

Ashburton District Council  
PO Box 94  
Ashburton 7700

Attn: Courtney Sutton

8<sup>th</sup> May 2024

Dear Deanna,

**RE: RESOURCE CONSENT APPLICATION UNDER THE RMA 1991 – PETELO CLINIC - 2 HARRISON STREET, ASHBURTON**

Please find enclosed a scanned copy of 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.

When possible, please provide a copy of the Council's invoice via email to [david@dhconsulting.co.nz](mailto:david@dhconsulting.co.nz).

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

Yours faithfully,



David Harford





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

**Application for Land Use Consent**  
**Proposed Dental Orthodontic**  
**and Medical Facility,**  
**2 Harrison Street, Allenton**  
**ASHBURTON**  
**May 2024**  
Ashburton District Council  
Reference: 22-361  
Revision: Final

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**QUALITY ASSURANCE**

**Project Reference:** 22-361

**Title:** Application for Land Use Consent

**Client:** Petelo Clinic

**Filename:** 22-361

**Version:** Final

**Lodgement Date:** May 2024

**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:	2 Harrison Street, Allenton, Ashburton
Legal Description:	Lot 3 DP 4420
Record of Title	CB417/163. Refer Annexure B
Site Area:	1022m <sup>2</sup>
Property Owner	Dr Coffee Limited
District Plan Zone:	Residential C
Planning Maps	Map U47
Special Notations:	

## 1.2 Activity Classification

The only relevant District Plan for this proposal is the Operative Ashburton District Plan.

### Section 4: Residential Zones

#### 4.8.4 – Discretionary Activities

The following activities shall be Discretionary Activities, provided that they comply with all of the relevant Zone Standards:

##### a) Community Activities.

A medical facility such as a dental facility is captured as a community activity by definition in the District Plan.

##### 4.9.5 – Setback from Streets

a) Minimum building setback from road boundaries shall be:

Residential B and C 3m

The proposal includes part of the building extension within the 3m setback.

### Section 10 Transport

#### 10.8.6 On-Site Manoeuvring

The proposal has two spaces onto Harrison Street that will require a reverse manoeuvre.

#### 10.8.11 Queue Space

There is potential conflict off the Belt Road vehicle crossing with the first two car parking spaces.

#### 10.9.3 Distance of Vehicle Crossings between intersections.

The Harrison St vehicle crossing is within 20m of the intersection.

### Section 13: Signage

#### 13.7.2 - Restricted Discretionary Activities

Except where specifically provided for as non-complying activities, the erection of the following signs Restricted Discretionary Activities, with the exercise of the Council's discretion being restricted to the matter(s) specified in the Assessment Matters in 13.10:

a) Any sign not listed as a Non-Complying Activity which does not comply with any one or more of the General Standards and/or the Site Standards.

The proposed signage will exceed the minimum area requirements within the rules. This signage aspect of the development would be considered a restricted discretionary activity. Nevertheless, introducing a community activity within the Residential C Zone constitutes a discretionary activity and therefore, this proposal will be assessed as such throughout this application.

## 2.0 SITE AND SURROUNDS

### 2.1 The Application Site and Surrounds

The application site is located at 2 Harrison Street, Allenton, Ashburton. It is legally described as Lot 3 DP 4420 and has a total site area of 1022m<sup>2</sup>. A copy of the record of title for the property is included as Annexure B. The location of the site is shown in Figure 1 below:

This site has operated in recent times as a dental facility and was approved under resource consent LUC20/0006. This resource consent approved the use of the site and buildings as a dental orthodontist facility.



Figure 1: Aerial Photo Showing location of the Site.

The site is zoned Residential C under the Operative Ashburton District Plan.



This suburban setting is bordered to the north, east and west by land which is also zoned Residential C. This zone typically comprises comparably scaled, family style dwellings, it also includes activities of a community nature. Approximately 150m southeast is Ashburton College main entrance and administration area and some 150 east on Belt Road is the College sports ground and a childcare centre located adjoining this on the corner of Belt and Middle Roads.

The site has frontage to both Harrison Street (west) and Belt Road (east) and opposite the site (south), on the other side of Walnut Avenue is land zoned Open Space A which is Ashburton Domain. The Ashburton Hospital is found beyond the Ashburton Domain, approximately 300m south of 2 Harrison Street.

The subject site contains a single storey, three-bedroom building which has been used as the dental facility to date intermittently. For all intents and purposes, it could still be used as a dwelling in its current layout. The remainder of the land provides on-site car parking, there is an ancillary building used for garden tools and equipment, areas of landscaping including hedging and tress around the road frontage of the site other than pedestrian and vehicle gate entry.

The site enables both pedestrians and vehicles to enter/exit from Belt Road, access for pedestrians is also available via Harrison Street.

The main building is recessed back from the road frontages and obscured from view by elements of landscaping and planting. The building is a single level weatherboard clad building and corrugated iron roof, ideal for its intended use for the applicant as a medical facility.

This proposal will retain the existing crossings/accesses at their existing locations which will preserve ease of access for both vehicles and pedestrians alike.

The site is on the northern side of the roundabout which joins Harrison Street, Belt Road, Walnut Avenue and Oak Grove. Each of these roads has a 50km/hr speed limit except for Oak Grove just beyond the roundabout where a 30km/hr speed limit is imposed in front of the school entrance.

Both Harrison Street and Belt Road are two lane, sealed roads which measure approximately 10m and 14m wide respectively. These thoroughfares are classified as Principal Roads within the Ashburton District Plan and therefore fulfill predominant

connections between arterial and suburban, commercial, and industrial areas alongside their property access function.

Footpaths are located on both sides of the streets. Kerbside car parking is also available.

### 3.0 PROPOSAL

The applicant proposes to establish and operate a larger medical facility at the site which includes the existing dental operations more or less as originally consented which was a dental facility recognised as 'The Big Grin Orthodontist'. Currently operating in Christchurch, The Big Grin offers specialist orthodontic treatment, along with adolescent and adult dental care.

This proposal includes provision for other medical or health related professionals (up to 4 albeit it may be only one or two other professionals who need more than one tenancy space) to operate within the same building and share reception and administration facilities.

The existing building will be altered in accordance with the proposed site layout plan included as Annexure C, to accommodate this facility.

The site will also include areas of landscaping and the provision for onsite car parking.

As illustrated within Annexure C, the gross floor area of the buildings will only be increased by roughly 75m<sup>2</sup>, covering approximately 304.7m<sup>2</sup> overall.

There will be a reception and waiting room for patients upon visiting the facility and a staff room with kitchenette area, and there will be separate toilet facilities for patients and staff members. Beyond that, five orthodontic rooms will be available along with a designated sterilisation room.

The intention is to establish a (strategically located) centre for visiting dental professionals and attract other medical professionals who wish to operate from this site.

The focus in terms of the dental offering, will still be on the orthodontic care and the dental care for individuals including school age children. The proximity of this facility in relation to Ashburton College (and surrounding primary schools for that matter) makes this an ideal location for such a practice.

In terms of staffing, this dental/medical practice may accommodate at any one time: one receptionist, one specialist, three clinical assistants (when the orthodontist is present), one dentist and one dental assistant.

Other professionals, based on tenancy space may only be four additional professionals that may or may not have a technician or additional professional. This is dependant on whether they are individual specialists i.e. say a podiatrist, physio, chiropractor or General Practitioner or it may be simply one physiotherapist business with four staff that requires four rooms.

The applicants proposed hours of operation and that of all other professionals will be.

- Monday – Friday: 0700 – 2100
- Saturday, Sundays, and Public Holidays: 0900 – 1700

The applicant will utilise the space available within the site to provide for eleven on site car parking spaces for both staff and visitor use. As shown on the proposed site plan, there will be eleven marked car parking spaces available, one of which will be an accessible space. Accessed via Belt Road to the east, a nine-space carpark is proposed and is designed to comply with the necessary car park dimensions and aisle widths to allow vehicles to undertake a reverse manoeuvre from the car park and leave the site in a forward direction.

The car parks located off Harrison Street are proposed to be staff only parks on the basis they can only be accessed from the road in a forward direction and require a reverse manoeuvre to exit. Requiring those parks to be staff only minimises regular movements and therefore safety.

The development seeks to retain the existing pedestrian access which is via Harrison Street to the west.

Within the southern corner of the site, the existing sign is proposed to remain however additional on-building signage as shown on the elevation plans is also proposed.

There are signage related non-compliances (in terms of scale and separation), the proposed signs will not be illuminated and will not detract from either the application site or the surrounding environment. The imagery for this signage is contained as part of the plans at Annexure C.

To ensure compliant sightlines and an appropriate level of visibility for neighbouring vehicles joining Belt Road, planting to the eastern corner of the application site will be kept tree of excessive foliage or planting.

Similarly, the existing trees and planting which run along the boundary shared with the neighbour to the north (Harrison Street) will be well kept and tidy in their appearance.

The applicant will retain or re-establish a trellis fence to ensure that the existing fence is no less than 2m in height along the boundary shared with Number 5 Belt Road.

A pre-application meeting was held with Ashburton District Council. Some detail that was raised and very pertinent to the development proposal included,

#### *Construction sequencing*

- The architects have extended the existing character of the building where it made sense in terms of the construction.

- The 'temporary' extension then connects to the existing building beneath the eaves of the existing using a 'link'. The link allows easy connection to the existing building and removes inferior junctions that can cause waterproofing issues at roof level.

- The existing character is then highlighted architecturally by contrast with the contemporary architecture. The link is recessive to the two styles on either side.

#### *Reducing the grain of the temporary extension*

The architects included the courtyard on the Belt Road elevation.

This was not required to get the planning to work in terms of planning or site coverage, but it was chosen to for the following reasons.

- This move included more opportunity for landscaped space in the form of a courtyard.
- As a result, the scale and density of the proposed extension relates even more to its surrounding context.

#### *Materiality*

- The white timber cladding is in accordance with the surrounding building context.

## 4.0 DISTRICT PLAN ASSESSMENT

### 4.1 District Plan Status

The Operative Ashburton District Plan is the only relevant plan for consideration in this application. In accordance with the activity standards listed above, a discretionary activity is sought in this instance.

### 4.2 Zoning

The application site is zoned Residential C under the Ashburton District Plan which is categorised by medium to low density housing. The purpose of the zone is to maintain residential areas with open space for tree and garden plantings and with minimal adverse environmental effects experienced by residents. Community Activities within this zone are listed as discretionary activities under Activity standard 4.8.4 (a).

The subject site has no other impediments shown on the District Planning Maps.

### 4.3 Compliance Assessment

There are rules contained within the plan that are relevant for consideration. These are detailed below.

Rule	Requirement	Comment
<b>Residential Zone Rules</b>		
4.8.4	<b>Discretionary Activities</b> The following activities shall be Discretionary Activities, provided that they comply with all of the relevant zone standards.	The proposal is classified as a Discretionary Activity as it adheres to all relevant zone standards.
	<b>a) Community Activities</b>	

Relevant Site Standards	
4.9.2	<p>a) Maximum building coverage shall be:                      Residential C – 35%</p> <p>Building Coverage:</p> <p>Total building coverage is approximately 204m<sup>2</sup> which accounts for approximately 29.9% of the 1022m<sup>2</sup> application site.</p> <p>Complies</p>
4.9.3	<p>a) Maximum height of any building shall be:                      Residential C – 8m</p> <p>Height of Buildings</p> <p>The height will not exceed that permitted. Existing building height does not exceed 6 metres.</p> <p>Complies</p>
4.9.4	<p>a) Buildings shall not project beyond a building envelope constructed by recession lines from points 2.3m above internal boundaries as shown in Appendix 4-1</p> <p>Recession Lines</p> <p>Building is appropriately positioned so as not to intersect the recession planes.</p> <p>Complies</p>
4.9.5	<p>Setbacks from Streets</p> <p>a) Minimum building setback from road boundaries shall be:                      Residential C – 3m</p> <p>Does not Comply.</p> <p>The building will be within 3m of a road boundary.</p>
4.9.6	<p>Setbacks from Neighbours</p> <p>a) Minimum setback of buildings from internal boundaries shall be:                      Residential C – 1.8m</p> <p>Complies</p> <p>Proposed facility will achieve the necessary separation from shared boundaries.</p>
4.9.7	<p>Outdoor Living Space</p> <p>c) For each residential unit in the Residential C zone, there shall be a minimum of 70m<sup>2</sup> of outdoor living space with a minimum dimension of 5 metres.</p> <p>The required minimum area of outdoor living space shall be designed to receive sunshine in mid-winter and be directly accessible from a living area of the</p> <p>n/a</p> <p>The proposal is to repurpose this building however if it ever was converted back to residential there would be space for outdoor living if required.</p>

	residential unit.	
<p>N/A</p> <p>Consent is not sought for a Home Occupation.</p>	<p>Home Occupations</p> <p>a) home occupations operating in the Residential zones are limited to:</p> <ul style="list-style-type: none"> <li>- no more than 40m<sup>2</sup> of the gross floor area of the buildings on a site are used for any home occupation.</li> <li>- no goods, materials or equipment associated with a home occupation are stored outside a building.</li> <li>- all manufacturing, altering, repairing, dismantling, or processing of any materials, goods or articles associated with a home occupation are carried out within a building; and</li> <li>- no more than one full-time equivalent person who permanently resides elsewhere than on the site is employed in undertaking any home occupation on the property.</li> </ul>	<p>4.9.11</p>
Zone Standards		
<p>Will Comply</p> <p>Will Comply</p>	<p>Lighting</p> <p>a) All exterior lighting shall be directed away from adjacent properties, roads, and railways and shall not be projected above a horizontal line from the light source.</p> <p>b) No activity shall result in a greater than 3 lux spill (horizontal and vertical) of light onto any adjoining property, measured at any point more than 2m inside the boundary of the adjoining property.</p>	<p>4.10.4</p>
<p>Complies</p> <p>This Dental and associated medical facilities will function within the permitted hours of operation.</p>	<p>Hours of Operation</p> <p>a) Any activity, other than residential, farming, visitor accommodation and outdoor recreation, shall be limited to the following hours of operation:</p> <ul style="list-style-type: none"> <li>• 0700 to 2100 Monday to Friday and 0900 to 1700 Saturday, Sunday, and public holidays; except where:</li> <li>- the entire activity is located within a building; and</li> </ul>	<p>4.10.5</p>



