

OLB FEEDBACK – 20 DEVORE STREET – ST HELIERS; 9 APRIL 2019

1. The site comprises 20 and 20A Devore Street and 19 Polygon Road properties, which are in two separate allotments, being Lot 2 DP 153731 and Lot 3 DP 48749.
2. These are referenced under the Computer Freehold Register as NA100C/156, which confirms lots are behind held together with 1/3rd share allocations (refer title in Attachment 1). This meets the definition of “site” in Chapter J of the AUP.
3. These properties, combined, form the application site and are referred to as one site for the purposes of this report. Residential Development 1.3 The proposed development consists of a seven storey structure.
4. The building includes five apartments, each comprising one floor of the building, as well as two basement parking levels which are accessed by twin vehicle lifts. The building is generally five storeys above existing ground level.



Figure: View of development from southern, Devore Street frontage



Figure: View of development from the north west

Noise Levels

During construction the site at 19 Polygon Road would be used for site access for construction traffic. A 40 day overall period is estimated for earthworks, retaining and foundations. Approximately 17 truck movements(10t) per day are predicted during this phase. The construction equipment predicted to generate the highest noise levels and their typical operational noise levels are presented in the table below.

Table: Construction Equipment noise levels

Equipment	Sound Power (dB L _{WA})	Façade Noise Level (dB L _{Aeq})				Setback distances to a façade to achieve 70 dB L _{Aeq} (m)
		5m	10m	20m	50m	
Bored Piling Rig (large)	111	92	86	80	71	52
Excavator (20T)	103	84	78	72	63	25
Concrete truck and pump	103	84	78	72	63	25
Mobile Crane (35T) operating	98	79	73	67	58	14
Mobile Crane (35T) idling	88	69	63	57	48	4
Truck idling	91	72	66	60	51	6

6. It is considered that the majority of construction activities can comply with the 70 dB L_{Aeq} noise limit except for the foundation work that requires an auger drilling rig for piling works which would occur for approximately 3 weeks.
7. Even with best practice noise mitigation employed, piling noise is predicted to exceed 70 dB L_{Aeq} at the façade of the upper floor levels of 22 Devore Street by up to 10 – 15

decibels whilst installing the closest piles. The expected duration of the piling works on the eastern boundary of the site is approximately 15 days.

8. Consent is sought for exceedance of the construction noise standards.

Resource Consents – Auckland Unitary Plan (Operative in Part) Residential Buildings

9. To construct and use five (5) new dwellings is a **Restricted Discretionary Activity** under Rule H6.4.1 (A3).

(A3)	Dwellings	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards
------	-----------	----	--

10. The proposal involves use and development that fails to meet the following core standards and is a **restricted discretionary activity** under rule C.1.9(2):

H6.6.9 Yards in that the louvers proposed on the southern façade of the building (facing Devore Street) extend into the 1.5m front yard setback by 7.5cm (being located 1.425m from the southern boundary).

It is noted the development utilises H6.6.7 Alternative Height in Relation to Boundary rule as a **restricted discretionary activity**

11. In accordance with Table E27.6.3.1.1 parking spaces 1 and 4 (Basement Level 2) and 1 and 7 (Basement Level 1) are unable to meet the minimum manoeuvring spaces required and requires consideration as a Restricted Discretionary activity. This establishes the unusual circumstance that while no car parks are required, that when they are provided they can trigger resource consent.

12. Rules E27.6.4.3.2 requires that vehicle crossings serving 10 or more parking spaces should not exceed a maximum width of 6.0m at the sites boundary. Due to the width of the berm, the proposed crossing will be 7.4m at the sites boundary and requires consideration as a **Restricted Discretionary activity**

13. In respect to the other provisions of the AUP: i. Rules E1 – E6 do not apply to the site and proposal. ii. With regard to E7 Taking, using, damming and diversion of water and drilling, the apartment building includes two basement levels that requires diversion of groundwater. Pursuant to Rule E7.4.1(28), diversion of groundwater as a result of excavation require for the proposed development (not meeting Rule E7.6.1.10) requires consideration as a **Restricted Discretionary activity**.

14. With regard to E17 Trees in Roads, **Restricted Discretionary Activity consent is sought** pursuant to E17.4.1 (A10) for the removal of trees exceeding 4m in height and 400mm in girth located in the road reserve. Approx 17 exotic palm trees planted as a garden grove are proposed to be removed. i.

