

13 May 2010

WAITEMATA DISTRICT HEALTH BOARD
C/- Simon Yates Planning Ltd
PO Box 68217
Newton
AUCKLAND 1145

Dear Simon,

**REQUEST FOR FURTHER INFORMATION IN ACCORDANCE WITH
SECTION 92 OF THE RESOURCE MANAGEMENT ACT 1991**

Resource Consent Application: LUC-2010-454
Proposal: Proposed new dental clinic, car park and driveway
Site Address: 1-29 School Road, TE ATATU SOUTH

The purpose of this letter is to advise you that Council requests further information in order to fully assess and determine the application.

Please provide the following information to enable an adequate analysis of your proposal, its effect on the environment and the way in which any adverse effects on the environment may be mitigated:

1. Identify the hours that the dental clinic would operate.
2. Identify the proposed impermeable coverage over the site. If the impermeable coverage exceeds 60% of the site area please provide details of any methodologies that would be used to mitigate the effects of establishing surplus coverage.
3. Identify the colour scheme of the proposed sign.
4. The plan titled 'Proposed Site Plan Drawing 02' prepared by Kay & Keys Architects indicates that the proposed sign would be illuminated. Compliance with Living Environment Rule 14 must be demonstrated; otherwise the resource consent application must give regard to this infringement.
 - a. Identify the candelas per square metre for the sign
 - b. If an infringement of the rules is proposed, identify the hours during which the sign would be illuminated, and
 - c. Expand the AEE to discuss the effects of the illumination upon the level of amenity available to residents of adjoining sites in terms of sleep disruption, the dark night-time sky environment, glare and aesthetics
5. Confirm the location and the width of the driveway and passing bay that would provide vehicle access, to the dental clinic. The plan drawn by Kay & Keys Architects titled 'Site Existing/Demo Drawing 01' shows the driveway and passing bay in a different location to the plan drawn by Woods titled 'Fixed Oral Health Care Units Edmonton Primary School 2-Chair Facility Dwg No 60541-04-GE-001'.

6. Expand the AEE to discuss the increase in noise caused by the proximity of the car parking area to No. 31 School Road and the effects of this proximity upon the residential and visual amenities available at this site. Details of any mitigation proposed should be provided (such as acoustic fencing or additional screening). If the potential effects are considered to be more than minor the approval of the property owners should be provided if possible.
7. Some of the trees next to the proposed driveway are protected under the District Plan as they have a girth in excess of 600mm as measured at a height of 1.4m above the ground.
 - a. Identify whether works within the dripline, removal or pruning of more than 20% of the canopy of these trees would be required in order to construct the proposed driveway.
 - b. If consent is required under General Natural Area Rule 2: Vegetation the AEE needs to be expanded to discuss the effects of the development upon vegetation.
 - c. Identify any measures that would be implemented during the works period to protect the retained vegetation.

Advice Notes:

1. At this point Council does not know the width of the proposed driveway and passing bay to serve the site as this differs significantly between the plans identified under Point 5 above. The driveway and passing bay shown in the Woods plan is 4.5 metres in width, whereas Council's Transport Engineer considers that 5 metres is the minimum acceptable standard. If it is currently proposed to construct a 4.5m wide driveway/passing bay this must be addressed to allow for safe and efficient vehicle movement.
2. An alternative means of providing vehicle access to the proposed car park would be to construct a driveway leading from the vehicle crossing immediately to the south of the car park. This would minimise the loss of landscaped area, reduce additional hard surfacing and avoid the potential adverse effects upon the vegetation next to the proposed driveway which makes a significant contribution to the visual amenity of the site.
3. The plans provided with the application show that the 2m² illuminated sign would be located within the road reserve in front of the school. This is not acceptable to Council's Transport Assets department therefore it is not possible to grant consent for a sign in the location proposed. If you wish to erect the proposed sign at a different location a site plan must be provided that identifies the chosen location of the chosen sign.
4. The infringement of Living Human Environment Rule 15: Signs changes the status of the consent to a Non-Complying Activity. If the sign were to be located on the site to which it relates and did not exceed 1.5m² this infringement would be reduced to a Limited (Restricted) Discretionary Activity and the overall consent would be classified as a Discretionary Activity.

Pursuant to S.92A of the Resource Management Act you must respond in writing to the following information request by 1 June 2010 by undertaking one (or more) of the following options:

1. Provide the information.
2. Request, in writing, an alternative date by when this information would be provided. The revised timeframe would need to be agreed to by Council. The application would remain suspended until this time. If you agree to provide the information but do not nominate a timeframe then Council will set a reasonable time within which you must comply, and will notify you of this.

3. Advise in writing that you are refusing to provide the information if you consider the information request to be unnecessary to enable the determination of the application.

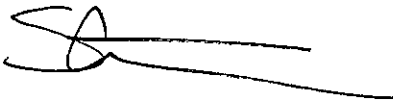
No notification decision has been made to date. If no response is received to any of the options by 1 June 2010, or you refuse to provide the information under Option 3 Council pursuant to Section 95C of the Act must publicly notify the application.

In accordance with the Resource Management Act, processing of your application will be suspended until the indicated date, pending your response to this request. Please note that the processing clock will stop as this is the first request for additional information.

Please note that the Resource Management Act prescribes a detailed process for the issuing of requests for further information, and the options available to an applicant when responding to these requests. This letter is intended as a summary only of the legislative processes involved. Requests for information are issued by Council in order to facilitate the efficient processing of your application, and to ensure that all necessary information is before Council to ensure best practice decision-making takes place. If you wish to query Council's information request then we suggest that you contact the author of this letter to discuss, prior to taking any formal steps under the Act.

If you have any queries regarding the above, please don't hesitate to contact myself on 836-8000 ext 8532 or by email to sophie.arthur@waitakere.govt.nz.

Yours faithfully



Sophie Arthur
Resource Planner