

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Private Plan Change Request to the Wairarapa Combined District Plan and Resource Consent Application from The Orchards Partnership Limited to the South Wairarapa District Council: The Orchards Retirement Village

Minute 3 of Hearing Commissioner

Errata

Ref 190034: The Orchards Retirement Village, 61 Reading Street and 31 Market Road, Greytown

It has been brought to my attention by Counsel for Schubert Wines that there are two errors or matters of clarification that need to be corrected in the decision and recommendation report dated 2 October 2019.

These relate to:-

1. The statement at section 6.7 of the Decision which states that “Schubert Wines had withdrawn their submission prior to the hearing.” As recorded elsewhere in the Decision, in particular in the text of section 4.2 and at row 17 of the table in that section, Schubert did not withdraw its submission on the Application, rather it reached an agreement with the applicant prior to the hearing proceeding and therefore no longer considered that it was necessary to appear at the hearing. We therefore assume that the statement in section 6.7 was included in error and request that it either be deleted or replaced with words to the following effect “Schubert Wines did not appear at the hearing as it had reached agreement with the applicant prior to the beginning of the hearing.”
2. The second matter relates to condition 45. While this condition accurately reflects the wording agreed between Schubert and the applicant, the recommendation at page 25 states that “[t]he applicant in an agreement with Schubert Wines agreed a no complaints covenant for any future residents of this unit [at the corner of boundaries 2 and 3] and an advice note”. As the wording of condition 45 correctly applies the no-complaints covenant across the entire site held in the record of title WN 437963, i.e. not just limited to the unit at the corner of boundaries 2 and 3, we request that a slight amendment be made to the text on page 25 of the Decision so as to avoid potential issues with interpretation in the future.

These matters are now amended. I have also taken the opportunity to amend two other typos in the decision.

The corrected decision is attached but the date of decision on the resource consent still applies.



Lindsay Daysh
Independent Commissioner
10 October 2019.