

2 August 2021

Gen Hewett
Environmental Protection Authority

Dear Gen

Wooing Tree Property Development Limited Partnership – Response to additional comment

Thank you for providing the additional comment received from the Chairman of the Lakefield Estate. I have set out below Wooing Tree Property Development Partnership (WTPDLP) response.

The comment from the Chairman raises three issues.

1. Northern open space

The first relates to the boundary between the Wooing Tree Estate and Lakefield Estate and the concern that members of the public might inadvertently, or otherwise, cut across from the Wooing Tree public walkway network and go through the Lakefield Estate private communal spaces to access the east west arm of Shortcut Road.

This northern boundary must be understood in context. It divides into the eastern and western block (lots 802 and 803). The eastern block connects on to Shortcut Road and then connects through to the central spine greenway through the Wooing Tree Estate. This land will become public park vested in the Council. (Lot 803)

The western end of the northern greenway is a 10m private landscape buffer. This will be held as communal open space jointly owned by the Wooing Tree residents who front on to this strip of land (Lot 802).

CODC declined to accept the vesting of this western buffer because they did not see it as having sufficient public benefit. Consequently, members of the public will not be able to access it and therefore the risk of people trying to trespass on to the Lakefield Estate communal space is significantly reduced.

This concern about people cutting across on to the Lakefield Estate communal open space was raised in other comments, and covered in WTPDLP's response of 20 July. It was also raised in part of the consultation undertaken by WTPDLP as part of the broader application process. That feedback resulted in changes to the design of the northern buffer.

Following the original comments, Baxter Design undertook a detailed review of how this interface can be managed. They produced a plan which showed how the eastern end of the northern greenway can be managed to significantly discourage members of the public cutting through on to the Lakefield Estate communal land. In particular:

- i. This proposal sees a dedicated walkway/cycleway built along the greenway. This will clearly define the pathway route and, in Baxter Design's view, will be the alignment used by the public.

Tattico Limited

PO Box 91562, Victoria Street, Auckland 1142, New Zealand
Level 10, West Plaza Tower, 1-3 Albert Street, Auckland 1010

p. +64 9 973 4282 f. +64 9 973 4283

www.tattico.co.nz

- ii. In addition, a bund is created on the northern boundary and is heavily landscaped. This means casual members of the public using the walkway will not be conscious of the ability to cut through the Lakefield Estate communal space. It will not be an obvious viewline. Furthermore, anybody wanting to do that would have to scramble up and over the bund and through the vegetation.

I attach a duplicate copy of the Baxter Design plan for ease of reference for residents of the Lakefield Estate reading this response.

2. Vibration

The second issue raised by the Chairman is concerns about vibration.

These matters were also raised in other comments. The matter was raised with WTPDLP in earlier consultation. This led to the company offering building condition surveys as part of the stage 1 work. This addressed further below.

WTPDLP retained Marshall Day Acoustics to undertake a detailed noise and vibration assessment.

They have put forward appropriate vibration conditions which were offered to the Panel as part of the 20 July response on comments.

For completeness, and again for ease of residents of the Lakefield Estate reading this response, I set out below those noise and vibration conditions which WTPDLP is inviting the Panel to impose.

In addition, WTPDLP has written to all adjoining residents and offered to undertake building condition survey and monitoring of all adjoining homes. This involves a detailed monitoring programme by independent experts. It comprises an initial detailed survey of the homes prior to work commencing, and then a subsequent survey of the homes post work. WTPDLP will make good any damage to homes caused by the Wooing Tree works.

The same building condition survey monitoring was offered during Stage 1 and a number of residents took this up.

These offers have already been made. However, this is also covered in the conditions attached to the response by WTPDLP. Those conditions are repeated below for ease of reference. The black text is the original suggested conditions. The red text and the table on vibration is the suggested additional conditions

Noise attenuation

- 47 New residential buildings located in the Residential Resource Area, the Residential Resource Area (3) and the Residential Resource Area (11) in the Wooing Tree Overlay Area within 80m of the **seal carriageway** edge of State Highway 6 or 8B shall be designed and constructed to meet noise performance standards for noise from traffic on State Highway 6 or 8B that will not exceed 35dBA LAeq (24hr) in bedrooms and 40dBA LAeq (24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors. A consent notice to this effect shall be placed on the title of all relevant lots.*
- 47A Where a dwelling requires that windows are closed in order to achieve the internal noise levels specified in condition 47, an alternative means of temperature control (heating and cooling) shall be provided. An alternative means of providing fresh air for ventilation that meets the requirements of Building Code clause G4 shall also be provided.*

47B Construction noise shall be measured and assessed in accordance with NZS 6803:1999. The applicable limits in Tables 2 and 3 of the Standard shall apply.

