



Waitakere City Council
Te Taiao o Waitakere

NOTICE OF HEARINGS COMMITTEE MEETING

HEARINGS COMMITTEE

I hereby give notice that a Meeting of the Hearings Committee will be held on:-

DATE: **Thursday, 9 November 2006** **TIME:** **9.30 am**

VENUE: **Waitakere Central, 6 Henderson Valley Road, Henderson, Waitakere**

to consider the business as set out herein and to take any necessary action connected therewith.

Sharan Simiona .
pp

31 October 2006

Stephen McDaid
COMMITTEE SECRETARY(Intern)
Telephone (09) 836 8000 extn 8170

MEMBERSHIP:

Councillors DQ Battersby, JP (Chairman)
 WW Flaunty, QSM, JP (Deputy Chairman)
 PA Hulse
 JP Lawley
 VS Neeson, JP
 CA Stone

Alternate Council Representative
 LA Cooper

Ward Representative
 Mrs EG Francke (New Lynn Community Board)

Alternate Ward Representative
 Ms SL Taylor (New Lynn Community Board)

(Quorum 4 members)

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(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be construed, in any way, as Council policy until adopted.)

**AGENDA FOR A MEETING OF THE HEARINGS COMMITTEE TO BE HELD AT
WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,
WAITAKERE, ON THURSDAY, 9 NOVEMBER 2006
COMMENCING AT 9.30 AM**

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1 APOLOGIES



2 URGENT BUSINESS

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the Committee by resolution so decides; and
- (ii) the Chairman has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion and decision, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting.

The Committee may make a decision on a matter determined to be urgent.

NOTE: Urgent Business need not be dealt with now and may be delayed until later in the meeting.



3 **NOTIFIED APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991 BY GUARDIAN HEALTHCARE GROUP LTD TO CONSTRUCT AN EXTENSION TO AN EXISTING REST HOME AND RETIREMENT COMPLEX, INCLUDING REMOVAL OF FOUR EXISTING DWELLINGS AND CONSTRUCTION OF A THREE STOREY BUILDING CONTAINING 55 UNITS, WITH ASSOCIATED CAR PARKING, VEHICLE ACCESS TO MARGAN AVENUE, LANDSCAPING, TERRACES, AND EARTHWORKS AT 31 - 33 ASTLEY AVENUE AND 79, 81 AND 83 MARGAN AVENUE**

RMA: 20051755

WARD: New Lynn

N.B. This report sets out the advice of Consent Services to the Hearings Committee on the environmental issues raised by the application for resource consent. It is not the decision of the Council. The decision will be made after consideration of the application by the Hearings Committee.

1.0 INTRODUCTION AND RECOMMENDATION

1.1 Nature of the Application

A1-A129

The applicant seeks consent to remove four existing dwellings and construct a three storey extension to the existing Glenburn Resthome and Retirement Village, to be located on the corner of Margan and Astley Avenues, New Lynn. The extension would contain 55 units and be managed in conjunction with the existing rest home activity. As part of the application, existing vehicle crossings would be reconfigured and centralised to one vehicle access point on Margan Avenue and two on Astley Avenue, car parking and landscaping would be provided, and major earthworks undertaken to level the site, which is located within the Living 2 Human Environment and the General Natural Area. Refer Appendix 1 attached at pages A1 to A129.

1.2 Resource Management Issues Raised

The Resource Management Act 1991 requires that when considering an application for resource consent, a consent authority shall have regard to the environmental effects of the proposed activity, together with any relevant objectives, policies and rules of the District Plan.

This proposal must be assessed as a Discretionary Activity, and has the potential to give rise to effects predominantly in terms of density, bulk and visual appearance, traffic and parking, earthworks, and servicing. The subject sites are located within the Living 2 Human Environment and the Medium Density Housing radius for New Lynn, and also across Margan Avenue from that section of Plan Change 17 proposing rezoning from mixed Environments to Living 6 (high density).

1.3 Planner's Recommendation

The Senior Planner who has prepared this report recommends that, subject to any contrary or additional evidence submitted at the Hearing, **consent be granted** to the application for the construction of an extension to an existing resthome and retirement complex, including removal of four existing dwellings and construction of a three storey building containing 55 units, with associated car parking, vehicle access, landscaping, terraces and earthworks. It is considered that the environmental effects that would be generated by the activity would be no more than minor and can be adequately avoided, remedied or mitigated by the imposition of conditions, and that the relevant objectives and policies of the District Plan would be satisfied.

1.4 Revised Plans

Subsequent to the close of the submission period, the applicant submitted revised plans for the development which were received at Council on 24/10/2006.

The revisions lower the original 'floor to floor' height from 3240mm to 3060mm, meaning that the overall height of the building now complies with the 11m height limit for Medium Density Housing contained in the District Plan. As the revisions do not increase any degree of non-compliance with District Plan requirements, and given that the proposed building design, earthworks, vegetation alteration, and parking and access are not changed from the plans as notified, it is considered that no parties would be unduly prejudiced by assessment of the revised plans and it is recommended that the Committee accept the plans received on 24/10/2006 and proceed with their assessment accordingly.

2.0 LOCATION PLAN

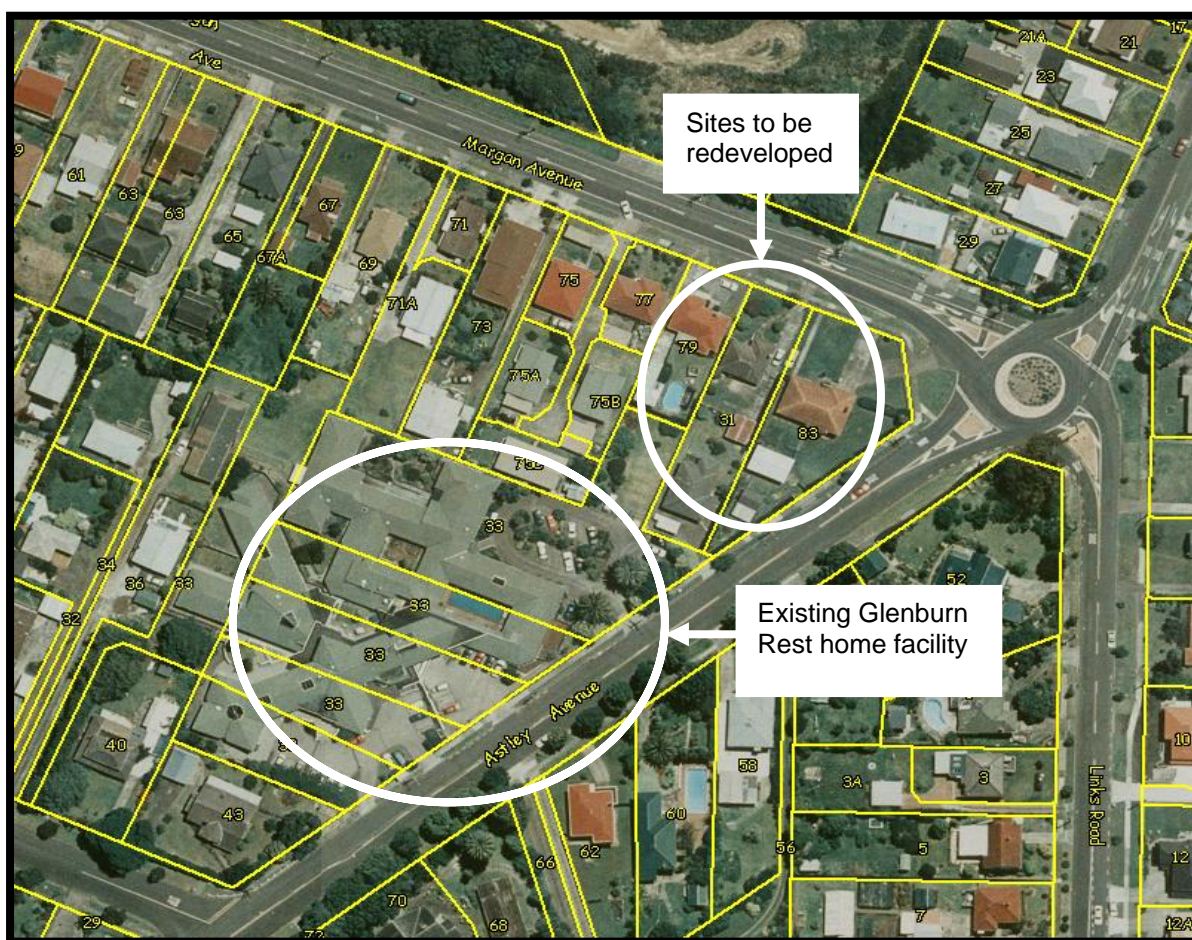


Figure 1

Legal description: Lot 2 DP 127018 (CT NA74A/629)
 Lot 1 DP 124373 (CT NA72C/571)
 Lot 9 DP 9831 (CT NA904/147)
 Lot 1 DP 127018 (CT NA74A/628)
 Lot 12 DP 14051 (CT NA424/18)
 Lot 13 DP 14051 (CT NA384/231)

Human Environment: Living 2
 Natural Area: General Natural Area
 Designations/Special Features: Nil

3.0 PROPOSAL

The applicant proposes to remove four dwellings from the properties at 31 Astley Avenue and 79, 81 and 83 Margan Avenue and construct a three storey extension to the existing Glenburn Resthome. The extension would contain 55 serviced units, intended for elderly people who are not able to live completely independently but who do not require full time care.

Ten one-bedroom units (43.8m²) and 45 two-bedroom units (53.3m²) are proposed, along with two communal lounges, a gym, and a dining hall. In addition, two roof terraces (one public and one private) are proposed on the western side of the building at upper floor level. Each unit would have an individual balcony of 5.1m² in size.

The building has been designed in a flat 'v'-shape to reflect the corner location of the subject sites, with frontage to Astley and Margan Avenues, and the roundabout junction with Links Road. The design of the building has been modified from that originally proposed, into five visually separate blocks, with pitched roofs and projecting balconies. The building would be three storeys in height at the roundabout façade, decreasing to two storeys at the southern and western ends.

