

ANNEXURE A

APPLICATION FOR LUC-2018-59

RESOURCE CONSENT APPLICATION



APPLICANT:

Padda Enterprises Limited
at
535 Andersons Bay Road, Dunedin

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Advising on Planning and Resource Management

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ASSESSMENT OF ENVIRONMENTAL EFFECTS
prepared
by
Conrad Anderson
for a
Resource Consent
by
Padda Enterprises Limited
at
535 Andersons Bay Road, Dunedin

Assessment of Environmental Effects
Including
Commentary of the Relevant Provisions
of the
Dunedin City District Plan

Application
by
Padda Enterprises Limited
at
535 Andersons Bay Road, Dunedin

Introduction / Overview

The subject site is part of the wider area of land associated with Andersons Bay Road, which is zoned Industrial, but has been developed with a variety of activities.

The subject site is located towards the southern end of Andersons Bay Road, at 535 Andersons Bay Road. The site, along with the adjoining site to the south, are effectively 'land locked' by roads (to the east and south), the Hope and Sons facility (to the north), and residential development (and zoning) to the west.



Above: Location map highlighting the subject building.

Council is familiar with the site, as in late 2015 Council approved, a non-complying activity (LUC-2015-461) in the form of a tertiary education facility, which included up to 70 people being on site, supported by 20 car parks.

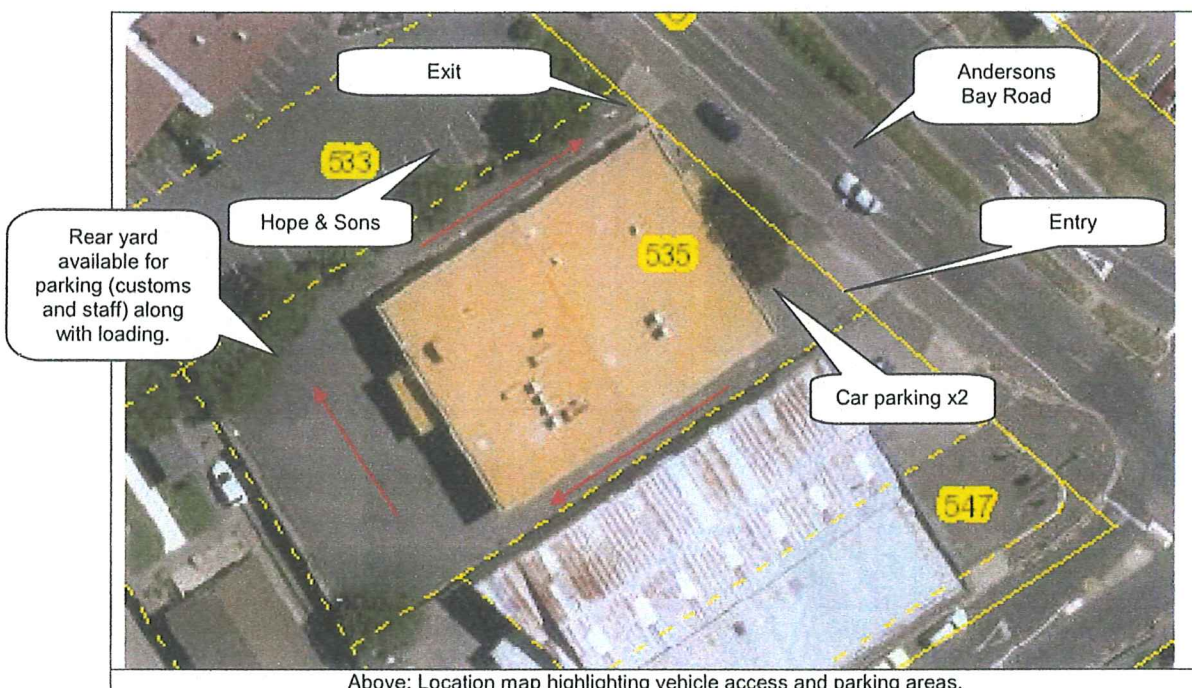
While the bulk of Andersons Bay Road is zoned Industrial 1, Council has previously granted consent for numerous non-complying uses along Andersons Bay Road, including LUC-2015-461 (noted above) and LUC-2013-24, which utilised past consented activities as part of the baseline. It is noted that in terms of S104(1)(c), LUC-2013-24 relied on previously consented activities, while LUC-2015-461 noted that *"there are a number of activities along Andersons Bay Road that are not provided for in the industrial zone, therefore in this instance it is not considered that the approval of the proposal will not undermine the integrity of the Plan as the activity will produce only localised and minor effects, if any, and will not set an undesirable precedent"*. In addition, the findings of the Environment Court during consideration of the Warehouse proposal on Andersons Bay Road is noted, which gives the following direction: *"it is the actual physical environment we need to be concerned with..."* and concluded that *"the industrial zoning of this area has no integrity to be protected"* (page 63, para 115, sub point 2 of the Environment Court Decision C101/2001). The same situation exists in the area associated with the current application – no industrial activity is occurring around the subject site.

In addition, activities similar to the proposed activity are already operating on Andersons Bay Road, including: Thirsty Liquor (270 Andersons Bay Road), LiquorLand (408 Andersons Bay Road) and SuperLiquor (460 Andersons Bay Road). All within the Industrial zone.

The subject site contains an existing building resource and the proposal seeks to reuse that resource with internal renovations and external signage, for a Commercial Activity/Licensed Premises (bottle store).

The site provides customer parking at the front, with additional customer parking, staff parking and loading at the rear. The parking arrangement also provides for all vehicles to exit the site in a forward direction.

- Parking spaces at front: 2
- Parking spaces at rear: 13 (3 for staff)
- Loading: 1
- Direction of travel: clockwise around the site.



