

## Russell Hooper- Planning Manager

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**From:** Lucy Cooper <lucy@perceptionplanning.co.nz>  
**Sent:** Friday, 12 April 2019 3:11 p.m.  
**To:** Honor Clark  
**Cc:** Russell Hooper- Planning Manager; Craig Percy; Paul Reeve; Peter Cooke  
**Subject:** The Orchards - response to Council's S92 Further Information Request  
**Attachments:** 190412 FINAL COMPLETE Response to s92 request.pdf; PastedGraphic-1.tiff

Dear Honor

Thank you for your time on 10 April to discuss the Council's s92 letter. Please find attached our response, which provides information against each of the matters raised. I trust that the application can now be taken off hold and proceed to notification. I have also created a new folder in the shared Google Drive with Council where you will also find a copy of this letter.

Thank you and have a good weekend

Lucy

Lucy Cooper

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*I work at Perception Planning Monday - Wednesday. Outside of those days, I will be checking my emails and contactable on my mobile number, 0210 22 11 414.*



PERCEPTION PLANNING  
*your connection with the environment*

Honor Clark  
South Wairarapa District Council  
19 Kitchener Street  
Martinborough 5711

12 April 2019

Tēnā koe Honor,

**Application ref: RC190034, The Orchards Retirement Village**

**Response to SWDC s92 Request**

Thank you for your letter dated 28 March 2019 which set out a number of matters on which Council is seeking further information. I set out my response to each of the points below. My commentary below should be read in conjunction with the following documents, which are appended to this letter:

- Correspondence from Cobus de Koch, Stantec, providing responses to the Council's questions around traffic and roading;
- A revised masterplan drawing 4.5 supplied by DGSE, dated 11 April 2019, showing an amendment to one of the site's internal 3m-wide accessways; and
- A drawing of the proposed pond/water feature on the Moroa Water Race, prepared by Mark Newdick (Local Collective).

**Traffic and Roding**

Consultation with NZTA

As described in the letter from Stantec attached, NZTA were consulted prior to lodgement of the private plan change request and resource consent applications. Briefly state what they said/if they had any issues/how you took their comments into account... just so that this doc summarises that. Discussions with the Agency were led by Cobus de Koch, Stantec. We look forward to further engagement with NZTA as the applications proceed through the RMA process.

Other traffic matters raised

Stantec have addressed each of the matters raised in the Council's s92 letter in the correspondence attached. Mr de Koch's letter should be read in conjunction with revised masterplan drawing 4.5 supplied by DGSE, dated 11 April 2019, particularly in respect to Council's question as to why a width of 3m for secondary roads has been used for some of the site's internal roading. This drawing shows an amendment to one of the internal 3m wide roads of most concern to Council, so as to ensure the access serves an appropriate number of dwellings.

## Soil Disturbance

Soil disturbance is a permitted activity under s8(3) of the NES for Assessing and Managing Contaminants in Soil as follows:

*Disturbing the soil of the piece of land is a permitted activity while the following requirements are met:*

*(a) controls to minimise the exposure of humans to mobilised contaminants must—*

*(i) be in place when the activity begins:*

*(ii) be effective while the activity is done:*

*(iii) be effective until the soil is reinstated to an erosion-resistant state:*

*(b) the soil must be reinstated to an erosion-resistant state within 1 month after the serving of the purpose for which the activity was done:*

*(c) the volume of the disturbance of the soil of the piece of land must be no more than 25 m<sup>3</sup> per 500 m<sup>2</sup>:*

*(d) soil must not be taken away in the course of the activity, except that,—*

*(i) for the purpose of laboratory analysis, any amount of soil may be taken away as samples:*

*(ii) for all other purposes combined, a maximum of 5 m<sup>3</sup> per 500 m<sup>2</sup> of soil may be taken away per year:*

*(e) soil taken away in the course of the activity must be disposed of at a facility authorised to receive soil of that kind:*

*(f) the duration of the activity must be no longer than 2 months:*

*(g) the integrity of a structure designed to contain contaminated soil or other contaminated materials must not be compromised.*

I acknowledge that the proposed earthworks on the site is unlikely to meet the requirements of this permitted activity, particularly in respect of the volume of soil disturbance and the duration of the activity. I would be grateful, therefore, if the Council could update the proposed description of resource consents required by the establishment and operation of a retirement village to include soil disturbance activity that is a **Controlled Activity** under the NESCS.