The proposal includes the removal of 16 significant trees, and work within the dripline of one additional Pohutukawa located in the north-western corner of the car parking area, in proximity to proposed car parks 16 and 17. The trees nominated for removal are listed as follows:

- i) Lemonwood (*Pittosporum eugenoides*) 5m in height, located to the east of proposed car park 23.
- ii) Pohutukawa 3m in height, located within a planter box in the middle of the existing, northern parking area.
- iii) Cabbage tree (*Cordyline australis*) 7m in height located within a planter box in the middle of the existing, northern parking area.
- iv) Canton Lace Tree (*Rademachera sp*) 4.5m in height, located southwest of the existing northern vehicle access way to 33 Astley Avenue.
- v) 6x Kohuhu (*Pittosporum tenuifolium*) 5m - 6m in height, located northwest of the driveway entrance.
- vi) Jacaranda (*Jacaranda mimosaeifolia*) 6m in height, located northwest of the driveway entrance.
- vii) 3x Robinia (*Robinia pseudoacacia*) 6m - 9m in height, located northwest of the driveway entrance.
- viii) Bull Bay Magnolia (*Magnolia grandiflora*) 5m in height, located northwest of the driveway entrance.
- ix) Silk Tree (*Albizia julibrissen*) 4.5m in height, located northwest of the driveway entrance from Astley Avenue.

Landscaping is proposed predominantly along the street frontages, consisting of a mix of shrub beds and grassed areas. Eleven trees are proposed for planting along the street frontage of Margan and Astley Avenues. In addition, a ground-level terrace is proposed at the apex of the building fronting the adjoining roundabout. This would form the main entrance to the building. An internal landscaped courtyard for residents is proposed in the invert of the 'v', between the rear of the building and the proposed car park.

A total of 55 on-site car parks are proposed for the entire complex, to serve both the existing Glenburn Resthome and the proposed three storey extension. These car parks would be accessed via two existing vehicle crossings on Astley Avenue and one proposed vehicle crossing on Margan Avenue. This would reduce the number of vehicle crossings on Astley Avenue from six to two, and those on Margan Avenue from three to one. The car park would rationalise and extend an existing car parking area, and be located along the boundary with the adjoining residential properties at 75B, 75C and 77 Margan Avenue.

Earthworks are proposed to create a level building platform, parking and manoeuvring areas on the site. Approximately 2,487m³ of cut is proposed, with spoil being removed from the site. A further 267m³ of fill would be imported to the site, again to create level and useable outdoor areas on-site. A total of over 300m³ earthworks would be undertaken outside the building platform.

The proposed development requires private sanitary and stormwater drainage service connections to the existing public system, as these cannot be serviced via existing connections. Private on-site sanitary sewer reticulation is proposed to connect to the existing public manhole and to a new manhole to be constructed over the public sewer in Astley Avenue. Stormwater would be detained via a buried tank before discharging to the public system. A 'Storm Screen System' would be installed to provide on-site stormwater quality treatment, and two, 25,000 litre rainwater storage tanks are proposed for non-potable water reuse. A new connection is proposed to provide water supply from the public system.

A223-A240

A Discharge Permit (#32479) for the proposal was granted by the Auckland Regional Council on 14/09/2006. A copy is included in Appendix 6 attached at pages A223 to A240.

4.0 REASONS FOR THE APPLICATION

4.1 Resource consent is required under the District Plan for the following reasons:

Living 2 Human Environment

- (a) Limited Discretionary Activity for Medium Density Housing, under Rule 2.2(a) of the Living Environment. The proposal meets the criteria to be considered as Medium Density Housing, being development of a site in excess of 2,000m² and within 1km of the New Lynn town centre.

It is noted that submitters raised concern that the proposal was a 'business' or 'commercial' activity rather than a 'residential' activity. The proposal falls to be considered as a residential activity, however, given the following definition of such in the District Plan (emphasis added):

"Residential activit(y)(ies) means the use of land or buildings by people for living accommodation (whether or not any person is subject to care or supervision), where those people voluntarily live at the site for a period of one month or more and will generally refer to the site as their home and permanent address; and includes baches and other similar private holiday accommodation, but excludes a temporary activity and a prohibited activity".

It is therefore appropriate to consider the proposal under the Medium Density Housing Criteria.

General Natural Area

- (a) Controlled Activity under Rule 2.2(b) of the General Natural Area, for works within the dripline of significant vegetation (being the Pohutakawa located in proximity to car parks 16 and 17 and identified in Figure 2).
- (b) Limited Discretionary Activity for the removal of 16 protected trees as identified on the submitted landscape plan, under Rule 2.3 of the General Natural Area provisions.

- (c) Discretionary Activity for earthworks over 300m³ outside the building platform, under Rule 3.4(a) of the General Natural Area provisions. The proposal would involve earthworks outside the building platform, as indicated on drawing 3120481-C106 Rev B.
- (d) Limited Discretionary Activity under Rule 4.2 of the General Natural Area for impermeable surfaces of 72% (65% permitted under Assessment Criteria C4 in the Medium Density Housing Criteria Appendix).

Plan Change 18

Proposed Plan Change 18 was notified on 31 March 2005 and seeks to introduce City-wide rules and policies for urban intensification and apartment design. This Plan Change does not, however, apply to the current proposal, as it does not introduce any additional rules to the Living 2 Human Environment within which the subject site is located. Rather, the provisions of Plan Change 18 apply only to the Living 5 and Living 6 Human Environments, introduced through Plan Change 17 "New Lynn Town Centre".

A188-A210 **4.2** Overall, the application must be considered as a Discretionary Activity. The proposal complies with all other development controls under the District Plan. Refer to Appendix 4 attached at pages A188 to A210.

5.0 THE SITE AND NEIGHBOURHOOD DESCRIPTION

The subject sites at 79, 81, 83 Margan Avenue and 31 Astley Avenue each contain an existing, single-storey dwelling, with common boundaries to the Glenburn Resthome at 33 Astley Avenue. The properties have frontage to Margan Avenue (a District Arterial Road) and Astley Avenue (a Collector Road). The site as a whole is a flat 'v' in shape, with an additional 20m frontage to the roundabout at the Margan and Astley Avenues and Links Road junction. The total area of the proposed development at 79, 81, 83 Margan Avenue and 31 Astley Avenue is 2,930m².

To the north of the site across Margan Avenue are located two residential properties with frontage to Astley Avenue, and the Vuksick and Borich Limited-owned cleanfill site. These properties are included within Plan Change 17, with a proposed rezoning to Living 6 (high density residential land use).

To the east of the site across Astley Avenue is located low density residential housing (800m² - 1,300m²). To the west, the subject site directly adjoins the residential properties at 77, 75B and 75C Margan Avenue. These three properties range in size from 324m² to 392m² and have at present an open view into the subject site, which is currently vacant to the rear of the property at 79 Margan Avenue.

The site is located on the southern side of the Whau River Valley, and slopes some 6m - 7m from the Astley/Margan/Links Road roundabout up to the intersection with Islington Avenue.

A number of trees are located within the car parking area of the existing Glenburn Resthome (as detailed in Section 3.0 above). The sites at 79, 81 and 83 Margan Avenue and 31 Astley Avenue contain little vegetation, and none classified as 'significant' for the purposes of the District Plan.

The only development history for the sites at 79 - 63 Margan Avenue and 31 Astley Avenue in terms of resource consents is as follows:

- RMA950017 for two dwellings at 31 Astley Avenue was granted in September 1994.
- RMA981592 for the conversion of a garage to a laundry at 83 Margan Avenue was granted in September 1998.

6.0 ISSUES IDENTIFIED THROUGH THE SUBMISSION PROCESS

6.1 The application was publicly notified on 8 June 2006 and notice was served on neighbouring properties. The period for submissions closed on 6 July 2006, within which time a total of 15 submissions were received. Of these submissions, two were in support of the application and 13 were in opposition. A further five submissions were received after the close of submissions. Four of these late submissions were in support, and one in opposition to the proposed development. This brings the total number of submissions to 20 submissions, six in support and 14 in opposition.

A130-A187

A copy of submissions is attached as Appendix 2 at pages A130 to A185, and a map identifying the location of submitters is attached as Appendix 3 at pages A186 to A187. A summary of submissions is included in Table 1 below.

Table 1

Name	Address	Support/ Oppose	Reasons	Section of Report
A Colwell & E Harris	43 Astley Ave	Oppose	<ul style="list-style-type: none"> Commercial not residential activity Exceeds 11m height Out of character with area, will dominate landscape Privacy/views Traffic generation Construction effects Vegetation alteration would adversely affect amenity 	4.1 1.4 8.1.9 8.1.9 8.1.9 8.1.3 8.1.2
L Kinzett	69 Margan Ave	Oppose	<ul style="list-style-type: none"> Remove sewerage pipe 	8.4.1
U & P Tuipulotu- Siale	12/66 Astley Ave	Oppose	<ul style="list-style-type: none"> Traffic generation and parking pressure Out of character with area, will dominate landscape Oppose removal of trees 	8.1.9 8.1.9 8.1.2
J H & A M Watts	36 Links Road	Oppose	<ul style="list-style-type: none"> Out of character with area, will dominate landscape (height) Increased traffic and associated noise 	8.1.9 + 1.4 8.1.9
J Goodwine	77 Margan Ave	Oppose	<ul style="list-style-type: none"> Character and amenity (density, domination, views, privacy) Traffic and parking Parking and driveway noise Earthworks and construction effects 	8.1.9 8.1.9 8.1.9 8.1.9
P Webb	52 Astley Ave	Oppose	<ul style="list-style-type: none"> Character and amenity (density, domination, views, privacy) Traffic and parking Earthworks and construction effects 	8.1.9 8.1.9 8.1.9