	<p>– each person engaged in the activity outside the above hours resides permanently on the site; and</p> <p>– there are no visitors, customers, or deliveries to the activity outside the above hours.</p>	
4.10.6	<p>Heavy Vehicle Storage</p> <p>a) In the Residential A, B and C zones, no more than one heavy vehicle shall be stored or parked overnight on any site.</p>	n/a
<b>10. Transport</b>		
10.8.2	<p><b>Car Spaces for People with Disabilities</b></p> <p>a) Where car parking is provided for a non-residential activity, the minimum number of parking spaces for people with a disability shall be as follows:</p> <ul style="list-style-type: none"> <li>- No spaces required for the first 9 car parking spaces provided on site</li> <li>- 1 space where between 10 and 20 car parking spaces are provided on site</li> </ul>	<p><b>Complies</b></p> <p>One accessible space has been provided.</p>
10.8.3	<p><b>Size of Parking Spaces</b></p> <p>a) All required parking spaces, other than for residential units, shall be designed to accommodate a 90-percentile design motor car (refer Appendix 10-2) and shall be laid out in accordance with the minimum dimensions specified within Table 10-2:</p>	<p><b>Complies</b></p>
10.8.5	<p><b>Cycle Parking</b></p> <p>a) All developments, other than residential and farming, are to provide cycle parking at a rate of 1 cycle space for every 20 car parking spaces provided.</p>	<p><b>Will comply.</b></p> <p>A cycle space will be able to be provided.</p>

<p>Does not Comply.</p> <p>There are two car parks accessed off Harrison Street that will require the need for vehicle reversing onto or off the application site. Also. The activity provides 11 spaces for parking.</p>	<p><b>On-site Manoeuvring</b></p> <p>a) The manoeuvring area from the road transport network boundary to any parking space shall be designed to accommodate a 90-percentile car.</p> <p>b) Onsite manoeuvring for a 90-percentile car shall be provided to ensure that no vehicle is required to reverse either onto or off a site where:</p> <ul style="list-style-type: none"> <li>• any activity has vehicle access and/or vehicle crossings to an arterial road.</li> <li>• any activity provides 4 or more parking spaces having vehicle access and/or vehicle crossings onto a principal or collector road.</li> <li>• any activity provides 10 or more parking spaces.</li> <li>• three or more residential units share a common access.</li> </ul>	<p>10.8.6</p>
<p>Complies</p> <p>Complies</p> <p>Complies</p>	<p><b>Surface of Parking and Loading Areas</b></p> <p>a) The surface of all required parking, loading and trade vehicle storage areas in the Residential Zone, Business A, B, and C Zones, and the Aquatic Park Zone (except parking areas within the Recreational Area of the Aquatic Park Zone), shall be formed to provide an all-weather surface.</p> <p>b) The first 3m of all such required areas (as measured from the road boundary) shall be formed and sealed for the full width of the vehicle crossing, to ensure that material such as mud, stone chips or gravel is not carried onto any footpath, road transport network or service lane.</p> <p>c) Parking and loading areas in the Recreational Area of the Aquatic Park Zone shall be formed and oversown with grass so as to maintain the character and appearance of the surrounding recreational area.</p>	<p>10.8.9</p>

<p>10.8.11</p> <p><b>Queuing Length</b></p> <p>Where car parking is provided within a site, a minimum queuing length shall be provided for vehicles entering the site:                  Less than 20 parks = 6m</p> <p>The development does not provide the 6m queue length to the manoeuvring space for the first two car parks off Belt Road                  There are two vehicle crossings to the site.</p> <p>Does not Comply.</p>	<p>10.9.2</p> <p><b>Vehicle Access</b></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.                  Legal Width – 3.5m - Carriageway Width - 3m                  b) The minimum height clearance for all vehicular accesses shall be 4.5m.                  c) Access to allotments with the potential to accommodate more than 6 residential units shall be provided by way of a road and not by a private way or access lot.                  d) All vehicle crossings from sealed roads to vehicular accesses shall be sealed for the full berm width of the adjoining road. In the case of the Rural A, B and C Zones, if the access slopes up from the road, the crossing shall be sealed to a minimum distance of 10m from the edge of the carriageway.                  e) Where an allotment being created by subdivision or a new land use activity establishes on an existing site that has frontage to a state highway as well as to another road, vehicle access and vehicle crossings to the allotment shall be from the other road transport network, rather than the State Highway.                  f) No activity in the lower density area of the</p>
<p>Site Standards – Accessibility and Safety</p>	<p>Complies – this is not an access. They are vehicle crossings onto individual sites.</p> <p>Complies</p> <p>N/A</p> <p>Complies</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>

	Residential C Zone as shown on the Lothead Outline Development Plan shall have a vehicle access or vehicle crossing to State Highway 77.	
Does not Comply.  The Belt Road vehicle crossing is separated from the Harrison Street intersection by approximately 27m and the Harrison St crossing is circa 15m from the intersection.	<p><b>Distances of Vehicle Crossings from Intersections</b></p> <p>a) No part of any vehicle crossing shall be located closer to the intersection of any roads than Principal to Principal - 20m</p> <p>b) Distances shall be measured from the point at which the legal boundary lines of the two road frontages intersect.</p> <p>c) Where the boundaries of the site do not allow the provision of any vehicle crossing whatsoever in conformity with the above distances, a single vehicle crossing may be constructed provided it is located in the position which most nearly complies with the provisions of these rules.</p>	10.9.3
Does not comply.  N/A  Does not Comply – although the vehicle crossing will be less than 15m from that serving the residential properties adjoining the new crossing will be within 15m of an adjoining crossing. A light pole will also need to be repositioned.	<p><b>Spacing Between Vehicle Crossings</b></p> <p>a) On Principal and Arterial Roads where the legal speed limit is 100km/hr, the minimum spacing between successive vehicle crossings (regardless of the side of the road on which they are located) shall not be less than 200m. This rule shall not apply to vehicle crossings to farming activities, which do not provide access or a driveway to buildings (other than hayshed's).</p> <p>b) On Principal and Arterial Roads where the legal speed limit is less than 100km/hr, the minimum spacing between successive vehicle crossings (either single or combined) on the same side of the road, shall not be less than 15m. This rule shall not apply to vehicle crossings which serve residential activities only.</p> <p>c) The separation distances shall be measured from the centre of one vehicle crossing to the centre of the succeeding vehicle crossing, parallel to the centreline of</p>	10.9.4

		<p>d) Where the boundaries of the site do not allow the provision of any vehicle crossing whatsoever in conformity with the above distances a single vehicle crossing may be constructed in the position which most nearly complies with the provisions of this rule.</p>
10.9.5	<p><b>Maximum Number of Vehicle Crossings</b></p> <p>a) The maximum number of vehicle crossings to a site per road frontage shall be:                  21 – 60m (frontage) = 1 crossing.</p>	<p>Complies</p> <p>One vehicle crossing is proposed to Belt Road and one to Harrison St.</p>
10.9.6	<p><b>Sight Distances from Vehicle Crossings</b></p> <p>a) Unobstructed sight distances shall be available from all vehicle crossings                  0-50km/hr = 45m sight distance</p>	<p>Complies</p> <p>A sight distance of at least 45m is available from the vehicle crossing.</p>
10.9.10	<p><b>Minimum Sight Distances from Intersections</b></p> <p>a) Unobstructed sight distances shall be available from all intersections:                  0-50km/hr = 110m sight distance</p>	<p>Complies</p> <p>The necessary sight distance will be available from the Belt Road/Harrison St intersection.</p>
10.9.12	<p><b>Tree Planting – Shading and Intersection Visibility</b></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.                  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>	<p>Complies</p> <p>Will Comply</p> <p>The proposal is to plant low height trees and hedging along the site frontage.</p>
<b>13. Signs</b>		
13.7.2	<p><b>Restricted Discretionary Activities</b></p> <p>Except where specifically provided for as non-complying activities, the erection of the following signs is Restricted Discretionary Activities, with the exercise of the Council's discretion being restricted to the matter(s)</p>	<p>The proposed signs will exceed the minimum area requirements within the rules.</p>

	<p>specified in the Assessment Matters in 13.10:</p> <p>a) Any sign not listed as a Non-Complying Activity which does not comply with any one or more of the General Standards and/or the Site Standards.</p>	
	<p><b>General Standards</b></p> <p>a. All signs shall relate to or be associated with services, products, or events available or occurring on the site on which the sign is located, except where specifically provided for as a permitted activity for a temporary sign or traffic sign.</p> <p>b. All signs shall comply with the height, and where applicable recession plane requirements for the zone in which they are located but shall not be required to comply with rules relating to setbacks from road boundaries in each of the respective zones.</p> <p>c. All signs shall comply with the height, and where applicable recession plane requirements for the zone in which they are located but shall not be required to comply with rules relating to setbacks from road boundaries in each of the respective zones.</p> <p>d. No sign shall be attached to a tree, other than a sign identifying the species of tree and/or its classification in terms of the District Plan.</p> <p>e. No sign shall be erected on or adjacent to a road which will:</p> <ul style="list-style-type: none"> <li>• obstruct the line of sight of any corner, bend, intersection, or vehicle crossing.</li> <li>• obstruct, obscure, or impair the view of any traffic sign or signal.</li> <li>• physically obstruct or impede traffic or pedestrians.</li> <li>• resemble or be likely to be confused</li> </ul>	<p>13.8</p>

<p>This proposal involves a community facility. The signage will exceed 1m<sup>2</sup>. The signage will be visible from a public road. n/a The signage is intended to provide direction and to identify the site/facility. Does not comply: The signage will not</p>	<p><b>Signs in connection with and on the same site as any utility, community facility, conservation area, recreational track, or public reserve</b></p> <p>a) Signs in connection with, and on the same site as any utility (except Transmission Line Support Structures), community facility, conservation area, recreational track or public reserve shall:</p> <ul style="list-style-type: none"> <li>• be a maximum 1m<sup>2</sup> in area where signs are visible from any public road, public reserve, or adjoining property except that:</li> <li>• in any Rural or Open Space Zones, where signs are visible from any public road, other public reserve, or adjoining property, signs shall be a maximum of 3m<sup>2</sup> in area.</li> <li>- be limited to those necessary for giving directions, identifying the site/facility, identifying a utility operator, displaying public information, or assisting public safety.</li> <li>• be separated by a minimum of 100</li> </ul>	<p>13.9.2</p>
<p>13.9 Site Standards</p>		
<p>Complies</p>	<p>f. The minimum lettering sizes in Table 13-1 below shall apply to all signs located within 10 horizontal meters of a road:</p> <p>Regulatory Speed Limit: 0-50km/h</p> <ul style="list-style-type: none"> <li>- Minimum Lettering Height</li> <li>- Main Message: 150mm</li> <li>- Name of Occupier/Property: 100mm</li> <li>- Secondary Message: 75mm</li> </ul> <ul style="list-style-type: none"> <li>• use reflective materials that may interfere with a road user's vision.</li> <li>• use flashing or revolving lights.</li> <li>• project light onto the road so as to cause a hazard or distraction to users of the road (including pedestrians).</li> </ul> <p>with any traffic sign or signal.</p>	

	metres, where the signs are located on any one site	
	<b>Rural, Residential and Open Space Zones and the Aquatic Park Zone</b>	13.9.8
Complies	a) Signs shall be limited to a single sign for each road frontage of any site. Only one sign is positioned on the site frontage, and this is located on the building near the corner of Harrison Street and Belt Road and signage near both vehicle crossings of circa 1m <sup>2</sup> in area.	13.9.8.1
Does not comply.	a) The maximum area of any sign shall be: Residential 0.5m <sup>2</sup>	13.9.8.2
Complies	a) Signs shall be placed no more than 3 metres above ground level or so that no part of the sign is higher than the eaves of a building to which they relate, whichever is the lesser.	13.9.8.3
Complies	<b>Illumination of signs</b> a) No sign shall be illuminated by any method whatsoever, such that its illumination casts light or reflected light on to any other property or road. b) Signs visible from an arterial road in a 100km/hr. legal road speed area shall not be illuminated unless the premises are open for business. Note: the lighting controls also contained in the General Standards.	13.9.8.4

Table 1: Compliance Table



#### 4.4 Activity Status

As per the Operative District Plan, community activities are to be considered as discretionary activities.

A street setback and a few transport non-compliances have been identified, these issues are assessed below.

