

12 October 2018

Hamilton City Council
Attn: Sam Le Heron – Senior Planner

By email

Dear Sam,

Section 92 further information response for a new supermarket and associated fuel facility at 980 Te Rapa Road, Pukete – Application no. 010.2018.00009962.001

In response to your section 92 letter dated 16 August requesting for additional information on this application we provide the following responses.

Centres Assessment

Responses for questions 1 – 35 have been separately provided by Property Economics in their letter dated 31 August 2018.

Planning

14. Te Rapa Road is a major arterial road which requires a minimum set back of 5m from the property boundary. The extent of the pedestrian canopy over the pedestrian access is represented by the dotted black lines on drawing A024. This canopy will be setback 14.4m from the southern property boundary and therefore complies with rule 9.4.1(b).

15. Wingate Architects have confirmed that the GFA of the ancillary office will be 500m² which has capacity for a maximum of 50 staff. The proposed supermarket has a GFA of 6358m² and so the ancillary office will only occupy 7% of the GFA of the principal activity proposed on site, thereby complying with standard 9.5.1 which permits up to 50%.

16. Eagle Way is a local road and rule 9.4.1(a) requires buildings to be setback a minimum of 5m. The eastern side of the fuel canopy will be setback 3.75m from the Eagle Way transport corridor boundary which does not comply with the standard and requires restricted discretionary activity pursuant to rule 1.1.8.2.

The fuel canopy is deemed to be a “building” but this is a substantially open and unenclosed structure. The fuel dispensers on which will be suspended will be setback 8.5m.

17. All signs proposed are shown on the revised drawing by Wingate Architects. A total of three free standing pylon signs are proposed. All signs on the exterior of the supermarket building and on the associated fuel canopy are shown on the relevant elevation drawings with dimensions also given.

18. The areas proposed to be landscaped on site have been appropriately shown on the site plan. The provision of a landscaping plan for the development is proposed as a condition of consent. To that effect, the following conditions proposed would be appropriate:

- a. The consent holder shall submit a landscape plan for the approved development to the Council's Monitoring Team Leader for review and approval within three months of this consent being granted or prior to the start of works. The landscape plan shall include details of the proposed species; plant numbers and density; and sizes/height at the time of planting and maturity.
- b. The consent holder shall implement the approved landscaping within the first planting season following the completion of works in accordance with the approved landscaping plan submitted as part of condition [xx] of this consent. This landscaping shall be maintained in good condition over the duration of the supermarket operating on site. In the event that any of the planting in the approved landscaping dies or declines in health beyond recovery, the consent holder shall undertake replacement planting.

19. "Permeable surface" is defined as *any part of a site which is grassed or planted in trees or shrubs and is capable of absorbing water.*

Wingate Architects have confirmed that the only areas calculated as permeable surfaces are the landscaping strips planted throughout the carpark and around the perimeter of the site. These areas are shaded green on the site plan.

20. The total number of staff to be employed on site is a variable between stores as it depends on the total size and how busy a particular store trades. There is also part-time and full-time staff which changes the total staffing numbers. The car parking at the rear of the supermarket (adjacent to the storeroom) is intended for staff parking and there will be no charge to use these spaces.

21. The proposed hours of operation for the supermarket are 7am – 10pm over seven days of the week.

23. The applicant was advised in pre-application meeting discussions with the Council to consider the Eagle Way/Te Rapa Road Special Housing Area (SHA) in the traffic modelling and this has been appropriately addressed in the ITA submitted. Section 6.1 of the ITA explains that modelling for the proposal to assess the traffic generation and distribution effects is based on the Council's 2021 Te Rapa North VISSIM Model (as recommended) and this council model does not include the SHA.

The ITA offers the following comment in respect of the SHA but has not relied upon this for mitigation purposes as inferred.

A further consideration in the assessment of effects based on the traffic modelling is the recent proposal to utilise a large portion of the overall Porters site as a Special Housing Area (as noted in Section 4.1), understood to contain a proposed 186 residential units. If this SHA proposal proceeds, it will displace a considerable amount of planned mixed use development that was included in the 2014 land use consent, and it is estimated that predicted flows for that part of the property would reduce from 591 vph originally predicted for the mixed-use activity down to some 203 vph for the residential development. Again, this reduction has not been taken into account in the 2021 VISSIM model¹.

26. Chapter 25.5.2 Landscaping and Screening – Objectives and Policies Assessment

The single objective of these provisions to maintain and enhance amenity values within and around development, while contributing to local ecology and cultural connection where possible [emphasis added]. The policy framework seeks to minimise visual impacts of development in part by providing appropriate screening and planting around activities and between zones; and the planting of native species are encouraged.

We consider that the proposal will give effect to these provisions. The site at present almost solely comprises of impervious surfaces only. It is reflective of its former historical land use as a metalled yard and for the storage of heavy construction machinery. In this regard, current amenity values are considered to be low. The proposal will enhance amenity values of the site by facilitating the establishment of edge treatment around the external perimeter of the site (excluding access points) in the form of a 2m wide landscape buffer. Additional planting is proposed throughout the carpark to further enhance and minimise visual impacts of the at-grade carpark proposed. Considering that the Industrial zoning of the site does not require a high level of amenity, and the landscaping proposed will result in an overall net benefit of amenity values and will be a significant improvement to existing circumstances, the extent of landscaping proposed is considered to be appropriate. The provision of a landscaping plan is proposed as condition of consent and this will provide the opportunity to incorporate native species on site.