Name	Address	Support/ Oppose	Reasons	Section of Report
Z Wynn	25 Reid Road	Oppose	<ul style="list-style-type: none"> • Business, not residential activity • Density, excessive height, shading, block views • Excessive coverage and inadequate landscaping and open space • Dominant visual impact • Out of character with neighbourhood, existing amenity values • Excessive earthworks • Object to removal of significant trees • Traffic generation and parking pressure. Inaccurate traffic volume in submitted information. • Bus stop move problematic • No bicycle/motorbike parking proposed • Inadequate number of car parks to service development (staff) • Traffic fumes would affect air quality • Noise effects from traffic, service deliveries etc 	<p>4.1</p> <p>8.1.9 + 1.4</p> <p>8.1.2 + 8.1.9</p> <p>8.1.9</p> <p>8.1.9</p> <p>8.1.3</p> <p>8.1.2</p> <p>8.1.9</p> <p>8.1.9</p> <p>8.1.9</p> <p>8.1.9</p> <p>8.1.4</p> <p>8.1.9</p>
I Harvey & R Hoddinott	70 Astley Ave	Oppose	<ul style="list-style-type: none"> • Commercial building in residential area (out of keeping) • Inadequate parking • 11m wall inappropriate, privacy/ amenity effects 	<p>4.1</p> <p>8.1.9</p> <p>8.1.9</p>
B Adkin	12 Links Road	Oppose	<ul style="list-style-type: none"> • Commercial in residential area • Blot on landscape • High density • Reduced quality of life in area 	<p>4.1</p> <p>8.1.9</p> <p>8.1.9</p> <p>8.1.9</p>
A Morrison (Purple Spiral Ltd)	56 Astley Ave	Oppose	<ul style="list-style-type: none"> • Business in a residential zone • Amenity and character (dominate landscape/views, high density incompatible) • Traffic generation, insufficient parking (staff and visitors) • Loss of trees affect visual amenity • Inadequate to meet housing requirements of elderly 	<p>4.1</p> <p>8.1.9</p> <p>8.1.9</p> <p>8.1.2</p> <p>8.4.1</p>
Q Zeng & S Zhong	8 Links Road	Oppose	<ul style="list-style-type: none"> • Increase traffic volume and parking pressure • Proposal not consistent with neighbourhood character 	<p>8.1.9</p> <p>8.1.9</p>
Housing NZ	75, 75A, 75B, 75C, 77 Margan Ave	Support	<ul style="list-style-type: none"> • Development addresses need for elderly housing • Scale appropriate for site 	<p>8.2.1 + 8.4.1</p> <p>8.1.9</p>
Vuksich & Borich Ltd	Clinker Place	Support	<ul style="list-style-type: none"> • Would provide appropriate care for the elderly 	<p>8.4.1</p>

Name	Address	Support/ Oppose	Reasons	Section of Report
P Laybourn	60 Astley Ave	Oppose	<ul style="list-style-type: none"> • Business in a residential zone • Amenity and character (dominate landscape/views, high density incompatible) • Traffic generation, insufficient parking (staff and visitors) • Loss of trees affect visual amenity • Inadequate to meet housing requirements of elderly 	4.1 8.1.9 8.1.9 8.1.2 8.4.1
K Wynn	62 Astley Ave	Oppose	<ul style="list-style-type: none"> • Business not appropriate in residential area • Out of character with area (mostly single storey) • Height would lead to overshadowing, privacy, block views • More landscaping desirable/ retention of trees • Excessive earthworks, construction effects • Compromise traffic safety, increase traffic fumes 	4.1 8.1.9 8.1.9 8.1.2 8.1.3 8.1.9
Late Submissions				
L Chao-Tang	29 Astley Ave	Support	<ul style="list-style-type: none"> • No reasons stated 	-
Kondaiya	13 Astley Ave	Support	<ul style="list-style-type: none"> • Provides more elderly housing 	8.4.1
L Liu Yu-Chao	27 Astley Ave	Support	<ul style="list-style-type: none"> • No reasons stated 	-
L Ryan	56 Astley Ave	Oppose	<ul style="list-style-type: none"> • Traffic generation and parking pressure • Out of character with area, will dominate landscape • Oppose removal of trees 	8.1.9 8.1.9 8.1.2
B Ryan	58 Astley Ave	Support	<ul style="list-style-type: none"> • No reasons stated 	-

6.2 Late Submissions

Five submissions were received after the closing date of 6 July 2006, as detailed in Table 1 above. The Committee will need to resolve whether to accept these submissions, pursuant to Section 37 of the Act. In making this decision, the Committee is required to consider the provisions set out in Section 37A(1), being:

- a) *The interests of any person who, in its opinion, may be directly affected by the extension or waiver, and*
- b) *The interests of the community in achieving adequate assessment of the effects of any proposal, policy statement, or plan, and*
- c) *Its duty under Section 21 of the act to avoid unreasonable delay. "*

Section 37A(2)(a) also requires that the extension of time shall not have the effect of exceeding twice the maximum period specified in the Act. It is noted that four of the late submissions were received one working day after the close of the submission period, with the remaining submission (B Ryan) being received 10 working days late.

The Act allows a twenty day period within which submissions are to be made. Accordingly, these submission were within the maximum time period specified in Section 37A(2)(a) of the Act. Furthermore, as the submissions do not raise any new issues not already covered by other submissions received within the statutory timeframe, it is considered that no one would be prejudiced by the acceptance of these five late submissions and it is recommended that the Committee take these late submissions into account.

7.0 STATUTORY REQUIREMENTS

7.1 Discretionary Activities

Section 104 of the Resource Management Act 1991 sets out those matters to be considered when assessing an application for resource consent. Amongst other things, these matters require consideration of any actual and potential effects on the environment arising from the proposal, together with an assessment as to whether the application is consistent with relevant objectives, policies and rules of the District Plan. All considerations are subject of the provisions of Part II of the Resource Management Act 1991, which sets out the purpose and principles that guide this legislation.

8.0 EVALUATION IN ACCORDANCE WITH SECTION 104 OF THE RESOURCE MANAGEMENT ACT 1991

In order to make a decision in terms of Section 104 of the Act it is necessary to undertake an analysis and assessment to determine whether the purpose and principles of the Act are being met (Part II) having regard to the matters set out in Sections 104, 104A - 104D as relevant, the Fourth Schedule and any other statutory considerations.

Section 104(1) of the Act requires that Council have regard to any actual or potential effects on the environment, any relevant objectives, policies, rules or other provisions of a plan or proposed plan and any relevant regional policy statement and regional plan or proposed plan, and any other matters the consent authority considers relevant and reasonably necessary to determine the application.

When considering an application Council must not have regard to any effect on a person who has given their written approval to the application (Section 104 (3)(b)) and may disregard an adverse effect of an activity on the environment if the Operative Plan permits and activity with that effect (Section 104(2)).

8.1 Assessment of Environmental Effects (104(1)(a)): Actual and Potential Effects on the Environment.

8.1.1 Water Quality and Quantity

The proposed development has the potential to give rise to adverse effects on water quality at two stages; through sediment discharge at the construction/earthworks stage, and via stormwater run-off once the site has been developed. Each of these factors are addressed as follows:

Sediment Discharge

It is possible that during the proposed construction period, sediment could discharge to the surrounding environment, particularly given the large volume of earthworks proposed. The applicant has, however, provided a silt control plan (Drawing 3120481-C107 Rev B), which identifies mitigation measures to ensure that all sediment is controlled and contained within the subject site. This includes utilisation of the following measures:

- Detention tanks;
- Wheel wash to avoid tracking of materials;
- Enviropod screens;
- Silt fences;
- Enviropod filters in roadside catchpits;
- Cut-off drain to divert clean water.

Council's Senior Environmental Monitoring Officer has reviewed these sediment control measures, and is satisfied that subject to conditions, inappropriate sediment discharge to the surrounding environment during the construction and earthworks periods can be avoided.

Stormwater Run-off

The proposal would result in impermeable surfaces of 72% of the area proposed for redevelopment, being 7% above the threshold for Medium Density Housing set in the District Plan.

To this end, the applicant proposes to install a buried detention tank to accommodate runoff in storm events before connecting to the public system. Stormwater capture from paved areas would trap heavy sediments before draining to water quality treatment devices, then to the proposed detention tank and public system. An overflow from the tank would also be provided, for any excess discharge.

Further, the proposed car park and driveway would be finished with permeable pavers, and roof water would be captured and re-used for non-potable water uses within the site. Two, 25,000 litre rainwater storage tanks would capture this roof water.

A223-A240

Council's EcoWater Engineer has assessed the proposed stormwater system, and is satisfied that all stormwater can be adequately captured, treated, and discharged without giving rise to adverse effects on the surrounding environment. Further, it is noted that the Auckland Regional Council have granted a Discharge Permit for the proposal, attached as Appendix 6 at pages A223 to A240. Conditions will be recommended, should the Committee be of a mind to approve the proposal, ensuring compliance with EcoWater standards.

A215

Overall, it is considered that the proposed sediment control and stormwater measures would adequately mitigate any potential adverse effects of run-off on water quality, to the extent that any such effects would be no more than minor and the proposal would be consistent with Assessment Criteria 4(a) - 4(h) of the General Natural Area attached at page A215.

8.1.2 Native Vegetation, Vegetation and Fauna Habitat

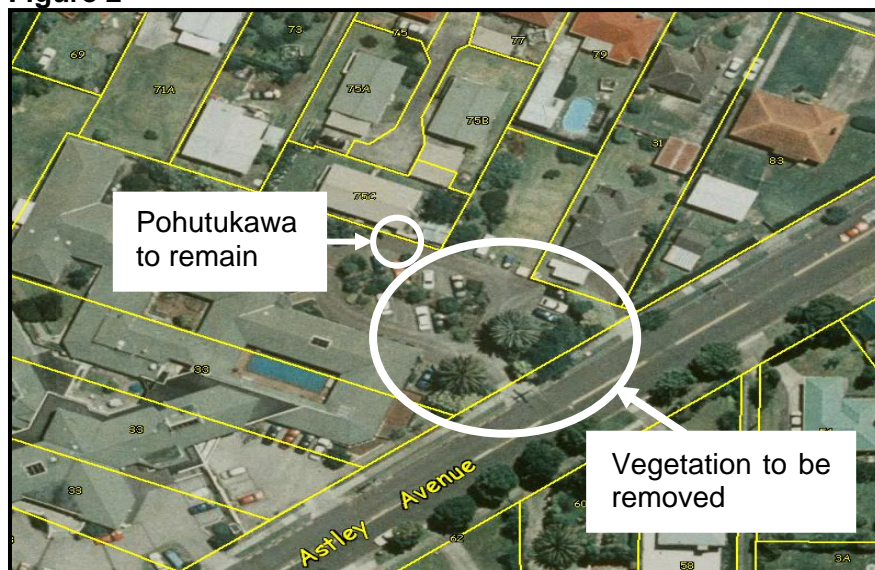
With regard to vegetation and habitat, the proposal includes the removal of 16 significant trees within an existing car parking area at 31 Astley Avenue and landscaping throughout the area of redevelopment.

