



Waitakere City Council
Te Taiao o Waitakere

NOTICE OF MEETING

HEARING BY COMMISSIONERS

I hereby give notice that a Hearing by Commissioners will be held on:-

DATE: Tuesday, 30 September 2008 **TIME:** 9.30 am

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

to consider a Resource Consent application for 297, 299 Te Atatu Road and 1 Covil Avenue, Te Atatū South and to take any necessary action connected therewith.

Sharon Simiona .

22 September 2008

Sharon Simiona
COMMITTEE SECRETARY

Telephone (09) 836 8000 extn 8820

MEMBERSHIP:

Commissioners:	Cr	VS	Neeson, JP
	Cr	WW	Flaunty, QSO, JP
	Cr	PA	Hulse

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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 HEARING BY COMMISSIONERS TO BE HELD AT WAITAKERE
CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE,
ON TUESDAY, 30 SEPTEMBER 2008 COMMENCING AT 9.30 AM**

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CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE,
ON TUESDAY, 30 SEPTEMBER 2008 COMMENCING AT 9.30 AM**

**1 NOTIFIED APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE
RESOURCE MANAGEMENT ACT 1991 BY NEW ZEALAND FIRE SERVICE TO
ESTABLISH A FIRE STATION AT 297-299 TE ATATU ROAD, AND 1 COVIL AVENUE,
TE ATATU SOUTH**

LUC20080849

WARD: HENDERSON

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.

APPLICATION DETAILS

Planner:	Sonja Bury
Site Address:	297 & 299 Te Atatu Road, and 1 Covil Avenue, Te Atatu South
Applicant:	New Zealand Fire Service
Date Received:	30.05.08
Resource Consent No:	LUC2008-0849
Building Consent No:	Not yet applied for
Ward:	Henderson
Legal Description:	Lots 2, 3, 43 DP 39914
Address for Service:	C/- MPC Planning PO Box 8960 Symonds Street AUCKLAND Attention: Monique Faulkner
Site Area:	2,680m ²
District Plan:	
Human Environment:	Living 1
Natural Area:	General
Landscape Elements:	Nil
Hazards:	Nil
Roading Hierarchy:	Regional Arterial (Te Atatu) & Local Road (Covil)
Further Information Required:	Noise Management Plan, Drainage
Date Requested:	18.07.08 & 30.07.08
Date Received:	30.07.08 & 04.09.08

1.0 INTRODUCTION AND RECOMMENDATION

1.1 Nature of the Application

The applicant seeks consent to establish a fire station which requires resource consent for a non-residential activity within the Living Environment, building height, height in relation to boundary, privacy/screening, traffic generation, car parking and driveway, signage, vegetation removal, earthworks and impermeable surface coverage infringements. Overall, the proposal is considered to be a Non-Complying Activity.

1.2 Resource Management Issues Raised

The Resource Management Act 1991 requires that, when considering an application for a 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.

The environmental effects of this proposal are limited and primarily related to the amenity values and the effects on the immediately adjoining sites arising from the establishment of a non-residential activity within the Living Environment. Such consideration should include the associated vehicle movements to and from the site, noise, privacy – including the proximity of activities to adjacent properties, and parking demand.

1.3 Planner's Recommendation

The 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 to establish a Fire Station. It is considered that the environmental effects that may be generated by the activity would be no more than minor or could be adequately avoided, remedied or mitigated by the imposition of conditions, and would not be contrary to that the relevant objectives and policies of the District Plan.

2.0 LOCATION PLAN

Photo 1: Aerial Photo Showing Location of Subject Site (March 2000)



Legal Description: Lots 2, 3 & 3 DP 39914
Human Environment: Living 1
Natural Area(s): General
Landscape Elements: None
Roading Hierarchy: Regional Arterial Road & Local Road
Hazards: N/A
Designations: Te Atatu Road is subject to 5m road widening designation (WCCRW9)

3.0 PROPOSAL

The applicant seeks consent to establish a purpose built fire station which will accommodate three vehicles (a lighting unit, type 3 heavy pump appliance and a type 4 pump appliance). This will involve the removal of the existing buildings.

The proposed fire station will be a combined career and volunteer station, and will replace the existing volunteer fire station located at 711 Te Atatu Road.

A minimum of four career fire officers shall occupy the station 24 hours a day, 7 days a week. Up to six fire officers will occupy the station during the day changing shifts at 8am and 6pm daily. A total of 26 volunteer and career staff shall utilise the station.

The volunteer lounge/training room on the ground floor shall be utilised on Monday nights between 7pm to 9pm for lectures, training and networking with approximately 20 volunteers attending.

During call out operations the doors to the appliance bays will open automatically and the Fire Service will control the traffic lights at the intersection of Te Atatu Road and Covil Avenue. The sirens are not used as the appliances leave the station and are only used on the road where necessary.

Based on fire station call out data, on average the station is expected to receive approximately 1.65 calls per day, which 58.5% are during daytime hours of 6am to 6pm. Approximately 76% of call outs only require one appliance, and therefore not requiring volunteers to attend. Each fire appliance can contain 4 fire officers and if additional fire officers are required they are paged.

Fire appliances are refuelled at petrol stations and not on site. The appliances will be filled with water off site but there will be some occasions where the water hydrant on site will be utilised. The testing of the pumps and portable ventilation fan may occur over a short period of time during the day.

During non-call out time the fire officers undertake training exercises on the site. This includes physical and theoretical training, such as hose and ladder training, maintaining fitness utilising the gym and career development. The fire officers also run community education programmes on fire safety.

The proposed building shall contain a basement which shall include a gym, storage rooms, stormwater detention tank and lighting bay. The ground floor shall contain an appliance bay accommodating two fire appliances, office area, lockers, bathroom facilities, kitchen, dining room and lounge, volunteer training and lounge area. The first floor shall contain five bedrooms for the fire officers and bathrooms. Overall the proposed building shall cover 696.5m² (26%) of the site. The proposed layout and type of rooms are designed to meet the New Zealand Fire Service building standards.

The proposed building shall slope down from Te Atatu Road. The external cladding shall include paint finished precast concrete, linea weatherboard and terraclad cladding. The proposed building shall also include a plastered pylon at the front of the building, a ladder training tower at the rear, deck to the rear of the ground level and a series of mono-pitched roofs. Glazing shall include porthole windows at the first level along the southern elevation and aluminium louvers. The building shall be finished/painted in the corporate colours of the New Zealand Fire Service which are grey, white, blue and red.

The proposed building will exceed the 8m height limit. The upper level at the front of the building will exceed the building height by 1.35m. The pylon feature (10.4m in height) will exceed the height limit by 2.4m, and the ladder training tower also exceeds the height limit by 2.6m.

The eaves of the first level also infringe the height to boundary recession plane in terms of the northern boundary with 301 Te Atatu Road. The infringement is 0.3m over a length of 25m.

Five signs are proposed to be included on the site:

- A fascia sign on the front elevation of the appliance doors;
- A New Zealand Fire Service Crest on the plastered pylon on the southern elevation;

- Two free standing directional signs (1.8m in height and 1.2m in width) at the Te Atatu Road and Covil Avenue entrances; and
- A free standing sign (1.4m high and 1.2m wide) located perpendicular to the main entrance of the building.

Vehicle crossings will be located on Te Atatu Road and Covil Avenue. The fire appliances will have direct access onto Te Atatu Road and will have the ability to control the traffic lights at the intersection of Te Atatu Road and Covil Avenue when required. The lighting appliance will exit through the Covil Avenue.

Within the site 13 formed and sealed car parking spaces will be provided at the rear of the building. A further 17 parking spaces (total of 30 spaces) will be situated on reinforced grass. Access to these parking spaces will be via Covil Avenue and Te Atatu Road. On-site manoeuvring is provided for on site. Please note as per the advice of Council's Transport Engineer, the car parking spaces will be reduced to 29, as per condition 31. The assessment hereafter is based on this figure.

The paved impermeable surface coverage cover 1,717m² or 64% of the site area, being 4% over the 60% impermeable surface coverage for sites connected to the public stormwater system.

The proposal also includes an installation of rainwater harvesting tanks to collect the roof run-off and re-use water as non-portable water source. A detention tank is proposed to collect any overflow from the rainwater harvesting tank. Enviropods are proposed within the upper area of the driveway to treat stormwater and two rain gardens are proposed at the lower area of the site to treat and attenuate stormwater run-off.

The wastewater pipe will be abandoned as the proposed building is situated over the existing pipe and it is proposed to lay a new reticulation to public standards around the basement of the building. The water supply will consist of a single private connection to the existing water main for the normal water supply requirements of the occupants of the building. A private fire hydrant is proposed at the rear of the site to fill the appliances when required. This hydrant shall be taken from the existing 1000mm diameter pipe on Te Atatu Road.

Two protected trees require removal. These include an 8m high Magnolia and a 5m high Melia street tree. The majority of (unprotected) vegetation shall be removed. Landscaping is proposed across the site.

Fencing proposes to be of a range of materials:

- Along the northern boundary shared with No's 301 Te Atatu Road and 1A Covil Avenue it is proposed to construct a 2m high close-boarded fence;
- Along the eastern boundary shared with No 3 Covil Avenue it is proposed to construct a 2m high metal rail fence over a block wall; and
- Along the southern boundary shared with No 295 Te Atatu Road it is proposed to construct a 2m high timber fence.

Earthworks are also required to undertake the proposal. A total of 994m³ of earthworks is required over an area of 1,719m² on the site.

The applicant consulted with No's 1A, 2, 3 Covil Avenue and 336, 336A, 328, 301, 295, 298 Te Atatu Road prior to lodging the application, and the details of that consultation are attached at page 23 of the applicant's Assessment of Effects in Appendix One.

4.0 REASONS FOR THE APPLICATION

Consent is required under the following provisions of the District Plan for the following reasons:

4.1 Operative District Plan

Living Environment

Discretionary Activity Consent is required for the proposed building exceeding the maximum height by 2.6m (Living Environment – Rule 4.3).

Discretionary Activity Consent is required for the proposed building infringes height in relation to boundary controls on the northern boundary over a maximum extent of infringement is 0.30m by a distance of 25m (Living Environment – Rule 5.3).

Discretionary Activity Consent is required for the proposed fire station building shall be visible from Te Atatu Road and Covil Avenue (Living Environment – Rule 8.2).

Discretionary Activity Consent is required for the proposed fire station building being a non-residential activity within the Living Environment (Living Environment – Rule 10.3).

Discretionary Activity Consent is required for the proposed fire station creating approximately 200 vehicle trips per day (Living Environment – Rule 11.3).

Limited Discretionary Activity Consent is required for the car parking not meeting the home occupation standard (Living Environment – Rule 12.3).

Non-Complying Activity Consent is required for the proposed signage exceeding a total sign area of 1.2m² (Living Environment – Rule 15.3).

General Natural Area

Limited Discretionary Activity Consent is required for the proposed removal of a 7m high Magnolia tree (General Natural Area – Rule 2.3).

Discretionary Activity Consent is required for earthworks over a total plan area of 1,791m² with a volume of 994m³ (General Natural Area – Rule 3.4).

Limited Discretionary Activity Consent is required for the impermeable surface coverage of 64% of the site area (General Natural Area – Rule 4.2).

4.2 Plan Change 26

Proposed Plan Change 26

The infringements described above have not altered given the plan change.

It is however worth noting that the Plan Change has replaced the reference to NZS 6801:1991 & NZS 6802:1991 in terms of noise measurements and is proposed to be replaced by NZS 6801:1999 & NZS 6802 :1999.

4.4 Overall, the application is considered to be a **Non-Complying Activity**. The proposal complies with all other development controls under the District Plan.

4.5 No other consents are required in respect of this application.

5.0 THE SITE AND NEIGHBOURHOOD DESCRIPTION

The proposal consists of three residential sites with a combined total site area of 2,680m². No's: 297 & 299 Te Atatu Road contain spilt-level dwellings. No: .1 Covil Avenue contains a two level dwelling. The dwellings are a mixture of weatherboard and brick cladding. The New Zealand Fire Service owns all the three residential sites and each of the dwellings is currently rented and occupied by tenants.

No's: 297 & 299 Te Atatu Road slope down from the road towards Covil Avenue. 1 Covil Avenue is a reasonably flat section.

Access to each lot is provided via a separate vehicle crossing. The sites are individually fenced and contain a variety of vegetation.

