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# Resource Consent Application and Assessment of Effects

SUBMITTED TO SOUTH WAIRARAPA DISTRICT COUNCIL  
FOR LAND USE CONSENT TO ESTABLISH AND OPERATE  
THE ORCHARDS RETIREMENT VILLAGE AT 67 READING  
STREET AND 31 MARKET ROAD, GREYTOWN

6 March 2019  
The Orchards Limited Partnership





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Martinborough | Taupō | Christchurch



# Resource Consent Application

**Resource Consent Application and Assessment of Effects to South Wairarapa District Council for Land Use Consent to establish and operate the Orchards Retirement Village at 67 Reading Street and 31 Market Road, Greytown**

Prepared for:  
**The Orchards Limited Partnership**  
**06 March 2019**

Disclaimer:

We used a lot of different sources of information to write this report. Where we could we tried to make sure that information was accurate, but we couldn't audit all those external reports, websites, people or organisations. If the information we used turns out to be wrong, we can't accept any responsibility or liability if that affects our report or its conclusions. We might (but don't have to) update our report if we find any additional information that was available when we wrote the report that affects its conclusions.

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# 1 Application Form

Form 9  
Application for Resource Consent  
Section 88, Resource Management Act 1991

To South Wairarapa District Council

1. The Orchards Limited Partnership apply for the land use consents to establish and operate a retirement village at 67 Reading Street and 31 Market Road, Greytown, South Wairarapa.
2. The proposed activity to which the application relates is that generally described in the Assessment of Environmental Effects (AEE) prepared by Perception Planning Limited dated 6 March 2019, inclusive of the appendices. The proposed activity includes land use consents required under the Operative Wairarapa Combined District Plan (WCDP).

A list of the consents required is provided in the Annexures attached to this document. Overall, a number of consents are being sought, with the most stringent activity status being **Discretionary**.

3. The site at which the proposed activity is to take place is identified in Table 1 below. This site is described in more detail in the AEE.

TABLE 1: SITE DESCRIPTION - UNDERLYING ALLOTMENTS

Street Address	Legal Description	Title	Site Area	Occupier	Owner	Owner Address
31 Market Road	Lot 4 DP 410283 and Lot 1 DP 6753	43796 3	8.2857	Vacant	The Orchards Limited Partnership	1215 Maraekakaho Road, Hastings 4175
67 Reading Street	Part Tahorahina Block	WN40 3/156	5.5315	Vacant	The Orchards Limited Partnership	1215 Maraekakaho Road, Hastings 4175

4. The name and address of the owners or occupier of the site to which the applications related is listed in Table 1 above.

5. There are no other activities that are part of the proposal to which this application relates.
6. The following additional resource consents are needed for the proposal to which this application relates:
  - a. Resource Consent application under the National Environmental Standard for Assessing and Managing Contaminants in Soil. This consent was approved on 05 March 2019 (Appendix 25)
  - b. Resource consent application under the Proposed Greater Wellington Natural Resources Plan for earthworks in excess of the permitted activity standards allowed for a 12-month period. This consent application will be made once the detailed design for the project has been completed.
7. I attach an assessment of the proposed activity's effect on the environment. It:
  - a. Includes the information required by Clause 6 of Schedule 4 of the RMA; and
  - b. Addresses the matters specified in Clause 7 of Schedule 4 of the RMA; and
  - c. Includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

The AEE includes multiple appendices which are to be read as part of the AEE.

8. I attach an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act (the Act or RMA) is enclosed as part of this application.
9. An assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Act, including information required by Clause 2(2) of Schedule 4 of that Act, is enclosed as part of this application.
10. N/A
11. N/A
12. N/A
13. N/A
14. N/A

L E. Cooper

.....  
**Signature of applicant (or person authorised to sign on behalf of applicant)**

.....  
**6 March 2019**

**Address for service of applicant:**

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# Annexure 1

## Summary of resource consents required.

TABLE 2: SUMMARY OF THE RESOURCE CONSENTS REQUIRED UNDER THE OPERATIVE DISTRICT PLAN

Rule	Standard	Proposed Activity
4.5.2(d)	Minimum dwelling setback	<ul style="list-style-type: none"> <li>Does not comply with external site 10m (front) and 25m (other) boundary setbacks</li> </ul>
4.5.2(e)	Number of dwellings	<ul style="list-style-type: none"> <li>The proposed development will result up to 180 independent residential units</li> </ul>
4.5.2(h)	Signs	<ul style="list-style-type: none"> <li>The number and size of signs proposed do not meet this requirement</li> </ul>
4.5.5(c)	Non-residential activities in a building greater than 25m <sup>2</sup> GFA	<ul style="list-style-type: none"> <li>All non-residential activities that form part of the retirement village (excluding the hospital and resthome) and including the well-being centre,</li> <li>Use of proposed retirement villa as a show home</li> </ul>
4.5.5(e)	<ul style="list-style-type: none"> <li>Non-compliance with 4.5.2(e) number of dwellings per CT; and</li> <li>non-compliance with 4.5.2(h) signs</li> </ul>	<p>Establishment of up to 180 independent residential units</p> <p>Establishment of signage to the village and within the village</p>
21.1.16	Temporary activities	The duration of earthworks is likely to exceed this permitted activity requirement.
21.4.14	Non-compliance with permitted activity rule 21.1.25	Various transportation aspects of the proposal as identified in the attached Traffic Impact Assessment (Appendix X)
21.6(a)	Non-compliance with the permitted activity standards for temporary activities rules 21.1.6	Construction programme will exceed 12 months

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Appendix 11:	Staging Plan
Appendix 12:	Plan of surrounding properties
Appendix 13:	Certificates of Title
Appendix 14:	Statement from The Orchards Limited Partnership
Appendix 15:	The Orchards at Greytown - Impact on the Four Wellbeings in South Wairarapa prepared by Business and Economic Research (BERL)
Appendix 16:	The Orchards at Greytown - Economic Impact Assessment prepared by Business and Economic Research (BERL)
Appendix 17:	Indicative Staffing Numbers
Appendix 18 and 18a:	DGSE Design Statement including Indicative house elevations and floor plans and Appendices
Appendix 19:	Local Collective Landscape Concept Plan and Design Statement
Appendix 20:	Landscape and Visual Assessment - Rachael Annan, Perception Planning
Appendix 21:	Calibre Consulting Limited Resource Consent Report and High Level Civil Assessment
Appendix 22:	Stantec Transport Assessment
Appendix 23 and 23a:	Treecology Report & Memo
Appendix 24:	EQONZ Detailed site investigation report and Chain of Custody
Appendix 25:	Decision Notice - Resource Consent under NES for Site Remediation
Appendix 26:	EQOnz Ltd Foundation Report
Appendix 27:	Greater Wellington email regarding water races
Appendix 28:	Regional Consents
Appendix 29:	Moroa Water Race Bylaw
Appendix 30:	Rules Assessment Table (operative Wairarapa Combined District Plan)
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# Introduction

This report, inclusive of the appendices, provides the necessary resource consent application documentation required for South Wairarapa District Council (SWDC) to consider the Orchard's Limited Partnership's land use consent application for a comprehensive continuing care retirement village development at Murphy's Orchard, 67 Reading Street, in Greytown.

This report has been set out in accordance with the requirements of the 4th Schedule of the RMA. This report includes:

- Description of the existing and surrounding environment;
- Description of the proposal;
- Identification of the resource consents known to be required;
- Identification of the relevant assessment matters;
- Identification of the actual and potential effects;
- Assessment of the relevant assessment matters;
- Identification of mitigation measures and suggested consent conditions;  
and
- Conclusion

This report includes and relies on the reports and assessments included in the appendices and listed on page 12 above.

## 1.1 The Site

The application site is located within the South Wairarapa Council District and located on District Plan Map 61 of the operative Wairarapa Combined District Plan. It is in the Rural (Primary Production) Zone of the Operative Plan.

The proposed private plan change, which has been lodged with Council concurrently with this application, proposes to rezone the site to fall within the Residential Zone.

The site has a total area of approximately 13.82ha. The current principle access to the site is on Reading Street and is approximately 400m from Main Street and the Greytown Town Centre building, which contains the iSite and the library. The Reading Street frontage of the site is directly opposite Greytown Primary School.



FIGURE 1: SITE LOCATION MAP

The land to which the application relates consists to two adjoining sites, as listed in Table 3 Legal Descriptions. Copies of the titles are included in Appendix 1.

TABLE 3 LEGAL DESCRIPTIONS

<b>Certificate of Title</b>	<b>Legal Description</b>	<b>Area (ha)</b>
437963	Lot 4 DP 410283 and Lot 1 DP 6753	8.2857
WN403/156	Part Tahorahina Block	5.5315

Title WN403/156 is limited as to parcels. The area most in question is as shown on the image below and it is where the adjoining land has not been surveyed to the required standard. A detailed assessment/survey will be undertaken at the subdivision stage, which will be subject to a separate application and at a later stage of the overall development of the site.<sup>1</sup>

<sup>1</sup> This application does not include subdivision. Subdivision will be undertaken at a later stage of the overall development of the site.

