

**MINUTES OF AN ORDINARY MEETING OF THE HEARINGS COMMITTEE HELD IN
THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON MONDAY, 26 JULY 2004, COMMENCING AT 9.36 AM.**

PRESENT:

Councillors	GE	Nash, QSM, JP (Chairperson)
	DQ	Battersby, JP
	VS	Neeson, JP
Ward Representative		
Ms C	Nakhid	(Henderson Community Board)

IN ATTENDANCE: Group Manager: Planning & Community Services
Senior Resource Planner: G Sawyer
Committee Secretary: O Schuster

1 APOLOGIES

1323/2004

MOVED by Cr Neeson, seconded Cr Battersby:

That apologies from Crs Brady, Hulse and Yates for absence be received and sustained.

CARRIED

2 URGENT BUSINESS

There was no Urgent Business.

**3 NOTIFIED APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE
RESOURCE MANAGEMENT ACT 1991 BY CHRISTIAN HEALTHCARE TRUST TO
EXTEND AND REDEVELOP ST MARGARET'S HOSPITAL, INCLUDING THE
EXPANSION OF THE EXISTING 40-BED GERIATRIC HOSPITAL (TO 50 BEDS), THE
ADDITION OF A NEW 40-BED REST HOME AND THE ADDITION OF A HOSPICE
FACILITY AT 52-60 BEACH ROAD, TE ATATU PENINSULA**

9.38 am Craig McGarr (Resource Management Consultant, for the Applicant) made opening comments.

9.40 am Max Robins (Chief Executive, Christian Healthcare Trust) presented evidence and responded to a question from Cr Neeson.

9.50 am Chris Smith (Chief Executive, West Auckland Hospice Homecare) presented evidence and responded to a question from Cr Neeson.

10.10 am James Klein (Architect for the Applicant) presented evidence and responded to a question from Cr Neeson.

10.22 am Leo Hills (Senior Traffic Engineer) presented evidence and responded to a question from Cr Neeson.

10.43 am Craig McGarr (Resource Management Consultant, for the Applicant) presented evidence and responded to a question from C Nakhid.

ADJOURNMENT

1324/2004

MOVED by Cr Neeson, seconded Cr Battersby:

That the meeting stand adjourned until 11.25 am.

CARRIED

11.12 am The meeting adjourned.

11.28 am The meeting reconvened.

11.29 am Hearing Closed and Committee went into deliberations.

1325/2004

MOVED by Cr Neeson, seconded Cr Battersby:

That pursuant to sections 104,104B, 104D, 108 and 113 of the Resource Management Act 1991, and subject to additional or contrary information being presented at the hearing, **consent be granted** to the application by Christian Healthcare Trust to extend and redevelop St Margaret's Hospital, including the expansion of the existing 40-bed geriatric hospital (to 50 beds), the addition of a new 40-bed rest home and the addition of a hospice facility at 52-60 Beach Road, Te Atatu Peninsula, being Lot 1 DP 124945, Lot 12 DP 64297, Lot 13 DP 64297, Lot 14 DP 64297, Lot 15 DP 64297, for the following reasons:

- (i) The building extensions, though occupying a relatively large proportion of the site, would not be visually inconsistent with, and would be no higher than, the surrounding residential development.
- (ii) Sufficient on-site car parking space would be provided to meet anticipated demand, and the increased volume of traffic along Beach Road would remain well within the designed carrying capacity of a Collector Road.
- (iii) Subject to appropriate conditions of consent being imposed, the proposed earthworks would not give rise to adverse effects, particularly through the infiltration of silt-laden run-off into stormwater drains.
- (iv) Proposed landscaping of the site's boundaries is comprehensive, and would be sufficient to visually 'soften' the development, particularly when viewed from Beach Road, adjacent to which a row of Pohutukawa trees would be planted.
- (v) Any adverse effects associated with excess impermeable surface coverage would be adequately mitigated through conditions of consent relating to the establishment of stormwater detention measures.
- (vi) The proposed signs would not be visually obtrusive, due to their relatively small area and their positioning between proposed plantings adjacent to the road boundary.
- (vii) The proposal is partly contrary to Objective 10 of the District Plan, due to the substantial proposed increase in the number of traffic movements along the existing driveway; however, this could be adequately mitigated through the construction of an acoustic fence along the subject site's southern boundary. Overall, the proposal is considered to be consistent with the Objectives, Policies and Assessment Criteria of the District Plan, and Part II of the Resource Management Act.