The surrounding neighbourhood is characterised by residential dwellings, with a variety of 1 or 2 levels and brick or weatherboard cladding. Towards the west along Te Atatu Road are some retail outlets such as Wendys, Club Physical, tax service, Medilab, Pharmacy and Liquor Outlet. While the Wendy food outlet, Pharmacy and Liquor Outlet are located within Community Environment, the Club Physical, Medilab, tax service and Auckland Ring Company are all located within the Living 1 Environment zoning. The majority of these activities lie on the northern edge and outside of the visual catchment of the subject site.

6.0 ISSUES IDENTIFIED THROUGH THE SUBMISSION PROCESS

The application was publicly notified on Friday, 13 June 2008. Notice of this application was served on all identified affected persons. The period for submissions closed on the Friday, 11 July 2007.

A total of 10 submissions were received, 4 submissions in support, and 6 submissions in opposition.

A240-A280 A map showing the location of parties notified within the neighbouring area is attached at pages A240 to A241 as Appendix Two. Appendix Three attached at pages A242 to A280 contains full copies of all submissions that were received.

6.1 Submissions

A242-A280 A broad summary of the submissions is discussed below, however it is noted that a number of submissions in opposition were pro forma, and therefore express the same issues. A summary of individual submissions and location map are attached at pages A242 to A280 as Appendix Three.

6.1 Submissions in Opposition:

*NW Lawton, KJ Lawton and W Marley (324 Te Atatu Road) **oppose** the proposal as they are concerned about the noise level from the non-residential activity, intensity of the application, increase in traffic generation, dominance of structures, and lack of consideration to other suitably sites.*

*SAF Investments (3/340 Te Atatu Road) **oppose** the proposal as they are concerned about the increase in traffic generation onto a major arterial road.*

*Yang Zhang and De Luo (333 Te Atatu Road) **opposes** the proposal due to the increase of traffic generation and visual amenity and privacy.*

*Kevin and Anne Lamb (4 John F Kennedy Place, Glen Eden/owner of 328 Te Atatu Road) **opposes** the proposal due to the impact of extra traffic on an already busy road, and steep incline from the property to Te Atatu Road. Also believes their tenant was pushed into giving written approval to the proposal.*

Neven Barbour (156 State Highway 16, Whenupai) **oppose** the proposal due to traffic jams during peak periods along Te Atatu Road, Covil Avenue down to North Western Motorway.

Steven and Rochelle Apps (2a Covil Avenue, Te Atatu South) **oppose** the proposal due to the existing parking on Covil Avenue, reduction in drivers visibility, increased traffic flows, increase in deterioration of footpaths, increase in noise levels, and reduction of amenity.

6.2 Submissions in Support

The following persons made submissions in support:

Armand Adruanus Victor Brogtrop (1/322 Te Atatu Road) **supported** the proposal.

Angelique Brogtrop-Vanos(1/322 Te Atatu Road) **supported** the proposal.

Yingkhee Lai (7 Sunrise Lane) **supported** the proposal.

Fred Noblio (8 Covil Avenue) **supported** the proposal as it would be of benefit and value to the city.

- Provide an additional community service facility within West Auckland

Organisations

- Auckland Regional Council
- New Zealand Historic Places Trust
- Transit New Zealand

The above organisations were notified of this application and did not make a submission.

6.4 Iwi

- Te Kawerau A Maki
- Ngati Whatua O Orakei Corporate Ltd

The above iwi groups were notified of this application and did not make a submission.

6.5 Affected Persons Approval

The following people provided their written consent when the application was first lodged. No change of ownership is known, and no submissions have been received from these parties.

Table One – Written Approval

Name	Address	Owner/Occupier
Lee Mc Kay	1A Covil Avenue	Owner and Occupant
Robert Francis Simpson and Lyn Simpson	336A Te Atatu Road	Owner and Occupant
Terence William Skinner, Gloria Maureen Skinner and Family Trust	3 Covil Avenue	Owner and Occupant
Te Atatu Developments Limited	293 & 289 Te Atatu Road	Owner – site vacant
Pamela Bruns	2 Covil Avenue	Owner and Occupant
Wendy Matagi Gabriel	336 Te Atatu Road	Occupant
Donald Noble	328 Te Atatu Road	Occupant ¹
Sureli Kini	301 Te Atatu Road	Occupant
Joshua Anthony Clark and Dylan Gully	295 Te Atatu Road	Occupant

¹ Please note the owners of 328 Te Atatu Road have opposed the proposal.

When considering an application Council must not have regard to any effect on a person (all owner /occupiers) who has given their written approval to the application (Section 104 (3) (b)).

Photo 2: Aerial Photo Showing Location of Written Approvals



Key: ☆ = Owner and Occupant 😊 = Occupant Only

7.0 STATUTORY REQUIREMENTS

7.1 Non-Complying Activities

The relevant policies and criteria which apply under the District Plan and the Resource Management Act 1991 are set out in more detail below in Section 8.2 of this report. This should be referred to as the legal framework within which the application should be addressed.

As noted, the proposal requires consideration as a non-complying activity under the provisions of the Resource Management Act 1991. Section 104D of the Resource Management Act 1991 sets a threshold test which all resource consent applications for non-complying activities must first pass before a consent authority has jurisdiction to grant consent, having regard to the matters specified in Section 104. In short, the proposal must be able to establish and operate without generating more than minor adverse effects on the environment, or must not be contrary to the relevant objectives and policies of the Operative District Plan. Council may disregard an adverse effect of an activity on the environment if the Operative Plan permits an activity with that effect.

The matters to be considered when assessing an application for resource consent are set out in Section 104 of the Resource Management Act 1991. 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 to the provisions of Part II of the Resource Management Act 1991, which sets out the purpose and principles that guide this legislation.

However it should be noted that for council to grant consent to a non-complying activity application there should generally be some exceptional or unusual element to the proposal. If such unusual circumstances do not exist, then the proposal would effectively compromise the integrity of the District Plan and public confidence in the consistent administration of the plan may be undermined. It is considered that the proposal would be sufficiently unusual the basis of its non-complying nature relates to the proposed signage as opposed to the establishment of the non-residential activity which in itself is a Discretionary Activity. The signage will not detract from the visual amenities of the site nor detract from matters of road safety. The District Plan does not preclude the establishment of non-residential activities from the Living Environment but has clear regard to the change and the need to protect and maintain the values associated within that immediate neighbourhood.

Council also has discretion to consider any precedent issues that may arise for a non-complying activity. According to the Court of Appeal decision in *Dye v Rodney District Council*, an adverse precedent effect can arise where the grant of a non-complying consent would influence the approach taken by Council to similar consent applications. Whilst every application is required to be assessment on its merits, it is considered that for the reasons discussed above, the application is sufficiently unusual that it would not lead to the expectation that similar applications should be approved. For this reason, it is considered that the proposal does not establish a precedent.

The District Plan has been prepared with an "effects based" emphasis, in keeping with the Resource Management Act 1991. As such, consideration of the application in relation to each of the assessment criteria relating to the various infringements would ensure that all the relevant matters contained in Section 104 of the Resource Management Act 1991 would have been addressed. In addition, a brief summary is presented below of the main effects on the environment generated by the application.

7.2 Plan Weighting

The Living Environment rules of the District Plan are currently subject to Proposed Plan Change 26. The Plan Change was publicly notified on the Thursday, 12 June 2008 and submissions closed on the Thursday, 10 July 2008. Further submissions were notified on 26/07/08 and submissions closed on the 22/08/08.

The purpose of the Proposed Plan Change is not to overhaul the Living Environment Rules contained within the Plan, but to provide clearer interpretation of the Rules, provide simplification of the Rules where possible and ultimately to provide enhanced amenity within residential areas, without substantially changing or challenging the Objectives of the Plan. The plan change centres on residential activities and therefore does not materially impact upon this activity. However, as earlier referred to, the Plan Change as updated it's Noise Standard, as opposed to noise levels.

At this stage of the Plan Change process, little weight has been assigned to the Proposed Living Environment Rules. Significant weight is therefore afforded to the Operative District Plan.

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

In order to make a decision in terms of Section 104B 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 Effects permitted by the Plan

Pursuant to Section 104(2), Council may disregard an adverse effect on the environment if the plan permits an activity with that effect.

The establishment of non-residential activities other than home occupations will require a resource consent. The proposed activity is in excess of this. As such, there are no adverse effects that can be disregarded as permitted by the Plan.

8.1.2 Receiving Environment

The receiving environment for the purposes of s104(1)(a) includes existing permitted activities, activities that have existing use rights and existing activities expressly authorised by resource consent.

The adverse effects of a proposed activity, at this point in the analysis, will be those effects that are not already impacting upon the receiving environment.

In terms of this application, existing activities on the subject site is reflective of its underlying Living Environment zoning and are wholly residential in nature. However the underlying residential activity is situated on a Regional Arterial Road which is defined under the District Plan as:

“These roads carry major traffic flows between principal sectors of the Region not catered for by Strategic Arterial Roads. The through traffic proportions are high and these roads should also be designed for safe and efficient operation at higher traffic speeds. Access to abutting land may be controlled.

The Waitakere City traffic flows on regional arterial roads are typically in the range of 15,000 to 35,000 vehicles per day. Examples are Great North Road and Te Atatu Road south of the Motorway.”

The presence of Te Atatu Road introduces the following characteristics that are considered relevant:

- The domination in the streetscape of heavy traffic movements (in terms of volume) on a four-lane highway with footpaths either side, lighting columns and other street furniture;
- The high background noise environment due to the high traffic levels. This is most notable during the day time;
- The presence of commercial activities within the immediate vicinity.

The subject site is contained within a suburban residential neighbourhood, however, it cannot be described as a pristine environment in terms of a quiet residential street in light of the competing uses that is most notably dominated by the presence of Te Atatu Road.

Notwithstanding this, the proposal by its nature will introduce an activity where actual and potential effects will be those that impact upon the receiving environment over and above the current residential activity.

8.1.3 Water Quality and Quantity

The proposed activity seeks to introduce impermeable surfaces measuring 64%, being 4% in excess of permitted levels.

The applicant proposes to undertake water reuse, rain gardens, permeable paving and stormwater detention on site to mitigate the additional stormwater runoff and generation created by the proposed activity.

The rear of the site which has access from Covil Avenue will be covered by hard standing car parking and driveway. To provide stormwater quality treatment the applicant has proposed that some of the car parking area is to be grass-paved type of structure which will allow grass to grow between the block cavities and a rain garden in the south-east corner (at the lowest part of the site). It is proposed that the fire service appliances shall be washed periodically at the rear of the site and the area will be graded to ensure that the wash water runs over the grassed surface prior to entering the rain garden.

Council's Drainage Engineer, Mr Robert Dethridge has reviewed the proposal and recommended that the application be accepted subject to proposed conditions of consent as the adverse effects on the environment in terms of both stormwater quality and quantity can be adequately mitigated.

The proposed stormwater system has been designed such that runoff will be reduced from that which presently exists, and will effectively introduce stormwater quality treatment onto the site.

It is considered that with appropriate conditions in place the proposal would have no more than a minor effect on water quality/ quantity and would not place additional pressure on the receiving environment or reticulated systems.

8.1.4 Earthworks

Earthworks are required over a total plan area of 1,791m² with a total volume of 994m³ to construct the access points and car parking area over the site. Retaining walls with a maximum height of 150mm height front onto both Te Atatu Road and Covil Avenue.

The development requires earthworks to provide a suitable building platform and the formation of car parking and manoeuvring areas.

The proposed earthworks have the potential to create significant adverse environmental effects from contributing sediment into receiving waters.

Although there are no nearby waterways, downstream effects of erosion and sedimentation can affect aquatic life in a number of ways. Organisms living at the bottom of water can be smothered by sediment which can also deprive them of habitat by filling up riffle pool areas. In addition, sediment reduces light penetration, clogs gills and causes a number of other adverse side effects. The effects of erosion and sedimentation do not just affect aquatic life but can result in a range of adverse effects including:

- loss of fertile top soil;
- clogged ditches, culverts, and storm sewers that increase flooding;
- muddy or turbid streams;
- damaged plant and animal life;
- filled-in ponds, lakes, and reservoirs;
- damaged aquatic habitats and reduced recreational value and use;
- structural damage to buildings, roads, and other structures.