27. Chapter 25.13.2 Three Waters – Objectives and Policies Assessment

The engineering report by Babbage Consultants concludes that the site can be adequately serviced with the necessary infrastructure and connect to the three waters network. This application has been prepared on the basis that the parent lot subdivision consent has been granted and the associated infrastructure connections for each of the proposed lots are available for servicing purposes.

To ensure water quality in the downstream environment is not adversely affected by the development, stormwater quality treatment is proposed in terms of utilising inert/low

¹ Integrated Transport Assessment for Proposed Pak'nSave supermarket 980 Te Rapa Road, Hamilton prepared by TPC and dated July 2018.

contaminant generating cladding and materials in the building construction and the installation of two grassed swales providing water quality treatment for the new paved areas.

28. Policy 25.14.2.1 Land Use Integration

The transport network surrounding the site is established and this application has been prepared on the basis that Maui Street Extension, proposed as part of the preceding subdivision consent by Porters Group, has been formed and vested. This proposal has sought to establish and integrate the proposed supermarket land use on site that avoids or minimise adverse effects on the transport network but instead contributes to its safe and efficient functioning. The proposal facilitates the removal of a number of vehicle crossings with direct access onto the major arterial of Te Rapa Road, and along Eagle Way with proposed restrictions on turning movements. Wairere Drive is also a key transport corridor serving the sub-regional centre of The Base. With the proposed signalisation at the intersection with Karewa Place, the modelling results demonstrate that there would be an overall improved level of service in operations of this network.

Car parking on site within the development will be inclusive to all users through the provision of accessible and less mobility parking appropriately located close to the front entrance of the supermarket. The provision of a dedicated pedestrian access from Te Rapa Road, and in close proximity to the signalised pedestrian crossing with The Base Parade will facilitate safe pedestrian movements around the development. The provision of motorcycle and bicycle parking spaces on site also encourages and provides a choice for the mode of transport to the site.

The land-use spatial framework for the site in Figure 2.1a of Chapter 2 identifies an industrial land use for this block of land. This land use pattern is considered to be a reflection of the zoning of the land only, and not an accurate reflection of all the land use activities specifically provided for in this zone under activity table 9.3. Supermarkets are provided for as a restricted discretionary activity in the Industrial zone so the proposal cannot be considered to be inconsistent with Figure 2.1a for the reason that a supermarket is not an industrial activity.

29. Refer assessments provided in addendum to AEE.

30. An updated visual perspective is provided within the revised drawing set by Wingate Architects.

31. Refer drawing set by Wingate Architects.

32. Refer response in letter prepared by Wingate Architects dated 5 September.

33. The revised site plan now shows the location of the six trolley bays.

Noise

34. The stages of when noise effects can be generated by the proposal is during the construction phase over a short term period and in the long term in respect of operational noise. The relevant noise standards in the District Plan include the following:

- Rule 25.8.3.2 – Construction Noise
- Rule 25.8.3.3 – Construction Vibration
- Rule 25.8.3.7(c) – Noise performance standards for activities in the Industrial zone.

The proposal is expected to achieve compliance with all the relevant noise standards identified above. The landform of the site has been heavily modified by the previous land uses that have occurred and the topography is flat. As such, the proposal does not require significant excavations depths in order to form a level building platform for the supermarket and no basement car parking is proposed. These phases of construction typically have the potential to generate some vibration effects and since the proposal will only involve the removal of topsoil to establish the proposed ground levels and no basement car parking is proposed, it is considered that construction vibration effects will be avoided to the extent that compliance with rule 25.8.3.3 will be achieved.

In respect of construction noise, the proposal is for a single storey commercial building set within an industrial environment. The supermarket building will be of standard construction and is there nothing unusual associated with the project to suggest that compliance with the construction noise standards would not be achieved.

The operational nature of supermarkets does not generate high noise effects either. The main sources of operational noise would be customers entering and leaving the building, vehicle noise in the carpark and during loading/servicing of the supermarkets. These sources of noise are typically intermittent and not of a level that would exceed the permitted noise standards. Additionally, activities within the site surrounds are all of a non-residential nature and there are no “noise sensitive activities” surrounding the site. Overall, it is considered that compliance with the applicable noise rules will be met.

Geotechnical Engineering

35. Refer response prepared by Babbage Consultants.

Transportation

36. The approved by unimplemented resource consent (Council ref no. 10.2014.7727.001) was granted on 31 July 2014. Advice note 6 of this decision states that this consent will lapse five years after the date of the decision which will be 31 July 2019.

This consent has not been implemented but remains valid and can still be feasibly implemented on site within the time remaining. An application pursuant to section 125 of the RMA can also be made to the Council for an extension of time to give effect to this consent. For the reasons that the approved has not lapsed and there is scope under the RMA to apply for an extension of time to give effect to this consent, it is considered that the permitted baseline may be relied upon and this is not a fanciful scenario.

Responses for question 37 -71 have been separately provided by TPC.

Three Waters

72. Refer response prepared by Babbage Consultants dated 5 September 2018.

We trust that the information provided is sufficient for the Council to reach a notification decision on the application. Should you require any further information or clarification please contact me.