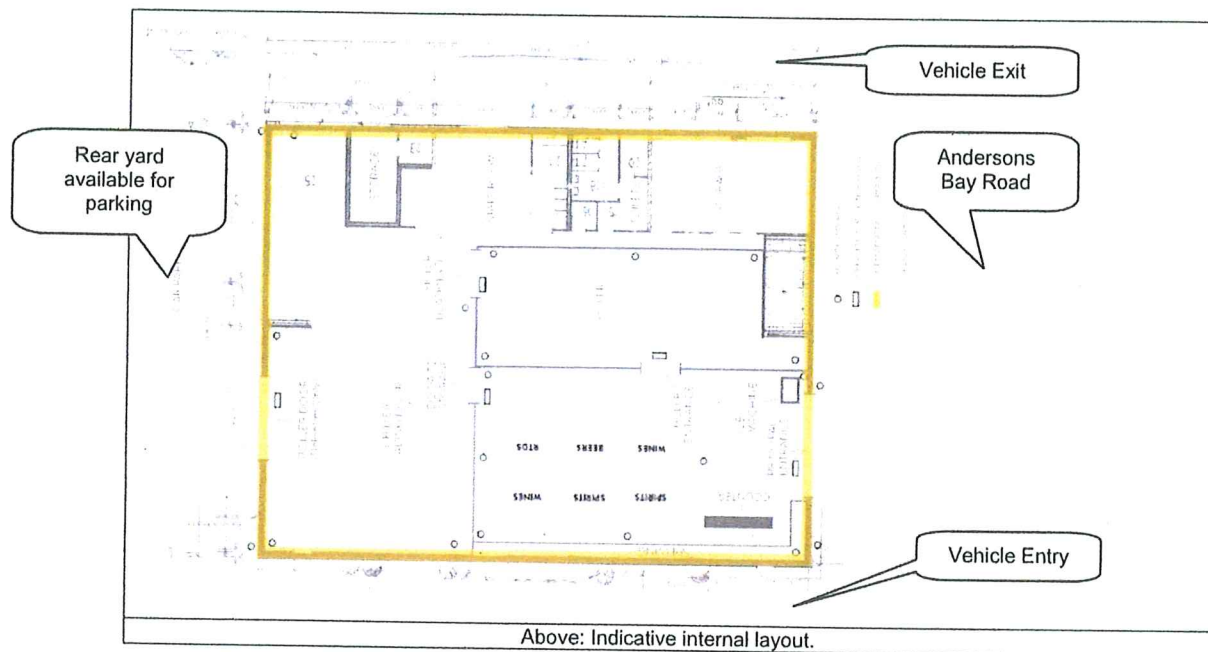
Above: Location map highlighting vehicle access and parking areas.

In terms of hours of operation, consent is sought for hours between 9am to 11pm, however normal hours are expected to be as listed below, with peak hours generally being 3-7pm weekdays and 4-8pm weekends:

- Sunday: 9am – 8pm
- Monday: 9am -8pm
- Tuesday 9am – 9pm
- Wednesday 9am – 9pm
- Thursday 9am -10pm
- Friday 9am – 11pm
- Saturday 9am – 11pm

In terms of staffing, this will vary between 2 and 4 staff on-site at any one time. Three marked parks are anticipated to be provided at the rear of the site for staff.

In terms of the internal layout, the diagram on the following page provides an indicate floor plan:



The site is zoned Industrial 1 (Planning Map 50), and the proposed District Plan seeks a zoning of Trade Related. The proposed activity, together with signage, is a non-complying activity in the District Plan (Rule 10.5.5 and Rule 19.5.12).

In addition, the following require consideration:

- Rule 20.5.7(i): Provides for 1 vehicle crossing for a frontage between 18-60m wide when accessing a District Road. Andersons Bay Road is a District Road, the frontage is 160.5 Links (refer title), which equates to 32.2m. The proposed anticipates utilising the existing two crossings.
- Rule 20.5.7(iii): provides that a vehicle crossing from the intersections of a District Road (Andersons Bay Road) and a Collector Road (Bay View Road) where the speed limit is less than 100km/hr is to be at least 55m. The existing crossing is approximately 27m from the intersection.

In terms of effects, the key effects are associated with: signage, parking/access/loading, hours of operation, the potential for reverse sensitivity, and the potential for setting an undesirable precedent. Each of these is discussed below:

1. Signage (Rule 19.5.12)

The picture below shows the existing frontage, while the picture on the following page shows the indicative signage:





Above: Proposed signage.

The proposed signage is a non-complying activity in accordance with Rule 19.5.12.

The effects of the signage are mitigated due to the clear, simple and limited nature of the lettering, along with the limited use of graphics at a high level. In addition, the site has curb parking on the street immediately in front of the site and 2 on site parks are proposed on the left hand side of the frontage. These will reduce the visibility of the lower level graphics.

In the wider setting signage is common place. Examples below:



Above: Examples of signage in proximity to the subject site.