As shown in the table above, signage non-compliances have also been identified. The extent of these minor discrepancies does not seem significant though and an assessment of the effects should demonstrate that the impact of the signage non-compliances will be less than minor.

Consent is sought is for a discretionary activity under the Operative Ashburton District Plan.

## 5.0 ASSESSMENT OF EFFECTS

The Operative Ashburton District Plan does not specifically provide assessment matters relating to community activities within residential zones.

The following assessment of effects seeks to succinctly address the relevant assessment matters relating to the proposed scheme.

### ***5.1 Assessment of Effects – Impact upon Surrounding Residential Environment***

It is acknowledged that the establishment or expansion of non-residential activities in living environments may result in adverse effects upon residential character and amenity. Such activities may result in a loss of visual amenity, incompatible or excessive hours of operation and excessive signage. Some non-residential activities can have adverse effects on existing residential amenity and are not compatible with the existing residential character.

The building will be utilised for health care purposes and not full-time residential accommodation, however a key visual and amenity aspect to this proposal is that the building is residential in its design and appearance.

Being a dental and medical facility, any views into the site from adjoining properties will in part be screened as required as there is a level of privacy required by patients and physicians with regards to the actual practice within the building i.e. windows will have curtains drawn or similar to avoid any direct view into the building and likewise that reverses any direct views outside into the neighbouring properties. The proposed additions to the building include a well-designed reception and waiting area with a level of glazing that provides natural light into the building but also cladding which breaks up the glazing along the long linear aspect of the building running parallel to Belt Road.

The existing single level building will create no loss of privacy and views for adjoining properties. This is aided by the fact that this is a corner site and therefore this removes a large amount of the potential privacy loss.

This building essentially is an extension and will form a modernised part of the existing environment as it has been erected in this position for some time. The subject building could be seen as residential in scale and appearance and is therefore compatible with the residential buildings found within the immediate and surrounding area. It is therefore unlikely that this scheme will result in adverse visual effects when observed as part of the wider residential setting.

The location of this site within a residential zone is affected to a degree by the fact it is on the edge of the residential zone on the corner of two highly trafficked roads. Its appeal as a residential dwelling therefore has some limitations and desirability matters.

The main car parking and manoeuvring area will be sited to the east of the Lot to retain the existing crossing position and keep the traffic movements away from the roundabout as much as possible albeit visibility is high in this location.

One consequential result of the new proposal is that the low height of the vegetation proposed near the corner will improve sight visibility for motorists departing Harrison St southeast bound from the give way and those vehicles west bound from Belt Road, looking right from the give way.

The building is centrally located within what is a relatively large (1022m<sup>2</sup>) site. In terms of building coverage, a GFA of approximately 304m<sup>2</sup> is well within the permitted 35%. Accordingly, the development maintains the degree of open space generally sought within the Residential zone.

Much of the existing planting and areas of landscaping on the site frontages will be amended through this development with proposed landscape improvements in terms of fencing and plantings generally as shown on the site plans and discussed in this application. Doing so will contribute towards the preservation of the established residential appearance and ensure the site remains in keeping with the character and amenity currently experienced within this leafy, residential suburb.

landowners.  
more open space around the building on the internal boundaries from adjoining  
the preference to keep the proposed building toward the road frontages such that there is  
either parking or access areas on the site to make this work. A further consideration was  
For the desired additional space, the applicant requires it would mean having to sacrifice  
plantings at lower heights.

The proposed development enables on site car parking to the access and outdoor areas to  
the north and east alongside potential onsite parking to the west whilst still retaining existing  
vegetation where possible and then replacing most of the road frontage plantings with new  
b) *The extent to which alternative practical locations are available for the building.*

required to maintain the sites functionality.  
The remainder of the site will be landscaped, and car parking and access areas provided as

in the proposed designs.  
tenancy spaces on the Harrison Street side. The actual intrusions are minor as can be seen  
areas and part of the staff room for the Belt Road intrusion, alongside the two additional  
The proposed intrusions enable better and usable space for the reception and waiting  
adds interest to the design.

The south elevation shows the new building encroaching into the 3.0m setback along the  
length of the building and this is a mix of exterior wall with glass in front of a courtyard area  
with a proposed tree planted within it. There is no roof over this part of the structure which  
The setback requirement for the Residential C zone is 3m.

for the Harrison Street frontage.  
The intrusions into the three-metre setback are 1.060m for the Belt Road frontage and 0.9m  
frontages.

The road boundary intrusions relate to extensions to the existing building toward both road  
*efficient, practical and/or pleasant use of the remainder of the site.*

a) *The extent to which the intrusion towards the road is necessary in order to allow more*

## **5.2 Assessment of Effects – Setback from Street**

f) *The ability to provide adequate manoeuvring space for vehicles clear of the road.*

building appearance and open space. additions are being moved further away from the neighbour and this reducing effects of the extended closer to the internal neighbours' boundaries at all. Therefore, the proposed that is the closest to the neighbours now and the proposed additions are not being There is limited adverse effect on adjoining landowners as it is the existing dental building

*adjoining sites.*

e) *The adverse effects of the building intrusion on the outlook and privacy of people on the building intrusions toward the road boundaries.*

For the size of the site there is a generous amount of vegetation planted on the site along side decking features and a courtyard addition all which contribute to proposed mitigation of existing vegetation.

As can be seen on the drawings and plans prepared for this development there is landscaping and planting proposed between the legal road boundary and the proposed buildings. This will be in the form of grass and proposed hedging alongside retention of

d) *The ability to provide adequate opportunity for garden and tree planting in the vicinity of road boundaries, which will mitigate the effects of the building intrusion towards the road.*

attractive appearance from both public land and landowner viewpoints from the outside. maintaining a high level of open space with plantings proposed, will create a modern and existing it is considered this adds interest to the facility and at single level in height and detract of those assessment matters listed. With the new additions blending in the The design, scale and position of these buildings poses little to no effect in terms of a

c) *The extent to which the proposed building will detract from the pleasantness, coherence, openness, and attractiveness of the site as viewed from the street and adjoining sites.*

activities outside of the site are more import aspects for protection. where issues around maintaining greater privacy and preventing noise from roads and use can easily operate being closer to the road frontages as opposed to residential units The existing building and extensions are only single level, but the proposed non-residential

A limited number of staff on site at any one time will result in a limited number of stationary cars on and around the site during work hours. Accordingly, it is unlikely that

throughout the week. Nevertheless, this proposal will adhere to Zone Standard 4.10.5. situation. Moreover, the opening times are unlikely to fully utilise the proposed hours dentistry and in some cases medical treatments from time to time or as an on-call The applicant requires the ability to open on a Sunday or public holiday for emergency

on either Sunday or Public Holidays. The proposed hours of operation are 0700 to 2100 Monday to Friday and 0900 to 1700 on Saturday, Sunday, and Public Holidays. In reality, the facility is not expected to open

### 5.3 Assessment of Effects – Hours of Operation

The proposed plantings along the frontage of the site and any fencing proposed, will help mitigate the potential effects of the road setback.

Belt Road and to a degree Harrison St, at this location have wide carriageways with footpaths on both sides of the road. The roundabout is located to the south of the site on the frontage so provides a high element of open space.

*existing buildings on adjoining sites.*  
*effects, such as existing wide road widths, street plantings and the orientation of effectiveness of other factors in the surrounding environment in reducing the adverse* (i) *The ability to mitigate any adverse effects of the proposal on the street scene; and the*

The proposed buildings fit in with the existing residential development and being a modern addition of single level, will not detract from the existing buildings in the vicinity.

*setback of existing buildings in the vicinity from road boundaries.*  
*layout and scale of other buildings and sites in the surrounding area, including the* (g) *The extent to which the proposed building will be compatible with the appearance,*

The proposal provides for car parking to enable visitors to park clear of the kerb alongside provision for some staff parking. The District Plan does not require anything other than accessible parking for the site however the nature of the activities is that the applicant requires on-site parking from both a safety and functional aspect for the medical practice.

and even then, it was noted that the on-site supply of 9-11 spaces would be sufficient. It was considered that maximum parking demand scenario would occur very infrequently,

considerably lower than typically experienced with such an activity. Morever, as this Dental facility will include some students, a percentage of the patients are expected to frequent the site on foot. The overall parking demand is likely to be

Annexure C illustrates the design and layout of the car park area. The layout of the existing car park also complies with the district plan design requirements for aisle width and stall space length and width. The proposed site plan included within

requirements including provision for an essential accessible space. On-site parking provision (11 spaces) is considered adequate for day-to-day parking

traffic on the adjoining road network. proposal are parking, vehicle access, traffic generation and the effects of site generated enables all effects to be considered. The key traffic related issues associated with this District Plan. Nevertheless, it is acknowledged that the overall discretionary activity status Firstly, it is emphasised that the proposal complies with all traffic-related rules in the

#### ***5.4 Assessment of Effects – Car Parking and Vehicular Activity***

residential location. such, it is envisaged that non-residential activity of this ilk will remain compatible with the aforementioned hours except where required as emergency or on-call requirements. As permitted) and there will be no patients or services provided for outside of the There will be no people residing on the site (even though as a residential zone this is

non-residential activity will remain compatible with what is a residential location. socially acceptable hours set out within the District Plan. As such, it is envisaged that the expected when patients arrive and depart the site, occurrences would be limited to those Although certain levels of vehicle noise (engine starts and car doors shutting) are to be

family dwelling could see people coming and going at all hours, day and night. be on foot to access this site due to the high school's proximity. In contrast, in a large visitors for dentistry to the site are likely to be school students who would predominantly individual vehicle movements will be a common occurrence. In fact, a proportion of the

Although only likely to occur on very rare occasions, the potential for overflow on-street parking has also been considered. Firstly, it must be recognised that this dental or medical practice will typically only operate during those hours classed as appropriate within the District Plan.

On-street parking will be readily available within the vicinity during these periods, and the very low ambient demand is such that there will be ample spaces available in the unlikely event that additional parking is required. It is therefore considered that the effects of additional vehicles parking on the street for short periods of time (because of this proposal) will be negligible.

Vehicle access and location from intersections

The position of the Harrison Street vehicle crossing is within 30m of the intersection being a principal road. The crossing is wide enough to enable two vehicles only to park within the site, however the vehicles would need to reverse from the site onto Harrison Street. There is good visibility in either direction on Harrison Street from the proposed crossing and it is intended that these proposed parks would be for staff and not visitors.

The speed limit is only 50km/hr. in this location and that is reduced in this location due to deceleration approaching the roundabout. So, it can be said that this is a low-speed environment.

Therefore, there is a limitation to the number of movements from these parking spaces daily. It may not exceed 12 movements over the course of the day from these spaces.

Queue Space

It is really the Belt Road crossing where this is non-compliance on the basis that the closest two parks would be within the 6m queue space area.

Whilst the crossing is wide enough and there is ability for an entering vehicle to move off the road whilst allowing an existing vehicle to leave the car park space, it may well be the closest two parking spaces are staff spaces to minimize the daily vehicle movements.

The times for point of conflict will be limited as this is an appointment only facility and not a commercial or retail type facility where traffic movements are typically higher in and out of a premises.



Based on the limited number of car parks and the proposed facility scale, it is not considered the effects of the queue space non-compliance is significant.

The probability of the development producing movements throughout the facility of say 60-100 patients a day as a maximum. There will be days when appointments will be less than that number and as such the facility will be staffed accordingly. As mentioned earlier, the proposed activity will include secondary school students based within the surrounding area as this is a part of the applicant's dental practice. Accordingly, several patients are expected to frequent the center on foot, meaning in practice, the actual number of vehicle movements to and from the site will be considerably fewer than as tabled above.

These overestimated figures are also provided on the basis that everyone (both staff and patients) will travel to and from the facility within a car of their own. It is more plausible that a modest amount of site-generated traffic will arise which will not present a measurable effect on the continued safe and efficient operation of the surrounding road network. Given the ambient traffic at present, the increase in vehicular activity within the vicinity will also have negligible amenity effects (noise, vibration, and fumes etc.) on residents.

In general, visitor numbers will be low, reflecting the structured appointment-based nature of the proposal, as opposed to a more retail type of activity. Accordingly, the proposed professional dental facility is unlikely to be at such a scale that will create any notable disturbance to the surrounding environment.

The non-residential activity does not pose any threat or conflict with residential coherence or characteristics within the block. Of note is that there are elements of non-residential use already established within the locality such as the domain sports facilities, Phoenix pre-school, Ashburton Hospital, and Ashburton College.

On this basis it is not likely that any effects of traffic noise generated by this proposal would be detectable above the situation at present.

The existing building is part of the existing environment and has thus set a level of ambient noise. This proposal in terms of duration, timing and levels of noise will be

negligible in comparison to ambient noise and will therefore not contribute to any cumulative noise effects.

### ***5.5 Assessment of Effects – Noise, Dust, Glare, Smell and Vibration***

As mentioned above, noise will be limited to vehicle movements through the site, doors opening and shutting and occasionally, people talking in the car park area. Such instances are intermittent and less than minor in terms of effects.

The limited hours of operation for the site within this Residential C zone also provides an element of control in that regard.

Based on the daytime only nature of the activities undertaken within the building, noise levels would not be inconsistent with what occurs in a residential situation.