Yours faithfully

Barker & Associates Ltd



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1.0 ASSESSMENT CRITERIA ASSESSMENT

1.1 CONTROLLED ACTIVITY ASSESSMENT CRITERIA

1.1.1 Hazardous Facilities

Criteria	Assessment
<p><i>The extent to which the effects on, and risks to, the health and safety of people, property and the environment are appropriately managed, including:</i></p> <p><i>Matters referred to in the relevant standards in Rule 25.4.4 of Chapter 25.4 City-wide – Hazardous Facilities.</i></p>	<p>An assessment of the proposal against the matters in rule 25.4.4 is provided in the Hazardous Substances Assessment (refer Appendix 9).</p>
<p><i>Safe access to and from the transport network.</i></p>	<p>The fuel facility customers will have equivalent access to the surrounding road network as per the proposed supermarket. Fuel trucks will use the two heavy vehicle crossings.</p>
<p><i>Effects due to the sensitivity of the surrounding natural, human and physical environment.</i></p>	<p>Land uses surrounding site are all of an industrial and commercial nature which are not considered to be sensitive activities.</p>
<p><i>Separation distances and the type of environment/number of people potentially at risk from the proposed facility.</i></p>	<p>All adjacent and adjoining land uses are non-residential activities in this sub-regional centre setting. The closest residential property is over 150m away at Sequoia Place where there would be intervening allotments and future buildings between the fuel facility and residential dwellings.</p>
<p><i>Potential hazards and exposure pathways arising from the proposed facility.</i></p>	<p>The surface of the entire fuel station will be concrete. The fuel station forecourt will be bunded and/or surrounded by a slotted channel and profiled so that any spills during off-loading from fuel tankers or during refuelling of vehicles will be discharged to an oil/ water interceptor.</p>
<p><i>Potential cumulative hazards presented in conjunction with neighbouring facilities.</i></p>	<p>There is no other hazardous facility on the neighbouring sites. Cumulative effects will therefore be avoided.</p>
<p><i>Proposed:</i></p> <ul style="list-style-type: none"> • <i>Fire safety and fire water management</i> • <i>Spill contingency and emergency planning</i> • <i>Monitoring and maintenance schedules</i> • <i>Waste disposal management</i> • <i>Hazardous substance transport arrangements</i> 	<p>Refer Emergency Management Plan (EMP) in Appendix 10 of application material.</p>
<p><i>Compliance with relevant Standards and Codes of Practice.</i></p>	<p>Other legislation such as the Hazardous Substances and New Organisms Act 1996,</p>

	Hazardous Substances (Emergency Management) Regulations 2001, Health and Safety at Work (Hazardous Substance) Regulations, 2017, Land Transport Act 1998, and their regulations, may impose additional controls and requirements with respect to hazardous substances.
<i>Any other measures to avoid or mitigate risks posed by the activity.</i>	<p>The fuel facility will be designed in accordance with HSNO regulations and the underground storage tanks will contain a double wall lining acting as a secondary containment system plus monitoring for the early detection of any leakage.</p> <p>The facility will be maintained and managed in accordance with the EMP to ensure any hazard risks are avoided, remedied or mitigated.</p>

1.1.2 Industrial Zone

Criteria	Assessment
<p><i>Building Design, External Appearance and Site Layout</i></p> <p><i>The extent to which any activity involving buildings adjoining an identified transport corridor and buildings within the Rotokauri Employment Area presents an attractive visual appearance, including minimising:</i></p> <ul style="list-style-type: none"> <i>• Large featureless building façades facing the transport corridor.</i> <i>• The placement of any plant or machinery on the front of the building or within the front yard setback (with the exception of machinery displayed for sale, hire, or plant associated with on-site security).</i> <i>• Over-dominant illuminated signage within the site.</i> <i>• Front fences, walls and signs that detract from an active visual relationship between the site and street/primary transport corridor.</i> <i>• The location of the service and outdoor storage areas within the front setback.</i> 	N/A – the site is not within the Rotokauri Employment Area.
<p><i>For ancillary residential activities, the extent to which:</i></p> <ul style="list-style-type: none"> <i>• Outdoor living areas or balconies are contiguous with the internal living areas.</i> <i>• The design, size and location of the private and/or communal open space, parking, loading spaces and driveways on the site achieves a high</i> 	N/A – no ancillary residential activities are proposed.

<i>standard of amenity, noise and visual privacy for residents, whilst effect from dust, fumes and light glare are minimised.</i>	
Site Layout <i>Within the Rotokauri Employment Area, the extent to which the adverse effects of the location of buildings, parking areas and outside storage areas minimise their potential impact on the amenity of any adjoining Residential, Special Character or Open Space Zones.</i>	N/A – the site is not within the Rotokauri Employment Area.
<i>For ancillary residential activities and within the Rotokauri Employment Area, the extent to which the development has been designed and located so that the potential for reverse sensitivity effects (including noise) is avoided, remedied or mitigated.</i>	N/A – the site is not within the Rotokauri Employment Area.
<i>The extent to which the site layout incorporates Crime Prevention Through Environmental Design, to develop a positive relationship with the street and improve passive surveillance.</i>	The site layout presents a clear and logical orientation with the main entrance of the supermarket presented to Te Rapa Road where there is greater passive surveillance from vehicle and pedestrian movements in the street. The shape/configuration of the building relative to the site boundaries does not create any hidden or blind spots where personal safety could be compromised.
<i>The extent to which landscaping is incorporated within the site layout, to visually reduce the bulk of new development and mitigate adverse visual effects, particularly from the front boundary and those parts of the site visible from public spaces.</i>	A 2m wide landscape buffer that will be planted with low ground cover vegetation is proposed along the external perimeter of the site. Landscaping strips are also proposed throughout the carpark.
<i>Within the Rotokauri Employment Area, the extent to which landscaping enhances amenity at key interfaces such as State Highway 1, green corridors, arterial transport corridors, Wintec Rotokauri Campus and the Rotokauri Suburban Centre.</i>	N/A – the site is not within the Rotokauri Employment Area.