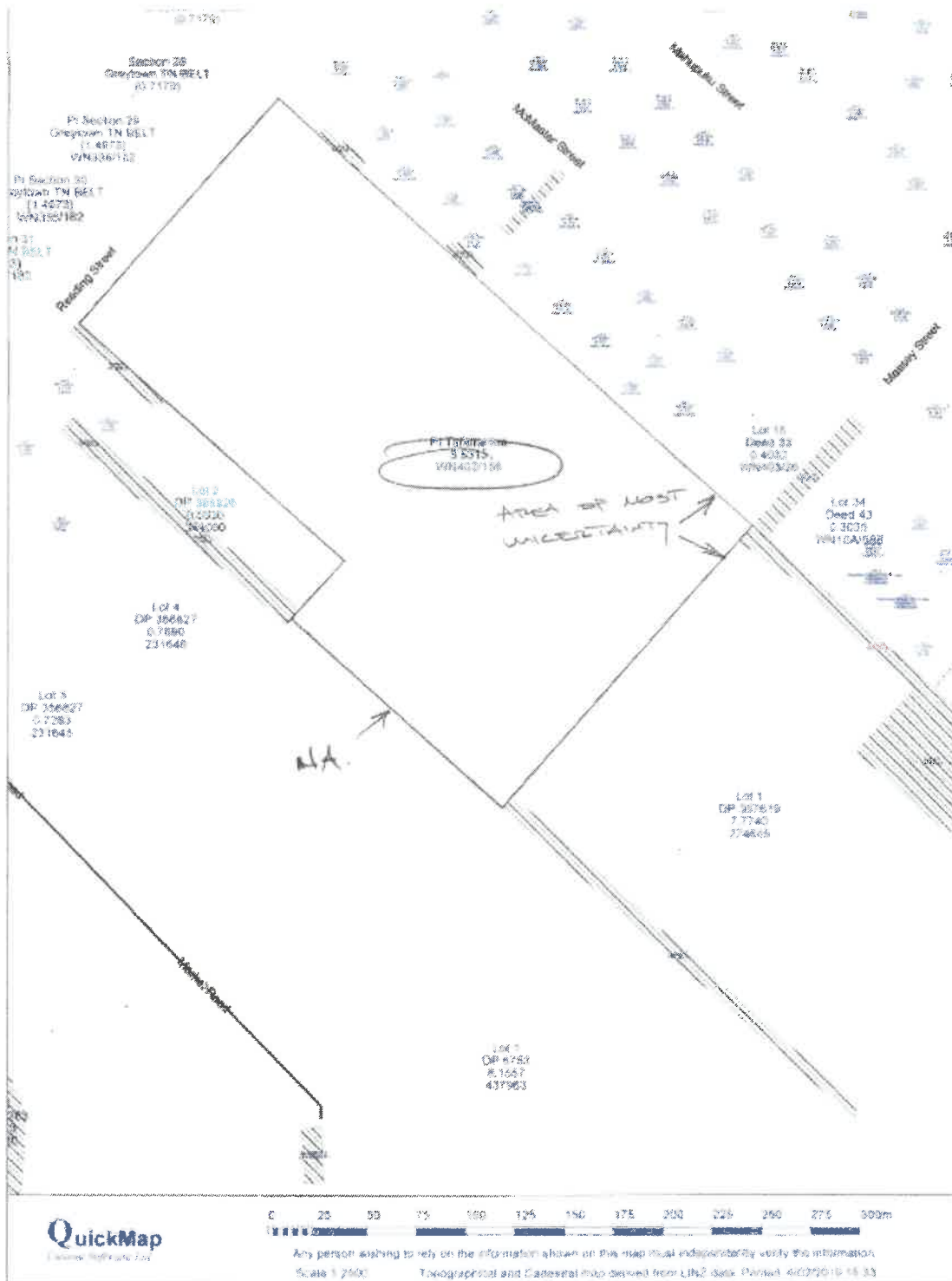


FIGURE 2 MAP ILLUSTRATING BOUNDARY UNCERTAINTY AREAS (SOURCE PHIL ADAMSON - ADAMSON SHAW SURVEYORS)

### 1.1.1 Landscape and Visual Character

The site has been described in full in Ms Annan's Landscape and Visual Assessment (LVAEE) (Appendix 20). In summary, it is an irregular shaped site with an area of approximately 13.82ha with nine boundary faces. Due to the application site's irregular shape (along with the pattern of surrounding tree planting), the site cannot be viewed in its entirety from any one location in the immediate surrounds. There is currently a single dwelling and ancillary buildings located in the north east area of the site, with access off Reading Street. The outhouses and sheds are associated with the site's former use as a working stone fruit orchard. Near the house is a manicured lawn area with established trees. A detailed description and health assessment of these trees and trees and shelter belts throughout the site has been provided by Treecology (Appendix 23).

The Reading Street boundary of the site has recently undergone significant change as the row of large pines that dominated this boundary have recently been removed. The removal of these trees allows views into the orchard of the first few rows of mature orchard trees within the site.

In terms of vegetation cover, the site is divided into two different productive land use areas, with orchards to the north-east area of the site and crop paddocks to the south-west. These are referred to in the architectural design statement as the 'Orchard Precinct' and 'Southern Precinct' (Appendix 18).

Two shallow water races run through the site. These are branches of the Moroa Water Race, with one following the northern boundary and the other running more centrally through the site.

Internal site views are described and illustrated in Ms Annan's report.

The site is generally level throughout and covered in either orchard trees, pasture or crops. This is advantageous for development, and in particular a retirement village.

### 1.1.2 Soils and Geology

Geological maps indicate a mixture of soils nearby, with the site lying in an area of Greytown silt loam and Ahikouka loam. Silt loams have a wastewater classification of moderately well drained (Standards New Zealand, 2012), and are likely to provide a good balance between drainage and attenuation and degradation of contaminants. The Ahikouka loam is typically finer and hence slower draining than the Greytown silt loam. This information is detailed at page 13 of the site investigation report attached as Appendix 24.

### 1.1.3 Contamination

The application site is not on the Greater Wellington Regional Council Selected Land Use Register (SLUR). However, the National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to protect Human Health is triggered when an activity noted on the Hazardous Activities and Industries List (HAIL) coincides with a proposed activity on

the site. The storage and application of agrichemicals on the site triggers the need for investigation under the NES:

**Hazardous Activities and Industries List (HAIL) October 2011**

**A: Chemical manufacture, application and bulk storage**

1. *Agrichemicals including commercial premises used by spray contractors for filling, storing or washing out tanks for agrichemical application.*

[...]

10. *Persistent pesticide bulk storage or use including sports turf, market gardens, orchards, glass houses or spray sheds.*

Interviews undertaken by Mr Duncan, EQOnz, with the previous owner indicated that persistent pesticides may have been used on the site prior to 1979 (but definitely not after). The chemicals most recently used by the previous site owners do not have immediate, persistence or bioaccumulation issues that could affect human health (Duncan 2019, p.6).

The previous site owners and the applicant of this land use consent both engaged EQOnz Ltd to undertake an assessment of the site. The results of EQOnz's environmental investigation was undertaken in accordance with the Land Management Guidelines (Ministry for the Environment, 2001), revised 2011. Mr Duncan lodged an application under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES) with Council on 14 November 2018. Mr Duncan's assessment is included in Appendix 24 of this AEE as background. The application has since been approved and is included in Appendix 25.

Conclusions from the soil sample results taken and analysed by Mr Duncan are as follows:

1. *Contaminant concentrations at ground level are well below guideline levels for the entire site.*
2. *There are two hotspots that have elevated Arsenic concentration that it would be prudent to remediate.*
3. *The average Arsenic concentration over 200mm and 300mm is well below guideline values.*

*The primary contaminant pathways for metals in soil are from dermal contact and direct ingestion. Thus, the conclusion drawn is that:*

- *Direct contact with the soil upper layers is extremely unlikely to cause harm to human health.*
- *Vegetables grown in un-remediated soil and consumed are extremely unlikely to cause harm to human health as the average concentration over rooting depth is significantly lower than guideline levels.*

- *The old wash down area (2015 samples 36,37) shows sufficiently high levels of contaminants to warrant remediation. Removal and carting to suitable landfill is recommended.*
- *The current chemical filling area (2015 samples 11,12) shows some elevated contaminant levels, however the area is small and easily managed in terms of remediation. The main contaminant is copper, which is not significantly harmful to human health. Again, removal and replacement of existing material is recommended (Duncan 2019, p.26).*

In his report and the application lodged with SWDC under the NES, Mr Duncan identifies the options available under the NES for managing soil contamination:

- Remediate the affected land;
- Prevent contact between people and affected areas;
- A combination of any of the above.

Mr Duncan recommends the following:

- Removal and replacement of soil in two relatively confined areas (appendix C). No action is required for the remainder of the site, indeed the less work carried out the better as the lowest contaminant concentrations were discovered at ground level.
- Analysis suggests that no further restrictions (i.e. on deep excavation work) are warranted as contaminant levels are, at worst, around guideline levels for persistent exposure through ingestion – thus short duration exposure to excavations has negligible risk (Duncan 2019, p.28).

The proposed approach to remediation of hot spots and overall management of dust and sediment on the site will ensure that the risk to human health resulting from the previous land use on the site is no more than minor.

