

**Urban Strategy Group
Decision Report for Land Use Consent**

Service Request No: 108073

Link No: 0600 084913

24 January 2004

Non-Notified Application

<u>Site Address:</u>	26 Ganges Rd, Khandallah
<u>Legal Description:</u>	Lot 42 & Pt Lot 44-46 DP 1828
<u>Applicant:</u>	Foodstuffs (Wellington) Co-operative Society Ltd
<u>Proposal:</u>	Land use consent for additions and alterations to the Khandallah New World supermarket building, to reconfigure the existing site access and parking layout and to construct a new electricity transformer
<u>Owner:</u>	Foodstuffs Properties (Wellington) Limited
<u>Plans:</u>	Drawings A1.03 Rev P8 dated 23 January 2004 (in conjunction with Wellington City Council Allocated Plan No.1), A1.01 Rev P4, A2.00 Rev R0 and A2.10 Revision R0, dated 17/10/03, and A3.00 Rev R0, dated 20/10/03, all entitled "Khandallah New World Redevelopment for Foodstuffs Properties (Wgtn) Limited", prepared by Hunt Davies Tennent and Drawing A1.03 Rev P5, entitled "Khandallah New World Landscaping Proposal", prepared by Susie Moir, Qualityscapes, dated 17/9/03

District Plan

Planning Maps

The site is located in the Suburban Centre Area of the District Plan. It is not subject to any special character rules or designations.

Activity status – Deemed Operative Plan

In accordance with Rules 7.3.1 and 7.3.2, the proposed alterations and additions to the existing supermarket building requires Discretionary Activity (Restricted) resource consent for a breach of the permitted activity conditions in rule 7.1.1 and 7.1.2 respectively, including:

- Noise (7.1.1.1)
- Servicing and site access (7.1.1.7).

- Height control adjoining Residential Areas (7.1.2.2)
- Verandahs (7.1.2.4)
- Display Windows (7.1.2.6)

In accordance with Rules 7.3.1 and 7.3.2, the relevant standards and terms require that the noise emission levels under Rule 7.1.1.1.1 and 7.1.1.1.4 shall not be exceeded by more than 5 decibels and that the height control adjoining Residential Areas must not be exceeded by more than 20 percent. The proposal does not comply with the relevant standards and terms as the height control adjoining residential areas is exceeded by more than 20%. Therefore the proposal requires assessment as a non-complying activity.

Although the proposal is a non-complying activity, the assessment criteria set out under criterion 7.3.1.8, 7.3.1.12, 7.3.2.7, 7.3.2.9 and 7.3.2.10 will be used as a guide to assessing the application and are addressed later in this report.

The proposed new electricity transformer requires consent in accordance with Rule 23.2.1 as a controlled activity in respect of siting, design and external appearance, safety and measures to mitigate the effects of any hazard event when located in a Hazard Area. The standards and terms require that the footprint of the utility structure must not exceed 20m² in area and the height must not exceed 3.5 metres above ground. The proposal complies with the standards and terms. Such proposals need to be assessed against the assessment criteria set out under criterion 23.2.1.5 to 23.2.1.14.

Site Description

The subject site is 2,519m² in area and located on the corner of Dekka Street and Ganges Road, Khandallah. An existing New World supermarket building occupies the southern part of the site and the remainder of the site is attributed largely to car parking. The current floor area of the building is approximately 900m² and a total of 39 associated car parking spaces are located on site. Vehicle access to the car park and the service delivery area on the southeastern side of the building is from Dekka Street via two separate vehicle crossings. The main pedestrian access is also from Dekka Street, however stairs in the north-western and north-eastern corners of the site also provide pedestrian access to the site via the carpark.

The northern end of the site consists of a grassed and treed bank, which slopes down from the edge of the car park to Dekka Street. The first 3.0 metres (on average) is contained within the subject site and is treed, where as the remaining 5.5 metres of road reserve is grassed and sparsely planted. A walled garden area and bus stop adjoin the eastern Ganges Road site boundary. Residential properties are located adjacent to the western and southern site boundaries. The properties on the opposing side of the road to the north and east are zoned Suburban Centre and contain commercial activities, with the exception of the church located at 33 Ganges Road.