CONSENT SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS:

GENERAL

These conditions are to be signed off by Consent Services, with fees being charged on an hourly basis:

1. The development shall proceed in accordance with the following:
 - Site plan, titled "Proposed Site Plan, St Margaret's Redevelopment Te Atatu Peninsula" (Drawing No. RC-002 Revision D), prepared by Klein, dated 01/03/2004.
 - Elevation plans, titled "Proposed Elevations, St Margaret's Redevelopment Te Atatu Peninsula" (Drawing No. RC-152 Revision C), prepared by Klein, dated 19/01/2004.
 - Landscape & planting plan, titled "Planting Plan, St Margaret's Redevelopment Te Atatu Peninsula", prepared by Klein, dated 17/02/2004.
 - The information, including further information, submitted with the application.
2. Pursuant to section 125 of the Resource Management Act 1991, the period for establishing the activity provided for by this consent shall lapse five (5) years from the consent's date of commencement.

EARTHWORKS & CONSTRUCTION

3. Prior to commencing any earthworks associated with the activities consented herein, the consent holder shall obtain approval from Council (Manager: Resource Consents) for an Earthworks & Site Management Plan. **This plan shall be lodged with Council a minimum of four (4) weeks prior to the expected start date of works.**
4. **Prior to the commencement of any works**, adequate sediment and erosion control measures shall be constructed and maintained in accordance with Appendix 3, Erosion and Sediment Control Measures Appendix to the Natural Area Rules of the Waitakere City Council District Plan.
5. Footpaths, berms and kerbs shall be protected from damage by crossing or parking vehicles to the satisfaction of the Manager: Resource Consents. Any damage attributed to the earthworks operation shall be rectified at the cost of the consent holder.
6. The consent holder shall implement suitable measures, such as wheel-wash facilities or the construction of a stabilised entranceway(s), to prevent the deposition of earth on the surrounding streets from trucks entering or leaving the site, to the satisfaction of the Manager: Resource Consents. These measures shall remain in place until the completion of the development. Should any material be deposited on the street, it shall be removed immediately at the expense of the consent holder.
7. All necessary action shall be taken to prevent a dust nuisance to neighbouring properties to the satisfaction of Council's Environmental Monitoring Officer.
8. The development works associated with the development are to be carried out in accordance with NZS 6803P:1984, 'The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work', with the exception of the hours of work, which are to be limited as follows:

Monday to Friday:	7.30 am to 7.00 pm
Saturday	8.00 am to 5.30 pm
Sunday and Public Holidays:	No work

9. In the event of archaeological evidence being uncovered (e.g. shell, middens, hangi or ovens, pit depressions, defensive ditches, artifactual material or human bones) work shall cease in the vicinity of the discovery, the area secured, and the Council (Planning Helpdesk - 836 8000 ext. 6408) contacted. Activity on the site will remain halted until the Manager - Resource Consents gives approval for operations to recommence.

NOISE

10. To ensure that noise levels generated on the site are consistent with the dominant residential character of the neighbourhood, the applicant shall ensure that the use of the site complies, with the exception of construction noise as restricted by Condition 8, with the following standards at all times:

7.00 am - 7.00 pm Monday - Saturday	L ₁₀ 50dBA	L _{Max} N/A
7.00 pm - 10.00 pm Monday - Saturday	L ₁₀ 45dBA	L _{Max} N/A
7.00 am - 10.00 pm Sunday & Public Holidays		
10.00 pm - 7.00 am	L ₁₀ 40dBA	L _{Max} 70dBA

11. Service and delivery vehicles shall generally not visit the site between 10.00 pm and 7.00 am (7 days), with the exception of any existing deliveries to the site between these hours.
12. That the cladding of the existing fence located along the southern boundary of the site be supplemented with additional vertical boards (as required), to create a 'board and batten' profile to achieve compliance with the district plan noise rule referred to in condition 10. This work shall be undertaken to the satisfaction of the Council's Environmental Monitoring Officer prior to the occupation of the proposed building additions.

