	Maximum									
Residential	3m	7.5m									
Other	4m	9m									
10.9.9	<p>State Highway Access</p> <p>a) Any new subdivision or land use activity that would require direct access to a state highway at a location where there is currently no such direct access, or would require any alteration to, or increase in the use of an existing direct access to such a state highway, shall be a restricted discretionary activity.</p>	<p>Does not Comply</p> <p>The proposal involves road widening which is for the purpose of increasing the use of the existing direct access to State Highway 77.</p>									
10.9.12	<p>Tree Planting – Shading and Intersection Visibility</p> <p>a) No tree shall be allowed to grow such that it shades the carriageway of a road throughout the hours of 10am and 2pm on the shortest day of the year.</p> <p>b) No tree shall be planted within 30m of a road intersection, measured to the point at which the legal boundary lines of the two road frontages intersect.</p>	Will Comply									

## 5.1 Activity Status

Consent is sought for a **non-complying activity** under the Operative Ashburton District Plan as the proposal is not in accordance with the Outline Development Plan for this zone and in addition, non-compliance with setbacks from a stopbank and earthworks.



There is also the upgrading of the road to provide connection and greater intensity of use with State Highway 77

The extent of any discrepancies are not significant and an assessment of the effects should demonstrate that the impact of these non-compliances will be less than minor.

## 6.0 STRATEGIC PLANNING CONTEXT

### 6.1 CANTERBURY REGIONAL POLICY STATEMENT

The Canterbury Regional Policy Statement (RPS) was made operative on 15<sup>th</sup> January 2013.

This document provides a community-based vision and direction for the management of the natural and physical resources of Canterbury. There are close connections and consistency between objectives, policies, and methods within the RPS and the other Resource Management plans prepared by the Council. The objectives and policies contained in the RPS focus on the natural environment, however, there are objectives and policies of relevance to the proposal located within the built environment. In broad terms the issues and policy framework set out therein links to those found in the Operative Ashburton District Plan assessed in the AEE.

The relevant objectives and policies of the RPS are:

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

*Development, including papakāinga and marae, is located and designed so that it functions in a way that:*

- (1) achieves consolidated, well designed, and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth; and*
- (2) enables people and communities, including future generations, to provide for their social, economic, and cultural well-being and health and safety; and which:*
  - (c) encourages sustainable economic development by enabling business activities in appropriate locations.*
  - (d) minimises energy use and/or improves energy efficiency.*
  - (f) is compatible with and will result in the continued safe, efficient, and effective use of regionally significant infrastructure; and*
  - (g) avoids adverse effects on significant natural and physical resources including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure.*
  - (i) avoids conflicts between incompatible activities.*

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

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

- 1 *To recognise the benefits of enabling people and communities to provide for their social, economic, and cultural well-being and health and safety and to provide for infrastructure that is regionally significant to the extent that it promotes sustainable management in accordance with the RMA.*
- 2 *Patterns and sequencing of land-use with regionally significant infrastructure in the wider region are achieved so that:*
  - (a) *development does not result in adverse effects on the efficient operation, use and development of regionally significant infrastructure.*
  - (b) *the adverse effects resulting from the development and operation of regionally significant infrastructure are avoided, remedied, or mitigated.*
  - (c) *there is increased sustainability, efficiency, and liveability.*

**Objective 5.2.3 Transport network (Wider Region)**

*A safe, efficient, and effective transport system to meet local regional, inter-regional and national needs for transport, which:*

1. *supports a consolidated and sustainable urban form;*
2. *avoids, remedies, or mitigates the adverse effects of transport use and its provision;*
3. *provides an acceptable level of accessibility; and*
4. *is consistent with the regional roading hierarchy identified in the Regional Land Transport Strategy.*