Proposal

It is proposed to add to the existing floor area of the supermarket to provide more retail space and to refurbish and modernise the building. The principal components of the proposal include:

- The extension of the ground floor area by approximately 200m² to approximately 1,100m²;
- The provision of a new entrance lobby;
- Re-organisation of the internal layout;
- Addition of a mezzanine level to accommodate office and staff facilities;
- Re-organisation of the service delivery area;
- Re-positioning of the customer driveway and reconfiguration of the car parking layout, including the provision of parking in the Dekka Street road reserve;
- The construction of a retaining wall on the Dekka Street frontage road reserve to support the proposed car parking and associated landscaping;
- The establishment of new landscaping and the construction of a new 1.8 metre high close boarded fence along the western site boundary in part;
- The construction of a new electricity transformer in the north east corner of the car park.

The proposal requires resource consent pursuant to Rules 7.3.1 and 7.3.2 for infringements to the permitted activity conditions relating to:

- Noise (7.1.1.1) - there will be times when noise associated with service delivery vehicles will exceed the specified noise emission levels at the Residential Area boundary to the south (34 Ganges Road);
- Site access (7.1.1.7 & 7.1.1.7.4) - two vehicle crossings exist to the site and the customer entry/exit site access will be reconfigured and parking is proposed at ground level at the front of the site to which the display window rule applies;
- Height control adjoining Residential Areas (7.1.2.2) - the proposed rear addition exceeds the 3m height control by 850mm and the sunlight access plane by 1200mm in relation to the southern site boundary;
- Verandahs (7.1.2.4) and display windows (7.1.2.6) – no verandahs or display windows are proposed along either site frontage.

Resource consent is also required for the proposed new electricity transformer located at the corner of Ganges Road and Dekka Street in accordance with Rule 23.2.1.

Notification Analysis and Determination

Pursuant to section 94(2) and 93(1)(b) of the Act the application can be considered non-notified and without service provided that the adverse effect on the environment will be minor and that the written approvals of all parties that could be adversely affected have been obtained.

Effects

The actual and potential effects of this proposal are noise, traffic (site access and servicing), residential amenities (loss of sunlight and privacy), and urban design and streetscape.

Noise

The proposed development includes the provision of additional mechanical services plant and the continued use of the service lane on the southern side of the supermarket for general deliveries, both of which will generate noise.

The applicant proposes to install acoustically designed mechanical plant in place of two temporary refrigerated units situated in the service lane, which Council's Noise Officer, Glynn Jones, agrees is likely to result in a net reduction in noise. Furthermore, it is proposed to install a gate at the entrance to the service lane to prevent uncontrolled access outside of the operating hours, which will ensure noise from general deliveries is restricted to operating hours of the supermarket only.

An acoustic canopy and wall along the southern site boundary was originally proposed to mitigate noise effects to the adjoining southern site, however in consultation with this neighbour it was removed from the proposal as the proposed measures presented concerns regarding shading to this neighbour. Mr Jones has reassessed the proposal on this basis and has commented that the removal of the wall and canopy will not result in any adverse noise effects to the residential properties to the west.

Mr Jones has also commented that the proposed electricity transformer is sufficiently distanced from the Residential Area boundary to avoid any adverse noise effects.

Overall, given the proposed mitigation measures, the noise effects are considered no more than minor and restricted to the adjoining residential site to the south only (34 Ganges Road), from whom written approval has been obtained.

Traffic

It is proposed to retain two vehicle access points to the site from Ganges Road, which include the existing Ganges Road access to the service/loading area on the south side of the building and the customer carpark entry/exit. However the customer carpark entry/exit is proposed to be reconfigured. In addition, it is proposed to reconfigure the carparking layout to provide a total of 38 car parks on site, one less than what currently exists.

Council's Vehicle Access Engineer has commented that the continued utilisation of the existing service area is acceptable as it is of sufficient dimensions and is considered adequate for most servicing requirements of the site. Although reverse manoeuvring on to the road will still be required from the service area, Council's Traffic Engineer, Steve Spence, considers this to be acceptable given it is an existing situation and has not resulted in any known safety problems. Mr Spence also considers it the most practicable option given the existing building layout and views the proposed changes to the customer carpark entry/exit to be minor and the reduction in driveway width to be a positive amendment.