A detailed site investigation exists for the Orchards site (The Orchards Site Investigations Report 180507, Version 4 January 2019, Andy Duncan). This was appended to the resource consent application for the development (Appendix 24 and 24A of that pack), and also formed the basis of the application under the NES, granted by SWDC on 5 March 2019 ref. 180203. The scale of both the conceptual model and the site investigation was appropriate to the site,<sup>1</sup> the contaminants of concern, and the potential risk

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<sup>1</sup> "Given the site history, a detailed site investigation was undertaken on a judgemental/stratified basis and focussed on the washdown area and chemical loading as areas of specific risk of chemical build-up. For other areas a stratified sampling methodology was adopted, breaking down the proposed development according to original use (i.e. by consistent block of fruit tree type). Composites taken within each land use block present a valid and cost-effective method of obtaining coarse contaminant levels. Composites are generally followed up with individual samples or further testing where there more accurate data is needed" (Andy Duncan, 2019, p.19).



posed by the proposed soil disturbance. It is my understanding that in the report, the results of chemical analysis of the soils sampled are compared with the applicable soil contaminant standards for the intended land use (residential land use). Analysis in Mr Duncan's report suggests that no further restrictions (i.e. on deep excavation work) are warranted as, except for the hot spots (the remediation of which is provided for under resource consent 180203), contaminant levels for the rest of the site do not exceed or, at worst, are at guideline levels for persistent exposure through ingestion. Mr Duncan concludes that short duration exposure through excavations has negligible risk. Therefore, the consent for the soil disturbance activity can proceed as a controlled activity.

In reviewing the application for the controlled activity under the NES, SWDC can only consider:

- a) the adequacy of the detailed site investigation
- b) how the soil disturbance activity must be managed, including the transport and disposal of soil removed from the land
- c) the timing and nature of the review of the conditions in the resource consent
- d) the duration of the resource consent.

I deal briefly with each matter below:

- (a) I understand the detailed site investigation to be adequate.
- (b) As acknowledged by Mr Duncan in his detailed site assessment (section 14, page 28), the extensive development of the site will require significant management, and the historic data and contamination risk assessment will be included in an overall site management plan. As part of the suggested conditions of consent, the preparation of a construction environment management plan (CEMP) was proposed. I recommend that the management of soil disturbance, including transport and disposal of soil removed for the land for the purposes of management risk to human health be included in the CEMP.

Overall, no specific post development site management requirements are envisaged for the normal operation of the proposed development.

- (c) A review clause has been proposed as part of the suggested conditions of consent. I consider this to be appropriate for managing any risk associated with a resource consent for soil disturbance made under the NESCS.
- (d) An unlimited duration of resource consent is sought.

### **Moroa Water Race**

The Partnership sought written approval for works to the Moroa Water Race under the Bylaw in the resource consent application for the Orchards development. As a consequence of our discussion on 10 April 2019, I now appreciate that this was premature. I acknowledge that Council will not be in a position to provide written approval to any works involving the Moroa Water Race under the Bylaw until detailed drawings have been provided to Council as a consequence of fulfilling conditions of consent.