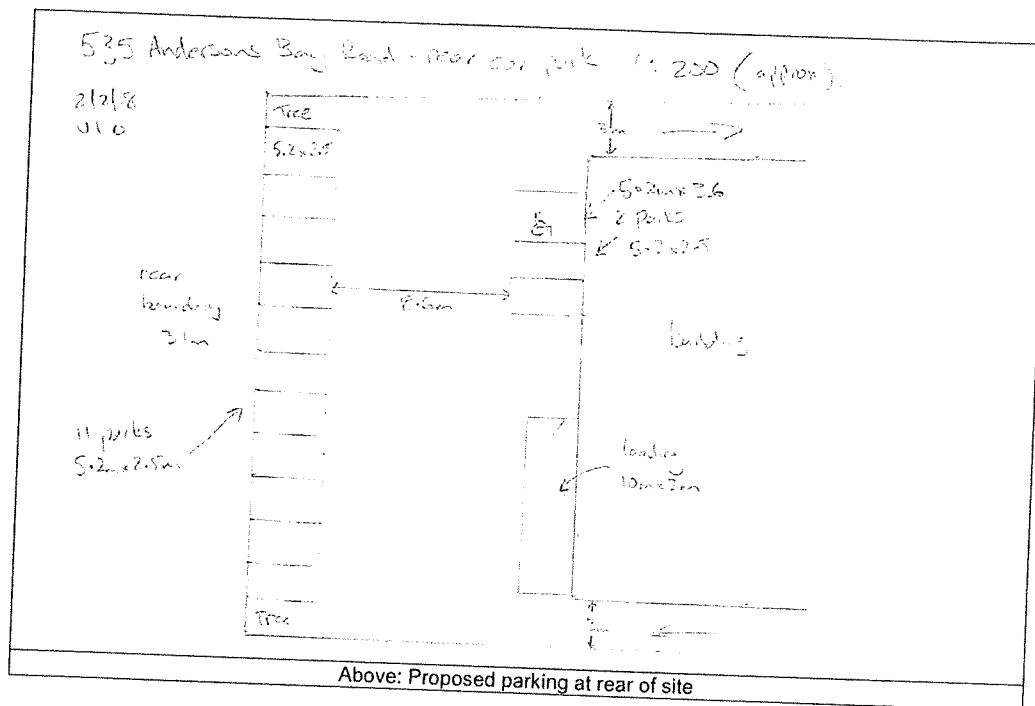
Overall, the effects of the proposed signage is assessed as being in-keeping with what is anticipated in the wider areas and no more than minor.

2. Parking / Access / Loading

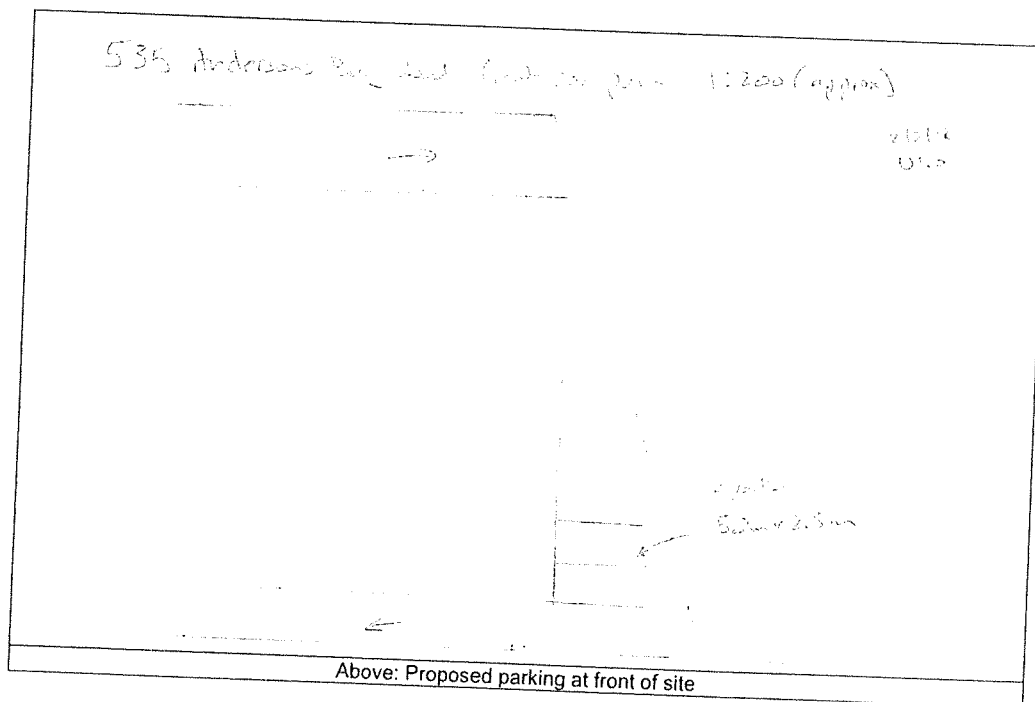
In terms of access, the proposal seeks to retain the existing two access ways, which have not resulted in any known traffic issues. Altering the access to achieve a duel lane entry/exit would require extensive renovations to the building, with limited, if any benefit. Alternatively, altering the access to have a shared single lane entry/exit would require onsite traffic management, and due to the position of the building such an arrangement would struggle to accommodate any entry queuing space. In summary, maintaining the existing entry/exit with two crossings is assessed as a practical outcome.

In terms of parking, this is proposed at the front and rear.

Rear Parking consists of 14 parks, including 3 staff parks and 1 disabled park, as approximately shown on the following page:



The proposed parking at the front is to be retained as per the existing situation. The diagram below identifies the proposed situation, while the photographs identify the past/existing situation:





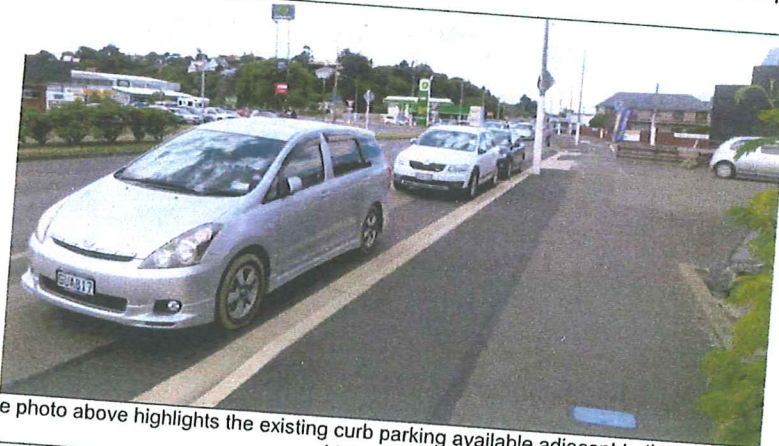
Above: Photos from site visit in January 2018.



Above: A 2012 photo showing 1 car in the front car park (Google Nov 2012).

Above: A 2017 photo showing 2 cars in the front car park (Google Aug 2017).