The proposed reduction in car parking by one to a total of 38 spaces, combined with an increase in floor area, will potentially result in traffic related effects such as queuing within the car park or queuing on Ganges Road at the entrance to the supermarket. However Council's

Traffic Engineer considers the traffic effects to be minor given that the supermarket is a local facility primarily frequented by regular users, where overload parking demand can be easily and safely accommodated. Furthermore, any queuing will be localised and is expected to be occasional. It is also noted that the proposed car parking layout will provide for a footpath on Dekka Street and improved pedestrian steps from Dekka Street into the car park, which will enhance the accessibility of the site. Overall the traffic effects are considered minor and are restricted to the users of the site; i.e. the public generally.

Residential Amenities

The proposed development in general has the potential to affect residential amenities, including loss of sunlight, privacy and glare effects.

The proposed carparking layout results in parking closer to the western site boundary, which adjoins residential development, and a reduced landscaping strip of a minimum of 1.0 metre (previously a minimum of 2.5 metres). However it is noted that the proposed landscaping will be more comprehensive/denser and the proposed species have been selected to provide sufficient height for privacy and screening while not blocking light for neighboring properties. The planting will also be regularly maintained by the applicant. A new timber retaining wall and fence is also proposed in place of the existing fence along the western site boundary for an approximate distance of 18 metres. The fence is approximately 1.5 metres above the level of the new car park and hence will screen the car park from the adjoining pedestrian right-of-way to the west. It is also noted that fencing extends along the residential property boundaries on the far side of the pedestrian right-of-way, which acts as an effective screen from the subject site in combination with the proposed fencing and planting within the subject site.

Five 4.4 metre high light poles are proposed within the car park, two of which are located approximately 1.5 metres from the western site boundary. One other is situated in the middle of the site and two are located adjacent to the Ganges Road frontage. The applicant states that the proposed lighting will not result in any direct or indirect illumination exceeding 8 lux (i.e. the permitted level) at the window of any residential building and hence the proposed lighting is not considered to result in any more than de minimis glare effects to the neighboring residential sites to the west.

The proposed rear storage room extension is situated within 5 metres of the southern site boundary and is approximately 3.85 metres high. Shading analysis diagrams have demonstrated that the building will result in shading effects to the adjoining southern site. However the diagrams have illustrated that the shading to this site is insignificant at mid-day and minor mid-afternoon (3pm). The diagrams also illustrate that the shading is restricted to the southern site only and is confined largely to the rear of the adjoining dwelling (34 Ganges Road). It is also noted that there is extensive planting on the boundary of the adjoining site and that the existing boundary fence contributes to the shading probably more so than the proposed building. Overall, the shading effects to this property are considered minor. It is also noted that there will be no windows in the proposed addition and therefore no opportunity for overlooking and any loss of privacy will result.

The proposed electricity transformer is sufficiently distanced from the Residential Area site boundary to the west to avoid any effect on residential amenities, including noise effects.

Urban Design and Streetscape

The proposed development has been assessed by Council's Urban Designer, Yvonne Weeber. Ms Weeber initially commented that the lack of shop front windows fails to generate enhanced street interaction and increase the viability of the street. As a result, the applicant proposes to remove the proposed schist planter on the eastern side of the building and to replace it with glazing with a schist base for approximately 4.5 metres along the Ganges Road frontage. New screen trees are also proposed to complement the existing planting in the garden area along the Ganges Street frontage. Ms Weeber acknowledged the impracticality of providing any further window openings in the development and considers the proposed amendment acceptable from an urban design perspective.

The proposed lack of a verandah along both site frontages is also considered acceptable as the building is a stand alone building separated from the remainder of the Khandallah shopping centre. The activity is also considered to be more vehicle than pedestrian orientated and hence the pedestrian volumes past the site are not significant.

Ms Weeber commented that the proposed building adds height to the existing building predominantly to the northern portion of the building that faces the carpark. However, the bulk of this addition is reduced through the use of articulation and material use. Overall, the building height and bulk is considered appropriate and the development contributes to the streetscape as much as practicable.