Nevertheless, in order for Council to have a better appreciation of what is proposed, Mark Newdick (Landscape Architect, Local Collective), who prepared the landscape concept masterplan for the development, has provided additional drawings of the proposed pond/water feature, which are included with this letter. In addition to the plan, Mr Newdick explains:

*"The Moroa water race will pass through the site unaffected by the proposed development. It is seen as a special feature of the site and will be protected as such. A single pond is proposed to highlight or "celebrate" the race by allowing it to briefly flow into a larger area / water body which would likely be lined with inert steel or concrete. This lining would sit below the soil level so that the race can flow in and out of it unhindered. The entry and exit points of the race to the site, its current route, flow and water quality are proposed to be unaltered".*

I have also discussed this aspect of the further information request with Derek Roberts (Calibre) and Mr Newdick and believe it is premature to provide detailed design drawings of the bridges discussed in the AEE and landscape concept masterplan at this stage in the process. Bridge design will be carried out by certified engineers and informed by water race volume calculations and irrigation channel capacity, as well as the aesthetic outcomes the applicant is seeking. These factors can be better addressed during the detailed design stage through conditions.

I trust that this letter answers the Council's outstanding matters and you will be in a position to take the application off hold and proceed to notification. As discussed, it is our hope that Council are able to notify the applications by Wednesday 17 April 2019 at the latest.

Yours sincerely,



**Lucy Cooper**



12 April 2019

Perception Planning  
11 Jellicoe Street  
MARTINBOROUGH 5741

**Attention: Lucy Cooper**

Dear Lucy

**Murphy's Orchard Retirement Village: Traffic Response to Section 92 Matters**

Following the recent request for more information from the South Wairarapa District Council ("SWDC"), we have compiled responses to address all the issues raised.

Therefore, the remainder of this report is set out by initially providing the requests as outlined within the Section 92 Request for Further Information on Private Plan Change / Recourse Consent (RC190034) from Ms Honor Clark, with our response to each point.

1. *"Given the scale of the proposed development, the outcome of consultation with New Zealand Transport Agency (NZTA) regarding the potential effects on State Highway 2 (SH2), particularly on the SH2/Papawai Road intersection."*

Stantec informed the New Zealand Transport Agency ("NZTA") about the proposed plan change and proposed retirement village and also submitted our Transport Assessment Report for comments on 30 January as a Draft and 2 April as a Final submission. We have not received feed back from NZTA on this matter as yet, however we do have confirmation from NZTA's Senior Planner that they did receive the application and that they are reviewing the effects of the plan change on State Highway 2.

2. *"how the proposed target operating speeds within the development will be achieved"*

The development will impose a 10km/h speed limit on all the internal roads, this will be signed with RS1 (10km/h) signs along all the internal roads. The proposed roading design also includes horizontal surface and texture changes at regular intervals for all the 5.5 metre roads. These transverse bands will reinforce the slow speed nature of the private roads. Furthermore, the pedestrian walkways will have raised crossings which further will reinforce the slow speed environment.

3. *"rationale as to why a width of 3m for secondary roads has been used, as they are not "side or rear access" to which a 3m width standard applies"*

The 3-metre-wide lanes have been designed in accordance with NZS 4404:2010 Table 3.2 Figure E9 which has the following attributes, "Access to houses / townhouses" and generally serves one to six dwelling units. The design plans have been amended so that all the 3-metre-wide roads will be "No Exit" roads, effectively creating two additional "No Exit" lanes which only provides access to the limited number of dwelling units along each lane. These lanes will still allow pedestrian access at the ends and therefore not hamper internal connectivity.

These lanes are generally between 50 metres and 80 metres in length with intermitted driveways where passing can easily be accommodated. The updated development plan is appended to this letter. The driveways will be flush with the lane way to minimise trip hazards but also provide ample passing opportunities.