It is our opinion that this site located right on the corner of a busy roundabout linking two highly trafficked roads is not desirable for full residential use due to the extent of the background (ambient) noise that exists at this location. Therefore, the proposed use is considered very suitable for this location based on adverse effects being controlled or mitigated.

Any glare that poses a potential effect will be limited to vehicle headlights glare which would not amount to anything dissimilar to occurrences associated with a residential dwelling. The hours of operation will also limit vehicle headlights glare. Essentially, it is only within mid-winter months that headlights glare would be a short-lived matter. It will not create such an effect that poses a risk to existing road users or creates a nuisance or safety effect.

Any internal illumination would comply with the Operative Ashburton District Plan requirements and would not breach the standard for a residential zone.

The proposed activity will not generate any dust or debris which would disturb those residing locally. Furthermore, there are no anticipated effects such that smell, or vibration would be an issue resulting from the proposed activities.

Another positive aspect of this new facility is the availability of onsite car parking spaces for both staff and patients. As such provision will ensure that this building is "self sufficient" in terms of meeting staff and visitor needs, this community activity is not and layout will minimize neighbour disruption to safeguard the longevity of the service.

This thoughtfully arranged proposal, within what is a well-connected, central location, will ensure that the site is easily accessed by staff members and visitors alike. The design

will benefit the wider local community for generations to come. Residential C Zone. It is considered that such an activity can co-exist as part of a residential environment without notable issue. It is also appreciated that such a service This proposal promotes the establishment of a dental and medical facility within what is a

### **5.7 Positive Effects**

Annexure F to this application.

The proposed location and design for each sign is illustrated upon the plans included as

roundabout, the signage will not intrude upon existing residential properties. distraction to motorists. Primarily visible from the Harrison Street and Belt Road maximize visibility from multiple directions, it is not expected to pose any significant and clearly visible to passing motorists. While the signage has been positioned to The proposed signage has been designed to identify the site. The lettering will be large

will be a large etching "Big Grin" in the window.

There will be a small sign at the Belt Road vehicle crossing and entrance to the site which will be no greater than 0.5m<sup>2</sup> in area and as shown on the elevations of the building there

impede views into the application site.

(1.56m<sup>2</sup>). Modest in scale, this (1.56m<sup>2</sup>) addition is largely transparent and does not Harrison Street and Belt Road this sign will have maximum dimensions of 1.25m x 1.25m The applicant wishes to retain signage to the site frontage. Located at the junction of

### **5.6 Assessment of Effects - Signage**

towards surrounding properties.

In all, it is not foreseeable that the proposed dental facility would cause nuisance

expected to detrimentally impact upon either the parking situation nearby or the functionality of the surrounding road network.

This proposal will have no more than minor effects on the surrounding environment and will be visually compatible. The site is located within a residential zone which is on the edge of the residential area adjoining two major roads. Therefore, it can be said the proposal is appropriate in this location in that it maintains a residential appearance whilst providing a Health Care service appropriate as a non-residential activity within this Residential C Zone.

Taking the scheme, it is considered that the overall benefit to the wider community will comprehensively outweigh any minor detriment which may be experienced by those residing within the immediately surrounding Residential C Zone.

There are little to no adverse effects anticipated as a direct result of the proposed activity.

### **5.8 National Environmental Standards**

The applicant is unaware of any soil contamination or HAIL activities that could have occurred upon this site from previous activities. If there is any reference to such an activity that the Council has within its records, then please advise. A review of the property information online that Environment Canterbury holds for their Listed Land Use Register (LLUR) for the site does not indicate any information about hazardous activities or industries occurring on the site.

The proposal is not a subdivision and nor does a change of use as a resource consent exists for the dental facility now.

### **5.9 Effects Summary**

Overall, it is considered there will be no adverse effects because of the proposal detailed above.

## **5.10 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. It is therefore submitted based on the assessment of effects provided in this application that the effects are not significant and therefore an assessment of alternatives is not required.

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

## 6.0 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.

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

### 6.2 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 discretionary land use consent

application in the Residential C 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 maintain the amenity of the surrounding environment due to the quality of the building and site layout, 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.

## 7.0 SECTIONS 104 & 104B - 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 104B of the Act states in relation to the determination of applications for discretionary activities:

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority—

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

This application provides an assessment of environmental effects, and particularly an assessment of the relevant matters relating to the requirements of the Operative Ashburton District Plan with respect to this proposal.



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

Under Section 95A (2), a consent authority must publicly notify the application if it decides (under Section 95D) that the activity will have or is likely to have adverse effects on the environment that are more than minor.

The effects arising from the proposal have been considered in this application and have been found to be no more than minor. It is not considered necessary to notify this proposal to any other person as the effects of the proposal are generally anticipated by the District Plan.

Section 95D (a) requires the consent authority to disregard any effects on persons who own or occupy the subject site or any land adjacent to it. These properties are to be assessed when considering limited notification, later in the process.

Although the proposal will introduce a discretionary activity when assessed against the Ashburton District Plan, it is considered that the impact is of low potential and will create less than minor effects. Accordingly, this application can be processed by non-notification.

Several situations are listed in the Act that require or preclude notification. The criteria for public notification of an application are included as section 95A of the Resource Management Act. This is a four-step process as detailed under section 95A.

### 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 discretionary 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, no parties are considered to be adversely affected by the proposal. It is considered that the application need not be limited notified in accordance with Section 95B of the RMA.

The key provision or non-compliance is the site setback issue however this was in proximity to the road frontage. This proposal does not increase potential amenity effects for landowners opposite the site nor the public at large.

Other than potentially the landowners adjoining the site, there are no other affected persons under Section 95E. If affected person approval is required, then please advise. Although the proposal will introduce a discretionary activity when assessed against the Ashburton District Plan, it is considered that the impact is of low potential and will create less than minor effects. Accordingly, this application can be processed by non-notification.

Additionally, there are no special circumstances which exist that would require notification under Section 95A (4).

## 9.0 CONCLUSION

This application seeks consent to redevelop this existing building approved as a dental facility under LUC20/0006.

The proposal is to make extensions to the existing building and make provision for both dental and other medical professional services on a small scale within the new facility. There is provision for vehicular parking and access to the site is available via both Harrison Street and Belt Road.

Within the Operative Ashburton District Plan, the land in question is zoned Residential C. As the intention is to introduce a Dental and health facility within this zone, a resource consent is sought for a discretionary activity.

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 District Plan.

It has been demonstrated by the preceding assessment that the effects on the environment because of this proposal will be no more than minor. 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.

## ANNEXURE A – FORM 9

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### Form 9: Application for Resource Consent Under Section 88 of The Resource Management Act 1991

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TO: The Ashburton District Council

Mr Joseph Petelo (Petelo Clinic) applies for the resource consent described below.

1. **The names and addresses** of the owner and occupier (other than the applicant) of any land to which this application relates are as follows:  
n/a

2. **The location** to which this application relates is:  
2 Harrison Street legally described as Lot 3 DP4420, contained in identifier CB417/163. The title is attached at Annexure B.

3. **The type of resource consent** being sought is a Land Use Consent.

4. **A description of the activities** to which the application relates is:

The applicant seeks to redevelop the application site to establish the dental and medical facility. Alongside areas of planting and landscaping, the remainder of the site will be utilised for vehicular parking and manoeuvrability purposes. Signage is sought as per the plans to identify the site.

Overall, the proposal is a discretionary activity.

The proposed development will be in accordance with the plans 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 as Annexure A, and which should also be read as part of this application.

5. **Attached is an assessment of any actual or potential effects** that the activity may have on the environment.

6. **No additional resource consents** we are aware of are required in relation to this proposal:

7. **No other information** is required to be supplied by the district or regional plans or regulations.

Email: [david@dnhconsulting.co.nz](mailto:david@dnhconsulting.co.nz)

Mobile: 029 307 7164

Telephone: (03) 307 7164

Attention: David Harford and Kevin McLaughlin

Email: [FS@maparchitects.co.nz](mailto:FS@maparchitects.co.nz)

MAP Architects

C/- Mr Finn Sansom

Mr Joseph Petelo

Address for Applicant

Ashburton 7700

P O Box 603

David Harford Consulting Limited

Address for service:

(Signature of applicant or person authorised to sign on behalf)

DATED: 8th May 2024

.....

## ANNEXURE B – RECORD OF TITLE



The information provided on this report forms a guideline only. As a result, Custom Software Limited cannot and does not provide any warranties or assurances of any kind in relation to the accuracy of the information provided through this report, the site and this service.

11594450.3 Mortgage to Bank of New Zealand - 6.11.2019 at 12:59 pm

Registered Owners  
Dr Coffee Limited

Type Fee Simple  
Area 1022 square metres more or less  
Legal Description Lot 3 Deposited Plan 4420

Prior References  
CB299/122

Land Registration District Canterbury  
Date Issued 09 May 1929

Identifier  
CB417/163

**RECORD OF TITLE  
DERIVED FROM LAND INFORMATION NEW ZEALAND  
FREEHOLD**

Information last updated as at 02-May-2024



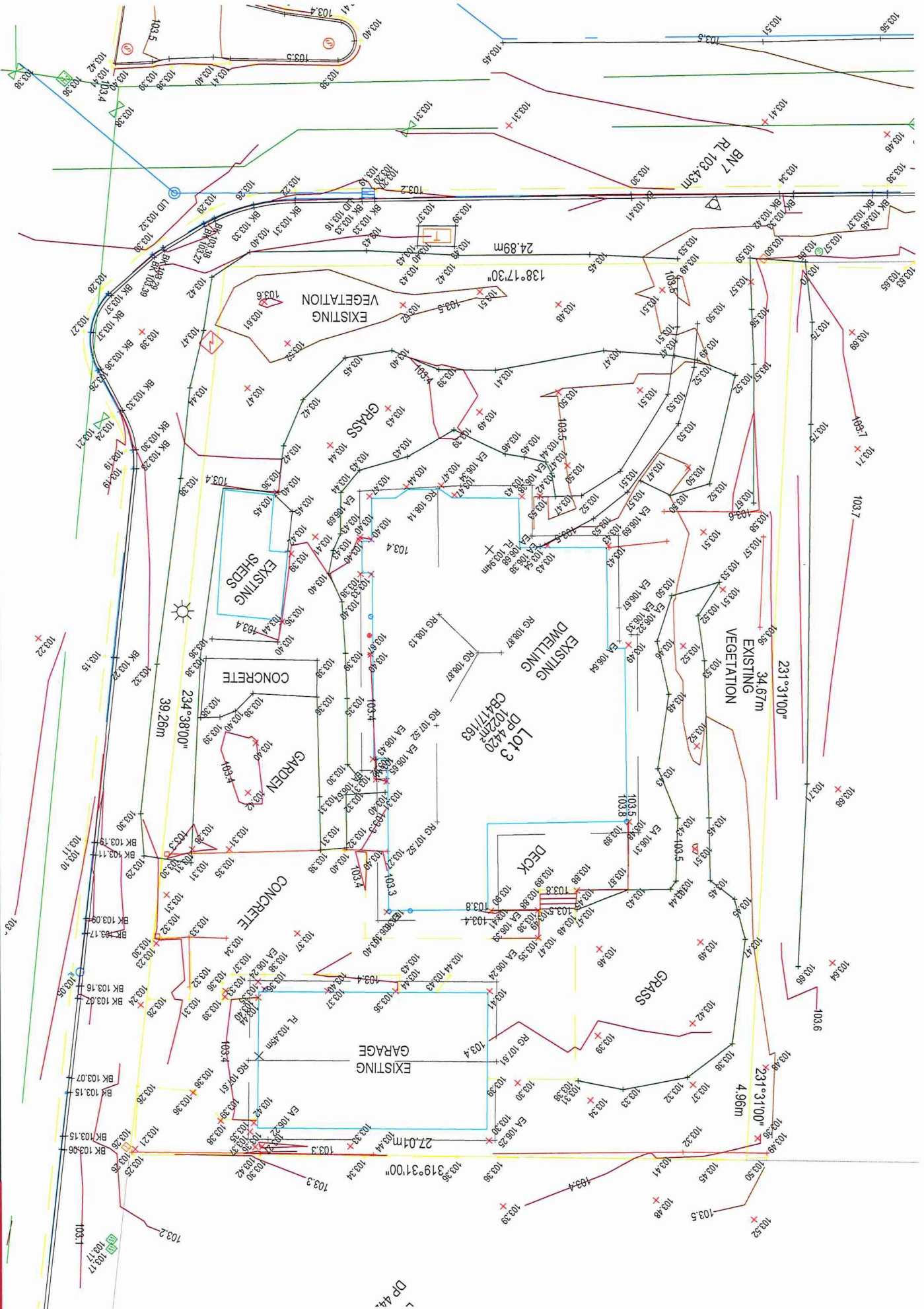
# Quickmap Title Details

## ANNEXURE C – DEVELOPMENT PLANS

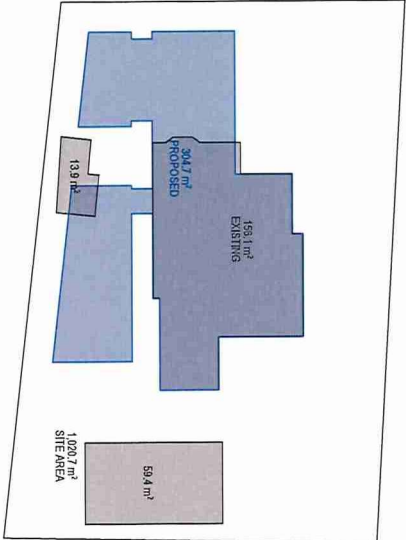
ARCHITECTURAL DRAWING REGISTER

SHEET	REV	DESCRIPTION	SCALE(S)
P/M.01		TITLE PAGE	
P/M.02		SITE SURVEY	
P/M.03		SITE PLANS	1:250
P/M.04		DEMOLITION PLAN	1:100
P/M.05		PROPOSED PLAN	1:100
P/M.06		ELEVATIONS - EXISTING	1:100
P/M.07		ELEVATIONS - EXISTING	1:100
P/M.08		ELEVATIONS - PROPOSED	1:100
P/M.09		ELEVATIONS - PROPOSED	1:100
P/M.10		RENDER	
P/M.11		RENDER	
P/M.12		AXO 1	
P/M.13		AXO 2	
P/M.14		AXO 3	
P/M.15		3D IMAGES	