1.2 RESTRICTED DISCRETIONARY ASSESSMENT CRITERIA

B. Design and Layout

Criteria	Assessment
General <i>Whether the proposed building design and / or site layout is consistent with the intent of any relevant</i>	There no design guides in Appendix 1 Section 1.4 that apply to the site.

<i>design guide in Appendix 1 Section 1.4.</i>	
<p><i>Whether the external appearance, scale and design of buildings and structures:</i></p> <p><i>a) Are consistent with the purpose of the zone, and enhance the character and amenity of the surrounding area, streetscape qualities and adjoining land uses.</i></p> <p><i>b) For corner sites, where appropriate, provide active frontages along both elevations.</i></p> <p><i>c) Incorporate Crime Prevention Through Environmental Design principles.</i></p>	<p>The Industrial zone does not require a high level of amenity as demonstrated by the minimum development standards that apply to development in this zone. This site (and the larger parent site) has been used as an industrial storage yard for an extensive period of time and the proposal will transform the site to a modern and attractive built form that is compatible with this peripheral sub-regional centre setting.</p>
<p><i>The extent to which the proposed design provides or continues to provide for informal surveillance of public spaces within and adjacent to the development by:</i></p> <p><i>a) Locating doors, windows and other openings associated with living and working areas, so that they overlook and interact with public spaces.</i></p> <p><i>b) Locating primary entrances to buildings to face the transport corridor frontage, with the main entrance located adjacent to the frontage with the most pedestrian traffic.</i></p>	<p>There are no public spaces immediately adjacent to the site. However, the development includes the provision of a public space adjacent to the entry and exit of the supermarket where there would be regular pedestrian movement and thoroughfare to provide surveillance over this space.</p> <p>The main entrance of the supermarket will be orientated to Te Rapa Road which is a major arterial and receives the highest level of pedestrian traffic.</p>
<p><i>The extent to which parking, manoeuvring areas, driveways and outdoor service areas have been designed and located:</i></p> <p><i>a) To protect amenity values of the streetscape and adjoining sites, including through the use of appropriate screening and landscaping.</i></p> <p><i>b) To not be visually dominant.</i></p> <p><i>c) To be away from the front of the site and buildings.</i></p> <p><i>d) To integrate with adjacent activities and development in terms of the provision of entrances, publicly accessible spaces, verandas, parking, loading areas, access to public transport and pedestrian linkages.</i></p>	<p>The functional requirements of the supermarket (delivery, storage and servicing) will be located at the rear of the building. It will interface Maui Street Extension which will be a local through road which will carry lower volumes of traffic compared to Eagle Way and Te Rapa Road. The exposure of these functional and service areas of the supermarket will therefore be reduced. As the site is somewhat unique in that it has no “rear” with exposure to three road frontages and side boundary, the proposed location of the functional aspects are considered to be appropriate.</p>
<p><i>The extent to which the activity, including landscaping, has been designed in a manner that supports and enhances pedestrian and cyclists movements, including access to the transport network and along frontages considered important for shopping or entertainment activities.</i></p>	<p>The site layout includes the provision of a dedicated pedestrian pathway through the carpark and leads to the main entrance of the supermarket. This pedestrian access commences from Te Rapa Road where it will be adjacent to the signalised intersection and facilitates safe movements between the site to The Base across the road, should people wish to make this journey.</p>
<p>Landscaping and Screening</p> <p><i>The extent to which planting and landscaping is used to:</i></p> <p><i>a) Establish and maintain a well vegetated environment that is compatible with the zone and existing character.</i></p> <p><i>b) Visually reduce the bulk of new development and</i></p>	<p>Refer previous comment in respect of landscaping.</p>

<p><i>mitigate adverse visual effects particularly from the front boundary and those parts of the site visible from public spaces.</i></p> <p><i>c) Create an attractive environment that maintains safety and amenity for pedestrians.</i></p>	
<p>Waste Management</p> <p><i>The extent to which developments provide for goods handling, storage, waste and recycling areas that are:</i></p> <p><i>a) Easily accessible for collection agencies and avoid adverse visual, noise or odour effects.</i></p> <p><i>b) Consistent with the amenity values of the site and avoid causing nuisance for neighbouring residential activities.</i></p> <p><i>c) Suitable for the demand expected by the activity.</i></p>	<p>The storeroom and service area at the rear of the supermarket will provide for the storage of waste. The space to the rear of the building has been deliberately designed to provide for the necessary loading and servicing of the supermarket and to enable trucks to efficiently manoeuvre through this space.</p>