#### **1.1.4 Natural Hazards**

Flow path analysis is provided in Calibre's report, *Civil Design for Resource Consent* Appendix 21). There is no existing stormwater reticulation infrastructure on site. Currently, surface water exits the site at 6 release points as shown on Drawing C431 in Calibre's report. The flood hazard mapping on record at Greater Wellington Regional Council and South Wairarapa District Council does not indicate any flood hazard in the immediate vicinity.

The nearest known fault line lies around 5.5km from the site (Duncan 2019, p.10).

### 1.1.5 Existing Services

A civil feasibility report was prepared by Calibre Consulting Ltd and is attached at Appendix 21. It confirms the following existing services and infrastructure to the application site:

Service	Provision
Water supply	Current 100mm diameter pipe servicing northern end of lot (Reading Street), 50mm outside southern end of site (Market Road).
Wastewater	The existing dwelling disposes wastewater to a septic tank onsite.  2 x 225mm pipelines at downstream end of site. The pipes are of unknown depth but are likely to be deep enough for a fully gravity conveyed system.
Stormwater	The existing dwelling on site discharges stormwater to a soakpit.  Water races are currently the only stormwater conveyance infrastructure in the area servicing the overall application site.
Power network	There is power to the existing dwelling and farm buildings
Fibre network	The existing dwelling is connected to the telecommunications network.

FIGURE 3: EXISTING SERVICES TO THE APPLICATION SITE

### 1.1.6 Watercourses and drainage

There are two water races nearby to the site, one along the north-eastern boundary, and one that bisects the site, flowing from the north west to south east. Greater Wellington Regional Council have stated in an email (Appendix 27) that they are confident that the water race features in the site would not be classified as a river/stream bed under s13 of the RMA.

There is a local bylaw in place to help in the management of the water races. This is attached at Appendix X. The bylaw allows for the widening, deepening or altering of the Moroa Water Race where the Council's written consent has been obtained. The landscape concept plan shows the existing irrigation race that traverses the site below the location of the future advanced care building being retained through this area and augmented with a simple pond placed in line with it to further emphasise the water race resource. The water race will be unaffected in terms of quality, flow and volume - water will enter the small pond and then exit the pond and continue into the water race.

There is an existing bore for orchard irrigation on site (S26/0515) and multiple neighbouring bores at varying distances. The location of the on-site bore is shown on the plan in Appendix 10. It is not anticipated that the proposed development will have an effect on existing bores surrounding the application site. It is proposed that the existing bore

within the application site will be utilised for the watering of vegetation on the site including existing orchard trees.

### **1.1.7 Site access and circulation**

The site has two frontages, Reading Street to the northwest and Market Road to the southwest. The Reading Street frontage currently acts as the principle access to the site and is located approximately 30m from the northeastern boundary (Boundary 2). There are several existing farm accesses to the site along Market Street. Within the site, there are a number of unpaved tracks providing access for farm vehicles to different parts of the site. The rows of orchard trees are also set wide enough apart to allow a farm tractor/sprayer to

### **1.1.8 Current use of the site**

The current use of the site is as a stone fruit orchard and some cropping on the southern portion. The site has been used as a stone fruit orchard for approximately 30 years, as a berry farm prior to that. There is an operative resource consent from the Greater Wellington Regional Council (reference WAR170241) for water abstraction from groundwater for irrigation purposes.

A residential dwelling is located on the site which will be removed from the site as part of this proposal, along with a number of outbuildings used for farm activities.

### **1.1.9 Previous uses of the site**

Previous uses of the site include as a berry fruit orchard. Historic aerial photographs of the site are provided in Mr Duncan's soil contamination assessment in Appendix 24. As described by Mr Duncan, the aerial photos suggest that cropping or market gardening was the dominant land use pre-1969, with the emergent orchard seen there becoming more established through 1974. This confirms Mr Duncan's discussions with the previous site owners, who took over the property in 1970.

## **1.2 Surrounding Environment and Adjoining Land**

### **1.2.1 Character and Amenity**

Ms Annan provides an accurate and useful description of the surround environment to the site in her Landscape and Visual Assessment report and illustrated on her Figure 1. She describes that "Generally, the site has rural-residential neighbours to the southwest and more productive scale rural land use to the east. While the density of these property holdings varies, the adjacent rural residential development is also rurally zoned." She further describes the peri-urban location of the site and identifies that the application site is located at Greytown's built edge. In addition, Ms Annan notes "In the vicinity of the site, through both rural and rural residential areas, extensive tree planting along property and paddock boundaries creates a 'compartmentalised' landscape setting and sense of enclosure."



Figure 1 above shows the zoning of the properties surrounding the application site.

North east of the site are properties within the residential zone (shown in light orange hatching). These sites range in size but are typically under 2000m<sup>2</sup> in size and reflect a general residential character experienced throughout the Greytown township.

South east of the application site is land zoned Primary Production like the current zoning of the application site. The land directly adjacent is held in one lot of just over 7.5ha in size. Currently the site is in pasture.

Directly South of the application site is also zoned Primary Production and is used for a mix of rural and rural residential uses with lots varying in size from around 1ha to as large as 17ha directly adjacent to the southern boundary of the application site.

South west of the application site, properties are also zone Primary Production. The use of these properties is generally rural residential of varying sizes with the smallest lot sizes being directly adjacent to the application site 73 & 75 Reading Street at 1200m<sup>2</sup> each. A number of the larger properties in this vicinity are used for grazing or small orchards.

North west of the application site properties are zoned Residential. Greytown Primary School is directly across Reading Street from the application site while the remaining residential zoned sites are typical of the under 2000m<sup>2</sup> site typical of the Greytown township.

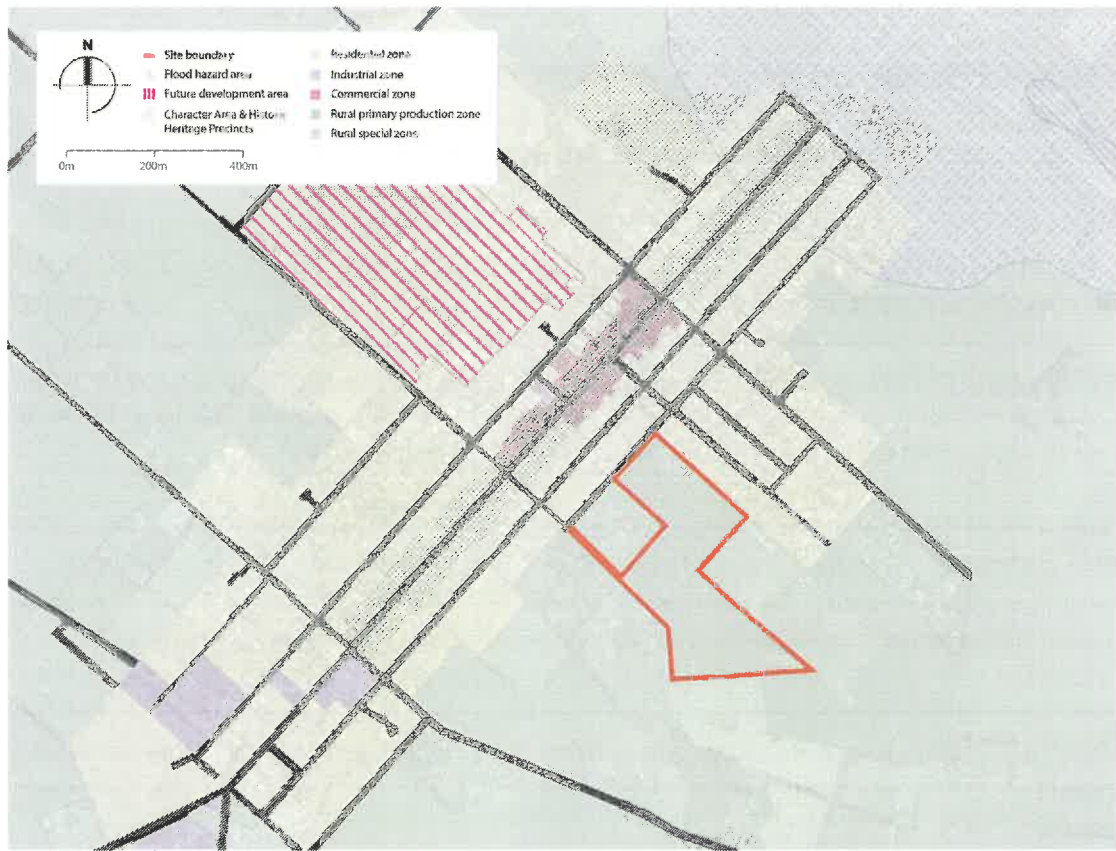


FIGURE 4 DISTRICT PLAN ZONING OF SURROUNDING ENVIRONMENT

### 1.2.2 Immediately Adjoining properties by zoning

The following table identifies the properties immediately adjoining the application site on its boundaries and illustrates the land zoning of these properties.

TABLE 4 IDENTIFICATION OF PROPERTIES DIRECTLY ADJOINING THE APPLICATION SITE

Activity	Property	Total
<b>Rural (Primary Production) Zone</b>	Lot 5, 7 DP 419379 on Papawai Road	1
	73, 73A, 75, 77, 79, 81, 81A, 81B Reading Road	8
	42A McMaster Street	1
<b>Residential Zone</b>	20, 24, 24A, 26, 26A, 28, 28A, 30, 30A, 32, 32A, 34, 34A, 34B, 36, 38, 38B, 40, 40A, 42 McMaster Street	20
<b>Total</b>		30

The plan at Appendix 12 shows these properties in relation to the application site.