In addition to the onsite parking, the peak customer times are anticipated to not greatly conflict with the neighbouring activities nor with the existing curb parking demand. Therefore the existing curb parks are likely to be available to customers. However, the proposal is not dependent on the availability of curb parking, and it is acknowledged by the Applicant, that these parks may not be available for customers, and any parking restrictions may change in the future without requiring consultation with the Applicant.



Above: The photo above highlights the existing curb parking available adjacent to the site, allowing 3 to 4 vehicles to park.

In terms of the quantum of car parks, the proposed number of car parks is similar to similar activities on Andersons Bay Road, for example: Thirsty Liquor has a total of 15 parks, and shares them with the neighbouring fast food business. Super Liquor has a similar number. While, LiquorLand has a slightly greater number on a dedicated site.

In terms loading, this is showing in the rear parking diagram on the previous page. To mitigate possible conflict with loading activities, loading is anticipated to be undertaken between 10am (after peak morning traffic) and before 3pm (before peak customer demand).

Overall, the effects of the proposed parking arrangement is assessed as being no more than minor.

3. Hours of Operation

The anticipated hours of operation and peak times are detailed earlier in this AEE, and the anticipated peak demand times have limited conflict with the surrounding operations. Restricted hours of associated with loading are noted above.

In terms of a baseline, the zoning of Industrial does not seek to limit the hours of operation of permitted activities, which can include Industrial Activities, Service Activities, Service stations and retail associated with car yards and garden centres.

As there is no reason for not utilising the baseline and as the proposal seeks to limit hours of operation, it is assessed that the proposal will actually be beneficial in terms effects associated with hours of operation.

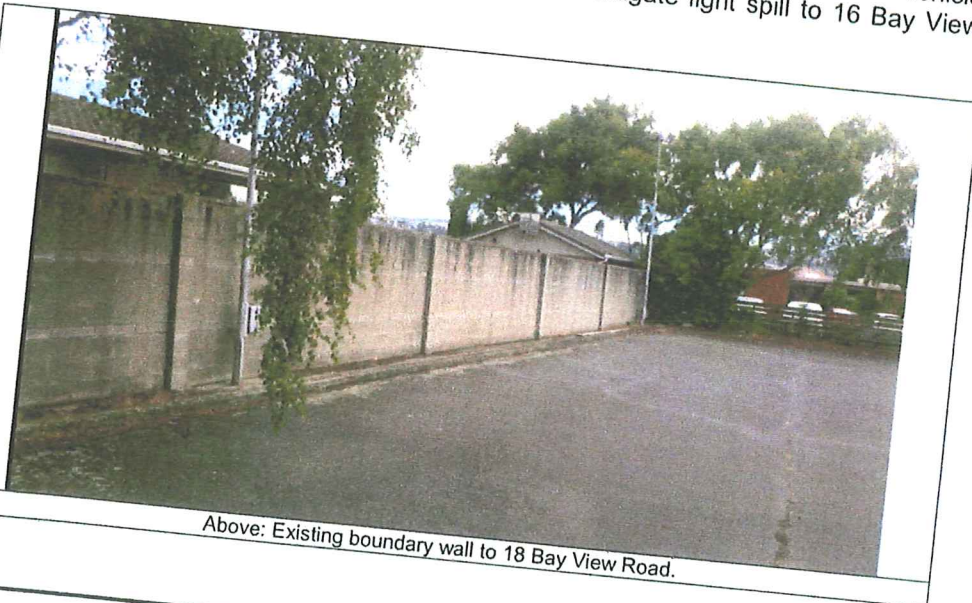
4. Potential for reverse sensitivity

In terms of the potential for reverse sensitivity, the following is noted:

- The site is zoned industrial, which allows for a range of activities, without limitations associated with hours of operation.
- Compared to a permitted activity, the proposed activity will be quieter (retails is inherently a quiet activity). Any noise associated with loading could be contemplated for a permitted activity, and the application seeks to restrict these hours. Any noise associated with vehicle movements could be contemplated for a permitted activity.

In terms of the surrounding neighbours:

- The residential neighbours to the west: These sites anticipate industrial activity at their boundaries due to the current zoning. As long as the proposed activity operates within the parameters of a permitted industrial activity, then the effects will be no more than the baseline, and can be disregarded. In addition, the following is noted:
 - Mitigation to 18 Bay View Road is achieved via the existing boundary wall, which is concrete block and over 2m tall (refer photo below). The wall will negate both light spill from vehicles and the visibility of vehicle movements. In addition, it will assist to mitigate any noise.
 - Mitigation to 16 Bay View Road is achieved via the proposed vehicle direction being clockwise, as this will mitigate light spill to 16 Bay View Road.



Above: Existing boundary wall to 18 Bay View Road.

- Existing activity to the north (Hope and Sons): This site anticipates industrial activity at their boundaries due to the current zoning, and it is noted that there is unlikely to be conflicting times during peak customer times and the activities of Hope and Sons.
- The industrial zoned site to the south: As per above, and noting the solid concrete boundary wall (see below) assists with mitigation.



Above: Boundary wall of the neighbouring property at 547 Andersons Bay Road.

For the above reasons, the proposal is assessed as not raise any reverse sensitivity matters of significance.

5. The potential for setting an undesirable precedent

Historically Andersons Bay Road was well known for the high number of car yards and service (petrol) stations, and many remain today. Car yards and service (petrol) stations are a permitted activity in the Industrial 1 zone, however, there is limited other forms of Industrial Activity on Andersons Bay Road. The subject site is not conducive for use as a car yard, due to the existing built resource, which has a footprint of approximately 700m².

The bulk of the other current activities on Andersons Bay Road are associated with retail including supermarkets (x2), Mitre10, Warehouse Stationery, fast food outlets (KFC, McDonalds, subway, Wendys, Burger King, Hell), food (Mad Butcher, frozen direct, Bakers Delight), liquor (Super Liquor, Liquorland, Thirsty Liquor), furniture, and equipment. In addition, offices (MTF) and residential are also located on Andersons Bay Road, and more recently a child care facility has been established at the south end of Andersons Bay Road.