**Policy 5.3.2 – Development Conditions (Wider Region)**

*To enable development including regionally significant infrastructure which:*

1. *ensure that adverse effects are avoided, remedied, or mitigated, including where these would compromise or foreclose:*
  - a. *existing or consented regionally significant infrastructure;*
  - b. *options for accommodating the consolidated growth and development of existing urban areas;*
  - c. *the productivity of the region's soil resources, without regard to the need to make appropriate use of soil which is valued for existing or foreseeable future primary production, or through further fragmentation of rural land;*
  - d. *the protection of sources of water for community supplies;*
  - e. *significant natural and physical resources;*
2. *avoid or mitigate:*
  - a. *natural and other hazards, or land uses that would likely result in increases in the frequency and/or severity of hazards.*

- b. reverse sensitivity effects and conflicts between incompatible activities, including identified mineral extraction areas; and*
- 3. *integrate with:*
  - a. the efficient and effective provision, maintenance, or upgrade of infrastructure; and*
  - b. transport networks, connections, and modes to provide for the sustainable and efficient movement of people, goods and services, and a logical, permeable, and safe transport system.*

The proposed development is an essential facility for roading improvements to enable connection to the Business D zone where there is currently no roading connection suitable for the future Industrial use.

### **5.3.7 Strategic land transport network and arterial roads (Entire Region)**

*In relation to strategic land transport network and arterial roads, the avoidance of development which:*

- 2. in relation to the strategic land transport network and arterial roads, to avoid development which forecloses the opportunity for the development of this network and these roads to meet future strategic transport requirements*

### **Canterbury Land and Water Regional Plan**

The purpose of the Canterbury Land and Water Regional Plan (“LWRP” or “the Plan”) is to identify the resource management outcomes or goals (objectives in this Plan) for managing land and water resources in Canterbury to achieve the purpose of the Resource Management Act 1991 (“RMA”). It identifies the policies and rules needed to achieve the objectives and provides direction in terms of the processing of resource consent applications.

There are sub-regional sections outlined in this plan of which Ashburton is included. The most relevant considerations where this application is concerned are those relating to the discharge of storm water to land or water and its subsequent treatment and earthworks where they might be over aquifers and the effects associated with this.

The earthworks associated with the development will be carried out in compliance with erosion and sediment control guidelines. All stormwater from the hardstand or impervious surfaces within the road network will be treated by disposal methods appropriate for this location.

This will be undertaken as part of the detailed engineering design for the site and will need to be approved by Ashburton District Council.

#### **6.4 SUMMARY**

Overall, from a strategic planning perspective there are no matters identified above that would influence negatively on the planned development of a wider and more efficient road network to service the Rural A and Business D zoning.

## 7.0 ASSESSMENT OF EFFECTS

The following assessment of effects arising from the non-compliance's with development standards is discussed below under the Operative Plan.

### 7.1 Assessment of Effects – Scheduled Activity and ODP

The potential effects will be the surfacing of the road following the widening of the existing Melrose Road metalled surface. The proposal is to utilise a minimum 10m width of the existing Allenton Rugby Club Scheduled Activity land to enable the road widening to occur.

This is shown on the proposed scheme plan which is the subject of a boundary adjustment application to include this land as part of the road area. A separate subdivision application will be lodged concurrently with this proposal.

The extent of the widening as it will occur on the ground will be from the north - eastern corner all the way along the southern edge of the current sports ground facility to a point some 367m parallel to the current road before the road formation crosses through the rear of the Allenton Rugby Club grounds to connect with the applicant's land.

There will be some existing infrastructure and shelter that will be removed and repositioned as part of this road widening which includes an EA Networks power kiosk, the entry gates to the Allenton Rugby football club, post and wire fencing and the long row of established shelter trees that are planted within the Rugby Club land.

The loss of this 10m width of land poses very few issues in terms of the scheduled activity status being a rugby football and recreation ground. There is still substantial land area to provide for rugby grounds etc with this land loss. There are several rugby fields at this ground and those fields closest to the road may need to adjust slightly east but that should not create a significant localised effect.

Essentially, the change is the formation of a road which is sealed for a minimum width of circa 6-7m with provision for a footpath on at least one side, with kerb and channel and provision for berms which could act as planted berms with ability for first flush stormwater treatment.