### 1.2.3 Land Transport Network

The local transport network is described in the Transport Assessment prepared by Stantec and attached as Appendix 22.

The site is located approximately 400m southeast of Greytown town centre and Main Street, which is also State Highway 2. SH2 provides road connection to Wellington to the south and Masterton to the north.

The road network surrounding the site consists of a mix of local access roads and roads unclassified in NZTA's One Network Road Classification (ONRC). Reading Street is an access road along the site's north west boundary and Market Road, an unclassified road, bounds the site to the south west. McMaster Street (an access road) connects to Reading Street to the north east. Church Street (a low volume road) connects to Market Road to the north west of the site.

There are footpaths available on the north side of Reading Street adjacent to the Reading Street frontage of the application site which provide pedestrian connection to McMaster Street. This footpath is a key connection for children, parents and staff travelling to and from Greytown Primary School opposite the site (Stantec 2019, p.6). Market Road is configured as a sealed 5m wide road without any road marking, kerb and channel or pedestrian facilities, but instead provides wide grassed berms on both sides along the full length of the road (Stantec 2019, p.3).

Church Street provides footpaths on both sides between SH2 and East Street but the southern section of the road between East Street and Market Road does not provide footpaths. The southern section does however provide wide, grassed berms much like Market Road. McMaster Street provides footpaths on both sides however the section between East Street and Reading Street only provides a footpath on the west side.

There are no cyclist specific facilities in the area, and cyclists share the roads with vehicles (Stantec 2019, p.6).

The Wairarapa Line (Masterton – Wellington) provides daily trains services to Wellington and Masterton, with bus services providing a public transport connection to Woodside Station, which is Greytown's nearest train station. There is also the daily number 200 bus service which operates between Masterton – Greytown – Featherston and Martinborough (Stantec 2019, p.6).

### 1.2.4 Services

The following is a summary table, based on the assessments prepared by Calibre (contained in the report attached as Appendix 21) on the ability of services to meet the anticipated needs of the application site in relation to services.

<b>Service</b>	<b>Provision</b>
Water supply, incl. firefighting supply	SWDC have confirmed that the pipe network is of sufficient diameter to supply the proposed design with suitable capacity to meet residential flow needs including as required for firefighting.
Wastewater	<p>Pipe network is generally in very good condition. Modelling is currently being undertaken to ascertain if any upgrades are required but it is expected that pipe capacity will not be an issue ☐ upgrade of downstream pipe to treatment plant is planned to be upgraded in 2019.</p> <p>SWDC have confirmed that the current treatment plant is near capacity (capacity yet to be allocated ~ 50 people). Modelling is currently being undertaken to ascertain what upgrades in capacity need to be made to meet future demand. SWDC have verbally committed to handling the proposed development in stages.</p>
Stormwater	<p>Water races can only be used for secondary stormwater flow. On site soakage of primary flow is necessary. GIS data indicates an average site gradient of 0.72% to the south which is conducive to adequate site drainage and secondary flow movement. The site appears to not drain significantly into neighbouring properties currently. Properties to the west likely drain into the site. Low risk of post-development discharges increasing significantly, especially with the addition of on-site soakage and attenuation lakes.</p> <p>Stormwater is proposed to be managed on site through a series of connected swales and rain gardens allowing stormwater to soak through the site. It is anticipated that the amount of overland flow from the site will be reduced from what is currently generated during storm events as a result of the proposed stormwater design.</p>
Power network	Powerco approved contractor Power Related Services Ltd (PRSL) have provided an estimated cost to service the development of \$750,000.00. Powerco will invest a minimum of \$135,750.00 which will be taken off the quoted price. They note that a project of this size will need to be designed in line with the Powerco network. They have not expressed any concerns about servicing the development.
Fibre network	Chorus have confirmed that they will be able to provide fibre for the subdivision. They have provided an estimated contribution to installation of \$221,260.00 inc. GST. They recommend that we contact them at least 3 months prior to commencement of construction to initiate contract agreements.

### 1.2.5 Community services and facilities

The site is well serviced by the urban amenities of Greytown and the wider environs, including:

- Cafés and bars/pubs
- Food outlets including supermarkets and a butcher
- Medical facilities including doctor's surgery and pharmacy
- Community facilities including the library, churches, marae and a pool
- Outdoor recreation facilities including playground, park, dog park and cycle trail.

Maps illustrating the site in context of the existing surrounding amenities is included at Appendix 10.

## 2 Development Proposal

### 2.1 Overview

The key components of this land use consent application are:

- Up to 180 independent dwelling units consisting of 4 typologies;
- 3 stages of development for the residential component;
- Roading network throughout the development, and connecting to the public roading network at Market Road and Reading Street;
- Provision of cycling and pedestrian paths throughout the site;
- Provision for one independent dwelling unit to operate as a show home;
- Wastewater, potable water and stormwater collection and disposal infrastructure;
- Retention of significant number of orchard and other trees throughout the development site;
- Construction of community garden spaces throughout the site;
- Use of independent residential unit as a temporary show home;
- Comprehensive landscaping throughout the site.

Future consent applications will cover the proposed advanced care facilities proposed for the site including resthome, hospital, dementia care unit and self-contained units of up to 120 beds. This aspect of the development does not form part of this application but is referenced in this application due to the comprehensive nature of the site design and development.

A concept plan of the development is provided in Appendix 18 and 11, together with a staging plan for the development.

### 2.1.1 The design process

The process of designing the site to accommodate a warm, welcoming and vibrant retirement community as an integrated part of the Greytown community has been comprehensive with numerous iterations informed by the public consultation carried out throughout the design development process, and considerable assessment by a team of independent experts, the Partnership and officers at SWDC.

As identified by Ms Annan in her Landscape and Visual Assessment report (Appendix 20) "Greytown is an attractive country village, both with regards to its architecture and established notable trees. These combine to provide a picturesque setting offering shared and recognised amenity and heritage values. The town offers a relaxed and creative character, with a built form vernacular of weatherboard villas." The architecture of the proposed development has been designed to complement this existing built character, together with the existing rural character onsite through the retention of existing orchard trees on the site where possible.

The masterplan and proposed concept plan represent a consolidated and collaborative effort by all the parties involved and reflects feedback from SWDC officers and the community. Close contact has been maintained with SWDC officers throughout the preparation process.

The Partnership Statement at Appendix 14 outlines the vision for the site which is

*"Develop and operate a best in class continuing care retirement community for the people of South Wairarapa and the wider Wellington region"*

The Partnership have identified the following factors that are considered fundamental to achieving the vision:

- *The creation of an aspirational environment;*
- *Incorporating timeless design that compliments the setting and attributes of the site;*
- *Effective use of form and function to ensure the efficient delivery of quality care services;*
- *Creating a seamless connection with the fabric of the Greytown community, with thoughtful consideration of how the development relates to neighbours and integrates with existing facilities and infrastructure;*
- *Maintaining the legacy of the orchard through incorporating features that retain, maintain and maximise the site's intrinsic values;*
- *A strong commitment to integrating landscape and architectural design;*

- *Innovative use of design and technology that future proofs the operation and provides flexibility to adapt to resident's expectations and requirements as they change over time 5, 10, 20 years from now;*
- *Careful consideration and provision of a wide range of communal facilities and public spaces to support strong relationships amongst not only residents but the wider community;*
- *Recognising and working within planning policies, including an understanding of low impact design;*
- *Maximising the opportunity provided by the large site to create a unique market offering and differentiate "The Orchards at Greytown" from the run of the mill retirement village;*
- *Providing exceptional care and hotel style services to the residents of the retirement community.*

The above factors have all been front of mind throughout the design process for the development and have been instrumental in influencing the outcome as is currently proposed.

### **2.1.2 The need for the Development**

The table at Appendix 8 lists the aged care providers in the Wairarapa region. There are 16 providers, 11 of which are located in Masterton. Arbour House is the only rest home in Greytown (Eldernet.co.nz, 2019 and Ministry of Health NZ, 2019).

Of these providers, eight have been identified as providing independent living accommodation for older persons. Five of these providers registered vacancies in their independent living offer, but the number of vacancies in each case tended to be just one or two units. As highlighted in the Partnership statement, there is no retirement village provision in South Wairarapa of any scale and there are no known plans for any of the established operators to setup in the foreseeable future. It is understood that Arbor House will close if a replacement facility is not built in the immediate future.

The population of South Wairarapa and New Zealand generally, is ageing. 27.5% of residents in the Wairarapa are over 60 years of age, compared to the national average of 23.3%. In Greytown, 19.0% of the population are over 70 years of age, which compares to the national average of just 9.7%. As observed by the Partnership, "there continues to be a strong demand for retirement accommodation as the effects of 'baby boomers' retiring is felt through the industry" (Partnership Statement, 2019).

The Partnership report receiving three to four enquiries per week through expressions of interest on our website from people who are interested in living at The Orchards (Partnership Statement, 2019).