The proposed electricity transformer within the north east corner of the site will not require the removal of any vegetation and will be screened from Ganges Road by the existing vegetation along this site frontage.

Therefore overall, the urban design and streetscape effects are considered de minimis.

Affected Parties

The written approval of the following parties has been obtained:

- 34 Ganges Road - Warren & Gillian Press (owners of the adjoining site to the south east)

No other parties were considered to be adversely affected for the reasons outlined above. In particular, it is noted that the residential properties to the west are separated from the site by a pedestrian right-of-way and are screened by existing and proposed boundary fencing and landscaping and/or the proposed storeroom addition.

Summary

Overall, on the basis of the above, the effects on the environment are considered to be minor and all persons who are adversely affected have given their approval. In addition, there are no special circumstances under section 94C(2) of the Act that warrant the public notification of this application. Accordingly, the application has been processed on a non-notified basis.

Assessment under section 104

Pursuant to Section 104(3)(b), in assessing the application, no regard has been given to any effect on the parties who have given their written approval to the proposal (as outlined in the notification analysis above).

Assessment Criteria

Although a Non-Complying activity, the criteria below have been used as a guide to assessing the application:

Noise

7.3.1.8 *The extent to which noise emissions will be intrusive. Council will seek to ensure that the best practicable option is used to mitigate noise and that adverse effects are minor.*

The applicant submitted a noise report by Acousafe Consulting & Engineering Ltd., dated 1 May 2003 with the application, which addresses noise with respect to both the proposed mechanical services plant and use of the service lane adjoining residential zoned site to the south (34 Ganges Road).

The proposed mechanical plant consists of a roof mounted condensor, which is proposed to be screened and silenced, and additional heating and ventilation plant, both of which will be designed to meet the District Plan noise limits. The plant is proposed to replace two temporary refrigerated containers situated in the service lane and other plant and machinery. The acoustic report concludes that the mechanical plant will be acoustically designed and will achieve an actual net reduction in noise.

It was originally proposed to cover the service lane with an acoustically lined canopy and to construct an acoustic boundary wall. The canopy and wall were proposed to reduce noise from unloading and storeroom activities in relation to the adjoining site to the south. However in consultation with the neighbouring property owner (34 Ganges Road), the proposed canopy and wall were removed from the proposal as the neighbour would prefer that sunlight is maximised as opposed to further reducing noise from service deliveries. A gate is still proposed at the entrance to the service area to prevent uncontrolled access to the supermarket outside of operating hours.

Given the removal of the above mentioned noise mitigation measures subsequent to the original noise report, the applicant was requested to provide additional noise information to address the noise effects on those properties to the west of the site. Additional noise information was submitted by Acousafe Consulting & Engineering Ltd dated 28 January 2004. The information stated that the new storeroom to be constructed on the rear portion of the service lane will result in loading operations being further distanced from the rear western boundary and additional screening to the sounds of vehicles and to unloading in the service lane, which will reduce the servicing noise currently experienced by dwellings to the west and will achieve compliance with the District Plan noise limit at this boundary.

Council's Noise Officer, Glynn Jones, has assessed the proposal and has recommended several conditions of consent to mitigate noise effects. These include a requirement that external fixed plant and equipment be designed to meet noise limits, that a gate be installed, that deliveries are restricted to the opening hours of the supermarket, and that the existing

refrigerated containers be removed. Mr Jones has commented that even with the implementation of these conditions, the noise limits for Sundays may still be exceeded on site. However, due to the fact that the background noise levels on Sundays are already likely to exceed the requirements for the area, Mr Jones agrees that the development will likely reduce overall noise levels below that of existing activities on the site. Mr Jones also concurs with the noise consultants assessment that the noise effects are limited to the adjoining south eastern property and that there will not be any adverse noise effects to the residential properties to the west of the site, provided the recommended conditions are implemented.