<b>LEGAL DESCRIPTION</b>		<b>RESIDENTIAL ZONE C</b>	
2 HARRISON STREET, ALLENTON, ASHBURTON 7700 LOT 3, DP 4420		MAX. SITE COVERAGE	35%
SITE AREA: 1022m <sup>2</sup>		MAX. BUILDING HEIGHT	8m
		MIN. ROAD SETBACK	3m
		MIN. INTERNAL SETBACK	1.5m
		RECESSION PLANES	REFER BOUNDARY



EXISTING GFA:	228.4m <sup>2</sup>
RETAINED GFA:	155.1m <sup>2</sup>
ADDITION GFA:	148.6m <sup>2</sup>
<b>TOTAL GFA:</b>	<b>304.7m<sup>2</sup></b>
COVERAGE %	29.9%

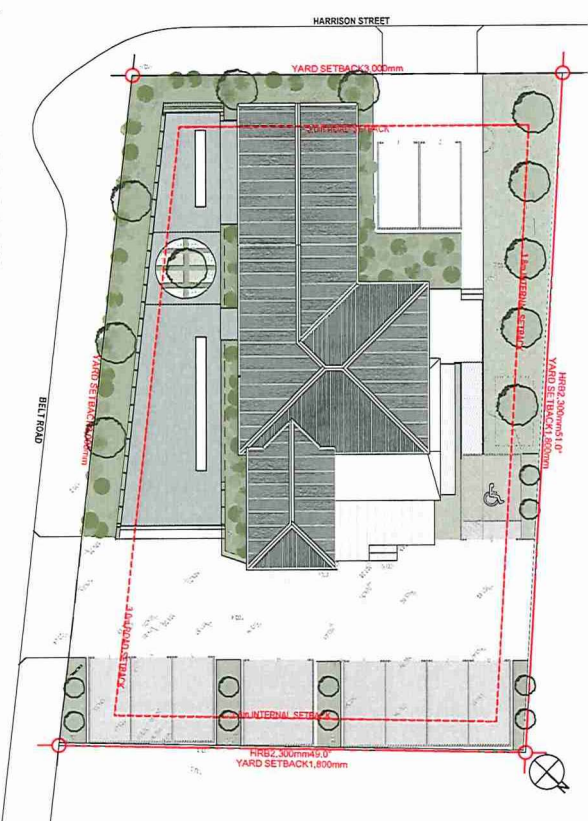
SITE COVERAGE  
SCALE 1:250



SITE LOCATION PLAN



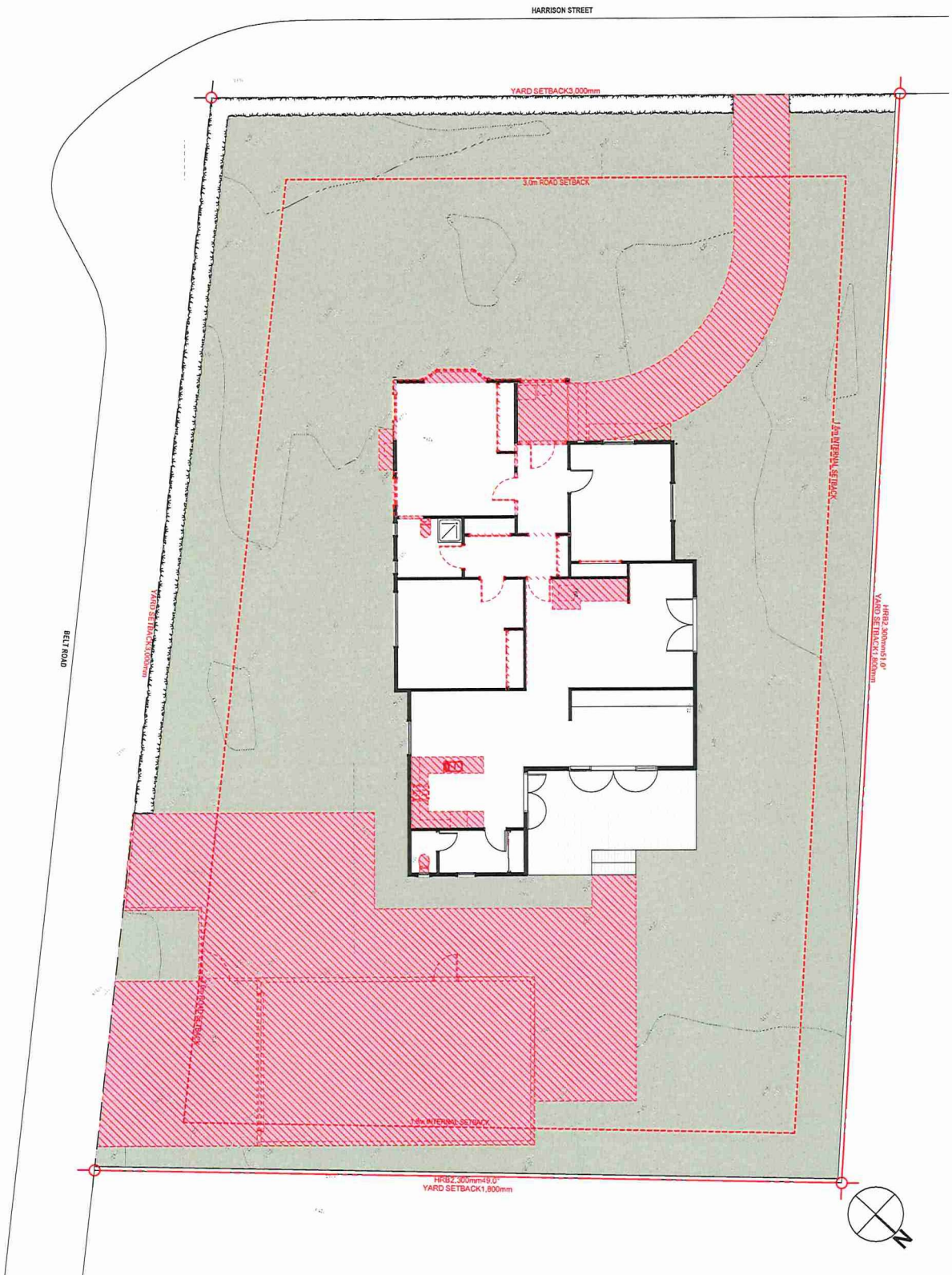
SITE PLAN EXISTING  
SCALE 1:250

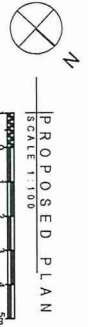


SITE PLAN PROPOSED  
SCALE 1:250



DEMOLITION PLAN  
SCALE 1:100  
0 1 2 3 4 5m



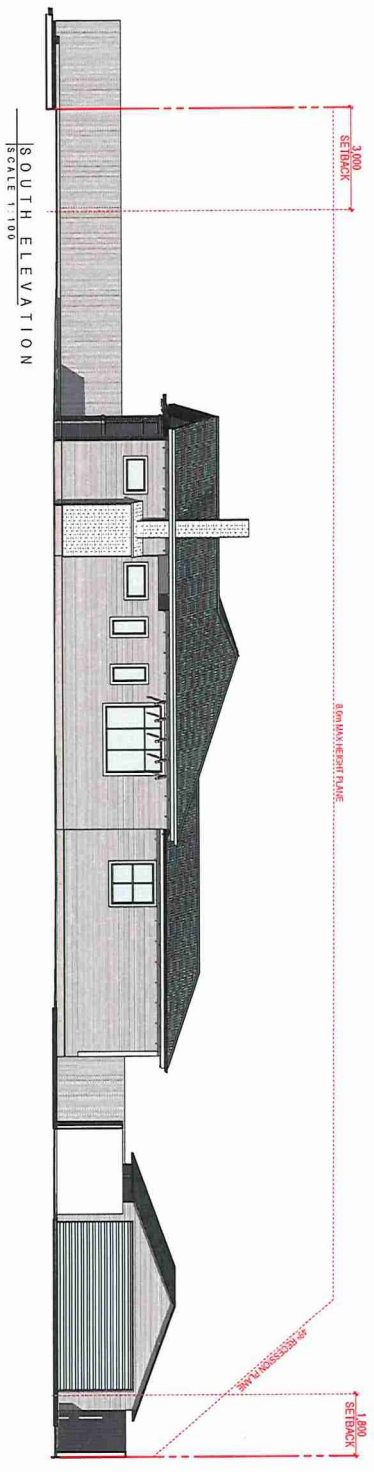
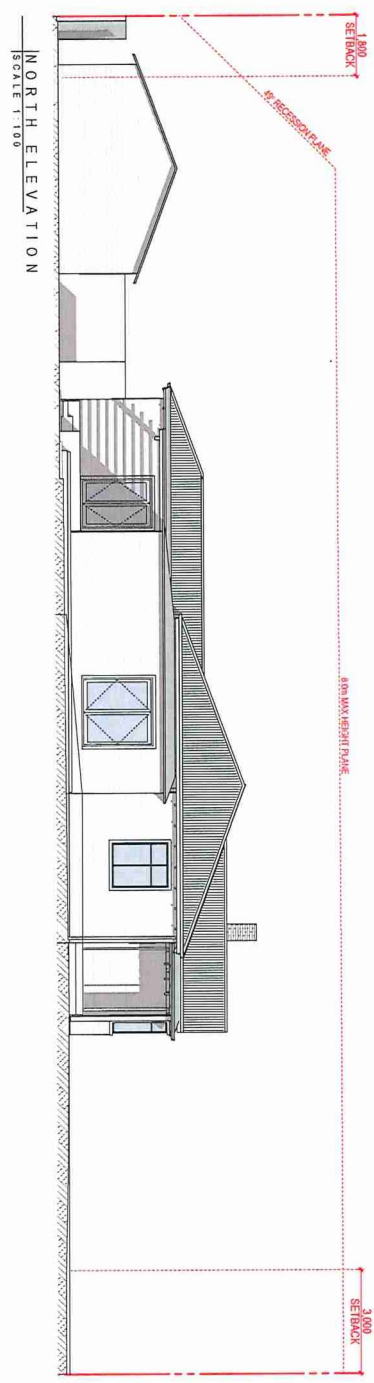


# PETELO CLINIC

ASHBURTON

PROJECT EXISTING GROUP  
CONSULTANTS  
STRUCTURAL ENGINEERS, ARCHITECTS AND  
INTERIOR DESIGNERS  
UNIONCONSTRUCTIVE LTD

DETAILS DATE: 2023



NOT TO BE USED FOR CONSTRUCTION WITHOUT CONSULT

ELEVATIONS - EXISTING  
SCALE: 1:100 @ A2  
DATE: 23/11/2023  
PROJECT NO: 9891

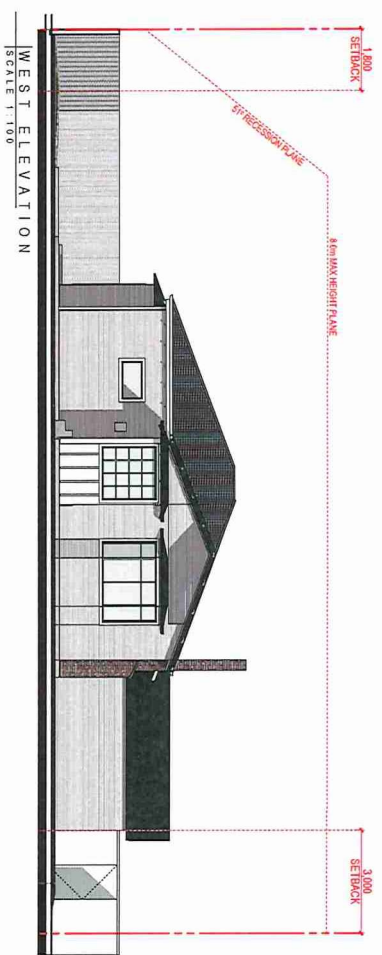
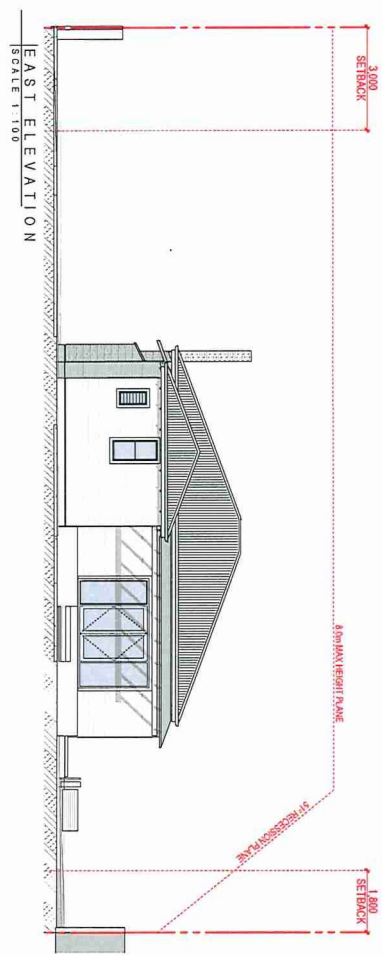
## PIM.06