I acknowledge that the operative Wairarapa Combined District Plan has provision for a retirement village known as Greytown Villas. This was inserted into the Plan as part of the private plan change in 2001 to provide for retirement accommodation. Since then, the land that was subject to the Greytown Villas Character Area has been developed into general residential accommodation and is not providing aged care. It appears that the character area overlay for this area is now redundant, which has been confirmed by Mr Russell Hooper, senior planner at SWDC, in an email in July 2018, which is included in Appendix 7 of this report:

*The Greytown Villas Character Area is an overlay within the residential zone where a retirement development was provided for. This came through in Plan Change 10 to the South Wairarapa District Plan. The site is undergoing a residential subdivision and is not taking up the retirement development option **leaving the concept plan obsolete** (emphasis added).*

### **2.1.3 Consultation to date**

Copies of all consultation material is included at Appendix 9.

#### **2.1.3.1 Engagement with Council Staff**

The applicant initially engaged with Council staff in March 2018. In that meeting, Council were receptive to the concept of a retirement village in Greytown on the Murphy's Orchard site. Consultation and discussion with Council has been consistent throughout the process, with team meetings (with both Council and Requester's team attending) held regularly leading up to lodgement of the Private Plan Change and resource consent application. Council staff have continued to be supportive of the proposal for a Private Plan Change and concurrent resource consent application throughout the developed of the concept plan for the site and have provided feedback and guidance on the development of the proposed provisions and matters for consideration which has been greatly appreciated.

#### **2.1.3.2 Engagement with the community**

The application team have consulted with the community about the proposals since mid 2018. Copies of letters sent to immediate neighbours is included in Appendix X.

In addition to the neighbours immediately bounding the site, the following parties and organisations have been actively consulted throughout the process in face-to-face meetings, email correspondence, phone calls and meetings.

- Greytown Community Board
- Featherston Community Board
- Martinborough Community Board
- Māori Standing Committee
- SWDC Council members
- Arbor House
- Greytown Primary School



- Greytown Bowling Club
- South Wairarapa Rotary Club
- Ministry for Education
- Greater Wellington Regional Council
- Wairarapa DHB
- Representatives of Rangitāne O Wairarapa and Kahungunu ki Wairarapa

The table lists the key meeting and consultation event dates:

TABLE 5 KEY COMMUNITY CONSULTATION DATES

<b>Date</b>	<b>Type of Event</b>
16 and 17 October 2018	Public consultation events. The first was held at the South Wairarapa Working Men's Club and was aimed at immediate neighbours. The event on the 17 October was held in the WBS Rooms in the Town Centre, Greytown, and to which the public were invited. Adverts for this event were placed in the Wairarapa Midweek and Wairarapa Times-Age newspapers. Attendance was good on both days.
October - November 2018	Presentations to each of the community boards (Featherston, Martinborough and Greytown) and the Māori Standing Committee.
November 2018	Meeting with representatives of Rangitāne o Wairarapa on site.

### **2.1.3.3 Response to Feedback**

The key areas of feedback and the design response are set out below:

#### **Water Quality**

Rangitāne o Wairarapa representatives highlighted their desire for water leaving the site to be of equal quality, or better, to its quality as it enters the site. This consideration has been incorporated into the overall stormwater drainage solution on site, which is detailed elsewhere in this report.

#### **Boundary Setbacks and Landscape Treatment**

There has been a high level of consultation with neighbours on Boundaries 8 and 9 throughout the design process. Of particular concern to them was the proximity of built development on these boundaries. In response, these boundary setbacks have been set to 7.5m instead of 3m, which is a Residential Zone setback standard. Attention has also been paid to the staggering of proposed dwellings on these boundaries, and landscape treatment.

### **2.1.3.4 Survey**

During the October 2017 public consultation, a survey was set up to hear the community's views on the proposed development. The results of this survey are summarised in Appendix 9. The responses were generally positive. Where dissatisfaction with the proposals was

expressed, the respondent generally proposed ways in which they could be (in their view) improved. There was no outright objection to the proposals.

#### 2.1.4 Overview of the development proposal

This application seeks land use consent for the establishment and operation of the residential component of The Orchards at Greytown Retirement Village comprising independent villas and terraced housing delivered in 3 stages. The stages are illustrated in the plan attached as Appendix 11.

Future development of the wellbeing centre and the advanced care facility will be subject to a separate consent application but is mentioned in this application due to the comprehensively planned nature of the proposed development.

##### 2.1.4.1 Independent Living – Villas and Terraces

The proposed site plans identify 176 independent residential units on the site and this proposal considers the effects of up to 180 units based on the fact that the configuration of villas could alter from that shown on the concept plan. Each of the buildings has been carefully designed by Design Stapleton Eliot (DGSE). The Design Statement (Appendix 18) provides specific details of each of the proposed buildings. As demonstrated in the Design Statement, the design and layout of each of the proposed residential units is well understood.

The Partnership is able to offer residents choice from a selection of four villa designs, as illustrated in the Design Statement. As shown on page 4.3 of the DGSE Design Statement, Villa Types A, B and C can be designed for north facing or south facing sites within the Village. It is proposed that flexibility be secured through conditions of consent so that actual design, location and orientation of the villas can be confirmed at the detailed design stage but will be generally in accordance with that identified on the attached plans. The proposed siting of the buildings will conform with the relevant standards proposed as part of the Private Plan Change that has been submitted to Council concurrently with this application.

The type and degree of flexibility sought in this consent application for this type of retirement village development is considered essential as it allows the applicant to respond effectively to market demand. The potential effects of this flexibility are offset by other suggested conditions of consent that relate to density, shared open space and setbacks. The proposed conditions of consent mirror the proposed provisions in the Private Plan Change Request for the rezoning of the site and the creation of the Orchards Retirement Village Character Area.

The table below sets out the number of independent dwelling units proposed, the type of dwelling units, and the stages they are proposed to be delivered in:

TABLE 6: NUMBER OF UNITS AND TYPOLOGY PER DEVELOPMENT STAGE

Stage	Villa/dwelling type	Number
-------	---------------------	--------

1	Type A Villas	8
	Type B Villas	22
	Type C Villas	11
	Type D Villas	8
<b>Total Stage 1</b>		<b>49</b>
2	Type A Villas	10
	Type B Villas	20
	Type C Villas	14
	Type D Villas	6
<b>Total Stage 2</b>		<b>50</b>
3	Type A Villas	16
	Type B Villas	30
	Type C Villas	20
	Type D Villas	11
<b>Totals Stage 3</b>		<b>77</b>

#### 2.1.4.2 Development Density

An overall maximum building coverage of 26% is proposed. The site area of building coverage of each proposed stage is set out in the table below.

TABLE 7: BUILDING COVERAGE AND DENSITY

Stage	Site Area (approximately)	Site Coverage (approximately)
1	37,157m <sup>2</sup>	22%
2	33,270m <sup>2</sup>	24%
3	49,880m <sup>2</sup>	24.5%
4 (to be dealt with as part of a separate consent)	16,440m <sup>2</sup>	35%

#### 2.1.4.3 Advanced care facilities

It is proposed that the site will accommodate advanced care facilities including serviced apartments, rest home, hospital and dementia care facility, likely within one large building to be located to the back (East) of the Reading Street site. Consent for this stage of the development will be sought once further detailed design has been completed. It is anticipated that consent will be sought once the concurrent private plan change application has been adopted by the Council and incorporated within the Wairarapa Combined District Plan. At this stage the development of such facilities will be subject to design and location controls through a controlled activity consenting process. The Private Plan Change provisions seek that the advanced care facility can provide up to 120 beds.

The application for the advanced care facilities will also include details of the proposed Wellness Centre, village green and bowling green. It is anticipated that the wellness centre

will include facilities such as an indoor pool, gym and multipurpose space. Until the wellness centre is built, an onsite villa will be used as a communal space for residents.

#### 2.1.4.4 Total anticipated residential occupancy

The following table outlines the anticipated total occupancy of the site once all independent residential units and advanced care facilities are completed.

TABLE 8 ANTICIPATED TOTAL SITE OCCUPANCY

<b>Accommodation type</b>	<b>Number of units</b>	<b>Occupancy rate</b>	<b>Anticipated total occupancy (number of residents)</b>
<b>Villa</b>	Up to 180	1.5 per unit (average)	270
<b>Serviced Apts/ Rest Home/ Hospital/ Dementia care</b>	120	1 per unit	120
<b>TOTAL</b>			<b>390</b>

#### 2.1.4.5 Staff numbers

Upon completion of the overall Orchards at Greytown retirement village development, employment and staffing opportunities will be provided for around 93 full time equivalents (FTEs) and will be made up of full time and part time staff. This FTE number could increase in the event that the advanced care facility provides up to 120 beds. The tables attached as Appendix 17 provides an indication of the number of staff needed on site to operate the village and provide care to residents incorporating a 90-bed advanced care facility and 120 beds.

Staff numbers for the establishment of the residential component of the Orchards at Greytown will increase over the course of the development of the retirement village, as more units are constructed, and wellness centre facilities are introduced. The rest home, hospital and dementia care component is anticipated to generate the greatest proportion of FTE opportunities, and will be subject to a separate consent. The overall employment component of the development is provided for in the Proposed Private Plan Change provisions and discussed in the section 32 evaluation report.