Conditions of the consent will ensure that the earthworks undertaken on site are carried out with the appropriate erosion and sediment controls in place in accordance with Auckland Regional Council Technical Publication No. 90 to protect the life supporting capacity, quality and Mauri of receiving waters and natural waterways. It is recommended that the applicant arranges a pre-construction meeting with Council's Environmental Monitoring Officers to ensure that the erosion and sediment control measures are adequate. This recommendation shall be placed as a condition of consent, if granted. Subject to the implementation of these measures, it is considered that the proposed earthworks would result in negligible effects on the water quality and would not lead to the degradation of downstream watercourses.

Council's Environmental Monitoring Officer, Dean Allen has reviewed the proposal and has recommended that as the development is being undertaken within a residential area, noise issues during construction may arise and therefore it is recommended that all works be undertaken in accordance with the noise limits set out in the District Plan. This recommendation shall be placed as a condition of consent, if granted.

It is considered that the scale of earthworks is appropriate to the development proposed. The earthworks proposed to be undertaken would not adversely affect the potential for restoration or enhancement of the site.

The proposed earthworks would result in no more than minor adverse effects on the amenity of the surrounding residential dwellings, as the earthworks activity would be temporary in nature and the effects would be limited to the subject site. Overall, it is considered that the proposed earthworks would result in no more than minor effects on the environment, subject to the implementation of the proposed conditions of consent.

8.1.5 Construction

The proposed development may result in some temporary effects in terms of noise, dust and vibration during the construction period.

Approximately 94 truckloads of material (527m³ of cut and 467m³ of fill) are proposed to be transported to and from the site. Given the low volume of truck movements generated by the proposed development, it is considered that the proposed earthworks result in no more than minor effects on the local roading network. A stabilised entranceway is to be provided by existing access arrangements that would ensure minimal spoil is tracked onto the surrounding road network.

All earthmoving and other construction traffic should however utilise the Covil Avenue entrance only where appropriate wheel wash facilities should be located.

The traffic flows, generated by the construction, would not adversely impact upon the roading network given the extent of traffic movements generated during the construction period and the nature of Covil Avenue, and would not have a discernible effect to adjoining properties.

Furthermore, it is recommended that a Construction Traffic Management Plan be supplied prior to works commencing in order to protect matters of road safety.

In order to protect residential amenities in the wider locality, earthworks or construction shall be carried out within specified times. This would ensure that vehicle movements are contained within hours that would comply with the relevant noise standards, and would not emit noise that causes a nuisance to adjoining residential occupants.

In order to ensure that the effects are minor or less, it is considered appropriate that in order to protect the amenities of adjoining and nearby properties, a condition of consent is attached to ensure that all necessary action be taken to prevent a dust nuisance.

The construction noise from site activities would need to comply with the provisions of NZS6803P: 1999, as referred to in Plan Change 26.

Truck deliveries would be limited to Monday to Saturday between 7.30 am and 6.00 pm and the use of heavy machinery between 7.30 am and 7.00 pm Monday to Friday, and 8.00 am to 5.30 pm Saturday. No works are propose on Sunday or Public Holidays. It is considered through these measures, imposed as conditions of consent, that the noise generated by construction activity would have a less than minor effect on adjoining and nearby properties.

8.1.6 Native Vegetation, Vegetation and Fauna Habitat

The proposed activity will involve the removal of two protected trees, a *Magnolia grandiflora*, and an Indian Bead Tree (*Melia azederach*) located in the adjacent road reserve, and a range of unprotected trees would be removed

Two protected trees within the subject site being a cabbage tree and a nikau palm would be unaffected by the proposed work and incorporated into the proposed planting framework associated with garden areas mostly around the perimeter of the site.

Planting would include a puriri, cabbage trees, nikau, four kowhai, lancewood, a karo hedge along the south boundary and a range of generally native shrubs and ground covers. A small private lawn area on the north east side of the building would link with nearby grassed parking areas but have steel gates separating these areas.

Council's Team Leader - Parks Operations, Mr Roscoe Webb has reviewed the proposed removal of the street tree and has no objection to the proposed removal with no mitigation specifically required.

Council's Landscape Architect, Gordon Griffin has reviewed the proposal and stated that the proposal has a comprehensive landscape development associated that would include a framework of trees that would give integration and mitigation relative to neighbouring sites and the removal of protected vegetation.

Overall Mr Griffin supports the proposal subject to conditions of consent associated with implementation and maintenance of the proposed landscape treatment including proposed planting, and implementing good arboricultural practises to ensure the plant health of the two retained trees.

8.1.7 Air

As the subject site is within the urban area, and the proposed activity does not include air emissions of any kind, there would not be any adverse effects on air quality.

8.1.8 Ecosystem Stability

As the subject site is within the urban area, and the existing environment is already modified there would be negligible adverse effects on the stability of the ecosystem as a result of this proposal.

8.1.9 Outstanding Natural Features; Landforms, Geological Sites

The subject sites are not identified in the District Plan as being within an area containing "Outstanding Natural Features" within Waitakere City (refer to Maps 3.5D & E of the District Plan). The proposal would not adversely affect any identified outstanding natural features.

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

There would be no adverse effects in relation to the natural character of the coast, and margins of lakes, rivers and wetlands arising from the proposed non-residential activity as it would be located within the urban environment of the City and would not be located near the coast, water body or watercourse.

8.1.11 Outstanding Landscapes

The subject sites are not identified in the District Plan as being within an area identified of "Outstanding Landscapes" within Waitakere City (refer to Map 3.6B of the District Plan). The site is within an urban area of the city and the environment is already extensively modified. Therefore the proposed non-residential activity would create no adverse effects on any identified outstanding landscapes.

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

Amenity Values are defined in the Resource Management Act as:

"Those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes."

The District Plan also defines Amenity Values as follows:

"These are those natural and physical characteristics of an area that contribute to people's enjoyment of it ..."

The District Plan also provides a definition of Neighbourhood Character:

“Neighbourhood is that small local area, usually the same number of streets around a dwelling or workplace that a person identifies with and knows most thoroughly of all parts of the City. Usually people have strong sense of belonging and place associated with a neighbourhood. It is the most localised, personal and intense expression of the relationship or people with their environment.

Such neighbourhoods reflect the general amenity values of the surrounding landscape or local area but have distinctive versions of those general features that allow inhabitants to see them as unique and special. This is a neighbourhood character that defines a neighbourhood as unique. Often the particular streetscape contributes strongly to the local neighbourhood, although it is personal perceptions of residents that ultimately define the nature of that neighbourhood.”

The proposal introduces a non-residential activity within a predominantly high urban residential neighbourhood. As a consequence, actual and potential effects can be tangible or intangible.

Tangible effects include:

- the potential for increased noise, nuisance and traffic generation;
- visual presence of car parking;
- overshadowing and loss of privacy; and

Intangible adverse effects may include:

- loss of residential coherence; and
- perception that the character of the neighbourhood is changing.

The submissions on this proposal identify the existing visual qualities and characteristics of this neighbourhood.

Adjoining and Adjacent Residential Amenities

The proposed activity would establish a non-residential activity that is surrounded by established residential development.

The proposal does seek to construct a two storey building on the site, which will have linea, terraclad cladding and paint finished precast concrete, introduces non-illuminated signage adjacent to the access ways on Te Atatu Road and Covil Avenue. These aspects will inevitably change the character and appearance of the subject sites which by its nature and purpose would be visible when viewed from Te Atatu Road and Covil Avenue

The proposed building is of a of a size, scale and height that is greater than the immediate residential development and has the potential to impact upon the amenities currently enjoyed by nearby and adjacent residential properties.

The dwellings adjoining the subject site are of two storey, with a mixture of brick and weatherboard cladding. The adjoining northern and southern properties on No's 295 & 301 Te Atatu Road also slope away from the road and have views towards the east and the Waitemata Harbour. The adjoining eastern property 3 Covil Avenue is of reasonably flat topography.

- **Dominance**

The proposed building will exceed the 8m height limit. The upper level at the front of the building will exceed the building height by 1.35m. The pylon feature (10.4m in height) will exceed the height limit by 2.4m, and the ladder training tower also exceeds the height limit by 2.6m. The proposed building shall be set back 14.8m from Te Atatu Road, and shall sit down within the site, which falls away from Te Atatu Road.

The proposed fire station shall be linear in nature, being 29.6m in length and 14m in width. The adjoining northern and southern properties, being No's 295 & 301 Te Atatu Road are considered to be potentially most affected by the dominance of the proposed building due to its linear nature along these respective boundaries.

The building will be located 4m from both the northern and southern boundaries.

Additional vegetation planting and screening to the height of 2m is proposed to mitigate the visual dominance of the building on all adjoining residential properties.

The fire station building has been designed to utilise the falling topography of the site, with the major of the building being a 5m height along the northern and southern elevation. The height exceedances are at the front and rear of the building from a maximum length of 1.8m. The features that introduce the notable height infringements are within the centre core of the building fabric and further separated from the residential boundaries. The building essentially lies within the permitted building envelope. In light of the immediate relationship with the adjoining residential sites, the distance separations provided, and the design of the building, while there is a domination effect over and above that normally anticipated by a residential building, such effects are considered to be no more than minor in nature.

Additional vegetation planting and fencing 2m in height is proposed. This will help assist to reduce the visual dominance by further breaking up, screening and softening the building as viewed from adjoining residential properties.

The residential dwellings located opposite and on the northern edge of Te Atatu Road are separated by 25 - 30m and Te Atatu Road and located slightly above the subject sites with views of the proposed activity including egress access onto Te Atatu Road and the proposed front area of the building. The predominant view from Te Atatu Road is to the north east towards the harbour, the topography assists in maintaining this view for nearby sites, and the proposed building will obstruct this view to no more than a minor degree. The properties across Te Atatu Road are placed higher and because the proposed fire station would sit below these it is unlikely to obstruct the harbour views. It is therefore considered that the proposed building shall not create a dominance adverse effect to the properties located on the opposite site of Te Atatu Road.

Loss of Daylight / Sunlight

In terms of the height in relation to boundary infringement, the eaves of the first level also infringe the height to boundary recession plane in terms of the northern boundary which is shared with 301 Te Atatu Road; however some shading will also occur on No. 295 Te Atatu Road due to the height of the building.

The height in relation to boundary infringement is 0.3m over a length of 25m. The infringement is limited to the extent of the eaves of the building.

Both dwellings on 295 & 301 Te Atatu Road are orientated to the front of the site and it has been stated by the applicant that overshadowing will occur in the morning to No. 295 Te Atatu Road but by midday there will be no overshadowing. In regards to No. 301 Te Atatu Road shall experience some shading during the summer, spring and autumn evenings. It is anticipated that the overshadowing created by a complying building on the site would not be noticeably greater to the overshadowing caused by the proposed building, and the overshadowing and the impact on the amenity values on the fore-mentioned properties is no more than minor.

With the exception of the height in relation to boundary infringement, the effects associated with the loss of daylight /sunlight to neighbouring properties will be no greater than that permitted by the Plan.

Privacy

To ensure privacy is maintained to the adjoining dwellings on No's 295 & 301 Te Atatu Road the applicant is proposing to install 2m high fencing along the external boundaries and to undertake sufficient planting of vegetation within the subject site.

At ground and first floor level, there will be windows along the northern and southern elevations. All of these windows lie below the height in relation to boundary recession planes. The windows, however, have the ability to generate overlooking potential and will necessarily be mitigated by those matters described above. Notwithstanding this, in light of the purpose of the windows which predominantly serve bedrooms and other domestic aspects, and the distance separations afforded that any overlooking potential onto these properties is no more than minor in nature after considering this aspects.

A first floor deck protrudes from the rear of the building, in light of the distance separation afforded, this aspect with not adversely affect the amenities of No.3 Covil Avenue and other nearby properties.

Overall, the proposal is not considered to adversely affect residential amenities in terms of overshadowing, loss of daylight, or physical domination to a more than minor extent.

Signage

Five signs are proposed to be included on the site. A Te Atatu Fire Station fascia sign on the front elevation of the appliance doors, a New Zealand Fire Service Crest on the plastered pylon on the southern elevation, a free standing directional sign (1.8m in height and 1.2m in width) at the Te Atatu Road and Covil Avenue entrances, and a free standing sign (1.4m high and 1.2m wide) located perpendicular to the main entrance of the building.

The proposed signage is required to identify the site as Te Atatu Fire Station and direct visitors within the site. The signs will not be illuminated and shall contain the colours and design consistent with the corporate branding of the New Zealand Fire Service, and therefore shall be relevant to the activity occurring within the subject site.