Vehicle Parking, Servicing and Site Access

- 7.3.1.12.1 *Whether the activities undertaken or proposed on the site will not generate a demand for the required servicing facilities or require compliance with the site access provisions.*
- 7.3.1.12.2 *The extent to which topography, size or shape of the site, the location of any natural or built features on the site, or other requirements such as easements, rights-of-way or restrictive covenants impose constraints that make compliance impracticable.*
- 7.3.1.12.3 *Whether suitable alternative provision for parking, servicing or site access can be made.*
- 7.3.1.12.4 *The extent to which the standards for parking, servicing or site access can be varied without endangering public safety, or the amenities of any shopping street.*

The proposal includes re-organisation of the service delivery area; re-positioning of the customer driveway; reconfiguration of the car parking layout, including the provision of parking in the Dekka Street road reserve; and the provision of a footpath along the Dekka Street frontage.

A Traffic Report prepared by TDG Limited dated October 2003 was submitted with the application and has been reviewed by both Council's Vehicle Access and Traffic Engineers, Trish Wood and Steve Spence.

Ms Wood has commented that the proposed car parking layout generally meets District Plan requirements, with the exception of those car parks that have rail guards next to them. However, this is not expected to inconvenience most users. Ms Wood also comments that, due to the close proximity of spaces 37 and 38 to the entrance driveway, additional manoeuvres would be required to enter the spaces frontward. This is considered acceptable given that the need for additional manoeuvres is restricted to these two spaces only. The existing service area is considered to be of complying dimensions.

The gross floor area of the supermarket will be increased while the on-site parking is to reduce by one space, to a total of 38. Mr Spence has commented that the proposed number of spaces results in a parking ratio of 3.5 spaces per 100m² GFA, which is lower than that which the Australian (NSW) or NZ (Transfund Research Report 209) guidelines indicate as being appropriate. However, Mr Spence comments that, although the proposed number of car parks is less than desirable, that the traffic related effects will be small and are acceptable in this

instance given that the supermarket is a local facility which caters primarily for regular local users. He also notes that the site is off the main road network where parking overload can be more easily and safely accommodated and that queuing on Ganges Road will be localised and occasional and hence is likely to be accepted by local shoppers. Mr Spence also comments that the proposed parking layout is improved compared to the existing, and pedestrian access to the site will be improved via the provision of a new footpath along the Dekka Street frontage and improved pedestrian steps from the footpath to the car park. Mr Spence has also commented that the proposed changes to the vehicle access are minor and acceptable and that the existing service area is appropriate and any change to achieve forward entry and egress is not practicable.

Height Control Adjoining Residential Areas

7.3.2.7 *Whether the topography of the site or surrounding land or the nature of the proposed development is such that the amenities of nearby Residential Areas will be protected.*

The proposed store room extension is 3.85 metres high and 0.2 metres from the southern site boundary and hence results in a maximum height infringement of 0.85 metres and a sunlight access plane infringement of 1.2 metres (Refer to Drawing A3.00). The building complies with respect to the western site boundary (the only other Residential Area site boundary that it adjoins).

The shading analysis prepared by the applicant demonstrates that there will be a minor increase in shading to the adjoining southern site as a result of the development, particularly late afternoon. However the shading is also considered to be attributable to the existing boundary fence and established vegetation within the adjoining site and therefore is not considered to be significantly greater than the existing level of shading to this site. The addition will not result in any adverse privacy effects as no windows are proposed overlooking this site.

Therefore overall, residential amenities with respect to the adjoining residential sites are considered to be maintained.

Verandahs and Display Windows

7.3.2.9.1 *Whether suitable alternative provision for pedestrian cover can be made.*

7.3.2.9.2 *Whether the design and appearance of the existing building is such that a verandah cannot be added without detracting from its appearance.*

7.3.2.9.3 *Whether existing verandahs on adjoining sites are such that the required continuity cannot be achieved.*

7.3.2.10.1 *Whether the lack of display windows will result in a break in the display frontage causing a loss of visual amenity.*

7.3.2.10.2 *Whether there are existing display windows on adjoining sites that make continuity of display frontages unreasonable.*

The existing Ganges Road building frontage is constructed of pre-cast concrete panels where penetrations to provide glazing are unable to be made without affecting the structural integrity of the building. Furthermore, a series of refrigerated cabinets are located on the inside wall and a complete redesign of the interior and the associated electrical and mechanical services would be required to relocate the cabinets to enable glazing. It is noted however that the applicant is now proposing to remove the schist planter originally proposed to enable increased glazing along the Ganges Road frontage.