C. Character and Amenity

Criteria	Assessment
<p>General</p> <p><i>The extent to which the activity:</i></p> <p><i>a) Makes adequate provision to protect the visual and acoustic privacy of abutting residential and community uses, including through building and site design and hours of operation.</i></p> <p><i>b) Is compatible with the location in terms of maintaining and enhancing the character and amenity of the surrounding streetscape and urban form.</i></p> <p><i>c) Is able to avoid, remedy or mitigate adverse effects on the existing and foreseeable future amenity of the area, particularly in relation to noise, traffic generation, material deposited on roads, dust, odour and lighting.</i></p>	<p>The site is surrounded by Industrial and Business zoned land in which case there is no residential or community uses surrounding the site. As such, there will no adverse effects on residential amenity or community users arising from the proposal.</p> <p>The days and hours of operation for the supermarket will be 7am till 10pm over seven days of the week which is consistent with general supermarket operations. The site is located on the edge of a sub-regional centre where there is range of services, facilities and amenities within 50m of the site. The introduction of a supermarket in this context is therefore considered to compatible with the established character and amenity of this locality.</p>
<p>Reverse Sensitivity</p> <p><i>The extent to which the development (including residential development) has been designed and located so that the potential for reverse sensitivity effects (including noise) are avoided, remedied or mitigated.</i></p>	<p>A supermarket is a commercial retail activity and is not considered to be a sensitive land use. Reverse sensitivity effects will therefore be avoided.</p>
<p>Non-Industrial Activities in the Industrial Zone</p> <p><i>The extent to which the non-industrial activity, within an Industrial Zone, serves the needs of an industrial area and adjoining areas, or is more appropriate to an industrial location than in other areas having regard to the nature of the activity, travel demand characteristics and amenity expectations.</i></p>	<p>While supermarkets are a non-industrial activity, they are not entirely unexpected in the Industrial zone because they are specifically provided for as a restricted discretionary activity with a centres assessment report. The District Plan also specifically recognises that this piece of Industrial zoned land is in a transitional state and that it is appropriate for non-industrial activities to establish due to its location and surrounding land uses.</p>

F. Hazards and Safety

Criteria	Assessment
<p>Earthworks</p> <p><i>The extent to which the earthworks:</i></p> <p>a) Will obstruct or provide overland flow paths or natural surface ponding areas.</p> <p>b) Are managed, designed and constructed to:</p> <p>i. Provide any sediment control measures necessary to control the discharge of sediments. ii. Remain safe and stable for the duration of the intended land use.</p> <p>iii. Provide safe and accessible building sites and infrastructure.</p> <p>iv. Provide for the adequate control of stormwater, cater for natural groundwater flows, and avoid adverse effects from changes to natural water flows and established drainage paths.</p> <p>v. Avoid exacerbating the effects of natural hazards and ecological effects arising from additional sediment release.</p>	<p>There are no flood hazards on site and so the earthworks proposed will not result in the displacement of any flood waters.</p> <p>Erosion and sediment control will be implemented on site including clean water diversion bunds and a dirty water diversion channel leading to an on-site sediment retention pond. A stabilised construction entrance will also be formed at the Eagle Way frontage of the site to minimise the tracking of sediment onto the wider road network.</p> <p>Based on the near level topography of the site and because no significant excavation depths are proposed the geotechnical report (refer Appendix 8) concludes that the risk of land instability within the proposed building platform will be low.</p>

G. Transportation

Criteria	Assessment
<p>General</p> <p><i>The extent to which the proposal:</i></p> <p>a) Integrates with, and minimises adverse effects on the safe and efficient functioning of the transport network and infrastructure.</p> <p>b) Minimises conflicts between users both within the site and any adjoining transport corridor.</p> <p>c) Encourages easy and safe access and circulation for those not arriving by vehicle.</p> <p>d) Provides for the accessibility needs of all users of the site.</p> <p>e) Provides convenient and safe circulation for connections and/or the provision of facilities for passenger transport modes of travel relative to the scale of the proposal.</p> <p>f) Provides for integration with neighbouring activities to reduce the need for separate traffic movements on the transport network.</p>	<p>Extensive traffic modelling using the Council's VISSM model and SIDRA indicates that there is sufficient carrying capacity in the transport network to accommodate the development. This is supported by the technical reporting by TPC in their ITA (refer Appendix 3) and section 92 response.</p> <p>The site layout encourages safe access to the site by separating heavy/truck movements from customer vehicle and motorcycle movements to and from the development. Pedestrians will be provided with a dedicated pathway to and from Te Rapa Road with a canopy over. Cyclists will have the option of utilising the pedestrian or vehicle accesses to the site.</p> <p>The supermarket will be located on Lot 8 created from the parent lot subdivision. The scheme plan for this subdivision does not grant Lot 8 any ROW easements over any of the other lots created to provide the opportunity for integrating traffic movements.</p>
<p><i>The extent to which the proposal and the traffic (including nature and type of the traffic, volume and peak flows, travel routes) generated by the proposal:</i></p>	<p>The traffic effects of this proposal have been assessed on the basis of the receiving traffic environment (i.e with Maui Street Extension formed and vested</p>