Above: Immediate neighbours to the south are not permitted activities being retail (x2) and across Bay View Road is commercial residential activity.

As noted earlier in this AEE the matter of precedent in regards to granting resource consents for Commercial Activity on Andersons Bay Road has been previously considered, and direction provided by the Environment Court. For this reason, along with the other consented activities and the effects being assessed as not more than minor, it is

considered that there is no need to notify the application based on any concern of precedent. Any decision to notify this application due to precedent, is an inefficient outcome, as that matter has been well traversed within previous Council decisions and at the Environment Court.

As the application includes a non-complying activity, the application must satisfy either S104D(1)(a) RMA or S104D(1)(b) RMA.

With regards to S104D(1)(a), the effects are assessed as being no more than minor, due to:

- The permitted baseline is likely to result in effects greater than those anticipated by the proposal.
- The activity is essentially an activity with limited effects – customers will come and go from the site, but once within the building, the effects (save signage) will be internalised.
- The site provides for both staff parking and customer parking.
- The peak hours of operation have limited overlap with the surrounding commercial activities.
- The proposal has no operational conflict with those permitted by the District Plan.

With regards to S104D(1)(b), a number of objectives and policies have been identified as having relevance (refer later in this assessment). In the operative District Plan, the key matter within the Industrial Section is to ensure proposed activities (i.e. activities that require consent) do not restrict permitted activities. As noted above, the proposal is assessed as not resulting in an operational conflict with permitted activities. In terms of the other chapters, the key matter is within the Sustainability Section which is associated with precedent, and this has been discussed above.

In terms of the objectives and policies of the proposed District Plan, the proposed zoning is Trade Related, which seeks to provide for *“trade related retail and specific categories of high traffic generators, which are likely to be incompatible with the amenity expectations of the CBD”*, along with managing potential conflict between activities. The high traffic generators include dairies and large food and beverage retails (i.e. with footprints of 1500m²). Within the explanation provided in 18.1.1.7 a key matter is the desire to maintain large sites i.e. to avoid further fragmentation of the land within the zone. As the subject site is of insufficient size to accommodate a 1500m² store along with car parking, the building already exists, and the neighbouring sites within the same proposed zoning are fully developed, the proposal will not result in fragmentation. While the proposal does not find support in the 2GP objectives and policies (due to the reduced size of the store), it is concluded the proposal is not contrary to the overall aims of the 2GP Objectives and Policies, which ultimately seeks to protect land from fragmentation into smaller footprints.

Therefore, it is assessed that the proposal is not contrary to overall direction of both the operative and proposed District Plans.

Under 104(1)(c) the consent authority can consider any matter relevant and reasonably necessary to determine the application. The only matter considered necessary to consider is the integrity of the District Plan. This is discussed above, and concludes there is no risk.

In terms of notification, the proposal will not generate adverse effects that are more than minor, when considered against the permitted baseline, after imposing conditions of consent. The proposal will result in no bulk changes to the building. As a result no potentially affected parties have been identified, and no special circumstances have been identified which would result in the application requiring public notification.

Consequently, in my opinion, this is considered to be an appropriate application for consent to be granted on a non-notified basis with conditions.

This assessment enables a full understanding and acceptance of the basis of the above conclusion.

Introduction

Section 88 of the Resource Management Act 1991 requires that every application for a resource consent is to include an assessment of environmental effects in such detail to satisfy the purpose of which it is required. This assessment is made in accordance with those requirements.

Schedule 4: 2(1)(a) Description of the Activity

Land use consent for Commercial Activity at 535 Andersons Bay Road, Dunedin, together with the proposed signage.

Schedule 4: 2(1)(b) Description of the Site

Address:	535 Andersons Bay Road, Dunedin
Legal Description:	CFR OT4C/1085, Lot 2 DP 12323, with an area of 1,677m ² .
Site Description:	Valuation number: 27470-05100 Rate account ID: 2040212 Property Number: 5040212 The site is almost a rectangle, with the shorter end to the west and east. The east end fronts Andersons Bay Road. The site contains an existing rectangle commercial building, and provides parking at both the front and rear of the site.

Schedule 4: 2(1)(c) Owners / Occupiers of the Site

Owner(s):	Full Name	N and L Johnston Family Trust
	Address	PO Box 5443 Moray Place Dunedin 9058
Occupier(s):	Full Name	The the property is vacant
	Address	

Schedule 4: 2(1)(d) Description of any other activities that are part of the proposal

None.

Schedule 4: 2(1)(e) Description of any other resource consents required

None.

Schedule 4: 2(1)(f) Assessment against the matters set out in Part 2

Part 2: 5 Purpose

Part 2 RMA sets out the purpose of the Act and the principles of varying importance intended to give guidance as to the way in which the purpose is to be achieved. The sole purpose is to promote the sustainable management of natural and physical resources.

The definition of sustainable management establishes that the Act is to provide for the social, economic and cultural wellbeing of the people and communities, while:

- sustaining resources for future generations,
- safeguarding the life supporting nature of resources, and
- avoiding, remedying or mitigating any adverse effects on the environment.

As there is no ambiguity, incompleteness or illegality in the operative District Plan, there is no requirement to resort to Part 2 RMA. However, due to the stage of the proposed District Plan, the Part 2 matters are considered, and no matter was identified that conflicted with Part 2 and no matters which is in conflict with Part 2 have been identified.

Part 2: 6 Matters of National Importance

S6 RMA lists seven matters of national importance, none are considered relevant to this application.

Part 2: 7 Other Matters

S7 RMA lists eleven matters to be given particular regard to. The relevant matter is the efficient use and development of natural and of physical resources.

The existing land resource is fully built upon (building and car park), and the proposal represents an efficient use of these existing resources

Part 2: 8 Treaty of Waitangi

S8 RMA requires consideration of the Treaty of Waitangi. There is no identified relationship between the proposal and the Treaty.