#### 2.1.4.6 Hours of operation

As the retirement village provides residential accommodation to its residents, it will be a 24-hour operation. It is anticipated that the village will maintain characteristics of the activities and hours of use similar to any other residential area within Greytown township.

#### **2.1.4.7 Tenure/Management**

The retirement village villas and terraced properties will be occupied on a license to occupy basis (LTO). An LTO tenure is the most common legal title which New Zealand retirement village units are sold on. An LTO allows the resident to live in the unit for the duration of their life or for as long as they are able. Individual units will be available on the open market, albeit sold by the Orchards Retirement Village entity as the underlying owner of the village (as is the case with modern retirement villages in NZ). The purchasing of a property within the retirement village will be restricted to people over the age of 70 years. People who move into the retirement village will be able to bring their pets with them as long as they can be appropriately managed by the pet owner and that the pet is appropriate to come into the village.

#### **2.1.4.8 Landscape treatment**

The landscape concept plan describes in detail the principles of the proposed landscape treatment for the site (Appendix 19). Treecology has also provided a tree survey giving further details on locations, condition and species of a number of trees on the site as well as the shelter belts.

The landscape design seeks to integrate all landscape elements from roading to paving, drainage, amenity and mitigation planting to provide “a coordinated, efficient and considered response which prioritises landscape quality both inside the site as well as consider the views and relationships with the boundaries outside the site”.

The housing has a minimum of 4.5m gaps between buildings which are proposed to be extensively planted. The proposed density of the development is proposed to be offset with the substantial areas of high quality shared open space. Dwellings are staggered or modulated to ensure built edges are not seen as regimented from within the site or from the boundaries. Large scale trees, hedges and existing and new tree planting is also proposed to be used to further soften and vary visible built edges within the development. Views from the houses to the landscape have been carefully considered and green spaces between some areas of housing include pedestrian / cycle pathways, seating and BBQ opportunities.

Larger deciduous trees (pin oaks) are proposed at vehicular entry points to provide variation in scale, shade in summer and extensive screening between dwellings.

The design minimises the use of footpaths beside roads to encourage the use of paths through more pleasant landscape spaces. This will also minimise the amount of visible hard landscape in the main thoroughfares, avoid the suburban feel associated with them and allow for simple grass swales and flush kerbs to be accommodated on all roads.

Villa types B, C and D have a minimum of 15m<sup>2</sup> terraces or decks, a small garden at the front to individualise each villa, as well as a small raised planter at the back for herbs and vegetables. The terrace houses have the same type of provision but at a minimum of 6m<sup>2</sup>. Deciduous specimen trees such as pin oaks, plane trees and ornamental are to be planted

adjacent to private gardens to avoid winter shading. Some native species such as kowhai, and food providing species such as elderberry are also proposed to support and encourage local fauna.

There are five key areas of shared green space proposed:

- Murphy's Garden
- Orchard Garden
- Swale Parkland
- Gardens and playground adjacent to the advanced care facility
- Southern Entrance Walk

All except the gardens and playground associated with the advanced care facility are associated with the residential stages (1-3) of the development. Design concepts for these spaces are provided in the Local Collective Design Statement at Appendix 19.

#### **2.1.4.9 Vehicle access, parking and loading**

The proposal involves the addition of two new intersections on Reading Street and two new intersections on Market Road as stated earlier. Each of these would be tied in to existing cross-sections of Reading Street and Market Road. Each of these are proposed as priority-controlled intersections and will be designed at the detailed design stage to meet design criteria stated in Austroads Part 4A: Unsignalised and Signalised Intersections. This would help to ensure that all vehicular, cyclist and pedestrian movements can safely be accommodated as there is a school adjacent to the site. The development is proposed with several internal intersections. These would also be designed to meet design criteria and industry standards. Other key points to note about the proposed access, parking and loading strategy of the development include:

- The internal roadways are proposed with a network of primary and secondary roads through the site between Reading Street and Market Street.
- The internal roadways will be privately owned and maintained.
- The roads within the development were designed as defined NZS 4404:2010 Land Development and Subdivision Infrastructure Standard.
- The primary roads are configured as suburban roads, with the following attributes:
  - Movement lane width of 5.5m;
  - 1.5m footpaths;
  - Parking;
  - Cyclists will share the movement lane with vehicles.
- The attributes of the secondary roads are as follows:
  - Movement lane width of 3m;
  - Pedestrians and cyclists sharing the movement lane with vehicles.
- Onsite parking provision meets the District Plan standards for the proposed activities.

- The Orchards will be a low speed environment.

#### **2.1.4.10 Pedestrian and cycle access strategy**

The application site is well suited to encouraging residents and staff to cycle within the Orchards retirement village and to amenities and cafes in Greytown. To enable this, it is anticipated that cycle parking for staff and visitors will be provided with residents parking their bicycles at their homes or at the recreational facilities within the site.

As described by Stantec (Appendix 22), the proposed development has good connectivity within the site as the roads have been designed to meet the road cross-section specification set out in NZS4404: 2010 Land Development and Subdivision Infrastructure. A number of the footpaths proposed within the development are off-street facilities that meander through open spaces which adds to amenity. The internal footpaths would connect to the footpath on the north side of Reading Street at the recommended new intersections. These connections would provide an attractive desire line to / from the town centre.

Proposed footpaths inside the site and will have a width of 1.5m. Footpaths will be provided on at least one side of the primary roads through the development site allowing a wheelchair and pram to pass (Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling). In some instances, the footpaths are separated from the movement lane and parking to improve safety and amenity. Footpaths are not proposed along secondary road within the site as pedestrians are expected to share the movement lane with the low volume of vehicles expected to use the roads with typically between 21 to 34vpd. This is consistent with NZ4404:2010 and on that basis is expected to operate without any notable safety concerns.

Cyclists will share the internal roads with other road users.

#### **2.1.4.11 Signage**

The signage for the entrances to the site is proposed as follows:

- Reading Street Main Entrance - 2 signs
- Reading Street Secondary Entrance - 1 sign
- Market Road Main Entrance (Southern Entrance) - 2 signs
- Market Road Secondary Entrance - 1 sign

Each sign will be approximately 1.2m high by 3m long (3.6m<sup>2</sup> face area) and affixed to simple entry walls in order to be visible from the public road. The exact design of the signage has not yet been completed. However, elevation drawings on page 18 of the landscape concept plan (Appendix 22) seek to illustrate the general intended appearance of the signage.

Numerous additional signs will also be needed throughout the site to assist in wayfinding and placemaking. However, the details and extent of this category of signage have not been confirmed at this point in time and will be developed at detailed design stage.

#### **2.1.4.12 Lighting**

The retirement village will include low impact internal street lighting to be compatible with the public street lighting which is designed to minimise light pollution.

#### **2.1.4.13 Soil remediation**

As identified by EQOnz Ltd, the application site contains hot spots of soil contamination. The detailed site assessment report is included at Appendix 24. An application under the NES to remediate the identified hot spots has been approved by SWDC and the decision notice is included at Appendix 23. The resource consent includes Condition 4 which requires that beyond the remediation authorised by the consent, prior to soil disturbance to develop the site, a site management plan shall be submitted to Council. The report is to confirm that the soil is to remain on site and outline how the earthworks will proceed to address risks to human health, specifically in respect to dust and stormwater control and in relation to site workers and neighbouring landowners. A condition of this nature is included in the suite of suggested conditions at Appendix 34.

#### **2.1.4.14 Waste disposal (bins)**

The refuse collection is anticipated to occur at a central location at the rear of the main building via an internal road which leads directly to the refuse collection area. The development will have an internal refuse collection service for all units, resulting in a single storage area.

#### **2.1.4.15 Wastewater, Stormwater and Potable Water**

All onsite infrastructure requirements for the development can be met by existing and new services. A detailed account of the proposed services arrangements is provided in the attached Infrastructure Report prepared Calibre (Appendix 21). In summary, the proposed infrastructure is as follows:

##### **Wastewater**

Calibre's proposed design system consists almost entirely of gravity reticulated sewer main that will discharge into the Council network at two locations on Market Road. However, approximately 50% of the development will not be able to drain directly into the Council network due to level constraints. Therefore, a sewer pump station and rising main is proposed at the southern end of the development to pump effluent into the direct gravity portion of the internal network. The system layout can be found on Drawing C400-C402, Appendix D (Appendix 21).

In terms of staging, the current intentions of the Partnership are to construct the northern most Market Road sewer connection during the first stage of development. This will allow a significant portion of gravity reticulation for the residential stages of development. For all buildings that cannot be conveyed directly via this gravity connection, a temporary pump



station and riser will be installed. This can then be positioned appropriately for each stage of development until the southern Market Road gravity connection is completed.

### **Stormwater**

The absence of existing stormwater reticulation infrastructure means the proposed development must provide for soakage of surface water for the primary storm event (10% AEP). Calibre have determined that surface water currently exits the site at 6 release points as shown on Drawing C431 (Appendix 21 of this report). For each of the associated catchments, the soakage design will limit volume discharges to at least pre-development levels for the primary storm event. For all storm events, the soakage system will reduce the total discharge volume and flow from the property from pre-development levels.