The effects of a road in this location are not new in that it is utilised for that purpose now, but this proposed road widening and upgrade is to enable both heavy vehicles and standard cars and utility vehicles to access the Business D zoned land of the applicants and essentially adjoining land in time.

In time, on the road frontage with Melrose Road there may be the opportunity to plant trees suitable for this area as replacement amenity screening however it will not specifically be a double row shelterbelt etc. but consideration for a species will be discussed with the Applicant and the Allenton Rugby Football Club.

The road widening area has very limited visibility from a residential area.

## **7.2 Assessment of Effects – Outline Development Plan – Riverside**

The reasons for the rules associated with this facility states.

*The Riverside industrial area comprises of Business D Zoned land situated on the lower river terraces along the western margin of Ashburton (Kapuka) township. It provides a significant area for future light industrial activity to establish beyond the extent of existing development, but the zoning is first dependent upon achieving suitable access routes into the area from the south that avoid associated traffic directly impacting on neighbouring residential areas. The Outline Development Plan addresses these access matters, and stipulates necessary boundary setback buffer distances, including landscaping requirements and building restrictions within those buffers.*

The road widening itself is not within the ODP area however the road acts as a means to obtain access to the ODP area from the north.

One of the main reasons for this was the difficulty in finding suitable access point to State Highway 77 for the applicant and Melrose Road was seen as an ideal solution and with agreement from the Allenton Rugby Football Club to utilise some of their land, this route then enables an access connection plus then gives a future option for a roading connection(s) to the south where the Robinson and Range St road extensions are shown on the ODP.

There are issues with those road connections and in particular Range St. If one overlays that road extension it passes through what is essentially part of the now covered over

‘Rubbish Mountain’ from Range St and thence through Conservation land. Whilst that may not be impossible to work through given resource and time, it is not a simplistic solution for road formation. The Robinson St extension is in time a possibility and it once that was partially explored by the applicant in conjunction with the Council property team at the time. These alternative options are discussed further below in the Consideration of Alternatives.

The proposal requires access to Melrose Road and facilitates development, as the land owned by the Applicant currently has no legal road access (until such time as other parties choose to develop). One of the key issues is the Melrose Road widening and the associated potential effects at the SH77 / Melrose Road intersection. A traffic report was prepared by Novo Group Limited that addresses these issues. A copy of that report is included as Annexure F.

The ODP has amenity and landscape requirements for development. This will be addressed at the time of the substantive subdivision of the Business D zoned land following approval of this land use consent application and the concurrent subdivision application.

### **7.3 Assessment of Effects – Earthworks**

Earthworks will be required for the roading levelling, foundation, and formation.

This will be undertaken by an approved contractor and the road will be designed and built to Ashburton District Council roading requirements in accordance with New Zealand Standards.

Firstly, the area will be cleared within the limits of the earthworks and any obstructions removed including the complete removal of stumps, trees, logs, scrub and coarse vegetation and disposal by burning, or dumping and burying in accordance with any requirements of the roading contract.

Topsoil shall be removed within the limits of the earthworks and shall be stockpiled in areas approved by the roading engineer for this purpose. The Contractor shall control all stockpiling operations to ensure the maximum utilisation of each area.



Provision for erosion and sediment control shall be undertaken to ensure surface drainage shall be constructed to maintain any natural water drainage facilities and limit the introduction of water into the earthworks.

The earthworks shall be carried out in such a manner that their surfaces always have a sufficient fall to shed water and prevent ponding.

The excavations for the earthworks may include "cut to fill" material and "cut to waste" material, and the excavation and material excavated to waste below the subgrade surface shall be replaced with suitable material, which will be approved fill material as required for the roading stability.

The bulk filling and subgrade filling material will be approved as part of the construction by qualified engineers and the requirements for grading, levelling, and compaction to a finished surface ready for sealing shall be undertaken.

Inground infrastructure services for water, wastewater, telecommunications, and electricity will be included as part of the civil design for the substantive subdivision for the Business D zone.