<p>a) Requires improvements, modifications or alterations to the transport network and infrastructure to mitigate its effects.</p> <p>b) Achieves efficient connectivity and accessibility of transport corridors, pedestrian accessways, cycleways, public reserves and green corridors.</p> <p>c) Adversely affects the streetscape amenity, particularly in relation to sensitive land use environments (e.g. residential land use environments identified within Table 15-5a of Appendix 15).</p>	<p>required as part of the parent lot subdivision).</p> <p>It is proposed to signalise the intersection at Wairere Drive/Karewa Place to provide for safe right-turning movements which is not possible under the current road layout. The signalisation of this intersection will not only sufficiently mitigate effects generated by the proposal but will also result in an overall improved level of service on the transport network in comparison to the existing situation. Changes to the road markings along Eagle Way are also proposed to facilitate the formation of a left-turning slip lane into the site while enabling eastbound vehicles to continue travelling safely.</p> <p>The site surrounds is not considered to be a sensitive land use environment because it is on the periphery of a sub-regional business centre that is principally served by the major arterial of Te Rapa Road that already carries a high volume of traffic and the proposed supermarket will be not the primary traffic generating activity.</p>
<p>Integrated Transport Assessment</p> <p>The extent to which the proposal considers and responds to:</p> <p>a) The issues, opportunities and shared outcomes in the Access Hamilton Strategy and its associated Action Plans.</p> <p>b) Relevant:</p> <p>i. New Zealand Transport Agency guidelines</p> <p>ii. Kiwirail guidelines</p> <p>iii. Regional and national transport and growth strategies</p> <p>c) The recommendations and proposed conditions of any integrated transport assessment prepared to accompany the application.</p> <p>d) Issues and outcomes arising from consultation with the relevant road controlling authorities and/or Kiwirail.</p>	<p>The ITA (refer Appendix 3) has considered alternative modes of transport to the development and this is supported through the provision of motorcycle and bicycle parking provided on site.</p> <p>The development will not be located adjacent to a state highway or railway lines so there are no NZTA or Kiwirail guidelines relevant to transportation considerations of this application.</p> <p>The proposed mitigation measures set out in the ITA by TPC are endorsed by the applicant as conditions of consent.</p>
<p>The extent to which the proposal incorporates travel demand management and is well-located to be served by passenger transport, or encourages other active modes of travel such as walking or cycling.</p>	<p>Car parking spaces to the rear of the supermarket are intended for staff and should staff users wish to carpool in their travels to work, the opportunity exists. The nature of supermarkets is such that most customers will travel to the site by private vehicles for their weekly grocery shop. Notwithstanding, the development encourages walking and cycling to site by the layout of the development and provision of bicycle parks on site.</p>
<p>The extent to which an integrated transport assessment assesses how the proposal and any mitigation measures ensure that the safety and</p>	<p>The safety and efficiency of the transport network as a result of proposal is assessed in detail within the ITA and traffic related s92 response by TPC.</p>

<p><i>efficiency of the transport network is maintained or enhanced.</i></p>	
<p><i>Whether access restrictions, auxiliary lanes or other measures are necessary to provide for the safe and efficient operation of key transport corridors such as:</i></p> <p><i>a) Major arterial transport corridors</i></p> <p><i>b) Transport corridors that are part of the Strategic Network</i></p> <p><i>c) Transport corridors carrying more than 20,000 vehicles per day or with four or more vehicle lanes</i></p>	<p>Turning movements at the Te Rapa Road and Eagle Way vehicle crossings to the site will be restricted to left in and left out movements only to maintain the safety and efficiency of operations along these transport corridors.</p>
<p>Access</p> <p><i>The extent to which the proposal minimises the number of vehicle access points to transport corridors, taking into account:</i></p> <p><i>a) Opportunities that exist for shared access with adjoining sites.</i></p> <p><i>b) The hierarchy of the fronting transport corridor and opportunities that exist for access to transport corridors of a lower status (e.g. collector or local transport corridors or service lanes).</i></p> <p><i>c) Traffic generated by the proposal.</i></p> <p><i>d) The siting of the access points with respect to adjacent access points, visibility and flow.</i></p> <p><i>e) The operational requirements of the proposal.</i></p> <p><i>f) Potential obstruction for access to network utilities.</i></p> <p><i>g) The appropriateness of restricting types of movements (e.g. left in/out only, entry or exit only).</i></p> <p><i>h) The impact of multiple vehicle entrances (which break up berm, landscaping, footpath and cycleway continuity) on streetscape amenity, retail frontage areas and pedestrian and cycle movements.</i></p> <p><i>i) The cumulative effects on traffic safety and efficiency from multiple vehicular accesses on to major arterial routes and whether this can be adequately addressed.</i></p>	<p>The site currently has two access points to Te Rapa Road and the proposal will reduce this to a single access only with restricted turning movements which, in our view, represents an improvement to the existing situation.</p> <p>There are no opportunities for shared access with adjoining sites because Lot 8 does not have any ROW easements over any of the adjoining sites which provide the legal mechanism for exploring the possibility for shared access.</p> <p>Turning movements at the Eagle Way access will also be restricted to left turns in and out only. A left-turn slip lane is proposed for vehicles entering the site to gradually turn off while enabling vehicles travelling eastbound or turning right into 8 Eagle Way will continue to do so safely as the design of the central flush median will be maintained.</p> <p>The Te Rapa Road crossing achieves a separation distance of approximately 16m to the crossing serving the adjacent site at 1000 Te Rapa Road which exceeds the minimum requirement of 7.5m.</p>