+MAP Architects (2016) Ltd.  
15 VANDERBILT P - 141 351210  
CHANDLERBURN QLD 4215  
WWW.MAPARCHITECTS.COM.AU  
REGISTERED ARCHITECTS  
ALL DIMENSIONS REFER TO COMPLETION WORK



# PETELO CLINIC ASHBURTON

PROJECT CONTROL GROUP
CONSULTANTS
STRUCTURAL ENGINEER / CONSULTANTS
LANDSCAPE ARCHITECTURE / CONSULTANTS
INTERIOR ARCHITECTURE / CONSULTANTS
MECHANICAL ENGINEERING / CONSULTANTS
DETAILS DATE: #X/



NOT TO BE USED WITH, EXCEPT FOR BUILDING CONSENT

**ELEVATIONS - EXISTING**  
 SCALE: 1:100 @ A2  
 DATE: 23/11/2023  
 PROJECT No: 9891

# PIM.07

**+MAP Architects (2016) Ltd.**  
 100 Lake Street  
 New Zealand  
 Phone: +64 9 522 5511  
 Fax: +64 9 522 5511  
 Email: info@maparchitects.co.nz  
 Website: www.maparchitects.co.nz

DO NOT SCALE DRAWING. CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO COMMENCING WORK

# PETELO CLINIC ASHBURTON

PROJECT CONTROL GROUP

CONSULTANTS

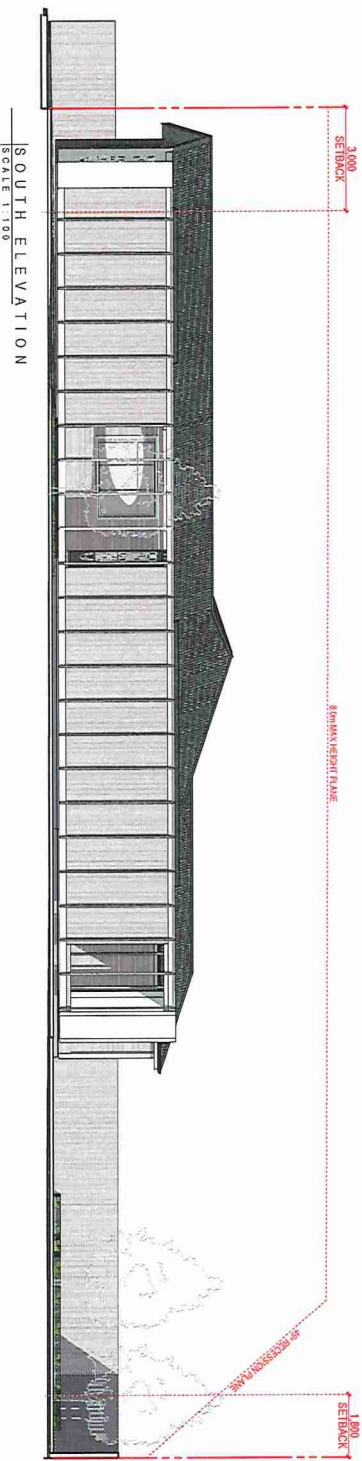
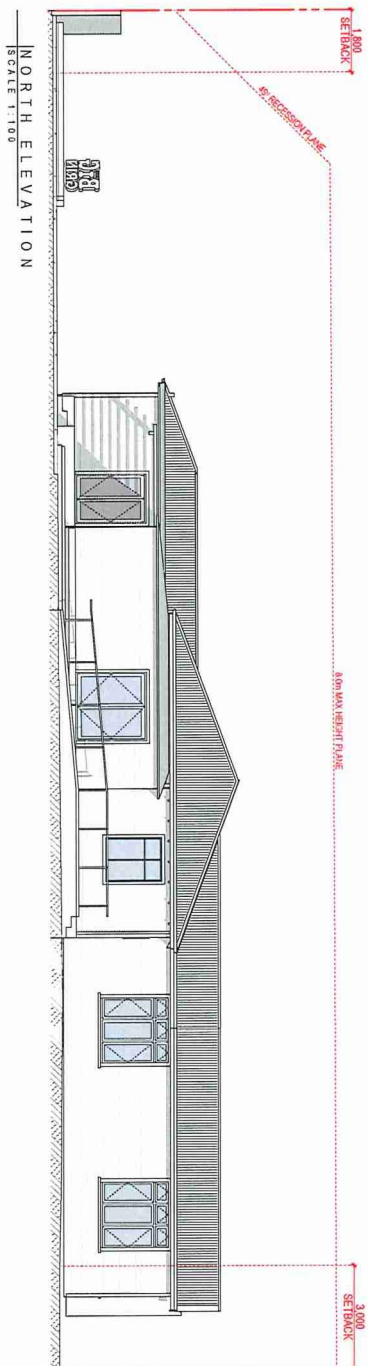
STRUCTURAL ENGINEERS, ARCHITECTS

LANDSCAPE ARCHITECTS

UNIVERSITY OF SHEFFIELD

UNIVERSITY OF SHEFFIELD

DETAILS DATE REV



NOT TO BE USED WITHOUT RECORDING FOR BUILDING CONTROL

### ELEVATIONS - PROPOSED

SCALE: 1:100 @ A2

DATE: 23/11/2023

PROJECT No: 9891

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+MAP Architects (2016) Ltd.

111 Young Street P 01453 555 555

01453 555 555

01453 555 555

01453 555 555

01453 555 555

01453 555 555

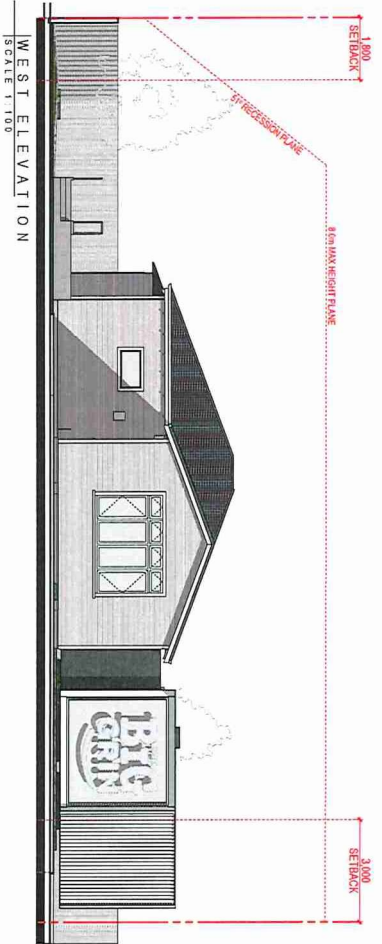
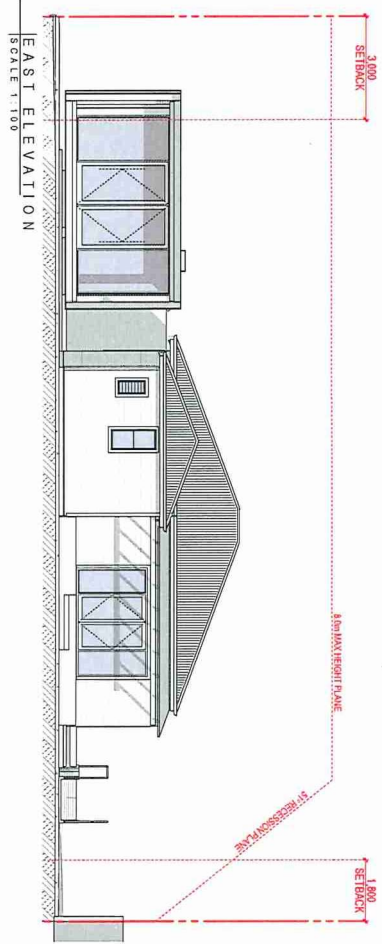
01453 555 555

01453 555 555

01453 555 555

**PETELO CLINIC**  
ASHBURTON

PROJECT CONTACTS: GEORGE
CHARLES TAYLOR
STRUCTURAL ENGINEER: HIGGINS & PARTNERS
LANDSCAPE ARCHITECT: GARDNER TRIMM
INTERIOR ARCHITECT: HBS
DETAILS DATE: REV



NOT TO BE USED WITH, NOR FOR THE BENEFIT OF, ANY OTHER PROJECT

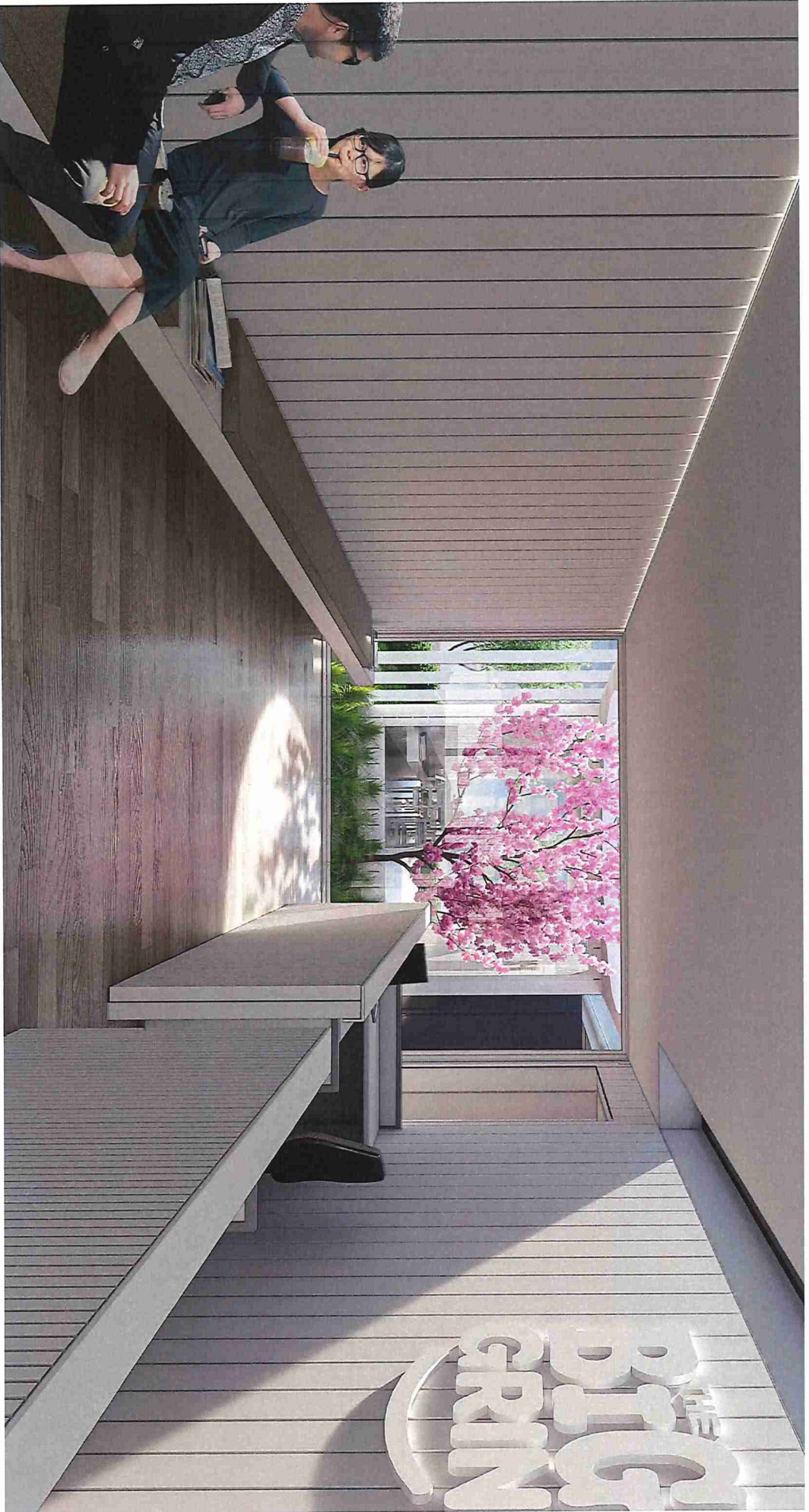
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DATE: 23/11/2023  
PROJECT No: 9891

