

FILE

**REPORTS AND CORRESPONDENCE
PLANNING & BYLAWS COMMITTEE
3 FEBRUARY 1997**



t) Tachikawa Forest Products - 87 Vaughan Road - Residential B with Special Provisions (D) - P14427

To construct a dry storage shed on that portion of the applicant's site that is zoned Residential. Consent was granted subject to the following conditions:

1. That the proposed activities be established in general accordance with the Assessment of Effects on the Environment prepared by Beca Carter Hollings & Ferner Ltd, dated 25 October 1996 and plans attached to that report.
2. That the hours of operation on the site be limited to between 7:00am and 5:00pm, Monday to Saturday.
3. That the site be landscaped with embankments along the north-eastern and south-eastern boundaries, with fast growing trees in a manner to the satisfaction of the Director, Environmental Services. This embankment is to visually screen the proposed building from the adjoining site. The landscaping to be completed before 30 June 1997.
4. That the proposed landscaping and the existing landscaping and embankments be maintained in accordance with this resource consent and the resource consent dated 24 September 1996 and to the satisfaction of the Director of Environmental Services to ensure on-going mitigation of any adverse effects on the visual amenity of the area as seen from the residentially zoned land adjoining.
5. That the height of any green timber stored in the outside storage area not exceed 5 metres in height.
6. That the noise levels as measured at the boundary of the site from activities carried out on the site be in accordance with Appendix K of the Proposed District Plan.
7. That in order to reduce noise effects the openings in the outside wall of the No. 2 Sawmill facing the north-east and south-east boundaries be ducted, screened or reduced in size in a manner to the satisfaction of the Director of Environmental Services.
8. That the proposed storage shed is located in a manner in accordance with the submitted plans, ie: being located no closer than 8 metres from the south eastern boundary.

9. That the dispatch area surface indicated on the site plan be finished in hot mix and the remainder of the green timber storage area be finished in chip seal in a manner to the satisfaction of the Director of Environmental Services.
10. That the application consults with Holmes Packaging about the timing of construction of the proposed development.
11. That at any time within 2 years of the completion of the building activities associated with this consent, Council may review the conditions of this consent in terms of Sections 128(1)(a)(i) or 128(1)(c).

P14427

TACHIKAWA FOREST PRODUCTS LTD - AEE

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1. INTRODUCTION

1.1 THE APPLICATION

To erect a storage shed for kiln dried timber. The area in front of the shed is to be used for despatch and for the storage of green timber. (See Site Plan, Appendix 1.)

1.2 THE APPLICANT

Tachikawa Forest Products Ltd.

1.3 LEGAL DESCRIPTION

Lot 1 DPS 57621

1.4 LOCATION

Vaughan Road, Rotorua.

1.5 ZONING

Residential B (Special Provisions), Proposed Rotorua District Plan.

1.6 ACTIVITY STATUS

The proposed storage activities (both indoors and outdoors) and despatch are provided for in the zone as discretionary activities, subject to special provisions as defined in **Rule R7.4.3.5**.

2. THE PROPOSAL

2.1 SITE DESCRIPTION

The site is flat and slightly lower than the adjoining property to the south-east which is zoned residential. At present this adjoining property is developed with an industrial building and a significant landscaped buffer area separating it from future residential development.

The site is generally at the same level as the residentially zoned land adjoining to the north-east which is currently undeveloped. To the south-west is the established sawmill, drying kiln and storage areas which are located on land zoned Industrial B. To the north-west is the employees car park and the site is bounded on this side by Vaughan Road.

The site is currently being landscaped in accordance with a resource consent dated 24 September 1996. The landscaping is being undertaken in a band approximately 20 metres in width along the boundary with the residential land. It consists of a planted 5m high earth embankment (as shown in the plan in Appendix 1) to minimise the visual appearance of the industrial area and to reduce noise impacts. The embankment is to be continued along the south-east boundary of the site further screening the proposed building and outside storage activities.