H. Functionality, Vitality and Amenity of Centres

Criteria	Assessment
<p><i>The extent to which the proposed retail or office activity (having regard to its size, composition and characteristics), in conjunction with other established or consented retail or office activity:</i></p> <p><i>a) Avoids adverse effects on the vitality, function and amenity of the Central City and sub-regional centres that go beyond those effects ordinarily associated with competition on trade competitors.</i></p> <p><i>b) Avoids the inefficient use of existing physical resources and promotes a compact urban form.</i></p>	<p>Property Economics have prepared a CAR (refer Appendix 4) for the proposal. Based on the analysis within the CAR it is concluded the economic function and vitality of the central city is expected to be maintained and will not be affected by the proposal. The CAR also concludes that this proposed supermarket on the periphery of the sub-regional centre has no ability, or potential, to undermine the role and function of the central city.</p>

<p>c) Promotes the efficient use of existing and planned public and private investment in infrastructure.</p> <p>d) Reinforces the primacy of the Central City and the functions of other centres in the business hierarchy.</p> <p>To demonstrate the above criteria can be satisfied an applicant must supply a Centre Assessment report. The content of the Centre Assessment report shall be prepared in accordance with clause 1.2.2.19.</p>	<p>Due to the close proximity of the site in relation to The Base it is considered that this proposed supermarket has no ability to draw people away from The Based or other existing business centres. The proposed supermarket will most likely to function as an extension of this sub-regional business centre and co-exist in a manner that is mutually beneficial to one another from a socio-economic perspective. In effect, this will also avoid the inefficient use of physical resources, while promoting the efficient use of existing and planned investment in infrastructure.</p>
<p>Whether and to what extent the proposed Supermarket activity in the Industrial, Business 1 or 4 zones:</p> <p>a) Avoids adverse effects on the vitality, function and amenity of the Central City and sub-regional centres that go beyond those effects ordinarily associated with competition on trade competitors.</p> <p>b) Avoids the inefficient use of existing physical resources and promotes a compact urban form.</p> <p>c) Promotes the efficient use of existing and planned public and private investment in infrastructure.</p> <p>d) Is located within a catchment where suitable land is not available within the business centres.</p> <p>e) Reinforces the primacy of the Central City and does not undermine the role and function of other centres within the business hierarchy where they are within the same catchment as the proposed supermarket.</p>	<p>Refer comments as above in respect of (a) – (c) and (e).</p> <p>The applicant has explored the possibility of establishing the proposed supermarket within The Base which is zoned Business 3. Following years of discussions, the applicant and The Base could not reach mutually agreeable commercial terms for the proposed supermarket to locate in The Base. Supermarkets also have specific functional and operational requirements that are essential to their successful operations (i.e back of house and loading/servicing) which could not be achieved within the offerings at The Base.</p>

J. Three Waters Capacity and Techniques

Criteria	Assessment
<p>The extent to which the proposal:</p> <p>a) Can be adequately serviced by capacity within existing Three Waters infrastructure, including access to and use of an appropriate and sustainable water source.</p> <p>b) Can dispose of stormwater and wastewater without adversely affecting the surrounding environment.</p>	<p>The engineering report by Babbage (refer Appendix 5) concludes that the site can be adequately serviced with the necessary infrastructure and three waters.</p>
<p>Whether the servicing needs of the proposal would necessitate additional public investment in Three Waters infrastructure, services or amenities.</p>	<p>The site surrounds is a sub-regional centre with available infrastructure that the development can connect to. Additional public investment in infrastructure is considered to not be required.</p>
<p>The extent to which the proposal is consistent with the provisions of any Integrated Catchment Management Plan (ICMP) relevant to the site and a</p>	<p>Consistency of the proposal against the sub-catchment ICMP² has been addressed in the engineering report, WIA and subsequent section 92</p>

² Porters Site Re-Development Sub-Catchment Integrated Catchment Management Plan, 980-1024 Te Rapa Road, Hamilton prepared by Wainui Environmental Limited and dated August 2018 (Version 3).

<i>consideration of consent conditions imposed in order to achieve that consistency.</i>	responses by Babbage. The applicant would welcome the opportunity to review any draft consent conditions on this topic.
<i>Where there is no ICMP, the extent to which the proposal incorporates sustainable management techniques and controls to:</i> a) <i>Protect water quality.</i> b) <i>Protect the integrity and health of any water courses.</i> c) <i>Maintain land stability.</i> d) <i>Limit erosion and sedimentation.</i> e) <i>Limit water wastage.</i> f) <i>Limit the generation of stormwater and wastewater.</i> g) <i>Limit water usage.</i>	N/A – there is an ICMP available.
<i>Where there is no ICMP, for all new industrial and commercial users with a requirement for high volumes and pressures, the extent to which onsite water storage is provided.</i>	N/A – there is an ICMP available.
<i>Where there is no ICMP, for development that will create a trade waste discharge:</i> a) <i>The extent to which suitable and safe practices will be employed.</i> b) <i>The extent to which such waste can be treated or pre-treated onsite to improve the quality of the waste or decrease the amount of the waste, prior to any discharge to the municipal wastewater treatment network.</i>	N/A – there is an ICMP available.
<i>Where there is no ICMP, the extent to which any physical works associated with the proposal affects stormwater storage and retention and whether an equivalent capacity is restored at the completion of works.</i>	N/A – there is an ICMP available.