In terms of earthworks volumes for cut/fill the total area is circa 5000m<sup>2</sup> so based on an average 0.5m deep cut and subsequent fill for basecourse and subgrade there could be more than 9000m<sup>3</sup> of earthworks excluding inground infrastructure installation and subsequent filling.

Contractors will ensure the foundation is engineered to a satisfactory standard for heavy equipment and that material is compacted and engineered so that there is effectively no pavement deflection under operating loads.

In terms of effects, it is considered that an erosion and sediment control plan, site management plan and a Construction Management Plan for these works will be required. Included within that will be dust management protocols required for the establishment of the site.

There is only one residential unit close to these works off Melrose Road (22 Melrose Road).

The excavation will be undertaken using excavators, possibly a scraper, for the construction and removal of the material alongside truck and trailer units for removing and delivering materials.

With the earthworks other effects are also considered. These are:

- 1) Effects on ecological values.
- 2) Effects on groundwater quality and quantity.
- 3) Effects on amenity values.
- 4) Effects on surface water

#### Ecology

As the work is 'out of stream', the effects on ecology are not relevant to this consent.

#### Groundwater

In this case, the proposal is unlikely to intercept any groundwater as the highest groundwater based on well data is 2-3m, but care will need to be taken with earthworks to avoid any potential contamination. There is no Community Drinking Water Protection Zone in this area.

#### Amenity

Amenity values will not be altered by the road other than existing vegetation removal in the form of the trees within the Allenton Rugby Grounds.

#### Surface Water

There are no known surface water courses that flow through this site and therefore, there will be no effect on any surface water body.

#### Natural Hazards

There are no areas of alluvial fan(s) on this property and the Ashburton River will be over 100m from the closest point of the road. There are no recognised active fault lines within the site.

There is flood protection via the stop banking on the true left hand side of the river. There are no mapped landslide areas within the region of the proposed development and there are no identified land areas on this site or adjoining that are considered possibly susceptible to liquefaction.

#### **7.4 Assessment of Effects – Traffic Effects**

A traffic impact assessment has been prepared for this proposal by Novo Group Limited. A copy of this Traffic Impact Assessment is included as Annexure F.

Consultation with NZTA has occurred to reach agreement with the proposed layout to enable the traffic connections between State Highway 1 and Melrose Road.

It is proposed to apply for resource consent to enable roading formation including earthworks ancillary activities for land to the south of Melrose Road and west of Alford Forest Road (SH77). This will facilitate a connection to Melrose Road to enable the Applicant to develop, as they are otherwise waiting on third parties to establish roading connections. Melrose Road would be upgraded to accommodate this connection.

The focus of this report has been on the transport effects associated with the development of the Applicant's circa 16ha on the assumption there is only access to the site via Melrose Road. This assessment has identified that the transport effects are anticipated to be acceptable subject to:

- i. Upgrading Melrose Road to an Industrial Local Road standard, including widening of the road corridor to 20m through purchasing land from the Allenton Rugby Club; and
- ii. Upgrading the SH77 / Melrose Road intersection to provide a flush median and alter the radii as shown on the plans included in the traffic report, which also incorporate extending the proposed median through the SH77 / Farm Road intersection.

### **7.5 Assessment of Effects – Noise**

The construction and formation of the road will create noise in terms of vehicle movements and works from heavy machinery.

This work shall be within daytime hours and shall comply with NZS 6803:1999 Acoustics – Construction Noise or its successor.

A recommendation is that a Noise Management Plan is adopted for the activity which details the management of the site outlined in the report and this application.

### **7.6 Assessment of Effects – Setback from Stopbanks**

There will be future buildings erected on sites within the substantive subdivision of the Business D zoned land that will be within 100m of the stopbank.

The relevant assessment matters are contained on page 3.69 section 3.11.7 *Setback from Stopbanks* and include,

- a) *Potential flood conditions at the site, the safety of occupants of buildings and the vulnerability of buildings and associated property to the effects of failure of the stopbank.*

When Environment Canterbury assess the risk of inundation associated with establishing a building or asset it can be noted that as it is an accessory building and not a residential unit or place of habitation that was factored as part of the flood hazard reporting i.e. there is a far lesser risk to peoples safety and the content of the building, which it is machinery and equipment of value, is not the same as a residence with people residing with all their fittings, fixtures and valuables typical of a home environment.