The signs would be set within the site and with regard to the overall building and site design, they are considered to be appropriate to the site and activity and would not compromise amenity values of the site or of the wider neighbourhood, and would not obstruct or distract traffic.

Visual Amenities of the Site and Locality

The subject site and its surroundings are dominated by residential dwellings on a regional arterial road. The existing buildings are of a size, scale and design compatible with its suburban residential character.

The existing environment is considered to be broadly defined as a highly modified residential neighbourhood that is dominated by its presence on Te Atatu Road and the nature of this road at this point. Further along its close proximity to the north-western motorway. Further along Te Atatu Road lies a number of commercial activities but the immediate built environment is dominated by dwellings and ancillary buildings such as garages.

Infill development has occurred near the subject site and predominately most of the adjoining sites have been either subdivided or cross-leased. The majority of buildings are constructed from brick or weatherboard cladding, aluminium joinery and tile roofs and are typically two storied, it should be noted that there is a distinct level of variety within the neighbourhood varying roof design, house positioning and materials. Some single storey buildings are evident. Numerous different boundary treatments are also present within the street and include a variety of fencing types painted and unpainted, picket and close boarded, and no fencing. The net effect is that the built environment of the immediate neighbourhood can be considered to be mixed in an urban residential form.

The proposed building, and associated parking are not considered to be necessary consistent with the prevailing neighbourhood character, with the building of a size, scale and height that is greater than its immediate residential surrounds.

Council's Landscape Architect, Mr Gordon Griffin has assessed this aspect of the proposal and provided comment and conditions and concludes:

"The proposal has a comprehensive landscape development associated with it that would include a framework of trees that would give integration and mitigation relative to neighbouring sites and to Te Atatu Road. The wider area has a number of larger trees that would also serve to break up views of the fire station. From Covil Avenue the station would be set back, with associated tree planting in the entrance which would further integrate the building into the neighbourhood."

The construction materials include the application of paint pre-cast concrete, linea weatherboard and terraclad cladding and tile roofing. Fencing materials include visually permeable pool style and coloursteel fencing. These elements are considered to be typical of other modern residential developments and do not introduce elements which could be considered incongruous within the context of the existing residential neighbourhood.

The activity would be served by 29 car parking bays that would be formed within the subject site and be located at the rear along the southern, northern and eastern boundaries of the subject site. These spaces would be located away from any area currently used as a carriageway. It is considered that the proposed parking area would be screened from the surrounding neighbourhood by the proposed building and the proposed vegetation or fencing located along the perimeters on the subject site. The car parking areas would be attractively finished to Council standard and nearby planting, existing and proposed would reduce the visual effects and containing them within the subject site.

Mr Griffin's proposed conditions include further provision for planting to ensure that the built form can integrate into the landscape and include detailed instruction regarding the treatment of garden beds to ensure the long term sustainability of the proposed planting.

The landscaping would both break up and soften the car parking area, but also the fire station.

Landscaping to street frontages would complement the development and establish a strong framework of planting in the long term. In the short to medium term, whilst the planting is being established, the size and scale of the built development would have no more than minor adverse effect with those effects diminishing over time.

Landscaping would integrate the development into the wider surroundings.

Overall, the proposal will not introduce an incongruous feature into the streetscape.

Although quite clearly a fire station and not necessarily of residential character, the height of the building, its modulated and interesting design, cladding materials and landscape design would not be inappropriate into the residential neighbourhood. Any effects are considered no more than minor in nature.

It is noted that while the proposal is not considered to have significant visual impact on the locality that it could potentially create other effects on amenity values and that these could individually and cumulatively have an adverse impact on the neighbourhood character of the area. These effects include noise, and traffic generation (namely vehicular traffic in this instance) and other potential sources of nuisance.

Noise

Potential sources of noise, other than construction, includes vehicle noise, people at the facility, pedestrian traffic, opening / closing doors, engines starting, testing of facilities and car stereos, etc. The activity will also occur over a 24 hour period.

The proposed activity has been supported by an acoustic assessment and the submission of a Noise Management Plan. It was highlighted in the former to the nature of the existing noise environment

Council's Noise Consultant, Mr Graham Warren from Marshall Day Acoustics Limited has assessed the proposal in regards to noise levels and has stated that the proposed development will comply with the limits set out in the Acoustics Report and the Noise Management Plan (NMP) provided by the NZ Fire Service and undertaken by Hegley Acoustic Consultants.

The predicted noise levels of the Hegley Acoustic Consultants report show that compliance with the relevant District Plan noise limits can be achieved for all likely noisy on-site activities due to the existing high ambient noise levels. These predictions are accepted as valid by Mr Warren.

It is noted, however, that the achievement of such compliance is particularly dependent on effective and consistent on-site management to reduce noise levels received at neighbouring properties, which includes the installation of the boundary fences which will act as acoustic fencing. This management would include the careful location of equipment for testing and significant restriction on the duration of some activities.

Mr Warren stated that the practice of using reversing alarms at night in close proximity to dwellings is an undesirable practice having significant potential to cause noise annoyance and result in sleep disturbance. It is recommended that reversing alarms not be used during night-time hours (10.00 pm to 7.00 am) and the safety issue be addressed by other available non-intrusive methods.

Other particular matters of relevance raised in the NMP not previously covered are that there is no external PA system and Volunteer training: Monday nights to 10.30 pm. Mr Warren states that as the night-time noise limits (40 dBA L₁₀) apply from 10.00 pm, therefore it would be desirable for this activity to finish by 9.30 pm to allow for the visitors to leave the site by 10.00 pm.

Mr Warren also provided comment about the submissions raising noise concerns. Mr Warren stated the following:

“N W and K J Lawton and W Marley of 324 Te Atatu Road submit that fire station activities both on and off site raise noise issues, particularly at night. Noise sources referred to include diesel appliances idling at night, night-time call outs, numbers of appliances, use of sirens, appliances returning to the site and associated night-time activities, noise of appliances on roads and the noise generated by the need for vehicles to accelerate up the incline of Te Atatu Road. The selection of the site in a residential area is also challenged. The submitters seek to have the bedroom windows of their residence double-glazed.

The submitter’s residence is approximately 55 metres distant from the application site at its nearest point and on the other side of Te Atatu Road. This separation between noise sources and the submitters’ dwelling would provide a useful degree of noise attenuation, and because Te Atatu is much closer to the residence will be the dominant noise source and effectively mask much of the noise from fire station activities.

During night-time, however, this masking effect will largely be absent between the hours of about 11.00 pm to 6.00 am and fire station activity may be audible from time to time, but is considered to be unlikely to be non-compliant.

In relation to the noise of fire service vehicles on Te Atatu Road, although the noise generated by individual trucks may be evident at times, because of the high traffic flow the overall effect would be of no appreciable significance.

In relation to the double-glazing of windows sought by the submitters, this is not supported as the noise levels received at this dwelling are predicted to be compliant.

S and A Apps of 2A Covil Avenue submit on a number of matters relating to noise effects. In particular the submitters express concern relating to fire appliances returning to the fire station via Covil Avenue, thus travelling past their dwelling. The submitters seek specific acoustic insulation of their dwelling to protect the master bedroom from fire appliance noise.

As observed in the HAC report, noise from vehicles on roads is not controlled by District Plan noise provisions. The comments made above in relation to the previous submitter, in relation to road noise also apply to this residence. Also, because the numbers of fire appliance movements is so low (less than one per night between 6.00 pm and 6.00 am) that insulation of this dwelling cannot be supported. It is considered that it would be appropriate for the requests for dwelling insulation to be responded to by the Applicant in more detail at the time of Resource Consent Hearing”.

Mr Warren is in general agreement with the findings and recommendations of those documents. However, the achievement of compliance with the relevant noise limits of the District Plan and the control of noise effects in particular during the night-time period, is heavily dependent on the diligent and continual implementation of the NMP, which shall be imposed as a condition of consent. Any lack of observance of its provisions has the potential to result in non-compliance and possible noise disturbance to immediately adjacent residents.

Additionally, as referred to in the ‘Disclaimer’ to the NMP, the fire service provides a vital emergency service and in some circumstances will inevitably need to operate without the constraints imposed by the provisions of the NMP. Why this may be of low probability, this potentially presents a high impact and in particular to adjacent residents.

Mr Warren has therefore recommended that a condition of consent be imposed requiring the noise level from all activities within the site shall not exceed the District Plan limits, and screening fencing shall be constructed as per Hegley Acoustic Consultants report. As such, any adverse effects will be no greater than those permitted by the Plan. The Noise Management Plan will also be subject to review to ensure that those levels are achieved.

Most notably, the night time are the most sensitive in a residential environment and acknowledged by a lower permitted noise level. By achieving permitted levels, this will provide an acceptable level of quiet, and will not detract from the ability of the residential occupants of neighbouring residential buildings to achieve uninterrupted and adequate levels of sleep. Such effects are considered to be no more than minor and will not contribute to a loss of residential coherence.

Infrastructural capacity & availability

The infrastructural capacity of the proposed development has been assessed by the Council's Water and Drainage Engineer, Robert Dethridge, who has reviewed the application and generally accepted that the development will have no significant impact on the Council's infrastructure provided recommended conditions are imposed on the consent to mitigate adverse effects. It is therefore considered that the proposed development would have negligible adverse effects on the infrastructural capacity.

Traffic generation, on-street parking, driver safety, pedestrian safety, roading capacity and roading network, traffic noise, vehicle movements, access and driveway manoeuvring, driveway width & gradient.

Parking

There is no specific parking requirements for a fire station are noted in the Waitakere District Plan or the Code of Practice but the closest definition is "Office – Work Environment", which is used in the TIA. Mr Shumane accepts the use of this approach. The requirement for this type activity is one space for 35 m² of GFA.

The proposed development requires 24 spaces and the proposed supply is 26 spaces. Mr Shumane considers the proposed supply sufficient for the intended purposes resulting in no adverse effects on the local road network.

The proposed parking arrangement therefore is considered appropriate to accommodate expected peak demands for the on-site activities for the intended use of the property without resulting in a proliferation or demand for off-street parking. All effects are therefore contained within the site.

Access

The subject site is located on the eastern side of Te Atatu Road, approximately 40m south of the Te Atatu Road and Covil Avenue intersection. The site is accessed from Te Atatu Road which is classified as a Strategic Arterial Road and Covil Avenue which is classified as a local road under Council's Roding Hierarchy.

A traffic impact assessment (TIA) was prepared by G&H Transportation Consultants Limited dated 2 March 2008. Council's Senior Traffic Engineer, Mr Sam Shumane has reviewed the proposal. Mr Shumane states that the fire engine access (exit only) is proposed to be via a 14.0 metre wide vehicle crossing onto Te Atatu Road some 45 metres from the signals at Covil Avenue (centre line to centre line). No detailed assessment of the access operation is given in the TIA but correctly notes that the detailed design will be in conjunction with Council.

Mr Shumane understands that the applicant has consulted with the Traffic Management Unit (TMU), the agency responsible for the operation and maintenance of all traffic signals in the Auckland region, and has been informed that fire engine emergency signal aspects can be incorporated with the existing (and future) traffic signals at Covil Avenue.

Mr Shumane recommends that the detailed design of the access together with all cabling, ducting, signals' aspects, and controls be reviewed by the Manager, Transport Assets, Planning and Design for approval before full auditing is completed by the Traffic Management Unit.

It is also recommended that the detailed design of the vehicle crossing to be safety audited by a third independent party prior to submission to the Manager for approval.

Considering pedestrian levels along the adjacent footpath Mr Shumane is concerned with the width of the crossing, which it accepts is necessary for the operation of fire engines. Mr Shumane suggests that designers consider this issue at the detailed design stage.

Council is currently investigating widening options of the road, an issue briefly commented on in the TIA. At the time of writing of this review (mid September 2009) the Te Atatu Road widening concept design was not completed yet but preliminary work indicated that widening on the east side (into the site of proposal) is likely to be 5.5-6.0 metres (not final). Mr Shumane has examined the effects of this widening and concluded that returning fire engines might be required to use the crossing area partially to complete their parking manoeuvre. This is a minor inconvenience that is unlikely to disrupt pedestrian flows.

Mr Shumane also notes that as part of its concept design a painted median is proposed for the full section of Te Atatu Road between Edmonton Road and the motorway; the width of the painted median between Covil Avenue and the motorway can be made slightly wider (up to 3.0 metres) than a standard painted median (2.5 metres) to provide a direct, unimpeded access for fire engines between the proposed station and the motorway / Te Atatu Peninsula. Having considered all aspects of the proposed crossing (safety and operation) Mr Shumane is satisfied that the proposed crossing can be accommodated at the proposed location without creating any adverse effects.