The effects of the vegetation alteration form the main consideration of this section of the report, as due to the fact that the subject sites are located within the developed urban area, no adverse effects in terms of fauna habitat are anticipated. It is noted that a number of submissions in opposition to the proposal specifically address potential adverse effects on the character of the neighbourhood as a result of the proposed vegetation removal.

A241-A245

Council's Landscape Architect has reviewed the proposed vegetation alteration, specifically the loss of 16 protected trees and works within the dripline of the Pohutukawa located between car parks 16 and 17, adjoining the rear boundary with the property at 77C Margan Avenue (refer Appendix 7 at pages A241 to A245). Figure 2 below identifies the vegetation to be removed and the Pohutukawa to be retained.

Figure 2



Overall, Council's Landscape Architect concurs with the arboricultural report submitted with the application (IAC Consultants Limited dated 28 June 2005). In particular, it is considered that the loss of the 16 identified trees would not be significant as although there would be a loss of trees fronting Astley Avenue, these trees have poor form and as noted by the Consultant Arborist, are all 'low quality examples with forms compromised due to close planting'.

In the long term, proposed planting would include seven trees fronting Astley Avenue (three *Magnolia liliflora* and four *Kermadec nikau*), and four trees fronting Margan Avenue (four Wonder Tree, *Idesia polycarpa*). There would be a further two *Michaelia doltsopa* established by the west boundary parking area, eight *Kermadec nikau* within the western courtyard, and three cabbage trees within the rear car park margin. This would give a total of 11 trees fronting the roads and 13 trees plus the existing Pohutukawa within the subject site, an increase in the number of trees on-site.

Therefore overall, the proposed replacement planting of 24 trees is considered appropriate and would adequately mitigate any potential adverse effects arising from the loss of the 16 existing trees. This is consistent with Assessment Criteria 2(j) of the General Natural Area, as the extent of restoration proposed would offset the vegetation removal proposed.

With regards to the proposed landscaping treatment, this comprises fully-planted garden areas between the street and the proposed building, with plant species selected for low maintenance and year-round colour. A perimeter boundary wall with railings and intermediate piers is also proposed along the street frontages, with an entrance at the Astley/Margan/Links corner.

A courtyard is proposed in the invert of the 'v' of the building, between the car park and the rear façade. This is for use by residents to complement individual terraces. Landscaping some 0.8m in width is also proposed between the car park and the common boundary with the properties at 75B and 75C Margan Avenue, incorporating predominantly shrubs and five trees additional to the Pohutukawa to be retained along these side boundaries.

Overall, it is considered that the proposed removal of the 16 identified trees within the existing car park area and replacement with a mix of landscaping and 24 trees throughout the site is appropriate and would not give rise to potential adverse effects on vegetation or habitat, and is consistent with Assessment Criteria 2(a) - 2(l) of the General Natural Area.

8.1.3 Land / Soil

The subject sites are not identified in Council's Register of Hazards and Special Features as being subject to potential instability or contamination. Notwithstanding, it is noted that a large amount of earthworks are proposed to enable the development, to be undertaken over approximately 95% of the site area.

The majority of proposed earthworks involve cut, to create a level building platform and parking and manoeuvring areas, and to reduce the height of the proposed building above existing ground level. Approximately 2,487m³ of cut is proposed, with spoil being removed from the site. A further 267m³ of fill would be imported to the site, again to create level and useable outdoor areas. A total of over 300m³ earthworks would be undertaken outside the building platform.

A211 It is considered that the scale of earthworks is consistent with the scale of development in accordance with Assessment Criteria 3(a) attached as Appendix 4 at page A211 of the General Natural Area, as due to the sloping nature of the site and the size of the building footprint, such earthworks are unavoidable. Some 'stepping' of the building has been provided to incorporate the sloping landform particularly along Astley Avenue, and it is also noted that lowering the ground level in proximity to the Margan/Astley/Links junction reduces the height of the building above the existing ground level.

As outlined in Section 8.1.1 above, the applicant has provided a silt control plan which identifies mitigation measures to ensure that all sediment arising from the proposed earthworks is controlled and contained within the subject site. Council's Senior Environmental Monitoring Officer has reviewed these sediment control measures, and is satisfied that subject to conditions, inappropriate sediment discharge to the surrounding environment during the construction and earthworks periods can be avoided.

Some submitters have raised concerns with potential effects arising from vibration throughout the construction period. Although vibration standards apply within the Living Environment (Rule 14), these are not applicable to Medium Density Housing developments. Notwithstanding, an advice note is recommended to bring this issue to the attention of the applicant, and it is noted that Section 16 of the Resource Management Act places a duty on the applicant to avoid unreasonable noise. (The definition of 'noise' in the Act specifically includes vibration).

A211-A214 No adverse effects with regard to soil stability or suitability for residential purposes are considered likely, given that the subject sites have no history of instability or contamination. Structural issues regarding the proposed building will be assessed at the time of application for Building Consent, and it is considered that overall, the proposal would not result in adverse effects on the soil resource and is consistent with Assessment Criteria 3(a) - 3(r) attached as Appendix 4 at pages A211 to A214.

8.1.4 Air

The proposal does not involve air emissions of any kind, and therefore would not result in any adverse effects on air quality. Dust control would be a requirement during the construction period and a condition has been recommended accordingly.

A215-A216 Some submissions received identify that the extra vehicle movements associated with the activity would give rise to excessive vehicle fumes, exacerbated by local humidity. This is not considered to be the case, given that the location of such Medium Density Housing in close proximity to town centres is considered to decrease the need for traffic movements, as specifically identified in Policy 4.2 attached as Appendix 4 at pages A215 to A216 of the District Plan as follows:

Medium Density Housing should be encouraged in areas where it will help to reduce emissions from motor vehicles by reducing vehicle trip length and numbers and support public transport, in particular around main town centres, train stations and major roads.

8.1.5 Ecosystem Stability

No adverse effects on ecosystem stability are considered likely as a result of the proposed development, as the subject sites are already developed and do not contribute significantly to established ecosystems within the urban area.

8.1.6 Outstanding Natural Features; Landforms, Geological Sites

The subject sites are located within a developed, urban area and do not contain any outstanding natural features or wilderness qualities. No potential adverse effects on outstanding natural features as a result of the proposed building works are therefore anticipated.

8.1.7 Natural Character of Coast and Margins of Lakes, Rivers and Wetlands

The proposal is not located in proximity to the coast or any lakes, rivers or wetlands. Therefore no adverse effects on the natural character of such water bodies would arise as a result of the proposed development.

8.1.8 Outstanding Landscapes

The site is not located within, or near, an identified area of 'outstanding landscape'. Rather, the proposal is located in the developed, urban area and does not possess any recognised natural landscape qualities nor wilderness character. No adverse effects on outstanding landscapes are therefore anticipated.

It is noted that the proposal would have some visual effect given the prominent location of the subject sites at the Margan/Astley/Links Road roundabout. These issues are addressed in Section 8.1.9 below.

8.1.9 Amenity Values - Health and Safety, Landscapes, Local Areas and Neighbourhood Character

The assessment criteria contained in the Medium Density Housing Appendix to the Living Environment seek to achieve Council's urban consolidation objectives by integrating new, higher density development into existing low density areas through careful design and recognition of established amenity values.

To this end, extensive consultation was undertaken with the applicant to achieve a building form which is considered to respect the existing, single storey character and amenity of those properties neighbouring the proposed development site, within the wider context of the Astley/Margan/Links Road street scene.

An analysis of the Medium Density Housing assessment criteria with particular attention to amenity values is outlined below:

Assessment Criteria A1 - A8; Design and Location of Structure

The façade of the proposed building fronting the street has been designed to reflect its residential function, and includes detailing to provide continuation of the existing streetscape. The building has been 'broken up' into five, visually separate blocks with pitched roofs and projecting balconies, to avoid the sense of one continuous, imposing façade. Further, a range of materials such as brick and weatherboard would be utilised, again reflecting the style of the surrounding neighbourhood.

The majority of the building is three storeys in height, although this 'steps down' to two storeys at the western and southern ends of the building. Therefore where it is most closely located to residential activity (being the western boundary with the residential properties at 75 and 77 Margan Avenue), the proposed building is one storey higher than the existing houses, in general accord with Assessment Criteria A2.

The current proposal contributes to neighbourhood character by locating the proposed car park behind the building, thereby avoiding car domination of the front yards of the units. Also, the building has been designed with an open aspect towards the road frontages (with planting and visually permeable fencing) to create a sense of openness and unity with the street scene. Thus the proposed development would not constitute a 'gated community' and accordingly, would contribute to the overall character of the neighbourhood.

A number of submitters have raised concerns particularly with the height and physical dominance of the proposed building, given also its prominent location on a sloping, corner site. To this end, it is acknowledged that the building represents a change in character from the existing, single storey dwellings in the neighbourhood. However it is considered that any potential adverse effects of the proposal in terms of the wider landscape have been mitigated through the proposed design of the structure and use of varied ground levels. Other mitigating factors include the following:

- i) The topography continues to rise behind the proposed building, thereby providing a solid backdrop so that the structure is not viewed against the skyline.
- ii) The proposed building would not be generally visible from the New Lynn Town Centre due to intervening buildings, power pylons, and general 'visual clutter'.
- iii) The larger scale of the building provides a strong visual statement and residential 'edge' to the Margan/Astley/Links roundabout, and also a gateway to the future intensification of the Plan Change 17 area located across Margan Avenue from the subject site.
- iv) Neighbouring properties across Margan and Astley Avenues are not generally oriented towards the subject site, and are setback from the development by the road itself and also by wide, road reserve berms. These berms contain existing mature street trees which provide further screening.
- v) The building is oriented towards the street and is setback as far as possible from the only common boundary with residential properties (to the west), and complies with height in relation to boundary and maximum height requirements.
- vi) The building has been designed to reflect the residential character of the existing street scene, incorporating features such as balconies, pitched roofs, and use of brick and weatherboard.

Therefore overall it is considered that the subject site is unique in nature given its extensive road frontage, lack of direct residential neighbours, and backdrop of land as opposed to sky. The proposed building has been designed in accordance with these site characteristics and although larger in size than the existing residential development in the area, is appropriate and a precursor to the higher density urban form anticipated in New Lynn by Plan Change 17.