2.2 PROPOSED BUILDING AND ACTIVITY

The building is to be located a minimum of 6m from the south-east boundary to allow for the placement of the earth embankment. The embankment will be planted in keeping with the embankment along the north-east boundary and serve to reduce noise impacts from the site and enhance the visual amenity of the area. The wall of the building will extend approximately 5m above ground level at the boundary and only the roof will be visible above the embankment.

The building is to be 60m in length by 30m in width and is to be sheathed in cream colour-steel of the same specification as the existing storage buildings on the site. The building floor as well as the despatch area immediately outside is to be asphaltic hot-mix.

The surface of the yard which will be used for green timber storage is chip-seal which is to be completed in conjunction with the landscaping.

Dry timber and green timber will be transported around the site by forklift and typical road trucks will access the site for despatch and delivery.

The activity will operate the same hours as the existing sawmill which is at present for two 8 hour shifts. This may be extended if the demand for timber product increases beyond the two shift capacity. In anticipation of this, this application should be considered for a 24 hour operation.

3. PLANNING MATTERS

3.1 RESOURCE MANAGEMENT ACT

Section 104

The following matters specified in section 104 are considered to be relevant to this proposal.

"(1) Subject to Part II, when considering an application for a resource consent and any submissions received, the consent authority shall have regard to:

- (a) Any actual and potential effects on the environment of allowing the activity; and*
- (d) Any relevant objectives, policies, rules, or other provisions of a plan or proposed plan."*

Part II

Part II, Purpose and Principles, of the Act specifies the Purpose of the Act (Section 5), Matters of National Importance (Section 6), Other Matters (Section 7), and the Treaty of Waitangi (Section 8). The proposal is considered to be in accordance with the Purpose of the Act as it provides for the sustainable management of the land resource and it is not considered to be contrary to Section 6 or Section 8.

Other Matters that should be considered include:

"7. Other Matters - In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to -

- (b) The efficient use and development of natural and physical resources;*
- (c) The maintenance and enhancement of amenity values;*
- (f) Maintenance and enhancement of the quality of the environment."*

Section 105

After considering an application for:

"(b) A resource consent for a discretionary activity, a consent authority may grant or refuse the consent, and (if granted) may impose conditions under section 108."

Comment

The following sections of this report consider the objectives, policies and rules of the Proposed District Plan (Section 3.2), the effects on the environment (Section 4) including the matters considered under Section 7 of the Act, and Section 6 of the report suggests possible conditions that may be considered as mitigation of any potentially adverse effects.

3.2 ROTORUA DISTRICT PLAN

3.2.1 OBJECTIVES

The proposed activity on the subject site is specifically provided for in the Proposed District Plan as a discretionary activity. However, the relevant objectives of the Plan related to the preservation of residential amenity as well as those objectives related to industrial activities should be considered in assessing the impact of the proposal.

"7.2.4.2 RESOURCE MANAGEMENT OBJECTIVE

Amenity values and environmental quality of residential areas that are not adversely affected by non-residential activities.

9.2.1.2 RESOURCE MANAGEMENT OBJECTIVE

Industrial activities which do not adversely effect the amenity values and environmental quality of more sensitive areas in a significant manner.

9.2.2.2 RESOURCE MANAGEMENT OBJECTIVE

Maintained and enhanced amenity values and environmental quality within industrial areas."

3.2.2 POLICIES

Policies related to the protection of amenity values and environmental quality are relevant to this proposal and include:

"7.2.4.3.1 Policy:

To protect all elements of the amenity values and environmental quality of residential areas from potentially adverse effects arising from non-residential activities, particularly where these activities tend to concentrate.

7.2.4.3.2 Policy:

To direct the location of appropriate types of non-residential activities towards those residential areas in the Urban Areas where amenity values are more resilient and have the capacity to absorb change.

9.2.1.3.1 Policy:

To protect the amenity values and environmental quality of the District by requiring industrial activities to avoid, remedy or mitigate their adverse effects and by locating in areas that are least sensitive to environmental degradation.

9.2.1.3.2 Policy:

To actively pursue the identification of sufficient areas of industrial land in locations that ensure the separation of industry from sensitive locations and to optimise the use of that land.