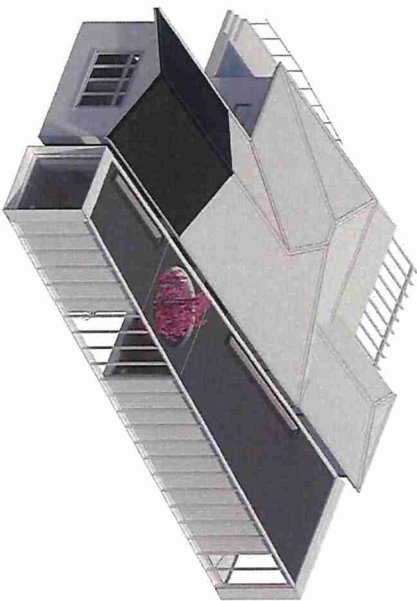
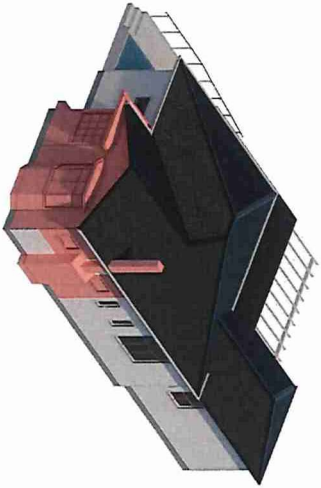
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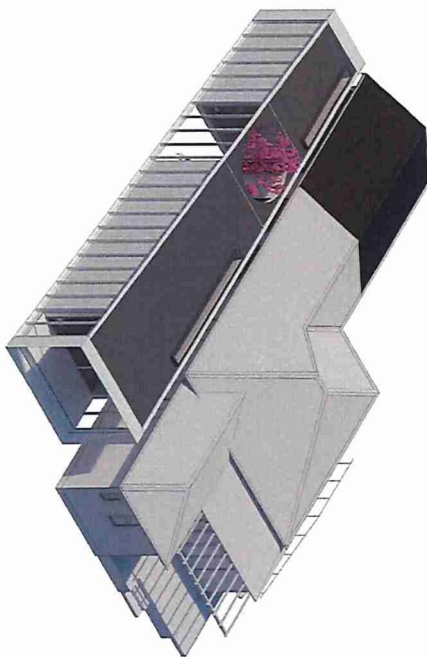
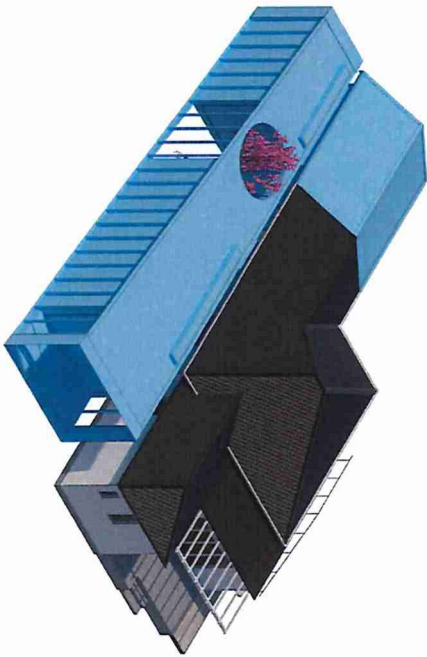
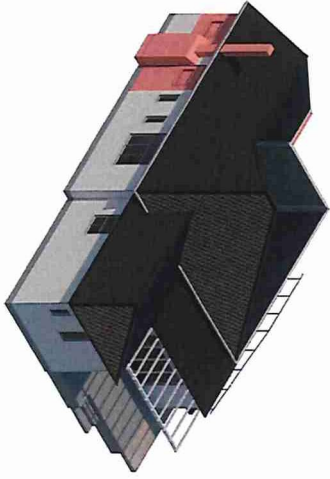
**+MAP Architects (2016) Ltd.**  
10 Lake Road  
Plymouth  
PL4 8JL  
01752 361100  
www.maparchitects.com

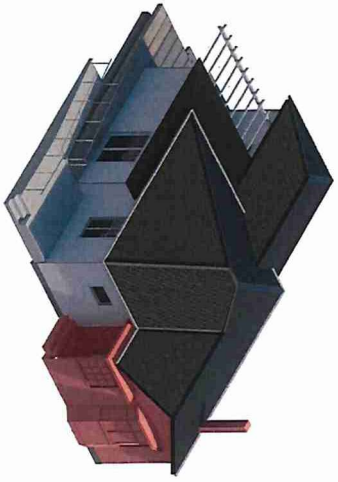
DO NOT SCALE DRAWING. CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO COMMENCING WORK















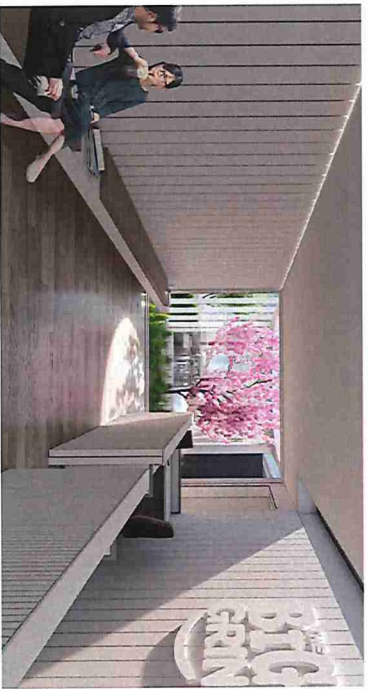
CORNER BELT ROAD / HARRISON STREET



BELT ROAD



ENTRY



WAITING ROOM



STAFF ROOM



TENANCY ROOM

## ANNEXURE D – PLANNING MAP

See legend for disclaimer.

See Urban Index for more context.

U40	U41	U42
U46	U47	U48
U52	U53	U54

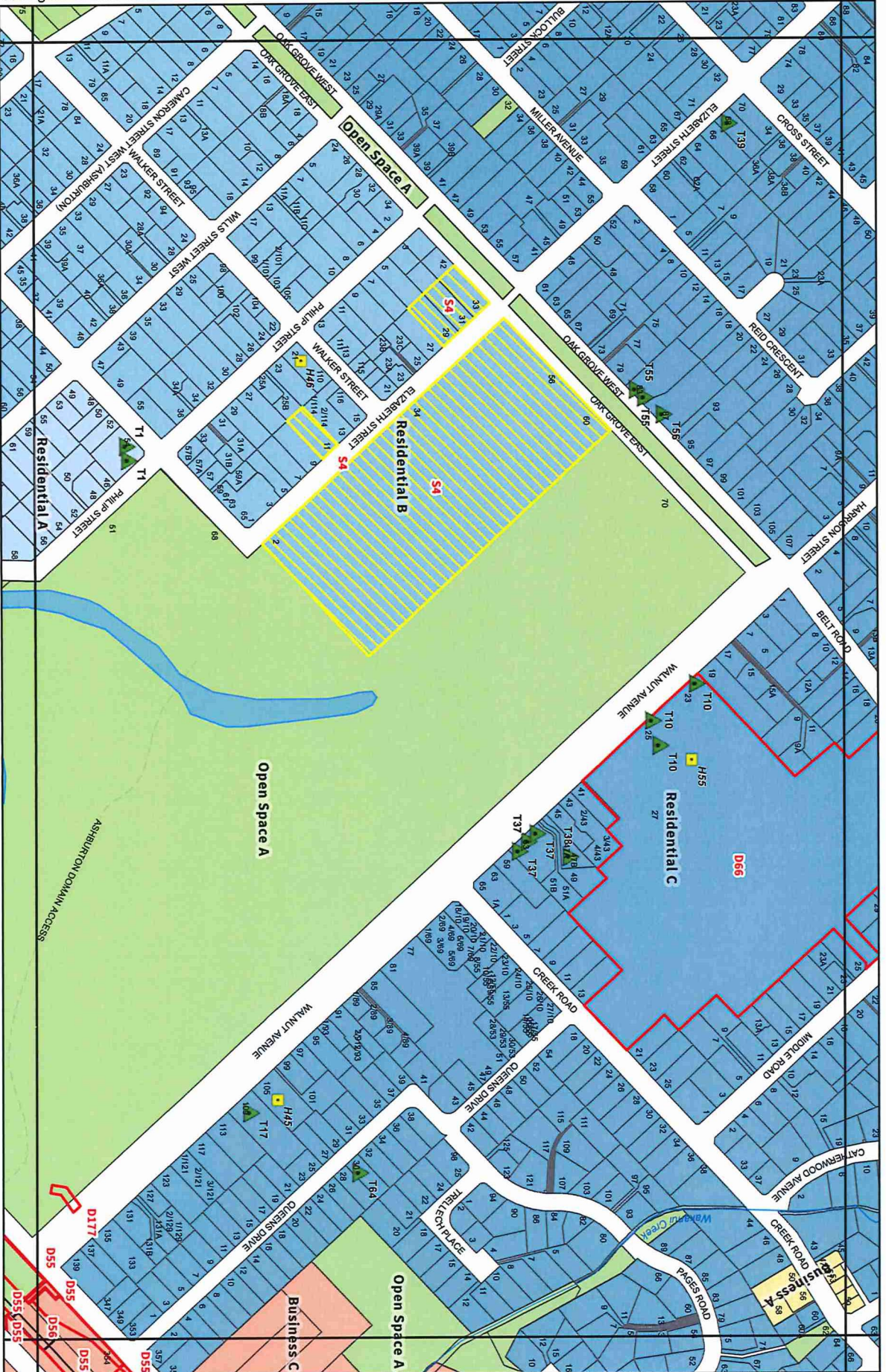


**Map**  
**U47**

# Operative District Plan

## Urban Map Series

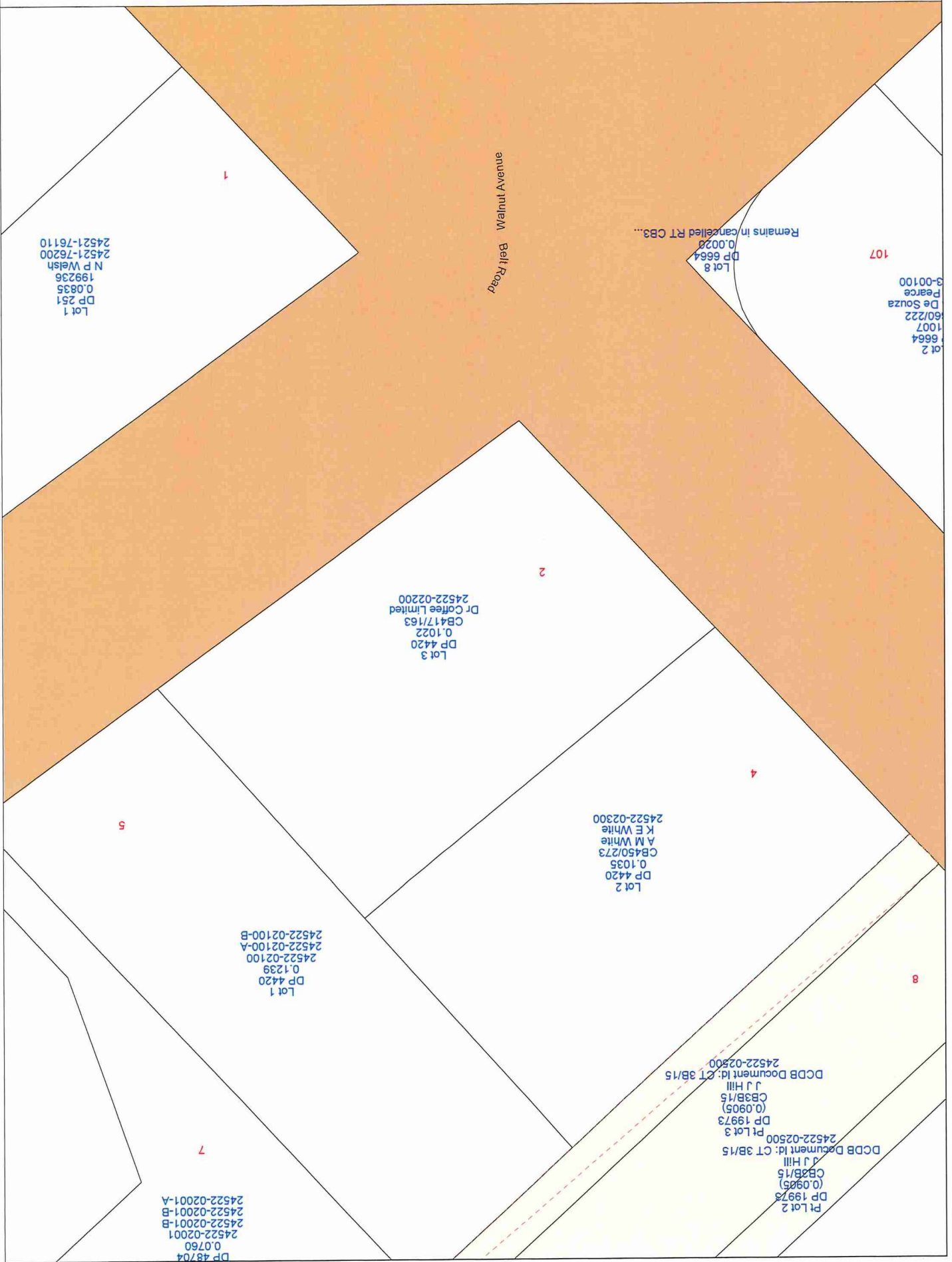
### Ashburton



Scale @ A4:  
1:5,000



## ANNEXURE E – LOCATION PLAN



**ANNEXURE F – LUC20/0006**



16 March 2020

David Harford Consulting Limited  
PO Box 603  
ASHBURTON 7740

Dear Sir/Madam

**RESOURCE CONSENT DECISION**

<b>Applicant:</b>	JOSEPH FALANIKO ARCHIE PETELO
<b>Reference: 19-60</b>	LUC20/006
<b>Site location:</b>	2 Harrison Street ASHBURTON
<b>Legal description:</b>	Lot 3 DP 4420
<b>Description of application:</b>	Land use consent at 2 Harrison Street to address the proposed non-compliant community activity (4.8.4) and signage (13.7.2) associated with the establishment of a Dental Orthodontist facility, zoned Residential C
<b>Zoning:</b>	Residential C
<b>Status of activity:</b>	Discretionary

This application was lodged and formally received with the Ashburton District Council on 11 February 2020.