Assessment Criteria B1 - B12; Site Layout

The proposed development is well connected to the neighbourhood, through the utilisation of vehicle and pedestrian links to both Astley and Margan Avenues. The proposed building fronts the street in accordance with Assessment Criteria B2, and provides outdoor space predominantly in the form of balconies which are north and north-east facing. Balconies on the rear façade of the building are south-facing, however residents also have access to the ground level open space areas and also the communal, north-facing lounge.

Although some vegetation is to be removed (see Section 8.1.2 above), replacement planting of some 24 trees is proposed, along with landscaped areas between the building and the street-front, and outdoor living areas to the north and south.

Overall it is considered that the layout of the proposal is appropriate in terms of providing visual linkages to the street and separation distance between the building and adjoining residential properties, while ensuring adequate space for landscaping and outdoor living, contributing to both on and off-site amenity values in the wider neighbourhood.

Assessment Criteria C1 - C8; Building Location

The proposed building is setback some 5m from the road frontages of Astley and Margan Avenues, being sufficient to provide useable outdoor living space and landscaping areas, but still retaining a visual connection to the street scene.

Assessment Criteria C2 is of particular relevance to the current proposal, and states that:

"Buildings should be designed and located to ensure no significant loss of amenity to adjoining sites which are not part of the medium housing development. Overlooking of these properties should be avoided and height in relation to boundary controls... should be complied with to ensure reasonable sunlight and daylight access. The maximum height of buildings should not exceed 11m."

To this end, the following is noted:

- i) The greatest risk of overlooking/privacy effects occur on properties located to the west of the Margan Avenue 'wing' of the proposed building. At its closest point, the proposed building contains balconies on the western elevation located some 6.5m from the boundary with the property at 77 Margan Avenue. This gives rise to potential privacy effects on those floors above ground level which cannot be adequately screened via fencing.

It is noted that the occupier of the property at 77 Margan Avenue has lodged a submission in opposition to the proposal, while the owner has lodged a submission in support.

Units 15 and 16 on Drawing RC-110 Rev A have 'wrap around' balconies, both with sections oriented towards the west. These balconies are located at first floor level, 6.5m from the western side boundary with 77 Margan Avenue. It is considered, however, that use of these balconies would be infrequent, given that they are one-bedroom units capable of accommodating a maximum of two persons, and that access to the balconies is from the northern façade only (i.e. there are windows, not doors, onto the western elevation). Combined with the separation distance from the common boundary and the fact that the main outdoor living space on the adjoining site at 77 Margan Avenue is not located to the east of that dwelling, it is considered that any potential privacy effects arising from the location and use of proposed balconies at first floor level on the adjoining existing dwelling would be no more than minor.

Drawing RC-120 Rev B indicates a proposed public terrace and proposed private terrace (associated with Unit 35), at second floor level, located some 8m from the common boundary with 77 Margan Avenue. As more people could potentially utilise these terraces (especially the public/communal terrace), a screening condition along the western elevation is recommended to provide a non-visually obtrusive barrier to protect the privacy of occupiers of the adjoining dwelling from potential overlooking. This has been recommended as Condition 39 of consent.

The remaining terraces on the rear elevation of the building are considered to be setback a sufficient distance from adjoining residential properties to avoid additional overlooking effects.

Similarly, Astley and Margan Avenues are of sufficient width to provide an adequate privacy setback from the proposed balconies on those front elevations to residential dwellings located across the road. Established street trees provide further screening, as will the trees proposed for planting along these facades as they mature.

- ii) The proposal complies with height in relation to boundary requirements on the boundaries with properties located within the Living Environments, and as such would ensure reasonable sunlight and daylight access to adjoining properties. Further, the proposed building is 'stepped' to reduce the height of the structure in proximity to neighbouring sites to the west and south, and this factor combined with the proposed boundary setbacks, is not considered likely to result in overshadowing of adjoining residential properties or the existing Glenburn Rest home complex. The height of the building complies with the 11m height limit and therefore is considered to be appropriate in terms of height and scale in this area.

A217-A222 Assessment Criteria C4 identifies a threshold of 65% impervious site area in order to avoid potential adverse effects arising from stormwater management. As discussed in the preceding Section 8.1.1 of this report, it is identified that 72% impermeable coverage of the additional development area is proposed. However, Council's EcoWater Engineer is satisfied that adequate stormwater control and treatment measures are in place to allow efficient stormwater management and ensure that any potential adverse effects arising from stormwater run-off can be avoided. (See Appendix 5 attached at pages A217 to A222 for the report prepared by EcoWater).

Assessment Criteria C5 - C8 seek to ensure that adequate sunlight access to habitable rooms and outdoor amenity spaces within the subject site is available. To this end, it is noted that the street or north-facing balconies and gardens would receive year-round sunlight access. Those balconies and the outdoor garden court located to the south of the building would have variable sunlight access, however, future occupiers also have use of communal terrace and lounge areas and therefore overall, sufficient access to daylight areas is available.

In summary, it is considered that site coverage, building height and setback, and access to daylight and sunlight is acceptable, thereby avoiding potential adverse amenity effects on both adjoining residential properties and future occupiers of the site.

Assessment Criteria D1 - D6; Visual and Acoustic Privacy

As outlined above, it is considered that with the imposition of a condition regarding screening of the roof terraces on the western section of the proposed building, the structure has been designed so to avoid adverse effects arising from overlooking or a loss of visual privacy.

A246-A249 With regards to acoustic privacy and noise effects, it is noted that the applicant has provided an acoustic report addressing ventilation, construction, and traffic noise. This has been peer reviewed for Council by Hegley Consultants Limited (see Appendix 8 attached at pages A246 to A249) Overall, it is considered that subject to conditions of consent and in particular, the construction of an acoustic fence between the proposed car parking and vehicle access area and the adjoining properties at 77, 75C and 75B Margan Avenue (see recommended Conditions 33 to 38), any potential noise effects arising from the proposal on neighbouring residents, and on future occupiers of the subject site, would be no more than minor. The proposal therefore accords with Assessment Criteria D1 - D6.

Assessment Criteria E1 - E5; Car Parking and Vehicle Access

A total of 55 on-site car parks are proposed, to service both the existing Glenburn complex and the 55 proposed residential units. 31 car parks would be accessed from one vehicle crossing on Margan Avenue, with the remaining 24 being accessed via two existing vehicle crossings on Astley Avenue. The proposal would result in a reduction of vehicle crossings on Margan Avenue from three to one, and on Astley Avenue from six to two.

It is noted that almost all of the submissions received in opposition to the proposal raise concerns with parking pressure and traffic generation as a result of the development, particularly with regard to compromising traffic and pedestrian safety.

A250-A253

Council's Senior Transport Engineer has assessed the proposal in full, and these comments are attached in Appendix 9 at pages A250 to A253. Overall, the Transport Engineer is satisfied that sufficient car parking spaces are provided to service the facility and avoid adverse effects arising from increased on-street parking pressure and traffic generation.

The proposal would have a positive effect in terms of reducing the number of access points from the property to Margan and Astley Avenues (District Arterial and Collector Roads respectively), particularly the existing access way at 83 Margan Avenue, which is located directly on the frontage with the roundabout.

Further, it is noted that the proposal is particularly consistent with Assessment Criteria E2 and E4, given that the car parks are located in close proximity to the residential units, clearly identify visitor parking, and are secure. The proposed layout minimises access points to busy roadways and allows all vehicles (including loading vehicles) to exit the site in a forward motion. The car parks are located to the rear of the building on-site and therefore do not dominate views from the road, and landscaping and stormwater collection is provided.

It is noted that the proposed accessway from Margan Avenue and 31 of the proposed car parks are located in close proximity to the side boundaries of the residential properties at 77, 75C and 75B Margan Avenue. In order to mitigate potential visual and noise effects arising from the use of this accessway and car parking area, landscape planting is proposed along length of the southern and western boundaries adjacent to car parks 17 to 31. In addition, as discussed in the acoustic report prepared for Council by Hegley Acoustic Consultants, a 1.8m high acoustic fence along the length of the common boundaries will be recommended as a condition of consent. This acoustic fence would avoid any adverse effects arising from traffic noise on the adjoining properties. Overall, and taking into account the fact that the property at 75C Margan Avenue adjoins an existing car park area, it is considered that any potential adverse effects arising from the location of the vehicle accessway and car park in proximity to the boundary with residential properties would be no more than minor, and able to be mitigated by conditions of consent.

As part of the proposal the applicant wishes to relocate an existing bus stop and shelter some 7m to the northwest along Astley Avenue. A number of submitters have raised concerns with this relocation, however Council's Transport Engineer is satisfied that the new location would not give rise to adverse effects in terms of potential vehicular conflict. An advice note is recommended advising that the relocation of this bus shelter is outside the resource consent process, and further permission would be required from Council as the administrator of road reserve land.

Assessment Criteria F1 - F8; Open Space

Open space associated with the proposed residential activity comprises individual balconies and communal, outdoor amenity areas. A garden court is located in the invert of the 'V' of the proposed building to the south, and the proposed 5m setback from the Margan and Astley Avenue boundaries ensures the provision of adequate, landscaped space to the north and north-east.

Private balconies associated with each unit are some 5.1m² in size, exceeding the 4m² for units at first floor level or above, suggested in Assessment Criteria F7.

As discussed previously, conditions will be recommended to avoid potential adverse effects on privacy and overlooking. Further, landscaping and fencing would be utilised along the common boundaries with residential properties to ensure screening of existing, neighbouring residential outdoor amenity areas.

Overall it is considered that sufficient open space has been provided in association with the development, and that this has been designed in such a way as to maximise views and landscaping potential while avoiding overlooking or privacy effects.

Assessment Criteria G1 - G5; Dwelling Entry

Entrances to the proposed residential block would be located to the front and rear of the 'V' of the building, providing access from the street and the car park. An additional entrance is proposed along the Astley Avenue 'wing' of the building, and a link would be constructed to the existing Glenburn complex. The entries would be lit, and accessible to people with disabilities. Overall the entrance design is considered to be consistent with Assessment Criteria G1 - G5.

Assessment Criteria H1 - H9; Site Facilities

The application states that rubbish collection and services would be managed by existing Rest home staff. It is requested that the applicant provide further information on the proposed servicing of the development at the Hearing, given the concerns raised by submitters and Council's Acoustic Consultant regarding potential noise effects from delivery/rubbish vehicles.