9.2.2.3.1 Policy:

To promote and encourage the improvement of amenity values both in existing and new industrial areas within the District."

Comment

The proposal aims to contain adverse effects of the activity within the site through extensive landscaping. The proposal in itself will provide a buffer between the existing sawmill operation and the undeveloped residential land to the north-east. The building will provide additional separation between the outside storage activities, and potentially adverse effects associated with those, and the adjoining industrial use to the south-east.

The landscaped embankment will enhance the visual amenity of the area and provide a buffer for noise impacts.

The suggested mitigation (Section 6) also identifies conditions that could enhance the existing amenity values and environmental quality on the site through the reduction of noise and dust emissions.

The District Plan has anticipated the provision of storage activities on this site and the proposal avoids, remedies or mitigates any actual or potential adverse effects.

3.3 RULES

The proposed activities are provided for as discretionary activities in accordance with **Rule R7.4.3.5**. This states:

"Storage activities on Lot 1 DPS 57621 may create adverse effects on the amenity of the Browning Crescent and the Owhatiura Drive residential areas in terms of noise, glare, illumination and visual amenity. Other adverse effects relate to traffic movement onto and off the site. Council will endeavour to avoid, remedy or mitigate such effects as appropriate.

Conditions may be imposed on the nature of the storage, hours of operation, illumination, noise barriers and/or other noise mitigation measures, and the location, design and landscaping or screening of buildings. Conditions may also be imposed relating to the sealing of yards and the location of vehicle ingress and egress and the erection of signs.

Council will also reserve the right to impose conditions on the nature and siting of storage activities so that the adverse effects of the activities located on the adjacent land legally described as Lot 1 DPS 38979 and Lot 2 DPS 44114 on residentially zoned sites, can be

avoided, remedied or mitigated. In this regard any positive effects of the storage activity will also be taken into account."

Comment

Section 4 of this report addresses the effects on the environment, in particular the effect of the proposed activities on the adjacent sites, with regard to noise, dust, traffic, visual amenity and lighting as required by **Rule R7.4.3.5**.

The layout of the building and the landscaping has been designed to minimise the impact of the proposed activities on the adjoining properties. The building is screened by a landscaped embankment and the building further separates the outside storage and despatch area from the property to the south-east.

Despatch is only undertaken from 7.00am to 5.00pm and the remaining traffic movement would be forklifts transferring packets of timber to the storage areas. Although this application is to consider the possibility of 24 hour operation it is possible to continue the production aspect of the sawmill without requiring the use of this area at night.

No additional signs will be erected on the site so this item as listed in the rule is not addressed in Section 4.

The suggested mitigation conditions provides Council with a means of monitoring the activities proposed and undertaking enforcement action if this is considered necessary.

It is considered that the proposal will have a positive impact on the current environment by providing a substantial buffer between the existing activities which are reported to be both dusty and noisy (although these effects have not been quantified in any way) and the residentially zoned properties adjoining. The yard will be sealed further reducing the unsurfaced (dusty) area of the site.

4. ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

4.1 NOISE

An assessment of noise effects from the proposed activity has been prepared by Hegley Acoustic Consultants and is attached as Appendix 2. Mr Hegley has also been asked to comment on the existing noise environment and suggest possible offset mitigation works that would improve the current environment. These comments are contained in a cover letter to the report which is attached as Appendix 2A.

The Proposed Activity

Mr Hegley concludes:

"The proposed activity does not include any significant noise source. Due to a combination of screening by the existing buildings, the proposed storage shed and significant bunding, the design goal can be met at all times on the adjacent residential land. The closest house is, in fact, well clear of this residential boundary so the residents are unlikely to hear the new activity.

The adjacent industrial site is well screened from the proposed development and as a result the noise level at this property boundary will be well within the design limit.

Based on the above, the noise from the proposed use will not cause a nuisance for the neighbours. In terms of the requirements of the Resource Management Act the effects from the proposal will be less than minor for all neighbours." (Emphasis added.)