The supermarket is a 'stand-alone' building on a corner site that does not integrate with any other commercial building and is physically disconnected from the Khandallah shopping centre. It is also noted that the activity is more vehicle than pedestrian orientated and as such the pedestrian traffic flow past the site is not significant, particularly as compared to the remainder of the village. Consequently it is considered that there is no loss of continuity of display frontages as a result of not providing complete display frontages or verandah cover.

Overall, the refurbishment of the supermarket building is considered to visually enhance the existing development by implementing materials and landscaping of a higher quality than that which exists.

Utility Structure

- 23.2.1.5 *The extent to which utility structures can be co-sited with similar utility structures or other buildings to avoid, remedy or mitigate their visual impact.*
- 23.2.1.6 *The extent to which utility structures can be sited so that they are screened from view.*
- 23.2.1.7 *The extent to which utility structures can be sited to avoid, remedy or mitigate the overshadowing of residential properties or public spaces.*
- 23.2.1.8 *The extent to which utility structures can be sited to avoid remedy or mitigate the impact on views, particularly harbour views.....*
- 23.2.1.9 *The extent to which the siting of utility structures will affect streetscape amenities. Council discourages utility structures on open berms or on streets where the removal of existing trees or other significant vegetation would be necessary.*
- 23.2.1.10 *Whether structures are designed in a way that will maintain the character of the area or street in which it is located. Designs should reflect elements such as roof pitch and materials of buildings in the immediate locality. Special consideration should be given to design near heritage sites or character areas.*
- 23.2.1.11 *Whether utility structures comply with New Zealand Standard NZS2772: Part 1:1999 Radiofrequency Fields Part 1 – Maximum Exposure Levels – 3kHz to 300 Ghz (or subsequent amendments).*

- 23.2.1.12 *Whether the safety and convenience of road users, including pedestrians, will be maintained.*
- 23.2.1.13 *Where a utility structure is located within a Hazard Area whether measures have been taken into account to mitigate the effects of any hazard event.*
- 23.2.1.14 *The extent to which any of the above criteria are constrained by operational or technical issues.*

The proposed electricity transformer has a 3.75m² footprint and is proposed within the north eastern corner of the car park. The proposed location of the transformer was chosen following a review of five possible locations and consultation with neighbours.

The preferred location from the applicant’s viewpoint is in the south west corner of the site as this would have provided the most direct line of connection to the supermarket. However in this location it would have been closest to the Residential Area boundary with 3 Dekka Street and would have required the removal of a large cabbage tree. Conversely in the proposed location it is as far as possible from the Residential Area boundary and will not require the removal of any vegetation. It will also be screened from the road by the existing vegetation along the Ganges Road frontage. No views will be affected by the proposed structure. Therefore overall, any adverse effect on residential amenities or the streetscape is considered to be avoided.

The structure will be located in the corner of the car park avoiding any adverse effect on traffic and pedestrian safety and is not within a Hazard Area.

In addition to the above mentioned criteria, the noise controls of the Suburban Centre Zone also apply. Council’s Noise Officer, Glynn Jones, has commented that such small local transformers do not produce significant noise and is appropriately distanced from the Residential Area boundary to avoid any adverse noise effects.

Development Impact Fees:

Where a development creates new household units or new non-residential floor area, the consent holder is required to contribute toward the cost of upgrading the City’s infrastructure and reserves. The legal basis for the payments is Section 108(9) of the Resource Management Act 1991, which allows Council to impose a variety of financial contributions to achieve the purposes of the Act. The mechanism for setting and imposing the contributions is detailed in section 3.4 of the District Plan.

An additional 200m² non-residential floor area will be created as a result of this proposal. No existing floor area of the building is being removed or converted. Therefore the total development impact fee is made up as follows:

A traffic fee for non-residential development of:	\$332 per 70m ² of gross floor area or part thereof	x 200m ²	= \$949
Less existing floor area if being removed or converted	0m ² \$332/70m ²		0

Total Fee (no payment is required if the existing equivalent values exceeds amount payable)	= \$949
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An appropriate condition has been included in the Decision section of this report.