47C Construction vibration must be measured in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures. The Category A construction vibration criteria in the table below must be complied with as far as practicable. If measured or predicted vibration from construction activities exceeds the Category A criteria, a suitably qualified person must assess and manage construction vibration during those activities. If measured or predicted vibration from construction activities exceeds the Category B criteria, those activities must only proceed if effects on affected buildings are assessed, monitored, and mitigated by suitably qualified people.

Construction Vibration Criteria			
Receiver	Details	Category A	Category B
Occupied dwellings	Night-time 2000h - 0630h	0.3mm/s ppv	1mm/s ppv
	Daytime 0630h - 2000h	1mm/s ppv	5mm/s ppv
Other occupied Buildings	Daytime 0630h - 2000h	2mm/s ppv	5mm/s ppv
All other buildings	Vibration - transient	5mm/s ppv	BS 5228-2* Table B2
	Vibration - continuous		BS 5228-2* 50% of table B2 values

*BS 5228-2:2009 'Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration'

47D Prior to the commencement of works on site, the consent holder shall submit to Council's monitoring team for certification a Construction Noise and Vibration Management Plan (CNVMP). The CNVMP must reflect the guidance provided by Annexure E of NZS6803:1999 and vibration limits set out in this consent.

The CNVMP is to provide a framework for the development and implementation of measures to avoid, remedy or mitigate adverse construction noise and vibration effects, and to minimise any exceedance of the criteria set out in Condition 2.

If measured or predicted noise and vibration from a construction activity exceeds the criteria in Conditions 1 or 2, a Schedule to the CNVMP for that activity must be prepared and provided to Council at least five working days, where practicable, in advance of the activity proceeding. The schedule must establish the best practicable option for noise or vibration mitigation to be implemented for the construction activity.

47E Prior to commencement of works onsite, and subject to the consent of landowners, the Consent Holder is to carry out a building condition survey of the immediately adjacent properties to the Site and provide these to the [Monitoring Officer] at Council on request. The purpose of this survey is to record any existing cracks, defects or subsidence in neighbouring buildings prior to any earthworks or construction occurring on application site.

3. Increase in the number of houses along the northern boundary

The comment correctly notes that this proposal will result in an increased number of homes along this northern boundary. This matter was raised in other comments and was addressed in the primary response by WTPDLP on third party comments. However, in summary, the key points are:

- (a) There is no change to the buffer setbacks set out within the District Plan. This is 10m on the central and western end of the northern boundary and 17m on the eastern end.
- (b) There is no modification or change in the rear yard setback.
- (c) There is no change in the building coverage.
- (d) There is no change in the maximum height of buildings.

The net result is that the residents to the north of Wooing Tree will have the same amenity buffer setback as currently provided in the District Plan. Buildings will be of the same height. The land area (footprint) of building platforms will be identical (this is controlled by maximum building coverage). The height of buildings will be the same.

Issues of parking are raised in the comment. This application provides for on street parking as appropriate for this type of residential subdivision. New homes will need to comply with the District plan standards, or seek consent. Certainly this application does not seek to reduce parking standards.

Other issues of the relationship of the Cromwell Spatial Framework Plan, and the intention of CODC to align the District Plan to the Framework Plan, are addressed in the planning statement as part of the WTPDLP response of 20 July.

The analysis that I did as part of the original response set out my view that the effects of this change will be very similar to the current District Plan as viewed from the neighbours. I think the main controls that impact the amenity of the neighbours on what is the neighbours southern boundary are the buffer setbacks, the rear yard, the height of buildings and the maximum building coverage. While there will be more buildings, these will be smaller buildings occupying the same entitlement of building coverage and at exactly the same height and setbacks from the northern boundary as provided for under the current District Plan.

As always, happy to answer any questions.

Yours faithfully



John Duthie
Tattico