The Existing Activity

Mr Hegley comments that some relatively simple techniques can be adopted to improve the existing noise environment. These include:

"A number of openings in the building are significantly larger than necessary. Reducing the size of these will reduce the noise on the boundary. In some cases these openings may be screened or a short duct used that will enable the product to pass through the opening and control the sound to the outside."

Key Points

1. The proposed activity will not cause a nuisance for the neighbours.
2. It is proposed in Section 6 (Suggested Mitigation) that conditions be imposed to ensure the ongoing compliance with the noise limits discussed in Appendix 2 and that offset environmental works be undertaken to improve the quality of the existing noise environment.

4.2 DUST

The emission of dust from the site as a whole is at present a nuisance. This emanates from the outside area used for storing bark after it has been stripped off the logs. The bark is often mixed with an amount of dirt from the harvesting process and is ground down to a fine dust as it is moved around the site.

Because it is stored outside, the dust is blown about in the wind and in stronger winds from the north-west may affect the neighbouring site to the south-east. **This is an impact of the existing operation not the proposed activity.**

The proposed activity does not involve the stripping, movement or storage of bark from the raw logs. The surface of the working area is surfaced in either chip-seal or hot-mix which provides a dust-free working surface and the building and landscaped embankment will provide a further barrier to the movement of dust from the problem area.

As a form of off-set environmental works the applicant could consider the possibility of providing a water spray over the bark storage area to keep the area damp and thus reduce the likelihood of dust being blown away. This would be manually operated in times of dry, windy weather. Further investigation into this possibility needs to be carried out to see if it is a practical and effective solution and it is not considered to be an essential element of this application. It is put forward here to show that the applicant is concerned about this aspect of the existing operation and is actively seeking a solution.

Key Points

1. **It is considered that the proposed activity will help to reduce the movement of dust from the existing operation beyond the boundary of the site.**
2. **The proposed activity in itself is inherently dust-free as it does not generate dust and as a storage activity does not create a dusty environment.**
3. **The applicant could consider investigating the possibility of off-set environmental works to reduce the adverse effects of the existing operation.**

4.3 TRAFFIC

The green timber storage area outside is intended to take sawn timber direct from the processing sheds adjacent to it. The only traffic in this area would be diesel forklifts moving timber from the sheds to the yard and from there to the kiln for drying. Approximately 3 forklift movements per hour are anticipated in this area.

The timber is then moved from the kiln to the dry storage shed by forklift and from there it is despatched to external customers by typical road trucks. Approximately 4 forklift movements per hour are anticipated transferring dry timber to storage.

The site plan shows the traffic circulation patterns for the site. Despatch trucks enter and exit the site from the existing entrance on Vaughan Road at the south-west end of the property.

The existing despatch area is to be moved to the new shed and the impact of this is now considered.

At present the average number of trucks loading at the despatch area is 5 - 6 with a maximum of 10 trucks per day. This is not expected to increase as a consequence of the construction of the new storage shed as the production capacity of the sawmill is not being increased. Even with production increased to 24 hours per day it is unlikely that the maximum number of 10 trucks per day will be exceeded.

Considering that these 10 trucks will be loading between 7am and 5pm this equates to one truck per hour during "normal" business hours. The total number of trucks accessing the site at present is about 65 per day. These include 40 logging trucks per day and 15 trucks transporting green timber. The proposed activity will therefore contribute, at the most, approximately 15% of the heavy vehicle traffic accessing the site.

Vaughan Road, from the site to Te Ngae Road to the south-west, passes through the surrounding industrial zone and the relocation of the despatch area on the Tachikawa site will not change the existing traffic environment in this area.

Key Points

- 1. There will not be an increase in the number of vehicles visiting the site per day as a result of this proposal as there is no increase in productive capacity as a result of this application. Note: The maximum number of 10 trucks per day is based on 24 hour operation of the sawmill.**
- 2. Trucks accessing the new despatch area (one per hour) are unlikely to add to the off-site environmental effects of traffic in the area.**

4.4 VISUAL AMENITY

The residential areas to the north-east are at present undeveloped (see Photographs, Appendix 3). This assessment has been undertaken on the assumption that this area will in the future be developed for residential housing.