- b) *The effects of the building on the integrity of the stopbank.*

It is not considered that future buildings will detrimentally affect the integrity of the established stopbank.

Not only is a significant breakout necessary for waters to reach the site, but the development will also not divert floodwater onto other property or out of normal flow paths.

- c) *The ability for maintenance activities to be undertaken in or along the margins of water bodies.*

Although close to 100m from the closest point of the bank, buildings will be sufficiently removed from the stopbank in question. It is positioned even further from the nearest body of water. Accordingly, the future development sought will not hinder the ability for maintenance activities to be undertaken where necessary.

### **7.7 Assessment of Effects - Natural Hazards**

There is some flood risk notation on flood map 05 to indicate there is some flood potential, but it is not a high-risk flood situation. It is envisaged that future buildings will require minimum floor heights based on a flood hazard assessment for development of the land area for roading.

### **7.8 National Environmental Standards**

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (the NESCS) came into effect on 1 January 2012.

The site is not listed as having had HAIL activities upon it. A copy of the LLUR report is included as Annexure G.

### **7.9 Consideration of Alternatives**

The preceding assessment of effects shows that the proposal will not have any significant adverse effects on the environment. The fourth schedule of the Resource Management Act 1991 at section (1) (b) does not require an assessment of alternatives unless the activity is likely to have significant adverse effects.

### Land Swap

There was investigation to pursue the option of a land swap between a recreation reserve and land the applicants own. The reserve is contained in Record of Title CB128/46 and is owned by the Crown. This land is also zoned Business D and from a brief look under the District Plan there are no designations affecting that site.

At the time it was understood that it is possible to do a land swap subject to provisions of the Reserves Act however there were legal requirements including an interest in making the reserve land subject to part 9 of the Ngai Tahu Claims Settlement Act 1998, which effectively provides Ngai Tahu a first right of refusal on disposition of the land.

This didn't proceed as there are interested parties that would need to agree and statutory procedures and timeframes that would need to be followed including consultation with the Minister of Conservation.

Further the Council property manager at the time, considered that the land swap is not in Councils interest nor that of the user groups currently on the land.

### Robinson Street access

There was discussion(s) with ADC about potential for access to the land which included coming off Robinson Street (the existing Business Estate). This would then allow access to ADC land plus further connection to the applicant's land. There were the issues of the Crown land (Recreation Reserve) and the gun club to work through but that would be part of the process. The key was to get some agreement from ADC that this was a possibility. Again, this went no further due to land issues at the time.

The applicants engaged Novo Group to undertake some investigations with regards to options for access from State Highway 1 into the site. At the time it also included the subject Melrose Road access.

### Andrew and Robinson Street and Allens Road Access Options

Three other options were investigated,

***Andrew Street Access:*** *This access comes through the Rooney land and opposite Andrews Street. Whilst it is possible to come to an agreement for access with the*

landowner, this intersection would likely remove the majority of on-street car parking on Alford Forest Road around the existing retail at 94 to 100 Alford Forest Road. Removal of this car parking is likely to be opposed by the community and is therefore not the preferred access location;

**Allens Road Access:** This access comes through the PlaceMakers site and we understand that the landowner is willing to facilitate this access. Whilst there will be removal of on-street parking, there are no retail activities that are solely reliant upon on-street parking. It is understood management of Allens Road will be required to discourage heavy vehicle traffic; and

**Range Street Access:** This access requires a significant length of road through third party land. Furthermore, it is understood there may be geotechnical issues with this road alignment (namely the former rubbish dump area). Therefore, this option has not been pursued.

#### EA Networks Facility Sportsfield Expansion

A long-term proposal for the recreation area expansion by EA Networks was put forward by ADC.

There was no detail re access/egress for this other than a connection to Alford Forest Road with no rear connection option using Robinson Street at all.