Vehicle access to Covil Avenue is considered adequate with sufficient visibility in both directions.

Traffic Generation

The traffic counts for Te Atatu Road adjacent the site where stated to be 46,000 vehicles per day (two ways) in the TIA. Flows during the peak morning and evening periods are around with the peak flow of 3,500 vehicles per hour (two way), Inter-peak flows are in the order of 2,700 vehicles per hour. In terms of Covil Avenue, it is estimated in the TIA that the traffic flows would be in the order of 600 vehicles per day. Morning and evening peak flows are estimated to be approximately 50 vehicle movements per hour.

A traffic generation assessment is noted in section 4 of the TIA. Mr Shumane accepts the results shown in Table 2 of the TIA concluding that the proposed fire station will generate up to 25 vehicle movements per hour during the morning peak and 200 daily movements over a 24 hour period. The effects of this generation will generally be experienced at the Covil Avenue signalised intersection. Mr Shumane expects all construction traffic to gain access through the Covil Avenue access.

The proposed development would result in traffic being generated over and above that associated with residential activities, but is considered negligible in terms of the additional pressure it places on the roading network. Subject to any necessary minor roading improvements, and following appropriate conditions of consent would ensure that the proposal does not adversely affect the free flow of traffic, detract from matters of road safety, nearby amenities, access/egress of adjoining and nearby properties, or the positioning of either Te Atatu Road and Covil Avenue in the roading hierarchy.

Overall Transport Assets reviewed the assessment, examined the proposal and concluded that the traffic and parking related effects will be minor or can be mitigated via proposed conditions of consent and that the proposal will create no more than minor adverse effects to the surrounding road network.

8.1.13 Heritage

There would be no adverse effects in respect of heritage items, as the proposed non-residential activity would be located near, or impact on any identified heritage features.

8.1.14 Summary

In accordance with Section 104D(1) of the Act, it is considered that overall and subject to the recommended conditions, and on balance in light of the submissions received, any adverse effects of the proposed activity on the environment would be no more than minor.

It is noted that effects arising from the proposal including visual amenity, noise, privacy, traffic generation and parking would be of a scale appropriate to ensure that the proposal did not compromise people's appreciation of the pleasantness, aesthetic, coherence and cultural and recreational attributes of this modified residential environment.

It is considered that the proposed fire station has been appropriately designed.

The effect of the proposal on the transport environment is deemed to provide adequate safe access and will allow the continued use of the road network without detriment to vehicles or pedestrians. Noise has been assessed and independently reviewed and the proposal is considered to maintain the characteristics levels of noise noted within this residential environment, and will not create noise over and above that permitted by the Plan.

It should be noted that the assessment above considers the effects in isolation; however, the definition of *effect* within Section 3(d) of the Act also refers to;

“Any cumulative effect which arises over time or in combination with other effects – regardless of scale, intensity, duration or frequency of the effect...”

All of the effects above are intrinsically linked, and on reflection in this instance the effects of the proposal are cumulatively considered to have no more than a minor effect on amenity values. Therefore, it can be considered that the proposal will not detract from residential coherence nor give rise to the perception that the neighbourhood is changing and in decline.

The built form maintains the characteristic components of the surrounding environment and does not introduce an activity which could be considered to be incongruous within the established neighbourhood fabric. The proposal would not adversely affect to a more than minor extent any adjoining site with regard to bulk and location, ensuring that adjoining sites maintain solar access and privacy.

In addition, the proposal would provide for efficient and effective community service and shall provide additional fire safety to the surrounding residential environment, through providing a full time managed fire station within the area which can adequately service the surrounding community 24 hours, seven days a week.

The proposal will undoubtedly change the character of the surrounding environment. The size and scale of the activity has regard to its predominantly residential context, and responds accordingly. The change in character will not undermine the amenities currently enjoyed by neighbouring and nearby residential properties. The proposal may also contribute in a positive way to the nature and functioning of this established residential neighbourhood.

As noted above the conditions of consent would further control aspects such as noise, traffic and signage, and ensure that other mitigation measures would be appropriately undertaken and maintained.

The proposal is not considered to generate significant adverse effects, and therefore the assessment of any alternative locations has not been undertaken.

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 not be contrary with the Objectives and Policies of the District Plan.

The relevant Objectives and Policies in relation to this proposal are:

Non Residential Activities

Policy 1.2

Activities should be located within the urban area in a way that supports the reduction of vehicle trip length and numbers, and the promotion of passenger transport, therefore minimising discharges into the stormwater system and waterways of contaminants deposited onto impermeable surfaces from motor vehicles. Particular regard should be had for the location of medium density housing within and adjacent to central locations.

Policy 1.18

That a wide range of opportunities for non-residential activities be provided within the urban area to help reduce the need for travel, and as a consequence reduce the discharge of contaminants from motor vehicles onto roads and waterways.

Policy 4.7

That a wide range of opportunities for Non-Residential Activities be provided within the urban area to help reduce the need for travel, and as a consequence reduce the discharge of contaminants from motor vehicles into the air.

Objective 10

To maintain and enhance those natural and physical characteristics (amenity values) that contribute to the wellbeing of residents and workers, including maintaining:

- an acceptable level of quiet and freedom from nuisance created by noise, odour, dust and vibration;
- adequate levels of daylight and sunlight in dwellings;
- adequate levels of darkness for sleep;
- a safe environment;
- an accessible environment, which includes enhancing public access to and along the coast and waterways and between areas of public land;
- adequate levels of on-site privacy; and
- healthy air quality.

Policy 10.3

Activities should be managed in a way that any associated artificial lighting of roads, driveways, signs and sites and the exterior of buildings do not detract from the ability of occupants of surrounding buildings to achieve uninterrupted and adequate levels of sleep.

Objective 11

To achieve a quality of settlement and associated activities within each of the City's Human Environments which is sympathetic to, and protects and enhances, the dominant natural and physical (including building) features which contribute to the amenity value and the neighbourhood character of an area, including maintaining and enhancing:

- the quality and character of different patterns of settlement within the City's intensively settled residential areas;
- the pedestrian-oriented amenity values of the town centres and the character of those areas as retail centres;
- the utilitarian nature and character of the industrial areas;
- the natural and physical features that give each rural and coastal village its particular and unique character;
- the pastoral/rural character of the northern parts of the City; and
- the complex, mixed landscape of the foothills.

Policy 11.3

Buildings and structures should be located so that they maintain the neighbourhood character, visual amenity of the surrounding area and the characteristic streetscape of the area, including providing for:

- the 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;
- planting of section frontages; and
- in a way that gives particular regard to variations in amenity values, and neighbourhood character.

Policy 11.8

Structures, (except within the Working and Community Environments), should be of a form, height and scale which avoids physical domination of surrounding sites and buildings, which does not adversely affect the landscape character and other amenity values of these areas, and which minimises encroachment on views. In particular, relocated housing must be of a scale, form and finished quality, and located so as to maintain and enhance surrounding amenity values and neighbourhood character.

Policy 11.10

Non-residential activities should be designed and managed in a way that:

- maintains the visual amenity values of the Environment they are in;
- maintains the amenity of the site and surrounding area when viewed from the street; and
- adequately screens any associated car parking, vehicle access and storage areas from view, from residential sites.

Discussion

Human communities, and individuals that make up these communities, are defined under the Resource Management Act as being an integral part of the environment. As such, the effects of activities on those elements, and characteristics of the environment that contribute to human enjoyment of it, are a concern under the Act.

The Ministry of the Environment considers amenity as a resource management issue comprising of two components – attributes; and, perceptions and expectations. Attribute factors are able to be measured and are tangible and the effects are able to be seen such as dust and noise whereas perceptions and expectations are based on the individual and what they consider to be residential amenity. Management of those two components is essential in order to protect the environment as well as allowing development to occur.

The separation of activities has occurred largely because of past planning controls and because the resulting amenity of these areas is the result of regulation. Allowing a greater mix of activities at local level would contribute to a reduction of vehicle trips and associated adverse affects on amenity. However, such a change must be carefully managed so that the mix of activities contributes to the enhancement of local neighbourhoods, and does not undermine their amenities.

Objectives and policies seek to protect those aspects that are particularly valued by the community, but that does not mean that change cannot occur in that there are opportunities for flexibility and change that allows an area to evolve and respond to changing circumstances.

The proposed building, and associated parking are not considered to be necessary consistent with the prevailing neighbourhood character, with the building of a size, scale and height that is greater than its immediate residential surrounds.

Although quite clearly a fire station and not necessarily of residential character, the height of the building, its modulated and interesting design, cladding materials and landscape design would not be inappropriate into the residential neighbourhood

The nature of the proposed activity and the imposition of conditions would avoid, mitigate and reduce the potential effects in order to protect nearby residential amenities and to integrate the development into the residential environment whilst retaining the predominant residential character within this modified urban neighbourhood.

It is considered that the proposal would not be inconsistent with the form and scale of the buildings and other structures in the locality, with the surrounding neighbourhood able to accommodate this form of development without adversely affecting the prevailing characteristics. The proposal is not considered to further fragment the residential character and amenity of the locality nor is it considered to lead, on an individual or cumulative basis, to pressure for further non residential activities near by.

It is considered that the proposal would allow of a non-residential activity which contributes to the community and provides safety and protection and contributes to the eclectic mix of activities associated with residential communities which enhance the amenity of the local neighbourhood for its residents.

Residential Amenities

Policy 10.5

Structures should be placed to ensure that adequate levels of daylight reach any habitable rooms on-site, and allow adequate levels of sunlight and daylight to reach adjacent properties throughout the year.

Policy 10.6

Buildings, storage and parking areas should be designed and placed on-site, or screened in a way that maintains the privacy and onsite amenity of adjacent residential properties, including the privacy of outdoor space. Particular regard should be had for the protection of privacy within the more intensively settled Living and Rural Villages Environments.

Policy 11.10

Non-residential activities should be designed and managed in a way that:

- maintains the visual amenity values of the Environment they are in;
- maintains the amenity of the site and surrounding area when viewed from the street; and
- adequately screens any associated car parking, vehicle access and storage areas from view, from residential sites.

Discussion

These Policies and Objectives are concerned with ensuring that structures are of a scale and height that do not overwhelm the generally low- level building character of the Living Environment. The proposed fire station does not meet all of the relevant bulk and location requirements associated with the Living Environment. However, it is considered that the proposed development, including the car parking areas would not result in the site dominating the surrounding cohesiveness of the residential neighbourhood. The site shall be delineated with closed board or acoustic fencing against residential boundaries for the purpose of screening and enhancing privacy between sites, and comprehensive landscaping shall provide additional screening of the proposed activity from the streetscape.

The proposed development is considered to be of a form, height, and scale that avoids the physical domination of neighbouring residential sites and maintains the neighbourhood character, visual amenity of the surrounding area and the characteristic streetscape of the area.

In terms of the height in relation to boundary infringement, the eaves of the first level also infringe the height to boundary recession plane in terms of the northern boundary which is shared with 301 Te Atatu Road; however some shading will also occur on No. 295 Te Atatu Road due to the height of the building. It is anticipated that the overshadowing created by a complying building on the site would not be noticeably greater to the overshadowing caused by the proposed building.

The proposed signage shall be located away from adjacent residential sites, not illuminated and therefore shall not create any form of dominance, and shall relate to the activities within the site.

Overall the proposed development is considered to be of a form, and scale that avoids the physical domination of neighbouring residential sites and maintains the neighbourhood character, visual amenity of the surrounding area.

Noise

Objective 10

To maintain and enhance those natural and physical characteristics (amenity values) that contribute to the wellbeing of residents and workers, including maintaining:

- an acceptable level of quiet and freedom from nuisance created by noise, odour, dust and vibration;
- adequate levels of daylight and sunlight in dwellings;
- adequate levels of darkness for sleep;
- a safe environment;
- an accessible environment, which includes enhancing public access to and along the coast and waterways and between areas of public land;
- adequate levels of on-site privacy;
- health air quality.

Policy 10.2

Activities should not emit noise such that it causes a nuisance to occupants of surrounding properties.