Schedule 4: 2(1)(g) Assessment against any relevant provisions referred to in S104(1)(b)

S104(1)(b)(i) National Environmental Standard

- With regards to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health, a HAIL report from Council has been received (HAIL-2018-1). The HAIL report and the proposal has been considered by a suitable qualified person who concludes "the change of land use proposed at the site is therefore not considered reasonably likely to harm human health from exposure to contaminants in soil". Refer attached.
- There is no other NES that is relevant and helpful to determine this local matter.

S104(1)(b)(ii) Other Regulations

- There is no Other Regulation that is relevant and helpful to determine this local matter.

S104(1)(b)(iii) National Policy Statement

- There is no NPS that is relevant and helpful to determine this local matter.

S104(1)(b)(iv) New Zealand Coastal Policy Statement

- There is no CPS that is relevant and helpful to determine this local matter.

S104(1)(b)(v) Regional Policy Statement or Proposed Statement

- There is no RPS (or proposed RPS) that is relevant and helpful to determine this local matter.

S104(1)(b)(vi) Plan or proposed Plan

- The site is zoned Industrial 1 (Planning Map 50).
- The reason for the application is that the proposed Commercial Activity/Licensed Premise is a non-complying activity (Rule 10.5.5), and the proposed signage is also a non-complying activity (Rule 19.5.12). Along with matters associated with the existing access ways (Rule 20.5.7(i) and Rule 20.5.7(iii)).

In the Second Generation Plan (2GP) the subject site is proposed to be zoned Trade Related, and includes the following overlay: Hazard 3 – South Dunedin (flood) overlay.

- For the Schedule 4: 2(2) Assessment of any relevant Objectives and Policies and the Schedule 4: 2(3) Assessment of Effects, please refer to the following sections.

Schedule 4: 2(2) Assessment against a Plan or a Proposed Plan
Assessment of any relevant objective & policies.

The Objective and Policies of Section 10 (Industrial) have been reviewed and the following is noted:

Objective (and associated Policies)	Comment
10.2.1 Avoid, remedy or mitigate the adverse effects of industrial activities	Not applicable as the proposal is not an industrial activity.
10.2.2 Manage in a sustainable manner the natural and physical resources of the industrial zone	The natural and physical resources include the land and building. The proposal will not alter the land nor significantly alter the building. Further, the proposal will not restrict the future use of the resource or the surrounding resources for industrial purposes. As discussed, Andersons Bay Road has found many non-industrial uses, and this mitigates any concern of introducing further non-industrial activity. Further, the proposed District Plan seeks to shift away from the current industrial zoning. As such, a non-industrial use of the site is considered to be a sustainable use of the resources.
10.2.3 Ensure non-industrial activities in the industrial area do not limit the operation of industrial activities.	This objective provides for the use of industrial land for non-industrial purposes (otherwise the objective is a nonsense). The non-industrial use is on the basis that non-industrial uses does not limit the operations of industrial activities. The proposal is not sensitive to industrial activity on any surrounding land; hence, it is assessed that the proposal will not limited permitted industrial activities on the surrounding industrial land (noting that the site to the north (Hope and Sons) is well established and is not an industrial activity). However, it is noted that Policy 10.3.2 seeks to exclude activities not part of or associated with industrial activities from the Industrial 1 zone. The Policy explanation clarifies the Policy is associated with the sustainable management of the City and avoiding the inefficient use of the physical resources available in the zone. As already described in this AEE, Andersons Bay Road is atypical of the Industrial 1 zone, and non-industrial activities on Andersons Bay Road is considered an efficient use of the resources. For these reasons, while on the face of the Policy 10.3.2 it may seem the proposal is inconsistent, when considered in light of the explanation and the existing environment associated with Andersons Bay Road, the proposal is assessed as not being contrary to what the Policy 10.3.2 is seeking to achieve.

Further, in support of the above conclusion, it is noted that LUC-2013-24 (furniture shop, 303 Andersons Bay Road) found that the proposed retail activity was not inconsistent with Objective 10.2.3 and Policy 10.3.2. While

LUC-2015-461 (education facility, 535 Andersons Bay Road) found that proposed non-industrial use was consistent with Objective 10.2.2 and Objective 10.2.3.

With regards to Section 19 (Signs) the following Objectives and Policies were identified as having some relevance:

Objective / Policy	Comment
19.2.1 / 19.3.1 / 19.3.2 These are regarding adverse effects of signs on amenity values.	The subject area is associated with traffic movements, due to Andersons Bay Road being a 4 lane road and classified as a District Road in the roading hierarchy (Planning Map 74). In addition, the area is associated with 'drive to destinations', which are all associated with signage. Signage is anticipated in the industrial zone, and the surrounding area is already associated with signage. As such, the proposal, when considered in terms of the receiving environment and the permitted environment (in terms of signage), the proposal will not result in adverse effects on the amenity values of the area.
19.2.2 Seeks to ensure signs do not affect the safety/efficiency of the road network.	Due to the signage location the proposal is unlikely to impact traffic safety.
19.2.4 Seeks to avoid visual clutter.	As per above.
19.2.5 Seeks to ensure signs are not a safety hazard for pedestrians.	The proposed signs will not restrict pedestrian access nor become a safety concern for pedestrians, due to the proposed locations and appropriate fixings.
19.3.4 Seeks to promote simplicity and clarity in the form of the sign and the message the sign conveys.	As above.

In terms of the proposed District Plan the relevant Objectives and Policies of Section 18 (Commercial and Mixed Use zones) seeks to:

- Provide land around Andersons Bay Road for activities which generate high traffic volumes and likely to be incompatible with the amenity expectations of the CBD (Objective 18.2.1.e).
- Provide for food and beverage retail in the Trade Related zone, albeit with larger floor areas than anticipated (Policy 18.2.1.4).

While the subject site/building limits the existing footprint, the proposed District Plan policy direction seeks to locate some higher traffic generating activities to Andersons Bay Road, and this proposal is similar to that policy direction (albeit with a smaller footprint).

Assessment of any relevant rule, including any relevant requirement, condition or permission in a rule.