We know that there were traffic issues with NZTA when they created the EA Networks Centre access/egress so we failed to see how any such new access/egress option would be approved here but nonetheless the applicant was interested in the discussion because of potential access option to their land.

#### Woollen Mills Drive

There was a proposal to access the site via the Woollen Mills Drive cul-de-sac by creating a right of way over Archibald Estates Ltd land and connect to the applicant's land. This avoided the direct access to State Highway 77 however part of the reasoning this didn't continue was the increased traffic movements on and off Woollen Mills Drive and the issue of future subdivision development of the applicant's land with more than 6 sites being developed was not ideal off a right of way and there was not enough road width to form a road.

It is therefore submitted based on the assessment of effects provided in this application that the effects are not significant and based on the assessment of alternatives, the current proposal is the preferred access/egress.

Accordingly, under Schedule 4 clause 1(b) of the Resource Management Act, there is no need for alternatives to be considered.

#### **7.10 Effects Summary**

Overall, based on the preceding assessment of environmental effects it is considered that although there are non-compliances, the effects are not significant.

The nature of the activity is a change of use of part of this rugby club land for roading expansion on what is a Rural A zone portion of land.

The proposal still more than adequately provides for future land users and adverse effects that could be considered significant are not expected to arise.



## 8.0 OBJECTIVES AND POLICIES

Section 104 (1) (c) of the Resource Management Act does allow for any other relevant matters that the territorial authority sees fit to be considered in determining an application.

It is noted that under Section 104D and Section 104(1) of the RMA, the assessment of a proposal against any relevant objectives and policies is incumbent on the consent authority, not the applicant.

Notwithstanding, an assessment against relevant Operative District Plan objectives and policies has been undertaken to assist the process. Those relevant to the Rural A Zone in this instance are the following.

### **Rural A Zone**

#### ***Objective 3.5: Rural Character and Amenity***

*To protect and maintain the character and amenity values of the District's rural areas, considering its productive uses whilst providing for non-rural activities that meet the needs of local and regional communities and the nation.*

#### ***Policy 3.5B***

*Provide for the establishment of non-rural activities in the rural areas, whilst managing any potential adverse effects on the character and amenity of the rural environment and rural productive activities.*

The proposal is for a roading construction to enable two-way sealed roading access to the Business D zone within Ashburton Riverside.

The potential adverse effects relate to the road construction and development activities.

#### ***Policy 3.5D***

*Protect the visual qualities of the surrounding environment from any adverse effects of night lighting of recreational and business activities.*

Lighting from the proposed road lighting will be minimise light spill onto adjoining rural land however there is a substantial hedge on the western side of the road and there will be no issues in terms of adverse effect with light cast onto the sports fields at all.

**Objective 3.6:**

***Extractive Activities Provide for and manage the effects of extractive activities, including earthworks whilst protecting the amenity values of the rural environment and rural resources.***

**Policy 3.6D**

***Control earthworks, including mineral extraction within the district to ensure minimal adverse effects on amenity values and land stability, whilst protecting important geoconservation sites, outstanding natural landscapes, riparian areas, and areas of significant nature conservation value.***

The earthworks are the roading construction activities for this proposal. The road widening will have a temporary effect while this is undertaken and will not be a significant effect on the rural environment as that is part of the sports field land where the Rugby Club can still easily function with the loss of that strip of land.

**Objective 3.7:**

***Natural Hazards in Rural Areas Minimise loss of life or serious injury, damage to assets or infrastructure, or disruption to the community from natural hazards.***

**Policy 3.7A**

***Ensure that buildings are located and constructed to avoid or mitigate the risks associated with flooding.***

There are no proposed buildings as part of this application and it is envisaged as part of the substantive subdivision application for the Business D zone land, a flood hazard assessment will be required.

The proposal is not considered contrary to these relevant objectives and policies.

## 9.0 PART II OF THE RESOURCE MANAGEMENT ACT

Part II of the Act contains Sections 5 – 8 and relates to the purpose and principles of the Act. It is considered that the proposal should be assessed against Sections 5 and 7.