I wish to advise that consent for the above application was granted on 13 March 2020 under delegated authority and pursuant to Sections 104, 104B and 108 of the Resource Management Act 1991 subject to the following conditions being completed at no cost to Council, with the following advice notes, and for the following reasons:

**CONDITIONS**

General

1. That the activity shall be undertaken in full accordance with the plans and information submitted with the application, being:
  - Application and Assessment of Environmental Effects prepared by David Harford Consulting Ltd, dated February 2020;
  - The response to further information requested dated 5<sup>th</sup> March 2020; and

- Plans and drawing submitted with the application and stamped with this consent referenced by Council as LUC20/0006 Sheets 1-1.

2. There shall be no more than seven staff on the site at any one time.

3. The dentist facility shall operate within the following hours:

- 0800hrs to 2100hrs Monday – Friday
- 0900hrs to 1700hrs Saturday and Sunday
- These operating hours do not apply for the afterhours on-call service

4. Prior to the first use of the building, the car parking areas shall be formed and sealed and all car parks shall be marked.

5. Prior to the first use of the building, the first car park located at the entrance of the site and carpark number 4 on the approved plan shall be marked and reserved for “STAFF ONLY” and made at all times available thereafter.

#### Landscaping

6. That prior to the first commercial use of the facility, landscaping plantings as identified on the approved site plan shall be established and thereafter maintained. Should any plants die or be damaged they will be replaced within the next planting season with items of similar species and size.

#### Monitoring Charges

7. The consent holder shall pay the Council any further monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent.

#### Review

8. Pursuant to section 128 of the RMA the conditions of this consent may be reviewed by the Council at the consent holder's cost at any time:

- a. To deal with any adverse effect on the environment which may arise or potentially arise from the exercise of the consent and which it is appropriate to deal with at a later stage, in particular adverse noise and traffic effects on the surrounding environment.
- b. At any time, if it is found that the information made available to Council in the application contained inaccuracies which materially influenced the decision and the effects of the consent are such that it is necessary to apply more appropriate conditions.

#### REASONS FOR THE DECISION

Pursuant to sections 104, 104B and 108 of the Resource Management Act 1991, this non-notified discretionary activity application is granted for the following reasons:



- a) The application merits granting of a resource consent pursuant to Section 104 of the Resource Management Act 1991.
- b) The proposal is consistent with the objectives and policies of the Operative Ashburton District Plan.
- c) The application qualifies for consideration on a non-notified basis, as on balance the adverse effects are deemed to be no more than minor and written approval have been provided from persons deemed to be affected by the proposal.

**ADVICE NOTES**

- 1) Pursuant to section 125 of the Resource Management Act 1991, if not given effect to, this resource consent shall lapse five years after the date of this decision unless a longer period is specified by the Council upon application under Section 125 of the Act.

- 2) Please read the conditions of this resource consent carefully and make sure that you understand all the conditions that have been imposed before commencing the development.

- 3) This consent does not constitute authority to build or undertake private drainage works and it may be necessary for you to apply for a Project Information Memorandum and Building Consent if you have not already done so.

- 4) A copy of this consent and the associated approved drawings should accompany your application for a Project Information Memorandum and Building Consent. If not supplied unnecessary delay may occur in the processing of your application.

- 5) The consent holder is required to treat the stormwater collected from the hardstand and the seal against contaminants. There is to be 75% Total Suspended Solids (TSS) prior to discharge into the ground and overflow to kerb.

- 6) Water and Sewer Development Contributions will be charged when a Building Consent is lodged.
- 7) If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application you have the right of objection under sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to Council within 15 working days of notification of the decision.

- 8) The consent holder is requested to notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencement. Such notification should be sent to [info@adc.govt.nz](mailto:info@adc.govt.nz) and include the following details:

- i. Name and telephone number of the project manager and the site owner;
- ii. Site address to which the consent relates;
- iii. Activity to which the consent relates; and
- iv. Expected duration of works

- 9) The consent holder is requested to notify Council, in writing, once they have completed the works authorised by this resource consent. Such notification should be sent to [info@adc.govt.nz](mailto:info@adc.govt.nz) including the following details:

- i. Resource consent number
- ii. Site address to which the consent relates
- iii. Statement outlining how the applicant has complied with each of the conditions

Yours faithfully



**Laura Connor**  
Consents Planner  
Planning Department

## FURTHER ADVICE NOTES

### A Lapsing of Consents

Your attention is drawn to section 125 of the Resource Management Act 1991, which states that a resource consent lapses on the expiry of five years after the date of commencement of the consent, or after the expiry of such shorter or longer period as is expressly provided for in the consent, unless

- (a) The consent is given effect to, before the end of that period; or
- (b) An application which meets the criteria specified in section 125 is made to the Council.

### B Compliance with Conditions

Please note that unless a specific time limit is stated in the conditions imposed by the Council when granting this consent, all conditions must be complied with before the use to which the consent relates is established.

### C Changes to Conditions

Your attention is drawn to section 127 of the Resource Management Act 1991 which enables an application to be made at any time to Council to change or cancel any condition of this consent.

### D Review of Decision on non-notified application

Your attention is drawn to section 357 of the Resource Management Act 1991. This section provides for a right of objection to Council in respect of this decision and in relation to additional charges the Council may have required you to pay.

Please note the procedure for making an objection under section 357C of the Resource Management Act 1991, which states that any such objection shall be made by notice in writing to the Council, setting out the reasons for the objection, within 15 working days of receiving the decision or of being notified of the requirement for the payment of additional charges, or within such further time as may in any case be allowed by the consent of the Council.

### E Right of Appeal

Your attention is drawn to Sections 120 and 121 of the Resource Management Act 1991 and also the Resource Management (Forms, Fees, and Procedure) Regulations 2003/153, Regulations 16 – 19. Some key provisions to note are as follows:

- i) You may appeal against the decision of the Council by lodging a Notice of Appeal in the prescribed form with the Registrar of the Environment Court and with the Council within 15 working days of the receipt by you, or the person who filed the application on your behalf, of the Council's decision. The address of the Environment Court is as follows:

The Registrar  
Environment Court  
District Court Building  
Armagh Street

CHRISTCHURCH  
P O Box 2069  
Armagh Street  
CHRISTCHURCH

(ii) The appeal must be in the form prescribed by the Resource Management (Forms, Fees, and Procedure) Regulations 2003/153 or to like effect. The regulations may be purchased from Bennetts Government Bookshop, or they (and the RMA itself) are accessible on-line at [www.legislation.govt.nz](http://www.legislation.govt.nz). The form is identified as Form 34 in the regulations.

(iii) A filing fee of \$500.00 GST inclusive must accompany every document by which appeal proceedings are commenced.

(iv) Section 121 of the Resource Management Act 1991 sets out important information as to the persons upon whom the appeal must be served and the time when service must take place. It is essential that these provisions be adhered to. Failure to do so may result in your appeal being struck out.

If you are in any doubt as to the procedures to be followed it is strongly recommended that you consult a lawyer.

## F Development Contributions

Development Contributions may be payable in accordance with policy set out in the current Long Term Council Community Plan and may become payable to council when any of the following instances occurs:-

- Application for a Building Consent for new build / additions – alterations / change of use
- Application to connect to council infrastructure
- Any situation where the council reasonably believes that there is an increase in demand on service capacity.

Development Contributions relate to development that creates an increased demand for infrastructure services provided by the council and how that added demand / capacity is paid for. Please refer to the current Long Term Council Community Plan for full detail and official policy - Vol II Finance & Policies. The council's current Fees & Charges Schedule sets out the charging structure in this matter. The Local Government Act 2002 sections 197 to 211 empowers council to act in this matter.

## G Other Consent requirements

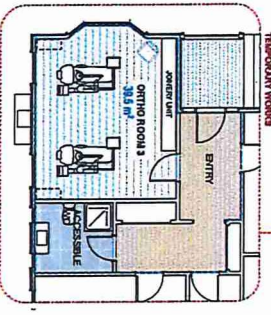
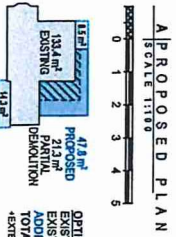
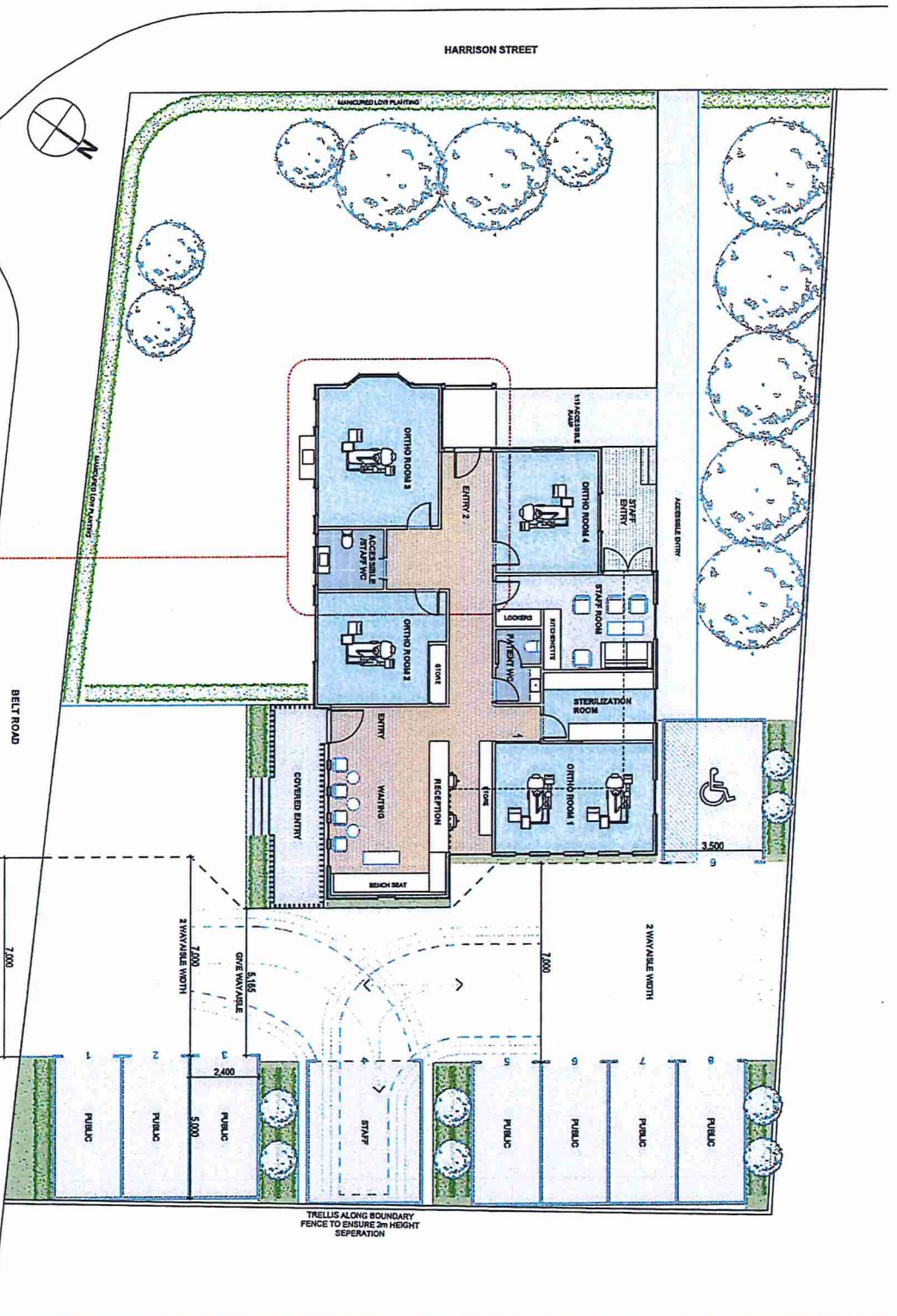
A Resource Consent may also be required from the Regional Council for the discharge of contaminants to land/water. Please refer to requirements in the Natural Resources Regional Plan.

PROJECT CONTROL GROUP  
CONTRACTOR  
PRINCIPAL CONSULTANT  
CONTRACT TEAM  
DATE: 17/03/20

**PROPOSED PLAN A**  
SCALE: 1:100, 1:500 @ A2  
DATE: 09/02/20  
PROJECT NO: 8665

**A1.03**  
REV

**+MAP Architects (2016) Ltd.**  
NO NOT SCALE DRAWING. CONSULTATION TO VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT WORK.



**ASHBURTON DISTRICT COUNCIL**  
This plan shall be read as part of Resource consent no: LR2010006  
Sheet: 1 of 1  
Date: 13/03/20 Planner: MAP