LANDSCAPING

13. Landscaping and planting shall be undertaken on the site in accordance with the submitted landscaping plan, titled "Planting Plan, St Margaret's Redevelopment Te Atatu Peninsula", prepared by Klein, dated 17/02/2004, *with the following exceptions:*
- *Griselinia littoralis* and *Agapanthus* shall be replaced with other, more appropriate species, to the satisfaction of the Manager: Resource Consents.
 - All native species planted on the site shall be eco-sourced from local plant nurseries.
14. All planting shall be completed by the end of the first planting season (May 1 to October 31) following the completion of construction. All planting shall be irrigated and maintained for a minimum of three further planting seasons, with any plant losses within this time being replaced and maintained for a further planting season from date of replacement.
15. All garden areas shall be weed and debris-free, and have good-quality topsoil or garden mix (compost and topsoil combined) to a minimum depth of 250mm, and with a woodchip mulch to 60mm depth.

PARKING, DRIVEWAYS & VEHICLE CROSSINGS

16. Prior to the occupation of the new facilities and extensions, all access, manoeuvring and parking areas shall be formed, finished in an all-weather surface, marked out and drained to Council standards, to the satisfaction of the Manager: Resource Consents.

17. Form and construct the two proposed new vehicle crossings (providing access to the Hospice) using standard detail SD 3.13 Light Commercial Vehicle Crossing. Vehicle crossing detail forms shall be completed and returned to Council. Note: Inspection of the boxing prior to concrete pouring is required. Contact Council on 836 8000 ext. 8725, at least 48 hours prior to the inspection being required.
18. Form and construct the two proposed new vehicle crossings (providing access to the Hospice) using standard detail SD 3.13 Light Commercial Vehicle Crossing. Vehicle crossing detail forms shall be completed and returned to Council. Note: Inspection of the boxing prior to concrete pouring is required. Contact Council on 836 8000 ext. 8725, at least 48 hours prior to the inspection being required.

BONDS & FINANCIAL CONTRIBUTIONS

19. Pay to the Council, pursuant to section 409 of the Act, a sum (inclusive of GST at 12.5%), equal to 0.5% **of the assessed value of the rest home component of the development**. This sum shall be paid to the Council prior to the commencement of works on the site.
20. Pay to Council a street damage bond of \$2,000.00 prior to the commencement of work. This bond shall be refunded in full after inspection by Council's Construction Supervisor confirms no damage to Council's roading assets has occurred. The inspection is to take place once all work is completed. As building consent for the development has been issued, the bond payment will be invoiced at the time that payment is requested for this resource consent. Note: Bonds can only be released to the person who originally lodged the bond with Council.
21. To ensure the performance of Condition 13, the consent holder shall pay a performance bond of \$10,000.00 to Council. The bond shall be paid prior to the commencement of any work on the site, and shall be either in the form of cash or bank guarantee, to the satisfaction of the Council Solicitor. The consent holder shall meet any costs associated with the preparation of the bond document. The bond shall be held for a minimum period of 36 months, and shall be released when, in the opinion of the Manager - Resource Consents, Condition 13 has been satisfied. The consent holder shall meet any cost incurred by Council in preparing, checking, assessing and releasing the bond.

DRAINAGE & INFRASTRUCTURE

22. Before the commencement of any work, obtain the approval of Council to engineering plans and specifications prepared in accordance with Council's "Code of Practice for City Infrastructure and Land Development", detailing the nature and extent of any proposed work.
23. Design, provide and install a complete private wastewater reticulation system to public standards to serve the site in compliance with Council's Code of Practice for City Infrastructure and Land Development (Refer section 5.0). Specific requirements:
 - (i) Pay Council to cap the existing connections serving Lots 12-14 DP 64297 that are under the proposed building platform.
 - (ii) Pay to the Council the cost of providing a new connection to the manhole located at the south-east corner of #54 Beach Rd.

Advice Note: EcoWater policy requires any wastewater manholes or line connections to be constructed by EcoWater Solutions' maintenance contractor. Wastewater manhole connections may be constructed by the applicant's contractor with engineering plan approval and under EcoWater's Quality Assurance supervision or by EcoWater Solutions' maintenance contractor.