In any event, conditions have been recommended in accordance with the advice of Council's Acoustic Consultant, to restrict the hours of delivery and rubbish collection vehicles to the daytime period and not on Sundays and Public Holidays. The rubbish collection area is also recommended to be located away from residential boundaries.

With these measures in place, it is considered that potential adverse effects (particularly noise from service vehicles) can be avoided to the extent that they are no more than minor.

Assessment Criteria I1 - I11; Landscape Treatment

Section 8.1.2 of this report addresses the landscaping proposed as part of the development. In summary, a mix of landscaping is proposed around the perimeter of the site and the proposed building. Whilst 16 existing trees are proposed for removal, a total of 24 are proposed for planting. In addition, an existing mature Pohutukawa located between proposed car parks 16 and 17 would be retained. It is considered that the proposed landscaping is appropriate and would assist with blending the new development into the surrounding streetscape in accordance with Assessment Criteria I3.

Further, the proposed fencing would enhance the development and the streetscape as required by Assessment Criteria I10. The wall and railing fencing along the street frontages is visually permeable and would not create a perceived physical barrier or 'gated' development. Further, all walls of the building facing the road contain sufficient detailing to avoid a blank or monotonous façade.

Overall, the proposed landscaping treatment has been comprehensively developed and is considered sufficient to 'soften' the proposed structure whilst providing on and off-site amenity to the benefit of the surrounding neighbourhood.

8.1.10 Heritage

There are no identified heritage items located on, or in close proximity to, the subject site. It is noted that a bungalow at 63 Margan Avenue is listed as a Category II building (heritage item 1609), however the proposed development is considered to be located sufficiently far away (over 100m) to avoid any potential adverse effects on the heritage setting of this dwelling.

No other adverse effects in terms of heritage items are anticipated.

8.1.11 Summary

Overall it is considered that any potential adverse effects of the proposed activity are no more than minor and can be adequately mitigated through appropriate conditions of consent.

8.2 Any Relevant Provisions of the District Plan 104(1)(b)(iv):

8.2.1 District Plan Policies and Objectives

It is considered that the proposed development would be consistent with the objectives and policies of the District Plan. The District Plan is "effects-based" in its approach to natural and physical resources and it has been demonstrated in the previous assessment of effects that subject to conditions, any adverse effects arising from the proposal would be no more than minor.

Of particular relevance are Policies 1.2 and 1.10 with regard to the effects of development on water quality and quantity. Policy 1.2 specifically identifies Medium Density Housing of the type proposed as an integral part of Council's centralisation strategy to provide denser development within and adjacent to town centres, in order to reduce vehicle trips and thereby, stormwater runoff from the roading network. Similarly, Policy 1.10 seeks to avoid the discharge of stormwater into the City's watercourses by controlling impermeable surfaces and stormwater infrastructure. Although the current proposal is 7% above the standard for impermeable surfaces set in the District Plan, Council's EcoWater Engineer and the Auckland Regional Council (through granting of Discharge Permit 32479 for the development) consider that sufficient stormwater mitigation has been provided on the site to control runoff and so avoid potential adverse effects on watercourses.

The proposed vegetation clearance and works within the dripline of the protected Pohutukawa identified in Section 8.1.2 of this report are considered to be consistent with Policy 2.1 of the District Plan, in that the works would not lead to significant adverse impacts on native vegetation and fauna habitat. Rather, the vegetation alteration proposed would lead to a net increase in the number of trees on-site, and the specimens to be removed are not of notable value.

With regard to the land and soil resource, it is considered that the proposal is consistent with Policy 3.1 which encourages Medium Density Housing around main town centres, railway stations and major roads to help provide for the efficient use of land within the urban area. Such urban consolidation is an overarching regional strategic aim, as outlined further in Sections 8.3 and 8.4.4 of this report.

Of particular relevance to the current development is Objective 10, which seeks to maintain and enhance amenity values including freedom from nuisance of noise, adequate levels of daylight, a safe and accessible environment, and adequate levels of privacy. Although the development is located within the Living 2 Environment, it has been designed to mitigate potential noise and privacy effects, and to maintain daylight access. In addition, the development has been designed to be both safe and accessible. Overall it is considered that although a departure from the existing style of low density housing in the area, the proposal would achieve an acceptable level of amenity for both future residents of the subject site and those of surrounding properties.

Policies 10.8, 10.11 and 10.14 relate to traffic effects, including adequate provision of on-site parking, and traffic generation implications on surrounding roading networks. Council's Transport Engineer is satisfied that sufficient on-site parking and safe access is provided, and that the estimated vehicle movements to and from the site would not adversely affect Margan Avenue (a District Arterial Road) and Astley Avenue (a Collector Road).

Objective 11 and associated policies are more specifically concerned with amenity values in terms of landscapes, local areas and neighbourhood character. In this case, the proposal is considered to be consistent with Policy 11.3 which seeks to maintain the visual amenity of the surrounding area by providing for overlooking of streets by buildings, maintaining characteristic links between private and public space arising from the orientation of houses and the way they face the street, the setback of buildings from the road boundary, and planting of section frontages. The current proposal addresses all of these characteristics through its location some 5m from the Astley and Margan Avenue street frontages, with planting to the street and balconies overlooking public space. Therefore the proposed building contributes to neighbourhood character, particularly given the future development of sites across Margan Avenue within the Plan Change 17 area.

Policy 11.8 states that structures should be of a form, height and scale which avoids physical domination of surrounding sites and buildings, and which does not adversely affect the landscape character and other amenity values of these areas. As discussed extensively in Section 8.1.9 of this report, it is considered that the characteristics of the subject site are unique and lend itself to the type of development proposed. That is, the site has few direct boundaries with residential properties, has a large road frontage, and is located on a sloping landform able to provide a backdrop to the proposed building, which also meets the maximum height and height in relation to boundary requirements of the District Plan. Therefore overall, the proposed structure is considered likely to be absorbed into the surrounding environment without significant adverse amenity or wider landscape effects on surrounding properties.

As identified in the submission in support of the proposal received from Housing New Zealand (owners of a number of properties in the immediate area, including those at 75 – 77 Margan Avenue directly adjoining the subject site), the proposed development is consistent with Policy 11.27 which recognises the need for a range of different housing types to meet the needs of the community. In this case, to meet the needs of peoples of retirement age in a form consistent with the Medium Density Housing Criteria and overall urban intensification policies for Waitakere City and the Auckland Region.

Policy 11.28 of the District Plan seeks to ensure that Medium Density Housing is comprehensively designed so that a high quality of internal amenity is provided. This is with specific regard to privacy, access to daylight, parking, open space and integration into the surrounding neighbourhood. These issues have been addressed in Section 8.1 above, and it is considered that the proposal has been designed to provide the above mentioned factors and so contribute to both on and off-site amenity in the Astley/Margan/Links Road vicinity.

Overall and for the reasons stated above, it is my opinion that the proposal is consistent with the objectives and policies of the District Plan.

8.3 Auckland Regional Policy Statement, Plan or Proposed Regional Plan (104(1)(b)(iii) and (iv))

The Auckland Regional Policy Statement contains policies specific to urban growth management. Of particular relevance to this application is Policy 2.6.1, which seeks to provide for urban intensification along transport corridors, without giving rise to conflicts with incompatible land uses. In this case the proposed development site is considered appropriate for urban intensification, given its size and location in close proximity to the New Lynn Town Centre, public transport, and major traffic routes.

Overall, the objectives and policies of the Regional Policy Statement are similar to those reflected in the District Plan, and it is considered that the proposal is consistent with these provisions for the reasons stated above.

8.4 Any Other Matters the Consent Authority considers relevant and reasonably necessary to determine the Application (104(1))(c)).

8.4.1 Other Issues Raised by Submitters Not Covered Elsewhere in Report

The submission from L Kinzett of 69 Margan Avenue seeks the removal of an existing sewerage pipe through that property. No works to the sewerage pipe are proposed as part of this application, and therefore the submitter is advised to contact Council's EcoWater Department to discuss the necessity for the sewerage infrastructure in this location.

Some submissions identify that the proposal would lead to a loss of existing views. Unfortunately the subject site is not located in a protected view shaft under the District Plan, and therefore no protection of views is afforded.

Similarly the issue of property values was raised in a number of submissions. Property values are not, however, a resource management issue that can be considered under the Resource Management Act.

Submissions also queried the sense of providing elderly housing in an 'apartment' style building as opposed to single storey bungalows or units. However as also identified in the submissions in support of the proposal, there is a growing trend towards higher density living for the elderly (as with the rest of the population), due to the regional need for urban intensification and as illustrated through other retirement development in the City, for example - Waitakere Gardens in Sel Peacock Drive/ Wadier Place. In fact as outlined in Section 8.4.4 below, a significantly lower density development would be unlikely to be supported on this site, given its location within the Medium Density Housing area and subsequent suitability for higher density residential development.

8.4.2 Development Contribution

The applicant has paid a development contribution at the time of building consent for the proposal, in accordance with Council policy under the Long Term Community Council Plan.

8.4.3 Monitoring

The performance of the activities under this consent will be subject to Council's standard monitoring procedures. These procedures include scheduled inspections to ascertain compliance with conditions of consent, together with periodic inspections as and when required to establish whether conditions are being complied with on an ongoing basis. In particular, attention is likely to be directed toward the implementation of conditions relating to earthworks, vegetation alteration, and noise attenuation.

8.4.4 Any Other Relevant Non-Statutory Documents

The following non-statutory documents are considered relevant to the current proposal:

- (i) Auckland Regional Council's Regional Growth Strategy;
- (ii) Waitakere City Council's Growth Management Strategy;
- (iii) Auckland Regional Council's 'START' Programme ('Sustaining the Auckland Region Together').

In brief, these documents identify growing trends in the number of 'baby boomers' reaching retirement age and overall population growth in the greater Auckland region.

These trends lead to the need for diversification of standard housing stock, including higher living densities and accommodation for residents over the traditional retirement age. The current proposal caters for this demand, and as identified in submissions in support of the proposal, provides viable living options for the elderly.