Discussion

Changes in the ambient levels of noise was raised by numerous submitters. In support of the application an acoustic report was submitted which has been independently peer reviewed and demonstrates, subject to noise control measures that the proposed activities can comply with the standards of the District Plan and states "that the operation of the proposed fire station would be carried out in a way that maintains the characteristic noise levels of the surrounding neighbourhood". Councils Consultant Acoustic Engineer, Mr Graham in his peer review report generally concurs with the findings of the Acoustic report recommending compliance with a submitted Noise Management Plan. It is therefore considered that noise generated by the proposal would meet the intent of this policy.

The proposal will not detract from the ability of the residential occupants of neighbouring residential buildings to achieve uninterrupted and adequate levels of sleep.

Parking, Traffic Generation and Road Safety

Policy 10.11

Activities should provide for:

- the on-site parking and loading of motor vehicles; and
- the location and design of access to car parking and loading areas, including areas for reverse manoeuvring to ensure that the safe and efficient functioning of adjacent roads, according to the positioning of that road in the Roading Hierarchy, is not adversely affected.

Policy 10.14

Activities should be of a scale and located and managed in a way that:

- any traffic generated by the activity, including heavy traffic, does not detract from the capacity of the road to cater safely for motor vehicles, pedestrians and cyclists, and the wellbeing of residents occupying surrounding sites; and
- the safe and efficient functioning of the road network is not adversely affected.

Policy 11.12

Activities should be of a scale, and located and managed in a way that does not increase the number of vehicle trips, including heavy vehicle trips, to a level that adversely affects amenity values of the surrounding environment or neighbourhood.

Policy 10.16

Driveways, carriageways and car parking areas should:

- **be laid out in a way that provides for the safe circulation of vehicles and pedestrians;**
- **be of sufficient design quality to ensure the safe passage of motor vehicles, cyclists and pedestrians and discharge of stormwater;**
- **be designed to avoid edge fretting; and**
- **allow safe, ready access to adjoining sites.**

Discussion

There is a need to manage the use and development of the city's transportation resources in a way that enables people in communities to provide for their social and economic well being, while providing for the sustainable management of the city's environment. The roading system has been designed around the efficient flow of vehicle traffic and relief of congestion. These aims are important, but just as important are the health of surrounding residents, amenity levels and the need to provide adequately for public transport, pedestrian and cycle access. Policy 11.12 recognises that increased traffic movements can have a direct impact on the amenity values of an area through increased noise, fumes and vibration and on the safety of road users.

It is acknowledged that the proposal would generate additional traffic over and above that normally associated with a residential property. As noted above the application has been reviewed by Council's Traffic Engineer Roding Engineer who is satisfied with the contents of the Traffic Impact Assessment provided with the application and considers that the additional vehicular traffic generation can be accommodated by the existing road infrastructure without adversely affecting its function, capacity and safety.

The proposed parking arrangement therefore is considered appropriate to accommodate expected peak demands for the on-site activities for the intended use of the property without resulting in a proliferation or demand for off-street parking. All effects are therefore contained within the site.

Receiving Environment and Earthworks

Objective 1

To manage the effects of land use on the environment and, in particular, avoid, remedy or mitigate effects on the quality and quantity of the City's water resource, including maintaining:

- **the life-supporting capacity of water;**
- **the ability to use aquatic ecosystems as a food source; and**
- **the availability of water as a healthy place of recreation.**

Policy 1.10

Impermeable Surfaces and Stormwater infrastructure should be designed and managed in a way that avoids adverse impacts on water quality, including life supporting quality of water, arising from the discharge of stormwater into the cities watercourses

Policy 3.3

The use, manufacture and storage of hazardous materials should be managed in a way that avoids the possibility of escape of hazardous substances into the City's soils and any consequent adverse effects on the health and fertility of the City's land resource.

Policy 10.13

Activities should be carried out in a way that avoids or mitigates adverse effects of natural hazards on natural and physical resources and on the health and safety of people and communities.

Policy 10.19

The location of activities and buildings on known contaminated sites should be avoided, where this will lead to adverse effects on human health and/or safety. Where there is a more than minor adverse effect development may only occur where remediation and restoration actions in relation to such a site have been carried out, sufficient to ensure that the contaminated materials on site will have no adverse effects on human health.

Discussion

The site is already modified by way of previous earthworks and existing impermeable surfaces and the proposal is seeking further modification, most notably toward the rear area of the properties. The imposition of conditions will ensure that the proposal meets sediment and erosion control standards set out by the ARC in TP90 which will ensure that any sediment runoff would be contained within the site and thereby protecting water quality.

The modifications to the landform of the site are consistent and in keeping with the character of the surrounding residential area and allows for the construction of a fire station that would not undermine the amenity values and neighbourhood character. Landscaping would soften and screen these areas.

8.2.2 Rules and Assessment Criteria

The District Plan Assessment Criteria have been developed to address the issues covered in the objectives and policies and are a useful guide in assessing the effect of an activity. The proposed activity is assessed in relation to each of the relevant criteria as follows:

LIVING ENVIRONMENT – BUILDING LOCATION - PRIVACY/AMENITY ASSESSMENT CRITERIA

- 8(a) *The extent to which privacy is maintained between the main indoor and outdoor living areas of adjoining sites.***
- 8(b) *The extent to which Non-Residential Activity creates adverse visual effects on adjoining sites and the road.***

The effect of the new fire station on the privacy of the neighbouring sites is considered to be no more than minor in that the proposed building would not overlook adjoining properties and the site shall be delineated by a close boarded fence or an acoustic fence against all residential boundaries for the purpose of screening and enhancing privacy between sites.

LIVING ENVIRONMENT - NON-RESIDENTIAL ACTIVITIES ASSESSMENT CRITERIA

- 10(a) *The extent to which the character, scale and intensity of Non-Residential Activities are compatible with amenity values and neighbourhood character.***
- 10(b) *The extent to which the effects of Non-Residential Activities on infrastructure can be accommodated without the need for public upgrading.***
- 10(c) *The extent to which Non-Residential Activities create adverse effects on the residential coherence and the safety of residents of the neighbourhood.***

The fire station would be orientated towards the north-eastern boundary of the site.

The development will have no significant impact on the Council's infrastructure provided recommended conditions are imposed on the consent to mitigate adverse effects. It is therefore considered that the proposed development would have no more than minor adverse effects on the infrastructural capacity.

The nature of the proposed activity and the imposition of conditions such as compliance with noise controls would avoid, mitigate and reduce the potential effects in order to protect nearby residential amenities and to integrate the development into the residential environment whilst retaining the predominant residential character within this modified urban neighbourhood.

LIVING ENVIRONMENT – NOISE ASSESSMENT CRITERIA

- 13(a) *The extent to which background noise level (L95) in the vicinity of the subject site affects the relevance of noise standards for permitted activities.***
- 13(b) *The extent to which noise generated will exceed the existing background level.***
- 13(c) *The extent to which the noise generated will meet the provisions of New Zealand Standard NZS 6802: 1991 "Assessment of Environmental Sound" clauses 4.2.1 and 4.2.2***

The existing ambient levels of noise within the surrounding environment taken by the applicant's consultants, Hegley Acoustics were of a high noise level, and therefore the proposal was considered by Hegley Acoustics not to exceed the existing background noise levels that exist.

An acoustic report was submitted which has been independently peer reviewed and demonstrates, subject to noise control measures that the proposed activities can comply with the standards of the District Plan and states "that the operation of the proposed fire station would be carried out in a way that maintains the characteristic noise levels of the surrounding neighbourhood". Councils Consultant Acoustic Engineer, Mr Graham in his peer review report generally concurs with the findings of the Acoustic report recommending compliance with a submitted Noise Management Plan. It is therefore considered that noise generated by the proposal would meet the intent of the above assessment criteria.

LIVING ENVIRONMENT – SIGNAGE

The proposed signage proposed along the road frontage of Te Atatu Road and Covil Avenue relates to the non-residential activity on the site. All signs will be located away from the adjoining residential properties. The signage will be located behind the road berm and shall not be illuminated and therefore is not considered to create a hazardous situation to the movement of traffic along Te Atatu Road or Covil Avenue.

As the signage will be located within the site away from the adjoining residential properties it is considered that the proposed sign will not create any dominance of the neighbourhood or any adjoining residential dwellings.

**LIVING ENVIRONMENT - CARPARKING AND DRIVEWAYS
ASSESSMENT CRITERIA**

- 12(b) *The extent to which car parking accommodates expected peak demand of an activity, having regard to the position of the site in relation to public transport routes and the parking capacity of adjacent roads, and the road's function in the Roading Hierarchy.***
- 12(c) *The extent to which driveways and car parking create adverse visual or aural effects on adjoining sites.***

As the applicant is proposing to provide sufficient parking and on site manoeuvring the fire station is considered to have a less than minor adverse effect on the traffic generation or parking requirement.

**GENERAL NATURAL AREA – EARTHWORKS
ASSESSMENT CRITERIA**

- 3(a) *The extent to which the scale of earthworks is consistent with the scale of development being;***
- 3(e) *The extent to which earthworks exacerbate or contribute to flooding, erosion or instability of land or the potential for flooding, erosion or instability of land;***
- 3(f) *The extent to which earthworks adversely affect or contribute to degradation of natural watercourses in a way that destroys or reduces their ability to support instream vegetation and fauna, their ability to be used as a healthy food source, their clarity, quality and flow and their suitability for swimmers;***
- 3(g) *The extent to which earthworks adversely affect the mauri (life force) of water;***
- 3(h) *The extent to which earthworks adversely affect the visual amenity of the site or adjoining sites;***
- 3(i) *The extent to which cut and fill activities involving earthworks are confined to the site rather than being transported off the site;***
- 3(j) *The extent to which earthworks may harm the health and safety of residents; and***
- 3(q) *The extent to which the duration of earthworks is minimised.***

There would be no more than minor adverse effects on soil or existing landform as a result of the proposed activity as the site is within the urban area, is not known to Council to be affected by natural hazards and is already modified. The earthworks are being undertaken to facilitate the construction of the car parking area and building platform. The earthworks will be of short duration and controlled by way of consent conditions.

**GENERAL NATURAL AREA – IMPERMEABLE SURFACES
ASSESSMENT CRITERIA**

- 4(a) *The extent to which impermeable surfaces adversely affect potential for restoration or enhancement around and within the area subject to the application, and adjoining sites.***
- 4(c) *The extent to which impermeable surfaces adversely affect the significance and the landscape value of natural features.***
- 4(d) *The extent to which impermeable surfaces contribute to the creation, or exacerbate stormwater flooding problems on-site or in any other part of the stream catchment, with particular regard to impacts in known flood-prone areas and any impact on an existing stormwater system.***

- 4(e) *The extent to which impermeable surfaces adversely affect the quality of receiving natural water, including the life-supporting quality of natural water;*
- 4(g) *The extent to which impermeable surfaces result in adverse effects arising from soil loss from the site: and*
- 4(i) *The extent to which impermeable surfaces result in adverse effects on the mauri (life force) of water.*

Robert Dethridge, Council's Drainage Engineer has reviewed the proposed development and the effects that the resulting additional impermeable surfaces would have on the environment and on EcoWater's infrastructure. Overall it is considered that with appropriate conditions in place, the proposed additional impermeable surfaces would have negligible adverse effects and would not place pressure on the receiving environment.

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

The Auckland Regional Policy Statement sets out broad resource management issues. Objectives and Policies for the Auckland Region to achieve the integrated management of its natural and physical resources. The policy statement functions as an umbrella policy document for environmental planning and policy development within the region, under which Waitakere City Operative District Plan has been prepared.

For the reasons highlighted in Section 8.2.1 of this report, it is considered that the proposal is consistent with these documents.

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

8.4.1 Long Term Community Concept Plan ('LTCCP')

The LTCCP contains Council's identified strategic priorities and platforms. Included in these is the platform of 'strong communities', which seeks to achieve the following:

"People are active, informed, healthy and content. They feel safe and there is a strong sense of community. Our city is a great place for children. We enjoy our diversity of lifestyles and people".

This platform addresses how we support the health and wellbeing of the city's residents, and advocates strong communities that "connect" with (mix and understand) each other. In this regard and as noted previously, it is considered that a fire station facility would be beneficial to the community in terms of providing a community fire station facility which may evolve to a community focal point.

8.4.2 Long Term Council Community Plan

No development contribution is proposed to be taken as the New Zealand Fire Service is owned by the Crown.

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 sediment and erosion control measures and works beneath the dripline of protected vegetation.

8.5 Any Other Relevant Non-Statutory Documents

No other non-statutory documents are considered relevant in the processing of this application.