24. Due to the density of the proposed development and resultant increase in wastewater flows, mitigation is required. Therefore, advise Council which of the following you will be carrying out and fulfil the requirements:

Either mitigate the increase in wastewater flows from the site by providing the following flow reduction measures in the proposed buildings:

- (i) All taps over hand basins/sinks and showerheads are to be of a type that limits the flow rate to 9 litres/minute or less.
- (ii) All units shall have showers.
- (iii) All toilets shall be of 6/3 litre dual flush type.
- (iv) No in-sink waste disposal units shall be installed.

A covenant is required to be issued and registered on the title(s) requiring the use of low water use devices to limit wastewater flows to Council's satisfaction. Provide an EcoWater "Water Saving Devices Inventory Form" completed by a registered plumber to demonstrate that the above requirements are satisfied. Council's Hazards and Special Features Register will be advised of the above requirement.

Or pay to Council the sum of \$24,282.72 (incl. of GST) towards the cost of mitigating the flow of wastewater from the site over and above that allowed for as a permitted activity, without carrying out any mitigation measures. No covenant is required. Note: The calculations of the above sums are available from EcoWater.

25. Design, provide and install a complete private stormwater drainage system to public standards to serve the site in compliance with Council's Code of Practice for City Infrastructure and Land Development (Refer section 4.0). Specific requirements:

- (i) Mitigate stormwater runoff from the site to the capacity of the public system, and provide stormwater quality treatment to the site in accordance with the Auckland Regional Council's TP10 '*Stormwater Management Devices Design Guideline Manual*'. Install the attenuation device specified in the report by Mitchell Vranjes Consulting Engineers Limited, dated October 2003, and amendment dated 24 February 2004, and in accordance with EcoWater's Countryside and Foothills Stormwater Management Code of Practice. Provide a maintenance manual for this device to EcoWater for review.
- (ii) Collect all existing discharge points. The system shall include connection to down pipes or drainage from any existing buildings/paved areas.
- (iii) Pay to the Council the cost of providing a new connection to the manhole.

Advice Note: EcoWater policy requires any public stormwater line connections to be constructed by EcoWater Solutions' maintenance contractor. Stormwater manholes or manhole connections may be constructed by the applicant's contractor with engineering plan approval and under EcoWater's Quality Assurance supervision or by EcoWater Solutions' maintenance contractor.

26. To prevent increasing downstream flooding resulting from under-capacity drainage, stormwater disposal is required to comply with EcoWater's Countryside and Foothills Stormwater Management Code of Practice. A consent notice is to be issued and registered on the title stating that the stormwater disposal system from any development on the site shall be designed to incorporate the following requirements to the satisfaction of EcoWater:

- (i) Maintain stormwater runoff flows, volumes, and timing to pre-development levels for the 5-year storm event.
- (ii) Underground attenuation cells or similar device to be provided to limit the rate of runoff.

- (iii) Design and location to be approved by EcoWater prior to carrying out mitigation measures.
- (iv) The property owner is required to maintain any devices to meet the above requirements to the satisfaction of Council.

Note: Council's Hazards and Special Features Register will be advised of the above requirements.

27. Design, provide and install a complete public water supply reticulation system and fire fighting services to serve the development in compliance with Council's Code of Practice for City Infrastructure and Land Development (Refer section 6). Specific requirements:

- (i) Reroute the existing public watermain clear of the proposed building platform.
- (ii) EcoWater has agreed that the development can be metered for water supply as shown in drawing SD6.06.4 Option 2 of the Code of Practice. As there is a high risk of contamination, a reduced pressure zone back flow device (RPZ) is to be installed to the domestic supply pipe and to be maintained by the owner. A Back Flow Test Certificate is to be submitted annually to EcoWater.
- (iii) Pay to the Council the cost of supervising the shut down of Council's water supply mains. This service includes Council providing written advice to all affected property owners / tenants.
- (iv) Provide a detail showing the proposed connection to the existing Council water main/s. The detail is to include all flanges, joints and applicable details. In addition, any water reticulation plan is to show all necessary design details to inform construction (eg. thrust blocks etc).
- (v) Provide and install a fire hydrant within 135 metres of the farthest point of fire risk. Note: The hydrant is to be on a direct traffic route to the property. The distance specified above may not be measured as a radius.
- (vi) Where the required public system is on private property, easements over the course of such system in favour of Council will be necessary.
- (vii) Liaise with the Water Assets Engineer regarding the location of the existing water meter and arrange for its relocation or substitution and pay all fees applicable.