A254-A257

Traditional low density retirement complexes are not considered appropriate in this area, given that the subject site is located within 1km of the New Lynn Town Centre and has ready access to public transport, thus making it desirable for higher density living of the type proposed. This policy direction has been confirmed through Plan Change 17, given that New Lynn is identified as potentially accommodating 42% of planned urban intensification within Waitakere City up to 2021 (see Specialist Report from Council's Strategy Department in Appendix 10 attached at pages A254 to A257).

Overall, the density of the proposal and its location in proximity to the New Lynn Town Centre make it compatible with the policy direction of the non-statutory documents identified above, in order to accommodate anticipated regional growth and particularly, growth in relation to the number of peoples above retirement age.

8.5 Lapsing of Consent

Under Section 125 of the Resource Management Act 1991, unless it is given effect to, a consent lapses either on the date that is specified in the consent or if no date is specified, five years after the date of commencement of the consent.

There are no reasons to reduce the standard consent period in this case and therefore the standard five year consent period has been recommended.

9.0 PART II OF THE RESOURCE MANAGEMENT ACT 1991

It is considered that the proposal would be consistent with Sections 5, 6, 7 and 8 of the Resource Management Act 1991.

The purpose and principles of the Resource Management Act have primacy over all other considerations that are set out in Section 104 of the legislation. In summary, Sections 5, 6 and 7 require that resources must be sustainably managed in such a way that enables communities to provide for their social, economic and cultural wellbeing while avoiding, remedying or mitigating adverse effects on the environment. Furthermore, the Resource Management Act 1991 requires that amenity values and the quality of the environment shall be maintained and enhanced.

It is considered that the proposed development is consistent with sustainable resource management principles. In particular, the proposal promotes the efficient use of land suitable for higher density residential land use due to its proximity to the New Lynn Town Centre and major transport routes. Additionally, the proposal would provide additional housing opportunities for people of retirement age, thus providing for the wellbeing of the wider community while maintaining amenity values and the quality of the environment.

It is recognised that the proposal is a departure from the character of the existing environment, however as a result of regional and local growth studies (see Section 8.4.4 above), higher density development such as that proposed is encouraged in this area in order to provide for regional growth and in particular, the numbers of peoples reaching retirement age.

The proposed development does not raise any Section 6, 7, or 8 issues, given that it is privately owned land within a developed area of the City.

Overall the proposed development is therefore considered to be consistent with purpose and principles of Part II of the Act.

10.0 CONCLUSION

This resource consent application seeks permission to remove four existing dwellings and construct a three storey extension to the existing Glenburn Rest home and Retirement Village on the corner of Margan and Astley Avenues, New Lynn. The extension would contain 55 units and be managed in conjunction with the existing rest home activity. As part of the application, existing vehicle crossings would be centralised to one vehicle access point on Margan Avenue and two on Astley Avenue, car parking and landscaping would be provided, and major earthworks undertaken to level the site, which is located within the Living 2 Human Environment and the General Natural Area.

It is considered that overall, the proposal meets the criteria for granting consent as any potential adverse effects of the activity on the surrounding environment would be no more than minor and can be mitigated through the imposition of appropriate conditions of consent. The proposal falls to be considered as Medium Density Housing, and as such meets the Council's urban consolidation objectives by integrating new, higher density development into existing low density areas through careful design and recognition of established amenity values. The site has limited common boundaries with existing residential properties, and is of a scale consistent with its sloping corner location. Adequate landscaping and car parking can be provided on-site, and all services can be provided without detriment to surrounding properties.

As such, the proposal is also considered to be consistent with the objectives and policies of the District Plan and in particular, those provisions relating to Medium Density Housing and urban consolidation (Policies 3.1, 11.27 and 11.28). Further, the proposed development is in accordance with regional strategies and initiatives for sustainable regional growth, and as recognised in the submissions in support of the application, provides for the housing needs of elderly persons. Subsequently the proposal is also consistent with Part II of the Resource Management Act, by virtue of providing for the wellbeing of the wider community.

It is considered that the issues raised by the submitters can be adequately addressed through the imposition of appropriate conditions, and through the fact that the building has been amended to comply with the 11m height limit contained in the District Plan.

Subject to any additional and/or contrary evidence being presented at the hearing, it is concluded that for the above reasons, the application **merits consent** in accordance with Section 104 of the Resource Management Act 1991.

11.0 RECOMMENDATION

That pursuant to Sections 104, 104B, 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 Guardian Healthcare Group Limited to construct an extension to an existing rest home and retirement complex, including removal of four existing dwellings and construction of a three storey building containing 55 units, with associated car parking, vehicle access, landscaping, terraces and earthworks at 31 Astley Avenue and 79, 81 and 83 Margan Avenue, being Lot 2 DP 127018, Lot 1 DP 124373, Lot 9 DP 9831, Lot 1 DP 127018, Lot 12 DP 14051 and Lot 13 DP 14051 for the following reasons:

- (i) Any potential adverse effects of the proposal can be mitigated through imposition of the recommended conditions of consent.
- (ii) The proposal is consistent with the objectives and policies of the District Plan and in particular, Policies 3.1, 11.27 and 11.28.
- (iii) The proposal is consistent with local and regional urban intensification strategies, and with Part II of the Resource Management Act 1991.

Consent shall be subject to the following conditions:

General

1. The development shall proceed in accordance with Drawings RC-001 Rev F, RC-002 Rev F, RC-010 Rev D, RC-011 Rev D, RC-012 Rev D, RC-100 Rev F, RC-110 Rev B, RC-120 Rev B, RC-130 Rev B, RC-140 Rev B, RC-200 Rev E, RC-201 Rev D, RC-202 Rev E, RC-210 Rev D, RC-211 Rev D, RC-212 Rev D, RC-213 Rev D, and RC-300 Rev D prepared by Klein Architects Ltd, Drawings LA79 GA01 Rev B, LA79 GA02 Rev A, and LA79 PP01 Rev A, prepared by Gaynor Revill, Drawings 3120481-C101 Rev B, 3120481-C102 Rev B, 3120481-C103 Rev A, 3120481-C104 Rev B, 3120481-C106 Rev B, and 3120481-C107 Rev B prepared by Beca Ltd, and all referenced by Council as RMA 20051755 and the information, including further information, submitted with the application.
2. Pursuant to Section 125 of the Resource Management Act 1991, this consent shall lapse after a period of five years after the commencement of the consent.

Fees, Bonds and Contributions

3. A consent compliance monitoring fee of \$12,320.00 (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 \$12,320.00 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.
4. Pay any EcoWater engineering, works supervision, and administrative fees as incurred. These fees will be charged as advertised in Council's Schedule of Fees.

EcoWater

5. Design, provide and install a complete wastewater reticulation system to serve all Units in compliance with Councils Code of Practice for City Infrastructure and Land Development (Refer Section 5.0). Specific requirements:
 - (i) Either grout fill, or remove, the abandoned private drainage under Council's supervision.
 - (ii) Cap any abandoned connections.
 - (iii) Obtain a Minor Drainage Works Permit for any proposed private drainage works to serve Unit(s) if not covered by a building consent.
6. Design, provide and install a complete stormwater drainage system to serve all Units 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 downstream system and to pre-development levels as specified in EcoWater's "Stormwater Solutions for Residential Sites".
 - (ii) Either grout fill, or remove, the abandoned private drainage under Council's supervision.
 - (iii) Cap any abandoned connections.
 - (iv) Collect all existing discharge points. The system shall include connection to down pipes or drainage from any existing buildings and paved areas.
 - (v) Obtain a Minor Drainage Works Permit for any proposed private drainage works to serve Units if not covered by a building consent.
7. To prevent increasing downstream flooding and increased channel erosion on the Whau Creek, stormwater disposal is required to comply with EcoWater's Councils Stormwater Solutions for Residential Sites, version 1. At the stage of Building Consent the applicant shall ensure that the stormwater disposal system from any development on the site shall be designed in accordance with the proposed stormwater mitigation design by Beca Carter Holdings, dated February 2006 and with the ARC consent, number 32479, and incorporate the following requirements to the satisfaction of EcoWater:
 - i) Maintain stormwater runoff flows, volumes, and timing to 60% impermeable surfaces level for the one in five year storm events.
 - ii) Rainwater is to be collected for reuse.
 - iii) Stormwater detention tanks are to be provided to limit the rate of runoff.
 - iv) Design and location of detention and reuse tanks to be approved by EcoWater at the stage of Building Consent.

- v) The property owner is required to maintain any devices to meet the above requirements to the satisfaction of Council.
 - vi) The property owner is to provide to Council (EcoWater) at five-yearly intervals a report from a registered engineer, or suitably qualified person, demonstrating that the stormwater mitigation measures and devices are functioning in accordance with their intended purpose. This includes any rain gardens and dispersion devices installed under future building consents.
8. The stormwater mitigation measures proposed in Beca Carter Holdings, dated February 2006 complies with EcoWater requirements subject to the following conditions:
- i) Provide written certification from a registered plumber that the water reuse tank for has been plumbed in for use in the laundry and toilets only and as per the Ministry of Health (Auckland Regional Public Health) requirements.
 - ii) Provide permeable paving for all new car park areas.
9. Existing private drainage lines:
- i) Provide an "As-Built" stormwater drainage plan and video inspection to Councils Code of Practice standards of any private stormwater and wastewater drains. Remedy any defects in the drainage to EcoWater's satisfaction.
 - ii) Any drainage is to remain private. A Covenant pursuant to Section 109 of the Act will be required to be issued and registered on the new title for Lot(s) affected advising the drainage is private and remains the responsibility and liability of the owner(s) to manage and maintain.
10. Provide stormwater quality treatment to the site in accordance with the Auckland Regional Council's TP10 '*Stormwater Management Devices Design Guideline Manual*', and Waitakere City Council Code of Practice for City Infrastructure and Land Development (refer Section 4).
- i) Provide engineering plans and calculations to EcoWater for approval prior to commencing works.
 - ii) Provide a maintenance manual for the treatment devices.
11. Design, provide and install a complete water supply reticulation system to serve all Units in compliance with Council's Code of Practice for City Infrastructure and Land Development (Refer section 6). Specific requirements:
- (i) Provide and install a private water service pipe to Units
12. Provide an As-Built drainage plan for the property, prepared by a registered drain layer, showing the separate private drains from the existing buildings and new Units to the point of connection to the public drains.
13. Provide a private drainage plan of the stormwater and wastewater drainage serving the existing dwellings.