4. *"a more detailed assessment as to the potential conflict between vehicles (2 way), pedestrians, cyclists, mobility scooters and visitor parking on secondary roads"*

All the units with the access from these 3-metre-wide roads are also provided with a dedicated walkway in close proximity. Pedestrians, wheelchairs and mobility scooters are expected to use these walkways and are designed to the pedestrian desire lines. We suspect that cyclist will share the laneway movement lane, once again NZS 4404:2010 Figure E9 is comfortable that cyclists can share the movement lane for such low volume private access lanes. The alternating flush driveways along the length of these laneways will furthermore provide a passing opportunity approximately every 10 metres. This "shared" laneway design adds to the overall slow speed environment promoted for the proposed retirement village.

5. *"rationale behind the proposed upgrades to Reading Street and Market Road. Note a 50km/hr operating speed would normally require a carriageway width of 8.4m, not 5.5m-5.7m as proposed"*

Upon review and discussion with SWDC at the meeting held on 10 April 2019, we agree that the Reading Street can be upgraded to NZS4404:2010 Figure E13 as opposed to the E12 as suggested in our assessment. Although the estimated traffic increase is not expected to be more than 2000 vpd as suggested for figure E12, the development of the neighbouring school combined with the proposed Orchards Retirement village suggests that a more robust road cross section will be advantageous.

Market Road will carry far less traffic and it was agreed that E12 is the correct cross section for this section of road. This upgrade of Market Road will therefore include the addition of a footpath on one side of the road. We would suggest that such a footpath is to be constructed on the northern side of the road which in turn will link into the footpath along the proposed development frontage to Market Road as shown on the updated development plan.

6. *" what the upgraded intersections will look like"*

At this early stage the intersection of Reading Street and Market Road has not been designed, but at detailed design stage we propose that this intersection is designed in compliance with the code of practice and New Zealand standards.

7. *"the intended location of pedestrian crossing(s)"*

We expect that a pedestrian crossing point along Reading Street, between the proposed development and McMaster Street, should be located in accordance with the pedestrian desire lines. Such a crossing would also be beneficial to the neighbouring school. The exact detail of this crossing is not known at present, but we suspect that kerb buildouts and median refuge will be in line with the Pedestrian Crossing Guidelines. A second crossing point at the intersection of Reading Street and Market Street is also expected, this would generally be a standard pedestrian crossing point at a road intersection. In both cases we suspect that pram ramps will be sufficient but due to the close proximity the vulnerable road users in the area raised tables can be investigated at the design stage.

We trust that these further details and accompanying amendments to the proposed plan clarify the matters raised.