The visual impact of the proposed activities when viewed from the adjoining residential areas to the north-east and south-east will be mitigated by the 3-5m high landscaped embankment. From the south-east this will effectively cover the whole of the facing wall as the floor of the building is already 1.0 - 1.5m below the boundary ground level.

Appendix 1 contains elevations of the building showing the full face of the building (Plan 2/1) and the effect of the landscaped embankment when viewed from the adjoining properties. The planting shown is indicative only but it can be seen that this will further mitigate the impact of the building.

Key Point

The proposed embankment and landscaping will substantially screen the proposed building from the adjoining sites.

4.5 LIGHTING

A lighting design for the yard area has not yet been completed and it is anticipated that this would be submitted to Council for approval prior to erection of any outdoor lighting poles.

The design would ensure that no direct light fell outside that site and that any reflected light in the direction of the adjacent sites was minimised.

Key Point

It is unlikely that any direct or reflected light from the outdoor storage area will fall on adjacent sites because of the height and width of the landscaped embankment and the proposed storage shed.

5. NON-NOTIFICATION OF APPLICATION

5.1 SECTION 94

Section 94 of the Resource Management Act provides for applications not requiring notification. Subsection 2 states:

“(2) An application for a resource consent need not be notified in accordance with section 93, if the application relates to a discretionary or a non-complying activity and -

- (a) The consent authority is satisfied that the adverse effect on the environment of the activity for which consent is sought will be minor; and*
- (b) Written approval has been obtained from every person whom the consent authority is satisfied may be adversely affected by the granting of the resource consent unless the authority considers it unreasonable in the circumstances to require the obtaining of every such approval.”*

Comment

From the assessment of effects we consider that it has been shown that the proposed storage activities on the site would have no adverse off-site effects beyond those which would normally be associated with the development of the site and are anticipated for permitted activities in the District Plan.

Furthermore it is shown that the proposed landscaping and site layout as well as the proposed off-set environmental works would **improve** the existing environmental quality and amenity values. The assurance that this situation will continue is given in the form of suggested conditions of consent which are enforceable should any contravention occur.

We therefore submit that the criteria specified in section 94(2) of the Act have been complied with to the extent that there will be **no** adverse off-site effects on the environment and that in these circumstances no other persons need to give their written consent.

6. SUGGESTED MITIGATION

The following are suggested conditions that could be imposed to ensure the on-going mitigation of any adverse effects experienced from the proposed activities:

1. That the proposed activities be established in general accordance with the Assessment of Effects on the Environment prepared by Beca Carter Hollings & Ferner Ltd, dated 25 October 1996.
2. That the hours of despatch from the site be limited to between 7.00am and 5.00pm.
3. That the site be landscaped with an embankment along the south-eastern boundary as shown on the site plan attached to the application. This embankment is to visually screen the proposed building from the adjoining site.
4. That the proposed landscaping and the existing landscaping and embankments be maintained in accordance with this resource consent and the resource consent dated 24 September 1996 to ensure on-going mitigation of any adverse effects on the visual amenity of the area as seen from the residentially zoned land adjoining.
5. That the height of any green timber stored in the outside storage area shall not exceed the height of the landscaped embankment.
6. That by way of off-set environmental works the bark bin and the area around the bark bin shall be provided with a manually operated water spray to reduce the adverse effects of dust in dry, windy weather conditions.
7. That the noise levels as measured at the boundary of the site from activities being undertaken in accordance with this resource consent shall not exceed:

At the south-east boundary;

- a daytime level of 50dBA L₁₀
- an evening level of 45dBA L₁₀

At the north-east boundary;

- a daytime level of 45dBA L₁₀
- an evening level of 40dBA L₁₀

Night-time levels shall be 40dBA L₁₀ at both boundaries.

The reason for the higher suggested limits at the south-east boundary is that the occupier of the adjacent site is an industrial activity even though the site is also zoned residential.

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8. That by way of off-set environmental works the openings in the outside wall of the No.2 Sawmill facing the north-east and south-east boundaries be ducted, screened or reduced in size to reduce the volume of noise that is able to escape through these openings.