Transport Assets

14. Form and construct/upgrade a vehicle crossing with storm water controls at 79 Margan Avenue, using Standard Detail SD 3.13 "Light Commercial Vehicle Crossing" in Council's Code of Practice for City Infrastructure and Land Development. Also refer to SD 3.14 "High Volume/Speed Vehicle Crossing" for left turning taper details to enable cars to more quickly and safely exit the road traffic lane.
15. Form and construct/modify and widen the existing south-western existing crossing at 33 Astley Avenue with stormwater controls, using Standard Detail SD 3.13 "Light Commercial Vehicle Crossing". Also refer to SD 3.14 "High Volume/Speed Vehicle Crossing" for left turning taper details to enable cars to more quickly and safely exit the road traffic lane.
16. Demolish the redundant existing vehicle crossing (northeast of the existing bus stop) at 33 Astley Avenue and fully reinstate the kerb and channel, concrete footpath and grassed berms to the satisfaction of Council. This work includes the relocation of the existing bus stop and bus shelter including pavement markings and signs, all to the satisfaction of the Manager; Transport Assets, and at full cost to the consent holder.
17. Demolish the three redundant existing vehicle crossings at 81 and 83 Margan Avenue and the two north-eastern crossings at 33 Astley Avenue. Fully reinstate the kerb and channel, concrete footpath and grassed berms, to the satisfaction of the Manager: Transport Assets.
18. Inspection of all vehicle crossing boxing and other reinstatement works is required prior to concrete pouring, and inspection of subgrade is required prior to pavement construction. Contact Council on telephone 836 8000 extension 8725, at least 48-hours prior to the inspection being required.
19. Form and construct the proposed car park with all weather surfacing and stormwater controls. On completion of hard surfacing the car park layout shall be pavement marked, with signs where necessary to clearly define access, circulation, resident / staff / disabled persons and visitor parks. All such marking shall comply with "The Manual of Traffic Signs and Markings" (MOTSAM) jointly published by Land Transport Safety NZ and Transit NZ. Also refer to NZS 4125 (1885), "Code of Practice for Design for Access and Use of Buildings and Facilities by Disabled Persons".

Earthworks

20. Before commencement of any site works, the consent holder shall arrange a pre-start meeting with a Council Environmental Monitoring Officer and all main contractors to enable the Environmental Monitoring Officer to explain all conditions of consent to the contractors.
21. Before commencement of any earthworks, adequate erosion and sediment control shall be implemented as shown on approved Drawing 3120481-C107 Rev B. The erosion and sediment control measures shall be in accordance with the latest version of Auckland Regional Council's TP90 and shall be inspected and approved by a Waitakere City Council Environment Monitoring Officer prior to the commencement of earthworks (please arrange inspection on telephone 839 0400). Any changes to the approved erosion and sediment control plan shall only be made after the changes have been discussed and approved by Council's Environmental Monitoring Officer.

22. Before commencement of any site works, stabilised site entrances shall be constructed to avoid tracking of dirt onto surrounding roads. The site entrances shall be constructed with geotextile underlay covered with at least 100mm of Gap 65 gravel. Wheel wash facilities shall be in operation if soil and weather conditions are such that the stabilised entrances alone do not avoid the tracking of dirt onto surrounding roads.
23. Any dirt being tracked onto the surrounding roads as a result of the development on-site shall be removed immediately by method of sweeping, at the consent holder's cost.
24. All necessary action during the construction and earthworks period shall be taken to prevent a dust nuisance to neighbouring properties, to the satisfaction of the Manager: Resource Consents. Should these measures prove unsatisfactory on any particular occasion due to the prevailing wind or soil conditions, the contractor shall cease work until conditions are suitable for the recommencement of the works.

Landscaping

25. All landscaping (including planting and exterior lighting) shall be undertaken in accordance with the plans and information provided, including Drawings LA79 GA01 Rev B, LA79 GA02 Rev A and LA79 PP01 Rev A by Gaynor Revill, and shall be set in place in the first planting season (May till 7 September) following the completion of any related earthworks, retaining, and associated laying of paved areas, and use of the building and car parking area. If the development is staged, landscape development shall be carried out in association with each stage.
26. Garden areas shall be weed and debris free at the time of planting, and good quality garden mix shall be utilised including 50:50 topsoil and compost or topsoil to 250mm minimum depth.
27. All planting shall be watered as necessary to facilitate establishment, and gardens shall be kept weed free. Any plants that die, are removed, or fail to prosper shall be replaced the following planting season and maintained in accordance with the approved landscaping plans.
28. Before commencement of any site works, the consent holder shall arrange a pre-start meeting with a Council Arborist, the consent holder's Arborist, and the Site Construction Manager, to discuss and outline the arboricultural conditions of this resource consent.
29. Car park spaces 15 - 18 (inclusive), being those located in proximity to the protected Pohutukawa identified on Drawing LA79 GA01 Rev B, shall be constructed without excavation of the original soil surface within the dripline of this tree, and shall be carried out under the supervision of a suitably qualified arborist appointed by the consent holder. The existing hard surface shall be broken up and removed by hand prior to forming the new surface over the undisturbed soil below.
30. Once surfacing of the area identified in Condition 29 above has been undertaken, a tree protection fence shall be set in place around the dripline of the protected Pohutukawa and shall remain in place for the duration of the development works on-site, to the satisfaction of Council's nominated Arborist. The position of the protective fence shall not be altered without prior approval of Council's nominated Arborist.

31. No works, storage of materials, or machinery, cement/concrete washings and leaching of chemicals, trenching or alteration of soil grade shall occur within the dripline of the protected Pohutukawa identified in Conditions 29 and 30 above.
32. Spoil from excavations and general building materials shall not be stockpiled beneath the dripline of the protected Pohutukawa identified in Conditions 29 - 31 above, nor within the area defined by the temporary protective fence around this tree.

Noise

33. A minimum 1.8m high acoustic fence shall be erected along the full length of the boundary with the properties at 77, 75B and 75C Margan Avenue, prior to the start of construction works. Materials including either 20mm timber boards, 17.5mm construction grade plywood, or 7mm fibre cement sheet shall be utilised, and there shall be no gaps in construction, including where the fence meets the ground. If 20mm timber boards are utilised, battens shall be placed over all joints as shrinkage can result in gaps opening up between boards.
34. All service vehicles shall undertake deliveries and rubbish collections between the hours of 0700 to 2200 Mondays to Saturdays only. No deliveries or rubbish collection shall be undertaken outside the stated hours, or on Sundays and Public Holidays.
35. No rubbish collection or rubbish storage areas shall be located within 10m of any boundary with the Living Environment.
36. Sound insulation treatment within the approved building shall, as a minimum, be constructed in accordance with the details contained in Section 5.0 of the Acoustic Report dated 30 June 2005, prepared by Marshall Day Acoustics Limited.
37. Prior to residential occupation of the approved building, an acoustic design report by a suitably qualified professional shall be submitted to Council's Manager: Resource Consents, demonstrating that all mechanical plant and equipment associated with the building complies with the noise standards of the District Plan.
38. Prior to construction work commencing on the subject site, a Construction Noise Management Plan shall be prepared by a suitably qualified professional and submitted for approval to Council's Manager: Resource Consents. This Construction Noise Management Plan shall demonstrate compliance with the requirements of NZS 6803:1999 'Acoustics - Construction Noise'.

Privacy

39. The public and private terraces shown at upper floor level on the western wing of the approved building shown on Drawing RC-120 Rev B, shall contain a privacy screen along the full length of the western side of the terraces, to a minimum height of 1.6m and constructed of trellising or similar materials.

Advice Notes:

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.
2. Under a Building Consent, provide the following:
 - (a) Engineering plans and calculations to EcoWater for approval prior to commencing works.
 - (b) Specific foundation design for bridging foundations over all stormwater and wastewater lines that lie under or within 1m any house platform, retaining wall or structure.
3. EcoWater policy requires any wastewater manholes that are constructed over existing lines or line connections on existing pipelines to be constructed by EcoWater Solutions maintenance contractor. Wastewater manhole connections may be constructed by the applicant's contractor with Engineering Approval and under EcoWater's Quality Assurance supervision or by EcoWater's maintenance contractor.
4. The existing public sanitary sewer passing through the property may need to be re-laid at the owners expense (for that length below and one metre either side of the new dwelling) at the time application is made for building consent on this Lot. The building consent application shall include a CCTV video inspection of the wastewater line and foundation bridging details.
5. If drainage work is required to be carried out on land outside the subject sites, obtain the written consent of the owner(s) of that land prior to the approval of the drainage plans. After construction and prior to the consent being finalised, obtain the written acknowledgement of the owner(s) that the property has been satisfactorily reinstated.
6. A 'Road Opening Notice' from Waitakere City Council is required for works within road reserve.
7. Separate application for the relocation of the bus shelter is required from Council as owner of the road reserve, and from the regional transport authority.
8. Section 16 of the Resource Management Act imposes a duty to avoid unreasonable noise, including vibration. It is recommended that the applicant take all necessary precautions to avoid undue vibration effects on surrounding residential properties. Reference can be made to Rule 14.1 of the Living Environment with regard to vibration thresholds.

Report prepared by: Toni Kennerley, Senior Resource Planner.



APPLICATION DETAILS

Planner: Toni Kennerley

Site Address: 31 and 33 Astley Avenue, and 79, 81 and 83 Margan Avenue

Applicant: Guardian Healthcare Group Limited

Date Received: 29/09/2005

Resource Consent No: RMA20051755

Ward: New Lynn

Legal Description: Lot 2 DP 127018 (CT NA74A/629)
Lot 1 DP 124373 (CT NA72C/571)
Lot 9 DP 9831 (CT NA904/147)
Lot 1 DP 127018 (CT NA74A/628)
Lot 12 DP 14051 (CT NA424/18)
Lot 13 DP 14051 (CT NA384/231)

Address for Service: Wasley Knell Consultants
PO Box 381
Tauranga

District Plan

Human Environment: Living 2

Natural Area: General

Landscape Elements: Nil

Hazards: Nil

Roading Hierarchy: Margan Avenue - District Arterial
Astley Avenue - Collector Road

Further Information Required: Various

Date Requested: 16/11/2005

Date Received: 24/10/2006