The 10% AEP system design consists primarily of shallow berm swales to allow collection, treatment and soakage of surface runoff. Runoff from residential roofs will primarily be conveyed to the berm swales via pipes and bubble-up sumps. Due to constraints on berm swale widths, swales with large contributing catchments will not have adequate capacity. Therefore, rain gardens and proprietary soakage modules will be constructed at appropriate intervals to control the flow within these berm areas. Two larger soakage swale basins will also be constructed to provide amenity to residents and extra soakage of runoff. The largest of these will be constructed through the middle of the site and will be referred to as the 'central swale'.

Calibre have determined that secondary flow will be conveyed via the primary 10% AEP system, albeit outside the confines of the berm swale cross sections. Therefore, the wider roadside cross section will be designed such that a 1% AEP secondary flow can be conveyed without reaching building platforms. The total soakage system will be sized to adequately attenuate secondary flow such that the pre-development peak flows and total discharge from the site are not exceeded.

The stormwater infrastructure for each stage of development can largely be constructed within the associated stage boundaries. The only current expected exception to this is the soakage basin in the south western corner of the site that will need to be constructed during stage three despite being located within stage four. The stormwater design layout and stormwater calculations can be found in Appendix 21 of this report.

### **Potable Water**

The design system consists of a Council supplied but internally pressurised network. The Council supply will feed into on-site storage tanks via an extension of the council main along Reading Street (by approximately 100 meters) before being pumped to users via an internal pipe network. The minimum required rate of supply is equal to the average daily demand (1.29 L/s). It is preferable that the peak non-fire demand (6.45 L/s) can be drawn from the Council supply as required as this will reduce the required storage for firefighting significantly.

The storage tanks are proposed to be buried to eliminate the visual impact of above ground tanks. They will be designed to hold at least the firefighting and sprinkler supply at all times

(56,000 L). A volume buffer in addition to the 56,000 L may be required to account for peak flow draw down (64,000 L) if the Council network cannot supply peak flow. This gives a maximum required storage volume of 120,000 L. The pumps will be designed to adequately pressurise the network and provide for daily and fire peak flows. The design layout can be found on Drawing C510, Appendix D (Appendix 21 of this report). Specific design of the tanks, pumps and pipe network will be undertaken during the detailed design phase.

#### 2.1.4.16 Timeframes and staging

The staging plan is included in Appendix 11.

Construction of the proposed Orchards at Greytown Retirement Village will begin as soon as the necessary resource consent and building permit approvals are obtained. The proposed retirement village development will be staged more or less as summarised below. The timing of each stage will be subject to market demand:

TABLE 9: INDICATIVE ORCHARDS STAGING PROGRAMME

Stage	Activity	Years
<b>1</b>	49 independent living units Infrastructure commensurate with the stage	2020-23
<b>2</b>	50 independent living units Infrastructure commensurate with the stage	2023-2026
<b>3</b>	77 independent living units Infrastructure commensurate with the stage	2026-2030
<b>4 (not forming part of this application)</b>	Serviced apartments, rest home, hospital and specialist dementia facilities Infrastructure commensurate with the stage	2022 (indicative)

The proposed serviced apartments, rest home, hospital and dementia care facilities will be subject to a separate staging plan and resource consent for that component will be sought for separately from this process. As reported in the Partnership Statement (Appendix X), it is understood that Arbor House will close if a replacement facility is not built in the immediate future. It is the Partnership's intention that Arbor House residents and staff will move into the proposed care facility once it is complete, maintaining continuity of service for the facility. It will keep the name Arbor House. Discussions with Arbor House are ongoing in this respect, and detailed design of the care facility can proceed once these discussions are concluded. However, it should also be noted that the development of the advanced care facility is not dependent on Arbor House and will be built in any event. The Partnership prefer to stagger the detailed design of the care component in order to ensure it has appropriate focus and attention. It is likely that the rest home and hospital component will be delivered shortly after the completion of stage 1 of the residential development sought in this consent.

#### **2.1.4.17 Earthworks and sediment/erosion control**

Earthworks are likely to be required on the site for site smoothing/contouring, for building foundations, services trenches and to accommodate buried water storage tanks. While a cut and fill plan is provided as an Appendix to the Stantec report (Appendix 22), detailed design is required to provide greater specificity around the amount of earthworks anticipated at each stage of the development.

In the event that Regional Council consent is required as a result of the area of earthworks proposed within any 12-month period, this will be identified following detailed design and the appropriate consent(s) applied for at that stage.

#### **2.1.4.18 Management of Noise and vibration**

I note that the permitted noise levels in the WCDP for both the Rural and Residential zones are the same, with some additional allowances for agricultural related activities in the Rural Zone. It is anticipated that the proposed development will adhere to the relevant noise standards both during the construction phase of the development and on an ongoing basis once the development becomes occupied.

## **3 District Plan Provisions**

In accordance with section 104 of the RMA, the proposed development must be assessed against the Operative Plan and any proposed plan, in this case, the Proposed Private Plan Change for the Orchards Retirement Village site.

### **3.1 Relevant District Plan and Status**

The site is within the South Wairarapa District and is therefore subject to the Wairarapa Combined District Plan (the Plan).

#### **3.1.1 Zoning**

The site is located in the Rural (Primary Production) Zone.

#### **3.1.2 The Permitted Baseline**

Sections 95D(b) and 95E(2)(a) of the Act provide that when determining the extent of the adverse effects of an activity or the effects on a person respectively, a council 'may disregard an adverse effect if a rule or national environmental standard permits an activity with that effect'. This is known as the permitted activity baseline test. The consent authority is not required to apply the permitted baseline. It may be inappropriate to apply the permitted baseline where the permitted

effect would only arise as a result of a fanciful activity or where the permitted baseline may have unintended or undesirable consequences for Part 2 matters.<sup>2</sup>

The permitted activity baseline applies to consideration of both who is affected and whether effects are or are likely to be more than minor. If a council applies the permitted activity baseline, it is only the adverse effects over and above those forming a part of the baseline that are relevant when considering those two issues.<sup>3</sup>

Here, I set out my understanding of the permitted baseline in relation to the application site in the event the Council uses its discretion to apply it in this instance. I consider that the activities forming part of the proposal credible (i.e. non-fanciful) and are therefore worthy of consideration against any permitted baseline provided in the Rural (Primary Production) Zone rules in the Plan.

The WCDP provides for any activity, whether listed in the District Wide Activities in Section 21 of the Plan or not, in the Rural (Primary Production) Zone provided it meets the performance standards of the Rural Zone and is not otherwise provided for as a controlled, restricted discretionary, discretionary or non-complying activity.

### **Residential Development**

The Rural Zone does not impose any site coverage limitations on permitted land use development in the rural environment but does require buildings and other dwellings to achieve a range of setbacks from roads (sealed and unsealed), waterbodies, oxidation ponds, side and rear boundaries and intensive farming activities.

Permitted residential activities in the Rural (Primary Production) Zone are constrained to the following densities:

- One dwelling per CT under 4ha;
- Two dwellings per CT between 4ha and 100ha; and
- Three dwellings per CT over 100ha in size.

In addition to the dwelling density standards identified above, the WCDP allows for an additional minor dwelling (up to 60m<sup>2</sup> floor area) on titles of between 4-100ha. Residential dwellings are permitted to be up to 10m high (two storeys).

The lot with direct access to Reading Street, 67 Reading Street, has an area of 5.53ha and is currently occupied by one residential dwelling. Under the permitted activity provisions of the WCDP, this site could accommodate another residential unit and a minor dwelling unit as a permitted activity. The Market Road allotment is 8.29ha and is currently undeveloped. This site

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<sup>2</sup> <http://www.environmentguide.org.nz/rma/resource-consents-and-processes/notification-of-resource-consent-applications/when-are-adverse-effects-more-than-minor/>

<sup>3</sup> <http://www.qualityplanning.org.nz/index.php/node/850>

could similarly accommodate two residential dwellings and a minor dwelling under the Permitted Activity standards of the Plan.

The Reading Street allotment is the older of the two titles (pre-2008), and therefore the side yard setbacks that would apply for dwellings would be 10m and not 25m<sup>4</sup>. Residential development on the Market Street allotment have to comply with the 25m boundary setback standards.

The dimensions, natural features, and neighbouring environment of the two lots are such that the setbacks and other permitted activity standards of the Rural (Primary Production) Zone would be unlikely to impose significant constraints on the ability to build up to two homes and a minor dwelling on each allotment (six dwelling units in total across the site) as allowed by the Plan.

The effects associated with the permitted scale of residential activity in this part of the Rural (Primary Production) Zone could be carried out with minor visual or other effects, given the site areas of both parcels, and existing vegetated boundary treatments. There are also several existing access points to both parcels which could be used to access new permitted activity residential activity on site. The traffic generated by this scale of residential development would be commensurate with surrounding residential development in the Rural (Primary Production) Zone.

### **Non-residential development**

Commercial, retail and industrial activities of any scale are not permitted in the Rural (Primary Production) Zone by the WCDP. However, plantation forestry and intensive and non-intensive primary production activities are provided for as permitted activities, as well as the establishment of non-residential buildings, for which there is no maximum permitted threshold. The Plan allows for non-residential buildings to be 15m in height as a permitted activity (commensurate with a 3-storey building). Primary production activities could involve in the removal of existing vegetation, introduction of fence lines and stock, and establishment of farm buildings, glass houses or growing tunnels. These activities are subject to set back and other standards. However, the nature, topography and dimensions of the application site are such that the activities considered here could be established whilst meeting the relevant permitted activity standards.