8.6 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 specified in the consent, or if no date is specified, then five years from the date of commencement of the consent.

A five year period in which to give effect to this consent is considered appropriate because of the nature and scale of works described and because a number of the conditions are intertwined (i.e. parking and earthworks. A lapse period of five years is therefore 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 1991 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 any adverse effects on the environment can be avoided, remedied or mitigated. Furthermore, the Resource Management Act 1991 requires that amenity values and the quality of the environment are to be maintained and enhanced.

In this case it is considered that the proposed development is consistent with sustainable resource management principles. The proposed activity is an integral part of ensuring a communities health and well-being.

With the imposition of the recommended conditions it is considered that any adverse effects of the proposal on the environment can be avoided, remedied and mitigated. This is particularly with reference to conditions regarding hours of operation, signage and noise with regard to amenity and character of this established residential neighbourhood.

Sections 7(c) and (f) require that particular regard be had to the maintenance and enhancement of amenity values and the quality of the environment. As discussed extensively in this report, it is considered that the proposal would not adversely affect amenity values associated with the neighbourhood.

The proposed development does not raise any section 8 (Treaty of Waitangi) issues, given that it would be undertaken on a settled area of City long since modified by residential development. Waitakere City Council's Treaty partners have been provided with the opportunity to comment on the proposal, no comment has been received and their approval is therefore considered implicit.

Overall, it is considered that the granting of this application would not be contrary to the purpose of the Act. The proposal will enable people and communities to provide for their economic, social and cultural well-being and their health and safety without significantly compromising the needs of future generations or the life supporting capacity of natural resources such as air, water and soils. Through the imposition of appropriate conditions of consent, it is considered that the proposed activity can sufficiently avoid, remedy or mitigate any adverse effects on the environment.

10.0 Evaluation In Accordance With Section 104D Of The Resource Management Act 1991

The threshold test in Section 104D of the Resource Management Act 1991 states that a consent authority must not grant consent to a Non-Complying Activity unless it is satisfied that the adverse effects on the environment will be minor (Section 104D (a)) or the activity will not be contrary to the Objectives and Policies of a Operative Plan or Proposed Plan (Section 104D (b)).

It is considered that the threshold test for a Non-Complying Activity has been met as the proposal satisfies Section 104D, in that subject to appropriate conditions of consent requiring mitigation, the adverse effects on the environment of the proposal will be no more than minor and the proposal is not contrary to the relevant Objectives and Policies of the District Plan. Jurisdiction to grant consent has therefore been established.

11.0 CONCLUSION

The applicant seeks consent to construct a new fire station at 297 & 299 Te Atatu Road, and 1 Covil Avenue, Te Atatu South. The site is zoned Living Human Environment and General Natural Area under the Operative District Plan.

It is considered that the proposal meets the criteria for granting consent as the potential adverse environmental effects are no more than minor and can adequately be mitigated through the imposition of appropriate conditions of consent. It is considered that the establishment and operation of the Te Atatu Fire Station being a Non-Complying activity will not lead to a decline in the amenity values of the area in which it seeks to locate.

The proposal is considered not to be contrary to the objectives and policies of the District Plan which seek to:

- Maintain and enhance those natural and physical characteristics (amenity values) that contribute to the well being of residents and workers;
- Achieve a quality of settlement and associated activities within each of the city's Human Environments which is sympathetic to, and protects and enhances, the dominant natural and physical (including building) features which contribute to the amenity value and the neighbourhood character of an area;
- Manage the effects of land use on the environment and in particular, avoid, remedy or mitigate effects on the quantity and quality of the cities water resource;
- Protect and enhance the amenity of the urban area through the provision of a range of activities but also maintaining the residential coherence of the neighbourhood; and
- Protect the functioning of roads within the roading hierarchy, without detriment to road safety or the free flow of traffic.

It is considered that the issues raised by the submitters can be adequately addressed through the imposition of appropriate conditions.

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

12.0 RECOMMENDATION

That pursuant to Sections 104,104B, 104D, 108 and 113 of the Resource Management Act 1991, and subject to additional or contrary information being presented at the hearing, consent be **granted** to the application by New Zealand Fire Service to establish a fire station at 297 & 299 Te Atatu Road and 1 Covil Avenue, Te Atatu South being Lots 2, 3 & 43 DP39924 for the following reasons:

- (i) The proposed development is considered to be of an appropriate design and consistent with the existing building and surrounding residential neighbourhood. The proposed fire station being a non residential activity would not detract from the visual and residential amenities of the locality or the character and appearance of the surrounding residential area. The proposal would be integrated into the residential neighbourhood.
- (ii) The proposed development would not detract from the visual or landscape amenities of the site or cause detriment to nearby residential amenity in terms of loss of privacy, daylight access, traffic noise and noise generated from the activity, or increased visual intrusion.
- (iii) The established neighbourhood character of the locality would not be adversely affected by the proposed fire building will not significantly dominate neighbouring properties which such effects diminishing upon other properties in the immediate vicinity.
- (iv) The proposed earthworks will be consistent with the level of development being undertaken, will be of short duration, and controlled by way of consent conditions.
- (v) The Long Term Council Community Plan identifies the formation of *Strong Communities* as one of the nine platforms; this development is considered to contribute to the formation of a strong community by providing a community focal point and introduces a mix of use within a residential neighbourhood.
- (vi) Adequate on-site parking and manoeuvring is provided and access to the site would not detract from matters of road safety. The existing road network would be of sufficient capacity to accommodate the additional traffic movements without detriment to the function of either Te Atatu Road and Covil Avenue and other nearby road or matters of road safety.
- (vii) The proposal is not considered to further fragment the residential character and amenity of the locality nor is it considered to lead, on an individual or cumulative basis, to pressure for further non residential activities near by.
- (viii) The additional impermeable surfaces will not place additional pressure on the receiving environment and will be controlled through appropriate conditions of consent.
- (ix) Any actual or potential effects on the environment by the proposal are considered to be no more than minor and would be adequately avoided, remedied or mitigated by the conditions imposed on the consent
- (x) The proposal would not be contrary to the relevant Objectives, Policies, rules and other provisions of the Waitakere City District Plan.
- (xi) The proposal is not contrary to Part II of The Act.

Consent shall be subject to the following conditions:

1. The development shall proceed in accordance with the plans titled
 - “Proposed Site Plan RC 02”*
 - “Basement Plan RC 03”*
 - “Ground Floor Plan RC 04”*
 - “First Floor Plan RC 05”*
 - “South and West Elevations RC 06”*
 - “North and East Elevations RC 07”*

"Sections AA & BB RC 08"

"Sections CC & DD RC 09"

Sections EE & FF RC 10"

"Earthworks Plan RC 11"

"Signage Plan RC 12"

prepared by Davis Hawksworth Architects and dated May 2008 and all referenced by Council as RMA 20080849 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 5 years after the commencement of the consent.
3. A consent compliance monitoring fee of \$566.00 (inclusive of G.S.T.) 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 reinspection shall be required at the relevant hourly rate applicable at the time the reinspection is carried out.
4. **Prior to any works being undertaken**, the consent holder shall organise a pre-start meeting with Council's Environmental Monitoring Officer (EMO) for the purpose of discussing construction methodology. Present at the meeting shall be the Consent Holder's representative, Council's EMO and the Contractor undertaking the earthworks.

Meetings can be arranged by calling Council's Call Centre (09 839 0400) and requesting a pre-start meeting with an Environmental Monitoring Officer. Note that response time can be up to 2 working days.

EARTHWORKS CONDITIONS:

5. A full copy of the Resource Consent Conditions, Approved Plans, including site management and Erosion and Sediment Control Plans shall be kept on the site at all times. All personnel working on the site shall be made aware of and have access to the contents of this consent document and the associated Site Management and Erosion and Sediment Control Plans.
6. All "cleanwater" runoff from stabilised surfaces including catchment areas above the site shall be diverted away from earthwork areas via a stabilised system, so as to prevent surface erosion and sediment laden run - off.
7. All sediment laden runoff from the site shall be treated by sediment control measures in accordance with the Auckland Regional Council Technical Publication No 90 "Erosion and Sediment Control Guideline for Earthworks" (latest version) These structures are to be constructed in accordance with best practice, be operational before earthworks commence, and be maintained until the site has been adequately secured against erosion (whether by vegetative means, paving or otherwise).
8. A stabilised entranceway to the site shall be provided prior to the commencement of works and maintained for the duration of works. Additional measures such as wheel wash facilities shall be implemented (as) if deemed necessary by Council's Environmental Monitoring Officer to prevent the deposition of earth or other debris on the surrounding street network by vehicles entering and exiting the site. Roads, footpaths, berms and kerbs including entry and exit points to the site shall be kept free from damage and clear of mud and debris at all times Any material deposited on the surrounding streets/roads shall be immediately removed by sweeping and any damage caused shall be immediately repaired at the expense of the consent holder.

9. All development works on the site including earthworks and the use of associated heavy machinery shall be undertaken between the following hours only:-
Monday to Friday: 7.30 am to 7.00 pm
Saturday 8.00 am to 5.30 pm
Sunday and Public Holidays: No work
10. All necessary action shall be taken to prevent a dust nuisance to neighbouring properties to the satisfaction of the Manager Resource Consents. Should these measures not prove satisfactory on any particular occasion due to the prevailing wind or soil conditions, the contractor shall cease the work until conditions are suitable for the recommencement of the works.

VEGETATION REMOVAL CONDITIONS:

11. The removal of vegetation shall be in accordance with the approved plans and undertaken by appropriately trained and skilled persons in accordance with modern arboricultural practices so as not to cause damage to/or death of any other retained 'protected' vegetation.

LANDSCAPE TREATMENT CONDITIONS:

12. Landscape treatment including site layout, fences, walls, gates, paved areas, permeable grassed paving (proposed for 17 of the car parking spaces), and reinstatement of the lawn area shall be set in place as per the Landscape Design Proposal by Stephen Neate dated Revised 25 June 2008, within six months of construction of the building, to the satisfaction of Council's Environmental Monitoring Officer Resource Consents.

Note: Any ground that has been disturbed associated with the boundaries shall be manually graded (raked) to restore it to an even grade that melds with adjacent undisturbed ground, prior to construction of any boundary fence.

13. Garden areas shall be prepared prior to planting, with weeds and any debris removed and with all gardens comprising good quality friable topsoil or garden mix (50:50 topsoil and compost), and with a bark or wood chip mulch to 60mm depth, (except for the garden areas fronting the building for which the Landscape Design Proposal by Stephen Neate details 'M', crushed and rumbled terracade tile mulch. For these gardens either the crushed or rumbled tile mulch or a wood or bark chip mulch is acceptable) and shall be to the satisfaction of Council's Environmental Monitoring Officer Resource Consents.
14. Planting shall be carried out in the first planting season, (May till 7 September) following establishment of paving and fencing or any related elements required by conditions above, to the satisfaction of Council's Environmental Monitoring Officer Resource Consents.
15. The plants and planting areas shall be maintained for the first three years following initial planting with the gardens kept weed free and with plants watered as necessary in the first summer to facilitate establishment of the plants. Any plant that dies, is removed or otherwise fails to prosper shall be replaced the following planting season and maintained for a further three years, all to the satisfaction of Council's Environmental Monitoring Officer, Resource Consents.

DRAINAGE CONDITIONS:

16. The existing public wastewater line, where it passes beneath the proposed building footprint, is to be abandoned and either removed or grout filled and a new 150mm line is to be re-laid in a more appropriate location. Design, provide and install a new 150mm public wastewater reticulation system in compliance with Councils Code of Practice for City Infrastructure and Land Development (Refer Section 5.0). Provide engineering plans and calculations to Council for approval under a separate Engineering Approval application prior to commencing works. Specific requirements:
 - (i) Provide new public connections to within the body of 301 Te Atatu Road and 1A Covil Avenue to the re-laid wastewater line.
 - (ii) Provide a new public connection for the development site that will enable adequate gravity drainage from the proposed building.