### 9.1 Section 5

Section 5 outlines the purpose of the Act as follows:

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, "sustainable management" means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:*
  - (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
  - (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
  - (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

Section 5 of the Resource Management Act 1991 identifies the purpose of the Act as being the promotion of sustainable management of natural and physical resources. This proposal seeks to provide for road widening within Rural A land as a linkage to Business D zoned land where there is at present no legal access.

This roading development will meet the foreseeable needs of future generations whilst improving or remedying the current roading situation at the proposed application site whilst at the same time avoiding and mitigation potential adverse effects.

The proposal will contribute towards not only the landowner's social and economic wellbeing but on a District and Regional wide level the roading upgrade enables connection to Business zoned land that enables efficiency in management and distribution of people and goods whilst simultaneously providing for a demand within the wider area.

For the aforementioned reasons, it is considered that the proposed development achieves this purpose by avoiding, remedying, or mitigating any adverse effects.

## 9.2 Section 7

Section 7 outlines other matters that need to be considered. Matters of relevance are:

- (c) *The maintenance and enhancement of amenity values;*
- (f) *Maintenance and enhancement of the quality of the environment;*

Section 7(c) and (f) of the Act are matters to which Consent Authorities should give regard to when making informed decisions. When assessing a non-complying activity within the Rural A Zone and Business D zone, consideration may be given to the effects on amenity values and maintenance and enhancement of the quality of the environment because of the proposed activity.

The proposal is also considered to be consistent with these Part II matters in that the proposal will not be detrimental to the amenity of the surrounding environment, in accordance with Section 7c and 7f. Given the above, it is considered that the proposal is in keeping with Part II of the Act.

## 10.0 SECTIONS 104 & 104D - CONSIDERATION OF APPLICATIONS

Section 104 sets out those matters that must be considered when assessing an application for a resource consent. Subject to Part 2 of the Act, Section 104(1) requires a consent authority to have regard to the following matters:

- (a) *any actual and potential effects on the environment of allowing the activity; and*
- (b) *any relevant provisions of-*
  - (i) *a national policy statement;*
  - (ii) *a New Zealand coastal policy statement;*
  - (iii) *regional policy statement or proposed regional policy statement;*
  - (iv) *a plan or proposed plan; and*
- (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.”*

Section 104D of the Resource Management Act is a test that must be applied to applications for non-complying activities. If an application cannot satisfy the requirements of Section 104D (1) (a) or (b), then consent must be refused.

The test for “non-complying” applications is;

*a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either –*

- (a) *the adverse effects of the activity on the environment ... will be minor; or*
- (b) *the application is for an activity that will not be contrary to the objectives and policies of ... the relevant plan.*

The Council must be satisfied to require a positive finding that, in the authority’s view and on the evidence, the balance is tipped in favour of one or both of the specified conclusions.

Section 104(1)(b)(2) requires the consent authority to have regard to any relevant provisions of the District Plan or 104(1)(c) any other matter the consent authority to determine the application or Section 104(D)(1)(b)(i) the activity not being contrary to the objectives and policies of the District Plan.

*Section 104D (1) (a) and (b) have been described by the Environment Court as “gateways”. If neither gateway is satisfied, the application fails. If the application satisfies either gateway, then the application is to be considered under Section 104 of the RMA.*

The gateways of section 104D(1)(a) and (b) are disjunctive, meaning that to satisfy Section 104D it is necessary to satisfy only one of those gateways, not both.

It is noted that even where one (or both) “gateway” tests are satisfied, the consent authority retains discretion to decline consent if it considers the proposal will not achieve the purpose of the act.

In conclusion, it is considered that the proposal passes the first gateway of Section 104D (1) regarding potential effects on the environment and the second leg as well regarding those relevant Rural zone policies.

## 11.0 NOTIFICATION –SECTIONS 95 AND 95A-F

### Section 95A Public notification of consent applications

There is a four-step process under Section 95(A) to determine if public notification is required.

Step 1 - Does the application fall within the criteria for mandatory public notification under s95A (3)?

