

## APPENDIX E

Correspondence from Environmental  
Health/Contaminated Land Expert

**From:** [Alan Parkes](#)  
**To:** [Milan Covic](#)  
**Subject:** RE: Pokeno Gull; Lighting  
**Date:** Thursday, 11 March 2021 9:47:06 am

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Hi Milan

Sorry I can't see that I've replied to this. I'm not sure that I really have any proposed conditions. The assessment provided demonstrates that operational noise will meet the limits of both the ODP and PDP and therefore I don't think conditions setting noise limits are necessary – the district plan limits apply. A condition can be imposed in respect of construction noise when developing the site, if consent is granted. As residential properties are located in close proximity to the site I consider it appropriate that the residential limits applicable to residential properties are adopted. I note that the limit for commercial areas during daytime hours of 0730-1800 are the same as those for residential locations and therefore do not consider there is any disadvantage in applying these limits generally. A condition is recommended below. A general condition requiring operation in accordance with the management plan and any subsequent revisions would be appropriate but that is something that you can draft.

In respect of construction noise I recommend the following condition:

All construction work on the site shall be designed and conducted to ensure that noise from the site does not exceed the following noise limits:

Time	Weekdays		Saturdays		Sundays and Public Holidays	
	L <sub>Aeq</sub>	L <sub>AFmax</sub>	L <sub>Aeq</sub>	L <sub>AFmax</sub>	L <sub>Aeq</sub>	L <sub>AFmax</sub>
06:30 – 07:30	60	75	45	75	45	75
07:30 – 18:00	75	90	75	90	55	85
18:00 – 06:30	45	75	45	75	45	75

Sound levels shall be measured and assessed outside buildings affected by construction noise in accordance with the provisions of *NZS 6803:1999 Acoustics – Construction Noise*.

Regards  
Alan

**Alan Parkes**  
Contaminated Land Specialist

**Waikato District Council**

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**From:** Milan Covic <Milan.Covic@waidc.govt.nz>  
**Sent:** Thursday, 4 March 2021 9:33 am

**To:** Alan Parkes <Alan.Parkes@waidc.govt.nz>

**Subject:** RE: Pokeno Gull; Lighting

Hi Alan,

Thanks for that. I will be seeking a lighting expert to address those matters at the hearing. Are you able send through any conditions recommended for the earthworks, and for the other health matters relating to the service station?

Thanks,

Milan

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**From:** Alan Parkes <[Alan.Parkes@waidc.govt.nz](mailto:Alan.Parkes@waidc.govt.nz)>

**Sent:** Tuesday, 2 March 2021 4:46 pm

**To:** Milan Covic <[Milan.Covic@waidc.govt.nz](mailto:Milan.Covic@waidc.govt.nz)>

**Subject:** RE: Pokeno Gull; Lighting

Hi Milan

I probably could – although I would really have nothing to add beyond my previous comments in relation to the acoustic report received which identified the noise levels would easily meet the ODP noise limits. I would expect that at a hearing the applicant would have their acoustic consultant present evidence and based on their report I would not expect to raise any issue.

In plain language – I would think it is up to the applicant to address issues raised – not us. Our role surely is to assess what is presented and if appropriate raise any concerns arising, which at this stage there are none in respect of noise. A vague statement that they “think it may be too loud” is already addressed in the report submitted with the application showing compliance. If a submitter disagrees then that needs to be directed to the applicant at hearing.

Regards

Alan

**Alan Parkes**

Contaminated Land Specialist

**Waikato District Council**

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**From:** Milan Covic <[Milan.Covic@waidc.govt.nz](mailto:Milan.Covic@waidc.govt.nz)>

**Sent:** Tuesday, 2 March 2021 4:29 pm

**To:** Alan Parkes <[Alan.Parkes@waidc.govt.nz](mailto:Alan.Parkes@waidc.govt.nz)>

**Subject:** RE: Pokeno Gull; Lighting

Hi Alan,

Thank you for the comments. We will be seeking a lighting expert for our application.

We have had some general concerns raised around noise too. Are you in any position to potentially address these for the hearing? There hasn't been anything mentioned in detail, just that it could be 'too loud' for the area.

Thanks,

Milan

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**From:** Alan Parkes <[Alan.Parkes@waidc.govt.nz](mailto:Alan.Parkes@waidc.govt.nz)>

**Sent:** Monday, 1 March 2021 2:15 pm

**To:** Milan Covic <[Milan.Covic@waidc.govt.nz](mailto:Milan.Covic@waidc.govt.nz)>

**Subject:** RE: Pokeno Gull; Lighting

Hi Milan

I don't consider that I have any great expertise around lighting sufficient to act as an "expert" witness. The submissions on lighting are very general in nature. The lighting report submitted indicated that lighting levels would comply with the district plan and so effects would be negligible. I certainly have no reason to consider the report is inadequate or incorrect. As noted in my comments there was some difficulty in the report not specifically addressing the standards referenced in the district plan, however I am not sufficiently knowledgeable to say if this is relevant but I would be surprised if it was. As for being "too bright" the limits in the plan should have been set to provide for acceptable levels so I would say if they comply with the limits then the effects must be considered less than minor and are acceptable. If you consider it likely to be an issue at a hearing then I would suggest you engage an expert. If you wanted to you could ask for clarification around the standards referenced in the report and those in the district plan as per my comments.

Regards

Alan

**Alan Parkes**

Contaminated Land Specialist

**Waikato District Council**

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**From:** Milan Covic <[Milan.Covic@waidc.govt.nz](mailto:Milan.Covic@waidc.govt.nz)>

**Sent:** Monday, 1 March 2021 11:50 am

**To:** Alan Parkes <[Alan.Parkes@waidc.govt.nz](mailto:Alan.Parkes@waidc.govt.nz)>

**Subject:** Pokeno Gull; Lighting

Hey Alan,

The landuse consent for the Gull in Pokeno has been publicly notified, and we had a close of submissions on Friday. A number of submissions raised concerns about the lighting of the signage being too bright or disrupting amenity for the area. I do recall the lighting plans provided by the applicant did demonstrate compliance with the relevant rules. Are you able to provide some further comments on the effects of the lighting, and if they could be 'too bright'? We also have the opportunity to now seek further information from the applicant, so please let me know if you think this is necessary.

We may also need comment from yourself at the hearing, so please let me know if it's more appropriate for Council to engage an expert for this. None of the submissions raised points in regard to other health/NES matters.

The submissions are here

<https://alpha.waikatodc.govt.nz/T1Prod/CiAnywhere/Web/Prod/ECMCore/BulkAction/Get/3c3fd2bb-b019-4f6d-8b05-7baf63ba8c86>

Thanks,

Milan