Section 10 (Industrial)

The Assessment Matters for Section 10 (Industrial) are contained in Section 10.8, a summary and comments are below:

10.8.x	Assessment Matter	Comment
1	Sustainability	The Objective and Policies of the Sustainability section relate to: • Amenity values • Infrastructure • Protection of significant natural and physical resources • Plan integrity Commenting on each of the above: • Amenity values – the proposal will have limited, if any, effect on amenity. Signage forms part of the application, and activities are restricted due to the hours of operation. • Infrastructure – there are no known infrastructure constraints. • There is no significant natural resource. • The physical resource includes the building, which is suited to the proposed use, hence the proposal is an efficient use of that resource. • The site and the wider Andersons Bay Road area is considered an exception to the wider Industrial 1 zone, thus mitigating any concerns regarding plan integrity.
2	Manawhenua	The Objective and Policies of Section 5 are not known to have relevance to this application.
3	Residential Areas	A residential zone is to the west. The proposal is considered to be beneficial to the neighbouring residential zone when compared to the permitted environment, and conditions of consent are offered to mitigate effects.
4	Bulk and Location of buildings and structures	The proposal will not significantly affect the existing exterior of the building, save for signage.
5	Amenity values and character	Amenity values have been discussed above. The proposal will not change the character of the area, which is not associated with Industrial Activity.
6	Noise	The proposal will result in few noise effects, which will be below the zone limits, and limited due to the proposed hours of operation.
7	Glare and Lighting	The proposal will be similar to the existing situation in terms of glare and lighting.
8	Odour and Dust	n/a
9	Services	The proposal will not alter the demand for services.
10	Cumulative Effect	Due to the existing environment, no cumulative effects are anticipated.
11	Intensity of Operation	Hours of operation and anticipated peak times are detailed earlier in this AEE.

12	Other Activities	The proposal requires minimal renovations, hence subject to lease commitments, the neither the land nor buildings would be lost for industrial activities in the long term.
13	Code of Practice / Standards	n/a
14	Archaeological Sites	No soil disturbance is proposed as part of the proposal.
15	Trees	n/a
16	Indigenous Vegetation/Fauna	n/a
17	Hazards	The site is included in the proposed District Plan flood hazard overlay. However, the proposal will not result in an increased risk to people (limited on-site staff, customers on-site for limited times) nor will the proposal increase the risk associated with buildings (as any alterations will be internal, save for signage, and are considered minimal).
18	Transportation	The objectives, policies and assessment matters associated with the transportation section are discussed below.

In keeping with the requirement of Section 10.8.18, the following Objectives and Policies of Section 20 (Transportation) were identified as having some relevance:

Objective / Policy	Comment
20.2.2 Ensure that land use activities are undertaken in a manner which avoids, remedies or mitigates adverse effects on the transportation network.	The proposal is assessed as not resulting in adverse effects on the transportation network, due to: • Parking and loading areas are provided. • Separate entry and exit to be provided. • Access to/from the site is from north bound traffic lane only, which has peak usage in the morning and does not clash with the anticipated peak activity of the proposal.
20.3.4 Ensure traffic generating activities do not adversely affect the safe, efficient and effect operation of the roading network.	The proposal will generate some traffic, however, peak times are limit and largely outside the usual business hours/peak traffic times for the north bound traffic lane.
20.3.5 Ensure safe standards for vehicle access.	No changes to the existing access/crossing is anticipated.
20.3.8 Provide for the safe interaction of pedestrians and vehicles.	No changes to the existing access/crossing is anticipated.

With regards to the Assessment Matters for Section 20 (Transportation), these are contained in Section 20.6, a summary and comments are below:

Also, in keeping with the requirement of Section 10.8.18, the Assessment Matters associated with Section 20 (Transportation) are outlined below along with comments:

20.3.x	Assessment Matter	Comment
1	Parking and Loading provisions	Onsite parking is to be provided at the front and rear of the site. The rear parking area

		will also provide for staff parking and the loading area. Peak customer times are anticipated not to clash greatly with either the neighbouring activities or the peak north bound road usage. As a result, on street parking is likely to be available and utilised by customers, however the proposal is not dependent on curb parking.
2	Queuing Spaces	No change to the existing situation. The existing building position and access way, provides queuing space of around 40m for entering vehicles and 30m for existing vehicles. The proposed onsite parking at the front of the building is not anticipated to result in conflict with entering vehicles, due to the access width and parking angle.
3	Gradient and surfaces	Gradient – n/a Surfaces - sealed
4	Illumination	Street lighting and existing onsite lighting to be utilised.
5	On-site manoeuvring	No change to the existing situation.
6	Landscaping	No change to the existing situation.
7	Number of vehicle crossings	No change to the existing situation.
8	Access design	No change to the existing situation.
9	Crossing distance from intersections	The crossing closest to the roundabout (Bay View Road, Portobello Road, Andersons Bay Road) is 28m (approx.). The crossing closest to the Oxford Street / Andersons Bay Road intersection is 65m (approx.).
10	Sight distances	Due to limited, if any, visual obstacles sight distances are as be above.
11	High traffic generating activities	The proposal is not considered a high traffic generating activity.
12	Construction	n/a

Section 19 (Signs)

The proposed signage is a non-complying activity (Rule 19.5.12).

The Assessment Matters for Section 19 (Signs) are contained in Section 19.6, a summary and comments are below:

19.6.x	Assessment Matter	Comment
1	Amenity	The surrounding area includes a number of destination locations along with a 4 lane road. As a result, the amenity of the area is associated with place advertising and vehicle movements. The effect of signage on amenity is assessed as being less than minor.
2	Traffic Safety	Due to the signage design and placement,

		and the existing curb parking the proposal is unlikely to impact traffic safety.
3	Pedestrian Access and Safety	The proposed signs will not restrict pedestrian access nor become a safety concern for pedestrians, as they are located on appropriate walls with appropriate fixings.
4	Cumulative Effects	Signage is appropriately sized and located, hence no cumulative effects are anticipated.
5	Airport	n/a
6	Harbourside	n/a

Assessment of any other relevant requirement.
n/a

With regards to the proposed District Plan, in its current form, the proposal would be a non-complying activity (18.3.5.8.b), with the relevant assessment matters contained in 18.12. Given the rules of the proposed plan are not yet operative, limited weight is afforded to them and the associated relevant assessment matters.