- The applicant has not requested public notification.
- Public notification is not required under s95C.
- The application has not made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

Step 2 - Does the application fall within the criteria where public notification is precluded under s95A (5)?

- The activity itself is for a non-complying activity.

Step 3 – Does the application fall within the criteria where public notification is required under s95 (8)?

- The application is not for an activity subject to a rule or national environment standard that requires public notification.
- the activity will not have or is not likely to have adverse effects on the environment that are more than minor.

Step 4 – Are there any special circumstances under s95A (9) which requires public notification?

- There are no special circumstances which require the application to be publicly notified.
- The application does not meet the criteria for public notification under the provisions of s.95A. Therefore, the application does not need to be publicly notified.

### Section 95B Limited notification of consent applications

Step 1 – Are there certain affected groups and affected persons who must be notified under s95BA (2-3)?

- There are no affected customary rights groups or affected marine title groups in relation to this proposal.
- The proposed activity is not on or adjacent to, or affects land is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11.

Step 2 - Does the application fall within the criteria where limited notification is precluded under s95B (6)?

- No. The application is not for an activity subject to a rule that precludes limited notification.
- The application is not for either or both the following activities, but for other activities:
- The activity is not for a controlled activity,
- The activity is not for a prescribed activity.

Step 3 – Does the application fall within the criteria for other affected persons to be notified under s95B (7-8) and s95E?

- The above assessment of environmental effects concludes the proposal will have less than minor adverse effects. Therefore, there are no persons who should be notified.

Step 4 – Are there any special circumstances under s95B (10) which requires limited notification?

- There are no special circumstances that would warrant the limited notification to any other persons not already deemed to be affected parties (excluding persons assessed under s95E as not being affected persons).



Based, on the above, and the preceding assessment of effects any adverse effects on the environment are less than minor and as such, its considered limited parties are adversely affected by the proposal. It is considered that the application need not be limited notified in accordance with Section 95B of the RMA.

Other than potentially the landowners and occupiers (other than Allenton Rugby Football Club) adjoining the site the owners at 22 Melrose Road, the scout den, and those landowners on the terrace above the Rugby Club will notice an increased traffic intensity over time. NZTA have been consulted about this proposal and the record of discussion with them is part of the Novo Group traffic assessment.

There are no other affected persons under Section 95E. Although the proposal will introduce a non-complying activity when assessed against the Ashburton District Plan, it is considered that the impact is of low potential based on the location and existing zoning for the land.

## 12.0 CONCLUSION

This application seeks resource consent for a development within (predominantly) the Rural A and Business D Zone. The proposal is to undertake road widening of Melrose Road by utilising land from the Allenton Rugby Football Club (Zoned Rural A and listed as a Scheduled Activity – S16) to provide access to the Business D zone on land included as part of the Outline Development Plan – Riverside and within Designation 21 Environment Canterbury including future building development within 100m of the Ashburton River Stopbank.

The purpose of the road widening is to enable future traffic movements over Melrose Road into the land owned by Ashburton Riverside Developments Ltd zoned Business D and the future development potential of this land.

This application is seeking resource consent for this development within the Business F Zone (ex Silver Fern Farms) land owned by Talley's Ltd over a circa 4ha area for a heavy transport freight and logistics hub.

Section 104 of the Act sets out the matters to be considered when assessing an application for resource consent. These matters require consideration of any actual and potential effects on the environment arising from the proposal, together with an assessment as to whether the proposal is consistent with the relevant objectives, policies, and rules of the Operative Ashburton District Plan.

It has been demonstrated by the preceding assessment that the effects on the environment because of this proposal will have effects that are of a low impact. The relevant provisions of Part II of the Resource Management Act 1991 have been satisfied and it is considered that the proposed development is consistent with the purpose of the Act, promoting the sustainable management of natural and physical resources, with no more than minor environmental effects.

The proposal enables the applicants to provide for their economic and social well-being, whilst simultaneously maintaining the quality and amenity of the local environment through the avoidance of adverse effects.