15. With regard to Rule E25 – Noise and Vibration **Restricted Discretionary Activity** consent is sought pursuant to E25.4.1 (A2) for construction activities that do not comply with the permitted activity standards (E25.6.27(1) and (4)) (refer Noise Assessment Attachment 8).

Land excavation

16. The excavations involve works over an area of 970m², with 6000m³ of soil to be excavated and filled. Pursuant to Rule E12.4.1(A4) and (A10) earthworks between 500m² and 1000m² in area and of a volume greater than 2500m³ requires consideration as a **Restricted Discretionary activity**.

18 Devore Street

17. Persons at this address are located to the immediate west of the site, adjacent to the footprint of the proposed apartment building. This site occupies a lower ground level than the subject site, by approximately 2m, sloping from the east to west. Accordingly, it is acknowledged that the proposed building has the **potential to have adverse dominance effects** on persons at 18 Devore St, given the location of the apartment building at a higher elevation than persons on this site



Figure: Aerial photograph of the application sites

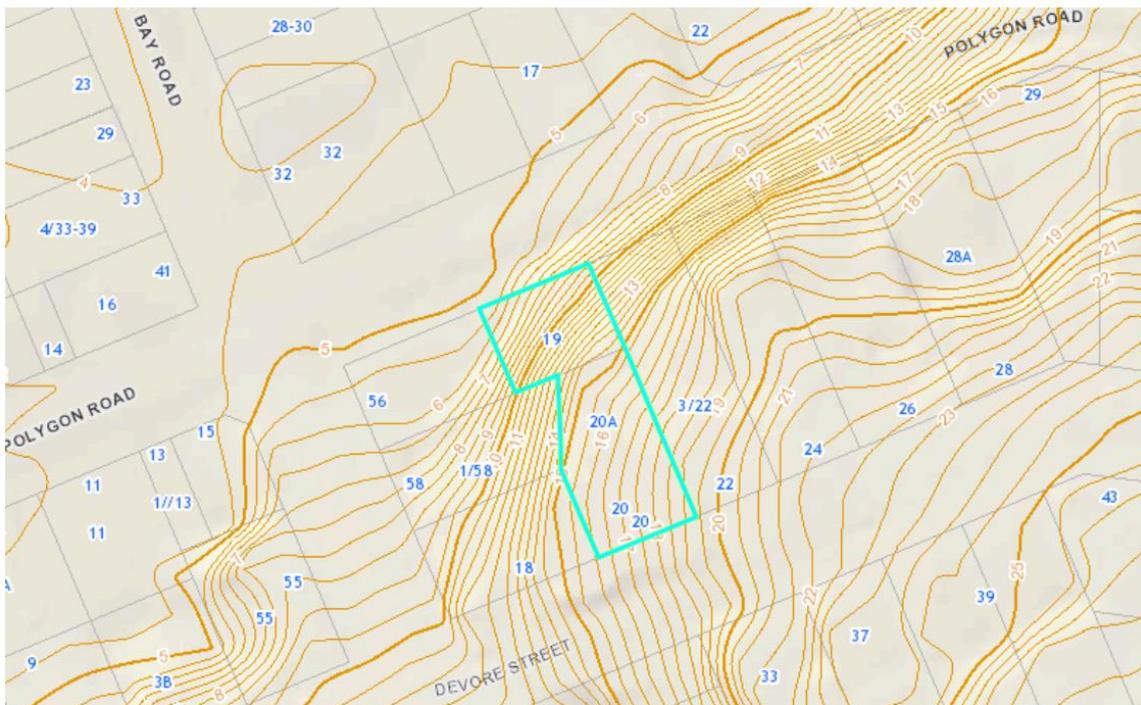


Figure: Topography of the site

SUMMARY:

OLB have read through the AEE report and note several key aspects:

- There are over twelve restricted discretionary activities undertaken for this development. On a cumulative basis this generates a more than minor impact on the environment and neighbouring properties
- The noise levels during construction are in excess of the 70 decibel maximum and will be detrimental to the neighbouring persons
- The land excavation is significant with nearly 3 times the maximum volume
- A traffic management plan is required given the construction and truck movements on a daily basis are intensive

- There are close to 12 properties who need to understand the design and impact of the development. In particular, 18 Devore St will potentially be subject to adverse dominant effects.
- This development will be the highest bulk from a landscape and visual perspective on Devore Street and it would be beneficial to receive simulated photos of the erected building from various angles

OLB recommend public notification.