Schedule 4: 2(3) Assessment of Effects on the Environment / Environmental Effects (including Schedule 4: 6 and Schedule 4: 7)

The following is in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

- Alternative location - As no significant adverse effects on the environment have been identified, alternative locations/methods are not relevant.
- Actual or potential effects on the environment. With the environment including:
 - Ecosystems (including people and communities)
 - All natural and physical resources
 - Amenity values
 - Social, economic, aesthetic and cultural

The proposed activity is in-keeping with the wider development of Andersons Bay Road, and results in an efficient use of the land and building resource.

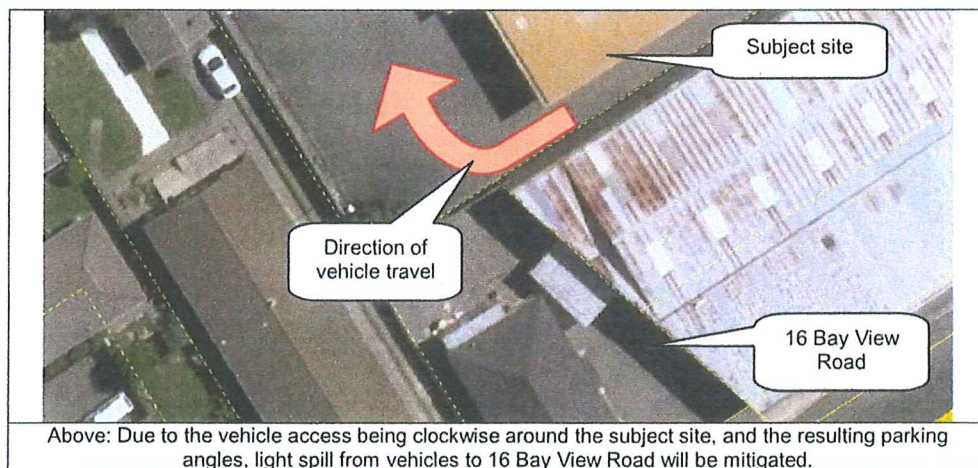
- Hazardous Substances / Installations
 - The proposal involves no hazardous substances / installations.
- Discharge of containments
 - The proposal involves no discharges.
- Mitigation Measures
 - Mitigation measures include:
 - Proposed signage size and location.
 - No significant exterior building modifications, save for signage.
 - Peak times are limited and are not anticipated to greatly clash with neighbouring commercial activity nor morning peak traffic times.
 - Proposed conditions of consent.
- Persons Affected
 - As the proposal is almost entirely internal to the building, with effects that have been assessed as being no more than minor. No person has been identified as being affected by the proposal.
- Monitoring

- The scale and significance of the activity's effects are assessed as being of such parameters that no monitoring is considered necessary.
 - Effect on the exercise of a protected customary right
 - The activity is not known to effect the exercise of a protected customary rights.
- a. *Risk to the neighbourhood / wider community (natural hazards, use of hazardous substances or hazardous installations)*
Not applicable.

Persons Affected/Consultation

No person was identified as being affected by the activity. This is supported by:

- The permitted environment could result in activities with longer hours of operation.
- The proposal does not seek to exceed the permitted noise levels.
- The proposal has restricted hours of operation, including limitations of the hours for deliveries.
- The surrounding neighbours (owners and tenants) will be well aware the subject site contains a large commercial building with car parking at the rear.
- While the activities of Hope and Sons (northern neighbour) can result in heightened demand for parking, these times generally do not clash with the anticipated peak customer activity for the proposal.
- In terms of the western neighbour, at 18 Bay View Road, there is a 2.04m high solid concrete wall (refer photo earlier in this AEE).
- In terms of the southern residential neighbour, at 16 Bay View Road, the orientation of the vehicle access and parking is designed to mitigate light spill to that property. Refer aerial photo below.
- In terms of the southern commercial neighbour, the properties are separated by a concrete boundary wall (refer photo earlier in this AEE).



Schedule 4: 3 Additional Information for some applications:

- a. Details of any permitted activity that is part of the proposal: None.
- b. S124 / S165ZH91)(e): Not applicable
- c. S85 of the Marine and Coastal Area: Not applicable

Schedule 4: 4 Subdivision Consent – Additional Information: Not applicable

Schedule 4: 5 Reclamation Consent – Additional Information: Not applicable

Conclusion

The proposal results in the efficient use of the physical resource, with effects on the environment being similar or less than a permitted activity. Overall, the effects are assessed as being no more than minor, subject to conditions.

Anticipated conditions of consent include:

- Vehicle entry and exit markings/directional signage.
- Parking spaced at entry marked.
- Restricting loading activities so they do not clash with peaking morning traffic and anticipated peak customer times. In addition, no loading after 9pm is sought.

As a result, the first non-complying gateway is passed.

In terms of the policy direction of the District Plan, the proposal is assessed as not being contrary to the key matters of not restricting permitted activities, reverse sensitivity and the fragmentation of large land holdings. Therefore the second non-complying gateway is passed.

Following the gateway test, the key matter is concerned with the likeliness of the proposal setting an undesirable precedent, and therefore the need for notification. As outlined within this AEE, Andersons Bay Road is atypical of the Industrial 1 zone, and non-complying activities along Andersons Bay Road is now anticipated. A number of non-complying activities have been granted resource consent, and the matter of precedent has been well traversed. Therefore, any concern regarding precedent is minimised to the point where notification would serve no useful purpose. Notification would result in an inefficient process.

Overall, it is concluded that the resource consent can be granted non-notified, with conditions.

Anderson & Co Resource Management