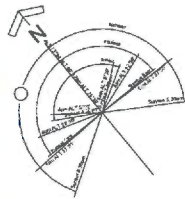
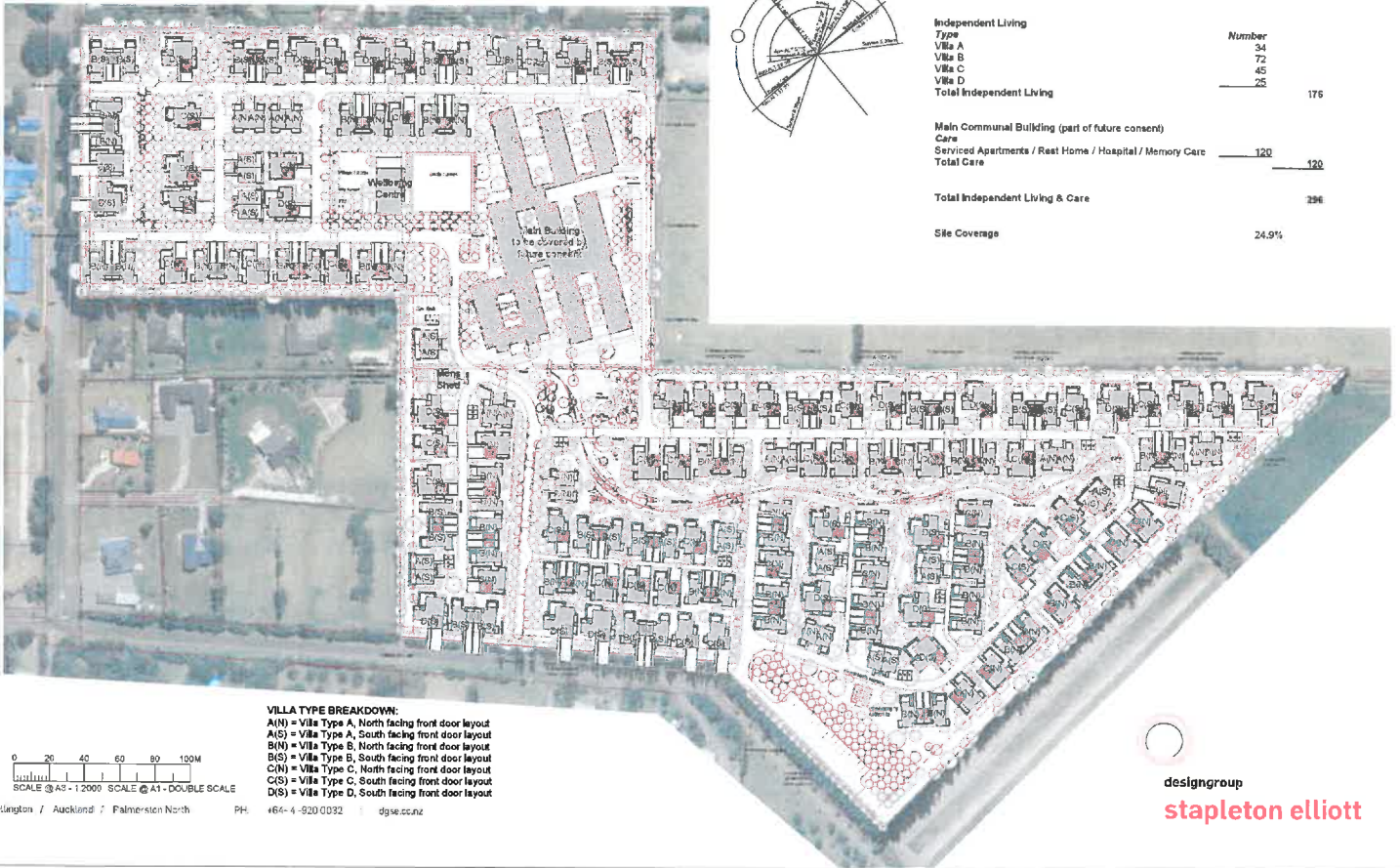
Yours sincerely

A handwritten signature in blue ink, appearing to read 'Cobus de Kock', written over a circular stamp or seal.

Cobus de Kock  
**Associate**  
**Stantec New Zealand**

Incl. Design Response Proposed Site Plan





**ACCOMMODATION SUMMARY**

Independent Living Type	Number	
Villa A	34	
Villa B	72	
Villa C	45	
Villa D	25	
<b>Total Independent Living</b>		<b>176</b>
<b>Main Communal Building (part of future consent)</b>		
Care		
Serviced Apartments / Rest Home / Hospital / Memory Care	120	120
<b>Total Care</b>		<b>120</b>
<b>Total Independent Living &amp; Care</b>		<b>296</b>
<b>Site Coverage</b>		<b>24.9%</b>

**VILLA TYPE BREAKDOWN:**  
 A(N) = Villa Type A, North facing front door layout  
 A(S) = Villa Type A, South facing front door layout  
 B(N) = Villa Type B, North facing front door layout  
 B(S) = Villa Type B, South facing front door layout  
 C(N) = Villa Type C, North facing front door layout  
 C(S) = Villa Type C, South facing front door layout  
 D(N) = Villa Type D, North facing front door layout  
 D(S) = Villa Type D, South facing front door layout

0 20 40 60 80 100M  
 SCALE @ A3 - 1:2000 SCALE @ A1 - DOUBLE SCALE

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