Objectives and Policies:

The relevant objectives and policies of the District Plan are as follows:

Development Impact Fees

Objective 3.4.2.1 *To ensure that the costs of serving development with infrastructure and reserves is included in the cost of development in a fair and equitable manner.*

Policy 3.4.2.1.2 *Identify the instances where fees will be imposed to mitigate the impacts of development on city infrastructure and on the wider environment.*

Suburban Centre

Objective 6.2.1 *To promote the efficient use and development of natural and physical resources within Suburban Centre Areas.*

Policy 6.2.1.2 *Encourage a wide range of activities by allowing most uses of activities within a Suburban Centre provided that the conditions specified in the Plan are satisfied.*

Objective 6.2.2 *To maintain and enhance the amenity values of Suburban Centres and any nearby Residential Areas.*

Policy 6.2.2.1 *Ensure that the effects of activities are managed to avoid, remedy or mitigate adverse effects on other activities within the Suburban Centres or in nearby Residential Areas.*

Policy 6.2.2.2 *Require that where activities in Suburban Centres adjoin or face a Residential Area, or where Suburban Centre buildings or structures adjoin the Residential Area, they satisfy additional conditions.*

Policy 6.2.2.3 *Control the adverse effects of noise within Suburban Centres.*

Policy 6.2.2.6 *Ensure that on streets or access routes where there are many pedestrians, verandahs are continuous.*

Objective 6.2.8 *To enable efficient, convenient and safe access for people and goods within Suburban Centres.*

Policy 6.2.8.3 *Encourage the provision of appropriate parking and require servicing and site access for activities in Suburban Centres.*

It is considered that the proposal would maintain the integrity of these objectives and policies for the reasons outlined above.

Other Matters:

The proposal includes the construction of a retaining wall within the Dekka Street road reserve to support the proposed car parking. Structures within road reserve in association

with Suburban Area developments is not a matter requiring resource consent and hence has not been assessed. However, when addressing the development in a comprehensive manner, it was considered prudent to liaise with Parks and Gardens and Encroachments regarding the landscaping treatment of the wall and the likelihood of the structure being granted an encroachment license. Parks & Gardens have commented that the proposed street trees are appropriate, however they requested that ivy not be used as a climber due to its invasiveness and that the applicant maintain the street trees and advise Council prior to any pruning. The applicant is amenable to these recommendations.

The layout of the car park has been amended to accommodate the possible future relocation of the Ganges Road bus stop to the Dekka Road frontage. An encroachment license has recently been granted on the basis of this amended layout.

All relevant matters have been assessed in the above discussion and there are no other matters that the Council should have regard to, to assess the proposal.

Conclusion:

I consider the proposal will have no more than minor adverse effects on the environment and that it will be consistent with the relevant objectives, policies and assessment criteria of the District Plan. Having considered the matters set out in section 104 of the Act, I am of the opinion that consent can be granted subject to appropriate conditions.

Decision:

That officers acting under delegated authority from Council and pursuant to section 104B of the Resource Management Act 1991, grant consent to the proposal to make additions and alterations to the Khandallah New World building, to reconfigure the associated site access and parking layout and to construct a new electricity transformer at 26 Ganges Rd, Khandallah (Lot 42 & Pt Lot 44-46 DP 1828), subject to the following conditions:

Conditions of Consent

General

- (a) That the proposal must be in accordance with the information provided with Application Service Request No. 108073 and the following plans: Drawings A1.03 Rev P8 dated 23 January 2004 (in conjunction with Wellington City Council Allocated Plan No.1), A1.01 Rev P4, A2.00 Rev R0 and A2.10 Revision R0, dated 17/10/03, and A3.00 Rev R0, dated 20/10/03, all entitled “Khandallah New World Redevelopment for Foodstuffs Properties (Wgtn) Limited”, prepared by Hunt Davies Tennent and Drawing A1.03 Rev P5, entitled “Khandallah New World Landscaping Proposal”, prepared by Susie Moir, Qualityscapes, dated 17/9/03.