M. Drive-through Services (Business Zones and Central City Zone - City Living Precinct only), Building Improvement Centre (Business 3 and 5 Zones) and Supermarkets (Central City, Business and Industrial Zones)

Criteria	Assessment
<p><i>Design and Layout</i> <i>The extent to which the external appearance, scale and design of buildings (including material and colour), equipment and structures:</i> a) <i>Provide visual interest through a variety of styles and forms in terms of footprint, design and height.</i> b) <i>Maintain streetscape amenity and continuity of built form.</i> c) <i>Within the Central City Zone, whether any proposed building setback will adversely affect the definition,</i></p>	<p>The exterior of the building will feature a range of exterior materials to add visual interest and to avoid the presentation of a large featureless blank façades facing the street. This includes, but is not limited to, the use of rodecca yellow translucent cladding, smooth concrete cast panels, powder coated aluminium joinery with the insertion of vertical elements to visually break the overall length of the building.</p>

<p><i>use or safety of public spaces, or the continuity of defined primary or secondary active frontages (Volume 2, Appendix 5, Figure 5-7).</i></p>	
<p><i>The extent to which parking, manoeuvring areas, driveways and outdoor service areas have been designed and located:</i></p> <p><i>a) To appropriately manage any adverse effects resulting from the location and interrelationship between these areas on streetscape amenity.</i></p> <p><i>b) To ensure traffic generation avoids, remedies or mitigates adverse effects on amenity values.</i></p> <p><i>c) So as not to compromise the safe use of the footpath adjacent to the site.</i></p> <p><i>d) To integrate with adjacent activities and development in terms of the provision of entrances, publicly accessible spaces, parking, loading areas, access to public transport and pedestrian linkages.</i></p>	<p>The site is unique in that it will have three road frontages and a side boundary with a neighbouring allotment. The operational and functional requirements of the supermarket will be located to the rear of the building. Maui Street Extension will carry less volumes of traffic compared to Te Rapa Road and Eagle Way. The streetscape amenity of these more public interfaces will therefore be maintained and enhanced by the development.</p> <p>Car parking is an inherent part of supermarket. To mitigate any adverse visual effects from the parking the perimeter edges of the site will feature a 2m wide landscape buffer as well as additional landscaping strips throughout the carpark.</p>
<p>Landscaping and Screening</p> <p><i>The extent to which planting and landscaping is used to:</i></p> <p><i>a) Mitigate adverse visual effects particularly from the front boundary and those parts of the site visible from public spaces and interfaces along state highways, arterial transport corridors and City gateways.</i></p> <p><i>b) Create an attractive environment that maintains safety and amenity for pedestrians.</i></p>	<p>Refer previous comments in terms of landscaping and screening.</p>
<p>Waste Management</p> <p><i>The extent to which developments provide for goods handling, storage, waste and recycling areas that are:</i></p> <p><i>a) Easily accessible for collection agencies and avoid adverse visual, noise or odour effects.</i></p> <p><i>b) Consistent with the amenity values of the site and avoid causing nuisance for neighbouring residential activities.</i></p> <p><i>c) Suitable for the demand expected by the activity.</i></p>	<p>Refer previous comments on waste management and servicing.</p>
<p>Character and Amenity</p> <p><i>The extent to which the activity makes adequate provision to protect the visual and acoustic privacy of abutting sites including through building and site design.</i></p> <p><i>Considering whether the relationship of buildings and their associated parking, storage and service areas to the street helps to maintain the amenity values of public spaces and streets.</i></p> <p><i>The extent to which any parking or service area is provided, landscaped, screened and maintained in a</i></p>	<p>All abutting sites are either vacant or of an industrial or commercial nature such that there are no activities that would be sensitive to visual and acoustic privacy effects.</p> <p>Ancillary car parking for supermarket will be located in front of the building with landscaped edges around the perimeter of the site to mitigate any visual effects. This approach is consistent with other existing developments along the Te Rapa Road corridor to the extent that the development will maintain and will be consistent with amenity values of the surrounding environment.</p>

<p><i>form which mitigates any adverse effects to adjacent activities and does not detract from the streetscape.</i></p>	
<p>Supermarkets <i>For the purpose of assessing the above criteria, regard shall be had to the following operational and functional requirements:</i></p> <ul style="list-style-type: none"> <i>a) Store visibility that is easily identifiable when viewed from the street and surrounding area.</i> <i>b) The provision of appropriate customer car parking, which is clearly visible and accessible to motorists approaching the store from the local roading network and to customers on-site.</i> <i>c) Where large-format building formats are required, there is provision for some solid façades to facilitate internal shelving and fresh produce display.</i> <i>d) Adequate and accessible servicing areas that are preferably separated from customer vehicle traffic and pedestrian movements.</i> 	<p>The southern elevation of the building will receive the greatest public exposure in terms of traffic and pedestrians passing by the site. This façade of the building will present an attractive visual appearance to Te Rapa Road through the provision of a glazed front facade along this full length of the building that will offer views into the supermarket from the street. The main entrance to the supermarket at this elevation of the building is also clearly discernible at the south-eastern corner of the building and it is framed by a public plaza space for customers.</p> <p>The northern and western elevations of the building serve functional purposes of the supermarket in terms of loading/servicing and internal shelving so opportunities for activating these building facades are limited.</p>