Note: Ducting of private service lines is recommended.

- 28. Contact EcoWater's Development Services Secretary (extn 8248) to arrange a pre-start meeting with EcoWater's Quality Assurance Inspector. Plans are required to be submitted and Engineering Approval obtained before requesting a pre-start meeting.
- 29. Provide an As-Built drainage and water supply plan, prepared by a registered surveyor, of the new public lines in accordance with Waitakere City Council COP. The stormwater drainage As-Built plan is required to include the features of the attenuation device (e.g. total area & location, inlets, outlets, maintenance access chambers, etc).
- 30. Pay any EcoWater engineering, works supervision, and administrative fees, as incurred. These fees will be charged at Council's advertised schedule of fees.
- 31. Advise Council the name of the Consultant and/or person(s) who will be the developer's representative fulfilling engineering responsibilities as detailed in section 1.4.1 of Council's Code of Practice for City Infrastructure and Land Development.

AMALGAMATION OF LOTS

32. All lots the subject of the development approved via this resource consent shall be amalgamated pursuant to section 37 of the Building Act 1991 prior to the commencement of construction works. Confirmation of amalgamation shall be to the satisfaction of the Manager – Resource Consents.

TREE PROTECTION

33. All reasonable steps shall be taken to ensure that effects on existing, generally protected trees on the site are minimised during the earthworks and construction phases of the development, to the satisfaction of Council's Environmental Officer.

MONITORING

34. A consent compliance monitoring fee of \$600.00 (inclusive of GST.) shall be paid to the Council. This fee is to recover the actual and reasonable costs incurred ensuring compliance with the conditions of this consent. If, on inspection, all conditions have not been satisfactorily met, a re-inspection shall be required at the relevant hourly rate applicable at the time the re-inspection is carried out.

The \$600.00 fee shall be paid as part of the resource consent and the resource consent holder shall be advised of any further monitoring fees if they are required.

Advice Notes:

Monitoring

1. Where indicated in the conditions it is the consent holder's responsibility to inform the Environmental Monitoring Officer when inspection is required. Inspections can be requested through the Call Centre on 839 0400.

EcoWater

2. EcoWater advises that it is the applicant's responsibility, if applicable, to obtain from the Auckland Regional Council a discharge permit, and all other consents, on terms acceptable to the Council, pay all costs attributable to such application and comply with any conditions imposed by the Council. Provide copies of subdivision consent conditions and hydraulic or geotechnical reports to the Regional Council.
3. Under a building or subdivision consent, pay to the Council pursuant to section 407/409 of the Act the sum of \$13,656.40 (incl. GST at 12.5%) towards the cost of upgrading the stormwater drainage system (Te Atatu North Catchment main system improvements) necessary to serve the subdivision. (\$1,707.05 per additional Lot with development being equivalent to 8 additional Lots).
4. Under a building or subdivision consent, pay to the Council pursuant to Section 407/409 of the Act the sum of \$548.00 (incl. GST at 12.5%) to provide a wastewater manhole connection, plus \$888.00 (incl. GST at 12.5%) to cap 3 existing connections, or the advertised cost at the time the connection is required. Note: (i) All excavation and backfilling to be carried out by the owner. (ii) Installation of the connection and provision of an As-Built plan is required prior to the 224(c) certificate release.
5. Under a building or subdivision consent, pay to the Council pursuant to Section 407/409 of the Act the sum of \$597.00 (incl. GST at 12.5%), or the advertised cost at the time the connection is required, to provide a stormwater manhole connection at the site's north-west corner. Note: (i) All excavation and backfilling to be carried out by the owner. (ii) Installation of the connection and provision of an As-Built plan is required prior to the 224(c) certificate release.

CARRIED

11.30 am

The Chairperson thanked members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AT AN ORDINARY MEETING OF
THE HEARINGS COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....