Noise

- (b) All new external fixed plant and equipment including the roof mounted condensers and heating and ventilation plant shall be designed to comply with the following noise limits:
- (i) 40dBAL₁₀ between 0700 and 2200 hours; and
 - (ii) 35dBAL₁₀ between 2200 and 0700 hours;
- when measured on any residential site.
- (c) Delivery times shall be restricted to the current supermarket operating hours of:
- (i) Monday to Friday 0800 to 2030 hours; and
 - (ii) Saturdays and Sundays & Public Holidays 0800 to 2000 hours.
- (d) A gate shall be installed at the service delivery entrance to the site to control access to the service delivery area. The gate shall be kept open during operating hours and closed outside of the operating and delivery times specified by condition (c) above.
- (e) The two existing temporary refrigerated containers shall be removed from the site immediately following the completion of construction of the new mechanical plant.

Traffic

- (f) The redundant section of kerb crossing on Ganges Road shall be reinstated with full height kerb and channel and standard Wellington City Council footpath at the owner's expense. Construction shall generally comply with the Code of Practice for Land Development 1994. The work shall be completed to the satisfaction of Council's Compliance Monitoring and Enforcement Officer.

Landscaping

- (g) All plants and tree specimens must be successfully established on the site in accordance with the Landscape Plan referred to in condition (a) within 6 months of the completion of the construction works. The applicant shall advise Compliance Monitoring and Enforcement, Urban Strategy once the landscape works are complete to enable monitoring of the site.
- (h) The consent holder shall be responsible for the maintenance of all plantings required by condition (g), including those within legal road, and shall replace any plants that fail within 2 years of the initial planting.

Lighting

- (i) The lighting within the site shall not exceed 8 lux at the windows of the adjoining residential buildings adjoining the western site boundary.
- (j) Where any public lighting columns are affected by the proposed works, the applicant must liaise with Council's Street Lighting Engineer, Alan Lowrie, to determine Council's requirements. Any required street lighting shall be provided at the applicant's expense to meet the requirements of an appropriate lighting category specified in the Road Lighting Standard AS/NZ 1158 and use of a standard range of street lighting equipment is required on the public street.

Development Impact Fee:

- (k) In order to make appropriate contribution to upgrading the city's infrastructure and reserves, a development impact fee is payable and this has been assessed at \$949 inclusive of GST. The development impact fee shall be paid on, or prior to, the issue of the building consent for the additional commercial floor space; or evidence shall be produced that the payment has already been made in connection with other development on the site.

Note: The development impact fee may already have been paid under earlier building consents or to meet a condition of another resource consent.

Monitoring and Review:

- (k) The consent holder shall advise [either by telephone (801-4017) or facsimile (801-3100)] the Compliance Monitoring Team, Urban Strategy Group, of the date upon which this consent will be exercised. The advice must be given at least 48 hours before the consent is to be exercised, and must include the address of the property and the service request number.
- (l) That the consent holder shall pay to the Wellington City Council the actual and reasonable costs associated with the monitoring of conditions [or review of consent conditions], or supervision of the resource consent as set in accordance with section 36 of the Resource Management Act 1991. These costs* may include site visits, correspondence and other activities, the actual costs of materials or services, including

the costs of consultants or other reports or investigations which may have to be obtained.

- * Please refer to the current schedule of Resource Management Fees for guidance on the current administration charge and hourly rate chargeable for Council officers.

Notes:

1. Where appropriate, the Council may agree to reduce the required monitoring charges where the consent holder will carry out appropriate monitoring and reporting back to Council.
2. This consent is not a consent to build. Such a consent must be obtained under the Building Act 1991 prior to commencement of construction.
3. A vehicle access bylaw approval is required for the construction of the kerb crossing and reinstated kerb, and parking facilities under section 17 of the Wellington City Council Consolidated Bylaw 1991.
4. An earthworks bylaw consent is required under the Wellington City Council Consolidated Bylaw 1991 section 8 if the volume of cut or fill exceeds 10 cubic metres or the ground level is changed by more than 600mm.

Reasons for Decision:

1. The effects of the proposal on the environment will be no more than minor and the written approval of all those parties who are considered to be adversely affected persons has been obtained.
2. This proposal is in accordance with the relevant objectives, policies and assessment criteria of the Wellington City District Plan.

Vicki Barker
Delegated Officer

David Gibson
Delegated Officer

Delegated Authority Code: (1 & 2)