17. Provide a separate private wastewater drainage system with connection to the public system as specified below:
 - (i) Locate the existing private drainage serving the existing dwellings, which are to be removed, at 297 and 299 Te Atatu Road and at 1 Covil Avenue and either grout fill, or remove, the abandoned private drainage under Council's supervision.
 - (ii) Cap any abandoned connections that will still remain following the relay of the public line. Capping of connections to the public system can only be carried out by Council's contractor. Apply at the Council for capping of connections, by completing and lodging the correct application form. Pay all costs associated with providing the caps.
 - (iii) Re connect the existing private wastewater lines serving 301 Te Atatu Road and 1A Covil Avenue to the new public connections.
 - (iv) Connect the private wastewater system from the proposed building to the new public connection provided to ensure that adequate gravity flow of wastewater can be achieved. Provide a private, Council approved, domestic wastewater pumping station to serve the basement facilities of the proposed building that cannot achieve gravity fall. Under a building consent provide full design and construction details of a domestic sewerage pumping station for Council approval.
 - (v) Construction of private drainage requires a building consent. Provide a private drainage As-Built plan for the property, prepared by a Registered Drainlayer, showing the separate private drains to the point of connection to the public drain.

18. Pursuant to Section 108(2)(d) a covenant is required to be entered into, in favour of Council, to ensure that a Council approved domestic sewerage pumping station is installed at building consent stage and fully maintained by the owner, at the owner's expense.

19. The existing public stormwater line, where it passes beneath the proposed building footprint, is to be abandoned and either removed or grout filled and a new stormwater line is to be re-laid in a more appropriate location. Design, provide and install a new public stormwater reticulation system in compliance with Councils Code of Practice for City Infrastructure and Land Development (Refer Section 4.0). Provide engineering plans and calculations to Council for approval under a separate Engineering Approval application prior to commencing works. Specific requirements:
 - (vi) Provide a new public connection at the lowest point to fully serve the site including roof and hard stand/impervious areas.

20. The proposed building will be constructed over the newly re-laid public wastewater line. Bridging of foundations or retaining walls that are over the public wastewater drain is required. Driven piles to be kept a minimum of 2.0m from the outside wall of the pipe unless pre-drilled to 0.5m below the drain invert. Foundations (with piles if required) further than 1.0m from the outside wall of the drain are to be kept 0.5m below the 45-degree zone of influence taken from the pipe invert. Bored piles are to be kept 1.0m clear of the outside wall of the pipe and taken 0.5m below the pipe invert. At building consent stage provide specific bridging foundation designs and specify on the plans the chosen construction methodology for the piles/foundations. Provide certification from the engineer that the foundations have been constructed in accordance with the approved plans and methodology to protect the public wastewater drain. Provide a post-construction CCTV inspection of the wastewater drain undertaken after the foundations/piles have been constructed, and prior to commencing construction of the walls. Where the post-construction CCTV reveals a defect in the public drain, the owner shall bear all costs of any remedial measures necessary to ensure proper and safe operation of the drain, before resuming building works.
21. Design, provide and install a private stormwater quality treatment system for the site in accordance with the Auckland Regional Council's TP10 'Stormwater Management Devices Design Guideline Manual', and WCC Code of Practice for City Infrastructure and Land Development (refer Section 4). Provide engineering plans and calculations to Council for approval prior to commencing works. Specific requirements:
 - (i) The design of the treatment system shall take into consideration a typical contamination stream from the wash-down of fire service trucks and vehicles as well as general contamination sourced from impervious areas;
 - (ii) Provide a surveyed as-built plan of the devices including cross sections, invert and soffit levels; and
 - (iii) Provide a maintenance manual for the treatment devices/system.
22. Pursuant to Section 108(2) (d) a covenant is required to be entered into, in favour of Council, to ensure that a private stormwater quality treatment system is installed and fully maintained by the owner, at the owner's expense.
23. Design, provide and install a private non-potable roof runoff water reuse system to provide for toilets, laundry, vehicle washing, and outside irrigation in accordance with the Auckland Regional Council's TP10 'Stormwater Management Devices Design Guideline Manual', or the Council's Stormwater Solutions for Residential Sites. Provide engineering plans and calculations to Council for approval prior to commencing works.
24. Design, provide and install a private stormwater detention system which will attenuate stormwater runoff from the post developed site in a 1 in 5 year storm event to no greater than that which would occur from the pre-developed site in a 1 in 5 year storm event. (ie. the existing developed situation). Provide specific engineering plans and calculations to Council for approval prior to commencing works.
25. Provide a maintenance manual for the stormwater detention system.
26. Pursuant to Section 108(2) (d) a covenant is required to be entered into, in favour of Council, to ensure that the private water reuse and stormwater detention systems are installed and fully maintained by the owner, at the owner's expense.

27. Provide a separate private stormwater drainage system to the site, with connection to the public system as specified below:
 - (i) Connect the private system (including overflows from the stormwater treatment, water reuse and detention devices) to the new public connection servicing the site at the lowest point.
 - (ii) Locate any existing private drainage serving the existing dwellings, which are to be removed, at 297 and 299 Te Atatu Road and at 1 Covil Avenue and either grout fill, or remove, the abandoned private drainage under Council's supervision.
 - (iii) Design the lower car park and hard stand area to ensure that overland flow in excess of the capacity of the stormwater collection system will discharge to Covil Avenue and will not overflow to the adjacent downstream property at 3 Covil Avenue. Provide engineering plans and calculations to Council for approval prior to commencing works.
 - (iv) Construction of private drainage requires a building consent. Provide a private drainage As-Built plan for the property, prepared by a Registered Drainlayer, showing the separate private drains to the point of connection to the public drain.

28. Provide a Producer Statement from a Chartered Professional Engineer confirming that the required stormwater treatment, re-use and detention methods and devices have been constructed in accordance with the approved plans and that they are functioning as the design intended. Include the approved design plans, an As-Built plan, and a copy of the maintenance manual for recording on Council's Hazards and Special Features Register to enable the stormwater devices to be monitored for ongoing compliance. It is the owner's responsibility to fully maintain all device(s) in proper working order.

29. Provide a private water supply reticulation system to the site in compliance with Council's Code of Practice for City Infrastructure and Land Development (Refer section 6). Specific requirements:
 - (i) Remove and cap the existing connections and water meters serving 297 and 299 Te Atatu Road and 1 Covil Avenue. Note: It may be possible to utilise one of the existing water supply connections;
 - (ii) A separate 100mm metered connection is required to serve the private fire hydrant;
 - (iii) Locate the water connections at the same position as the power and telephone connection to the site;
 - (iv) Apply at the Council on the appropriate application forms for new connections and meters and or for a relocated existing connection; and
 - (v) Note that meters will be installed when a building consent is applied for.

30. **Engineering Approval and Quality Assurance Process:** Public infrastructure works, as conditioned above, require Council's approval of engineering plans and specifications prepared by the applicant's engineer in accordance with Council's Code of Practice for City Infrastructure and Land Development. Lodge a separate application for Engineering Approval for the proposed stormwater and wastewater relays and submit full engineering plans, long sections and calculations, prepared in accordance with Council's Code of Practice, to Council for approval.

TRAFFIC ASSET CONDITIONS:

31. The car parking spaces 8 and 9 indicated on the site plan shall be removed and the car parking layout designed to the satisfaction of the Manager, Transport Assets.
32. Access to visitors' space shall be via the Covil Avenue access only.
33. Detailed design of the Te Atatu Road access together with all cabling and ducting details shall be submitted to the Manager, Transport Assets, Planning and Design for approval prior to construction.
34. The detailed design of all signals aspects associated with the emergency exit shall be reviewed and approved by Traffic Management Unit after a safety audit by an independent safety auditor has been completed and before submission to Transport Assets.
35. Redundant access points shall be removed and kerb and channel, berm and footpaths shall be reinstated to Code of practice standards.
36. The proposed vehicular access points shall be designed to the guidelines of the Waitakere City Council's Code of Practise.
37. A full and detailed construction traffic management plan shall be submitted for review and approval by the Manager, Field Services prior to commencement of construction works.

ACOUSTIC CONDITIONS:

38. The noise level from activities within the site shall not exceed the following limits when measured on any land zoned Living Environment:

7.00 am-7.00 pm Monday-Saturday		7.00am-10.00pm Monday-Saturday 7.00 am-10.00 pm Sundays & Public Holidays		10.00 pm-7.00 am	
L10 50dBA	LMax N/A	L10 45 dBA	LMax N/A	L10 40dBA	L10 40dBA

39. Noise levels shall be measured and assessed in accordance with the requirements of New Zealand Standards NZS 6801:1999 "Acoustics - - Measurement of Sound" and NZS 6802:1999 "Acoustics - Assessment of Environmental Sound".
40. Noise from construction shall not exceed the limits recommended in, and shall be measured and assessed in accordance with, New Zealand Standard NZS 6803P:1984 "The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work".

41. Prior to occupancy of the activity, acoustic fencing shall be erected as per the Hegley Acoustic Assessment dated May 2007.
42. Noise compliance monitoring shall be undertaken by a suitably qualified and experienced person at locations representative of noise received within the boundaries of the most exposed residential properties from which written approval has not been obtained if directed by the Council following receipt of a noise complaint. The results of the noise monitoring shall be provided to the Council within one month of completion of the monitoring. Noise levels shall be measured and assessed in accordance with the requirements of NZS 6801:1999 "Acoustics - Measurement of Sound" and NZS 6802:1999 "Acoustics - Assessment of Environmental Sound".
43. The consent holder shall submit for approval a Noise Management Plan to the Manager, Resource Consents within one month of the date of this consent. The Noise Management Plan shall certify the best practicable options for controlling the impact of noise on the neighbouring properties, shall describe methods by which compliance with the noise limits approved by condition 38 of this consent would be achieved and shall include a noise monitoring programme to ensure noise limits are being met at critical locations in the Living Environment. A copy of the approved Noise Management Plan shall be made available to the community and a copy sent to the submitters.

HEIGHT IN RELATION TO BOUNDARY CONDITIONS:

44. A Licensed Cadastral Surveyor shall set out the foundations of the proposed structure and certify to Council in writing prior to work progressing beyond the foundation stage that the building is located exactly as proposed in the application and will not exceed the degree of infringement applied for in relation to the overall height and height in relation to boundary controls of the District Plan and elsewhere complies with the height in relation to boundary and overall height rules of the District Plan if constructed in accordance with the approved consent in terms of levels and position. No work shall proceed beyond this stage until receipt of such certification, to the satisfaction of the Manager Resource Consents.
45. A Licensed Cadastral Surveyor shall certify to Council in writing prior to work progressing beyond the pre-lining stage that the building is located exactly as proposed in the application and will not exceed the degree of infringement applied for in relation to the overall height and height in relation to boundary controls of the District Plan and elsewhere complies with the height in relation to boundary and overall height rules of the District Plan. No work shall proceed beyond this stage until receipt of such certification, to the satisfaction of the Manager Resource Consents.

PRIVACY CONDITIONS:

46. Screening to a height of 2 metres shall be provided to the satisfaction of the Manager, Resource Consents, within 6 months of the issue of this consent.

REVIEW CONDITION:

47. Pursuant to Section 128 of the Resource Management Act 1991, the Council may review Condition 43 of this consent within 3 months following the grant of this consent and at 6 monthly intervals thereafter for the purposes of:
 - a. Dealing with any adverse effect of the environment that may arise from the exercise of the consent at a later stage;
 - b. Dealing with any adverse effect on the environment caused by noise, dust or fumes resulting from the exercise of this consent, including the amendment or imposition of conditions;

- c. Requiring the adoption of the best practicable option to remove or reduce any adverse effect on the environment; and
- d. The actual and reasonable costs incurred by the Council undertaking this review shall be paid by the resource consent holder within one month of being invoiced.

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. The design of the signals aspects in this case is not standard because it involves the use of regular traffic lights; Transport Assets advises the consent holder to commission a suitable traffic engineer, experienced in the field of traffic signals and familiar with the New Zealand national standards and Austroads Part 7, and initiate discussions regarding the design with Council and Traffic Management Unit as early as possible to avoid unnecessary delays and rework.
3. As planning for the proposed widening progresses it may be beneficial for the consent holder to maintain constant contact with Transport Assets to ensure the Te Atatu Road access does not adversely affect or become affected by the proposed widening.
4. In the event of archaeological features being uncovered (e.g. shell middens, hangi or ovens, pit depressions, defensive ditches, artefactual material or human bones) work shall cease in the vicinity of the discovery and the area shall be secured. The Manager Resource Consents, the New Zealand Historic Places Trust Auckland Regional Council Archaeologist and the appropriate *Iwi authorities shall be contacted so that appropriate action can be taken. This includes such persons being given a reasonable time as determined by the Council to record and recover archaeological features discovered before work may recommence.

Report prepared by: Sonja Bury, Senior Resource Planner.