The introduction of non-residential permitted activities provided for within the Rural (Primary Production) Zone on the site could reasonably be expected to result in visual, amenity and traffic effects on neighbouring allotments and residences. Furthermore, I consider that even changes in the type of permitted activity, for example from the current orcharding use to dry stock farming, market gardening or greenhouses, is likely to have visual and other effects that would be noticeable and experienced from neighbouring allotments and land holdings.

### **Vegetation Removal**

The site does not contain any scheduled or heritage trees, and the current vegetation cover is predominantly exotic in the form of a significant number of orchard trees and several large, established shelterbelts throughout the site (Treecology, 2018). The removal of trees and exotic vegetation can be undertaken as a permitted activity on the application site. Given the current treed and vegetated nature of the site, the visual effects of vegetation removal could be

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<sup>4</sup> As provided for by Rule 4.2.5(d)(iii)

considerable. The recent removal of the double row of mature pine trees along the Reading Street boundary of the site (directly opposite the school) is an example of the dramatic visual effect tree removal can have on a site from the public road.

### 3.1.3 Rule Assessment

Under the operative Wairarapa Combined District Plan, the land to be developed as part of the proposed activity is zoned Rural (Primary Production) Zone. The site is not subject to any other character areas or overlays.

Under the Rural (Primary Production) Zone, the proposal requires resource consents under the operative district plan as identified in the table in Appendix 30 and summarised below.

TABLE 10: SUMMARY OF THE RESOURCE CONSENTS REQUIRED UNDER THE OPERATIVE DISTRICT PLAN

Rule	Standard	Proposed Activity
4.5.2(d)	Minimum dwelling setback	<ul style="list-style-type: none"> <li>Does not comply with external site 10m (front) and 25m (other) boundary setbacks</li> </ul>
4.5.2(e)	Number of dwellings	<ul style="list-style-type: none"> <li>The proposed development will result excess of 180 residential units</li> </ul>
4.5.2(h)	Signs	<ul style="list-style-type: none"> <li>The number and size of signs proposed do not meet this requirement</li> </ul>
4.5.5(c)	Non-residential activities in a building greater than 25m <sup>2</sup> GFA	<ul style="list-style-type: none"> <li>All non-residential activities that form part of the retirement village (excluding the hospital and resthome) and including the well-being centre,</li> <li>Use of proposed retirement villa as a show home</li> </ul>
4.5.5(e)	<ul style="list-style-type: none"> <li>Non-compliance with 4.5.2(e) number of dwellings per CT; and</li> <li>non-compliance with 4.5.2(h) signs</li> </ul>	<ul style="list-style-type: none"> <li>Establishment of up to 180 independent residential units</li> <li>Establishment of signage to the village and within the village</li> </ul>
21.1.16	Temporary activities	The duration of earthworks is likely to exceed this permitted activity requirement.
21.4.14	Non-compliance with permitted activity rule 21.1.25	Various transportation aspects of the proposal as identified in the attached Traffic Impact Assessment (Appendix 22)
21.6(a)	Non-compliance with the permitted activity	Construction programme will exceed 12 months

	standards for temporary activities rules 21.1.6	
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Resource consent for a restricted discretionary activity under the NES for Assessing and Managing Contaminants in Soil to Protect Human Health has been approved by Council. This is because part of the site is known to be contaminated and a detailed site investigation has been carried out to confirm appropriate management. The decision notice is included in Appendix 25 of this report.

### 3.2 Proposed District Plan Requirements

Section 104(1) of the RMA provides a list of matters that a consent authority must have regard to, when considering a resource consent.<sup>5</sup> This list includes:

- (a) any actual and potential effects on the environment; and
- (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and
- (b) any relevant provisions of: -
  - (i) national environment standard;
  - (ii) other regulations;
  - (iii) a national policy statement;
  - (iv) a New Zealand coastal policy statement;
  - (v) a regional policy statement or proposed regional policy statement;
  - (vi) a plan or proposed plan; and
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

For the purposes of this application and its assessment under section 104(1)(b), the definitions of the term 'plan', and 'proposed plan' are important. By way of explanation, the terms 'plan' and 'proposed plan' are defined as follows:

- Section 43AA defines the term 'plan' as meaning any regional plan or district plan.
- Section 43AAC defines the term proposed plan as meaning:
  - (a) 'a proposed plan, a variation to a proposed plan or change to a plan proposed by a local authority that has been notified under clause 5 of Schedule 1 or given limited notification under clause 5A of that schedule, but has not become operative in terms of clause 20 of that schedule; and

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<sup>5</sup> Subject to Part 2 of the RMA.

(b) includes a proposed plan or a change to plan proposed by a person under Part 2 of Schedule 1 that has been adopted by the local authority under clause 25(2)(a) of Schedule 1.

In this case, the proposed Private Plan Change is not a plan change or variation proposed by the local authority under section 43AAC(a) of the RMA. Nor has it been adopted by the local authority under clause 25(2)(a) of Schedule 1.<sup>6</sup> This means the Private Plan Change provisions, while still relevant, should not be used to assess the application under section 104(1)(b) of the RMA. Rather section 104(1)(c) of the RMA applies to these proposed provisions.

For that reason, in terms of section 104(b)(vi) the application should be assessed against the relevant provisions of the WCDP.

Proposed Private Plan Change remains relevant and necessary to the determination of the application however. The appropriate section under which it falls for consideration is section 104(1)(c) of the RMA.

The proposed rules will not have any effect until the plan change is operative, but it is considered relevant to provide assessment of the proposed against the objectives and policies that are proposed to apply to the application site. Such an assessment is provided as Appendix 32.

### **3.2.1 Zoning**

It is proposed that the zoning of the site will be Residential with an additional overlay to recognise the unique character that comes with the development of a retirement village which is referred to as "The Orchards Retirement Village Character Area".

The proposed overlay will provide the site with specific provisions relating to the development of the retirement village and will provide certainty to Council, retirement village residents and the general public about development of the site and the conditions within which development is to be controlled. It is proposed that the overlay will require a resource consent application for all development as at least a controlled activity.

### **3.2.2 Rule Assessment**

The proposed rules included in the Private Plan Request do not have any effect until the Private Plan Change Request is beyond challenge.

### **3.2.3 Financial Contributions**

The provisions for financial contributions are set out in Chapter 23 of the Plan. The requirement to make financial contributions is acknowledged by the applicant, and a condition of consent has been proposed to address this matter.

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<sup>6</sup> Section 43AAC(b) of the RMA



### 3.3 Overall Activity Status

The overall activity status of the proposed development under the relevant rules and standards of the Operative WCDP is **Discretionary**.

## 4 Assessment of Effects of the Land Use

The following assessment of effects addresses the matters that are required to be assessed by the relevant district and regional planning documents and by the RMA.

Section 104 of the RMA requires the following:

- (1) *When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to–*
  - (a) *any actual and potential effects on the environment of allowing the activity; and*
  - (b) *any relevant provisions of–*
    - (i) *a national policy statement;*
    - (ii) *a New Zealand coastal policy statement;*
    - (iii) *a regional policy statement or proposed regional policy statement;*
    - (iv) *a plan or proposed plan; and*
  - (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

### 4.1 Actual and Potential Effects

#### 4.1.1 Socio-economic effects

It is widely acknowledged that our population is aging and there is an increasing need for safe and well-designed residential accommodation suitable for older people and their increasing social and health needs. The proposed Orchards development will satisfy the need for housing and care for older people in the Wairarapa which is not currently being provided for at an appropriate scale.

It is anticipated that some of people moving into the retirement village will come from within the district and therefore the proposal has the potential to free up homes for the local housing market. This has become more evident with ongoing enquiring from local residents about the availability and timing of the proposed retirement village units.

The proposed development provides an opportunity for the merging of existing services such as the services provided by Arbor House. An arrangement between the Orchards and Arbor House will see a continuation in care for existing Arbor House residents and continued employment for staff.

The development will see an increase of people to Greytown which will see an increase in people utilising services and visiting existing retail outlets. It will also likely see an increase in people involved in the local community including local sports, arts and cultural groups. This is acknowledged in the BERL report at section 5.1. The site will also provide on-site facilities for those residents who may not currently have access to such opportunities due to proximity to town or due to mobility constraints.

The proposed development site, in close proximity to the centre of Greytown, is connected to the existing community. These linkages have been promoted through the way the site has been designed, including road frontages to Reading Street and Market Road for some dwellings. The design and proximity of the site is likely to promote community integration of the development.

The RMA specifically requires that the needs of future generations be considered when achieving the sustainable management of the environment. In this regard, the proposed developed is meeting a recognised need for accommodation for our future aging population. This is discussed in detail in the BERL Wellbeing Report included as Appendix 15 where it is identified that "additional service delivery and community development work is likely needed anyway, because the population of older people will grow significantly, even without the Orchards".

Overall, I consider that there are significant socio-economic benefits arising from the proposed development.

#### **4.1.2 Social and Cultural effects**

The site will provide residential accommodation for older people in close proximity to existing churches, clubs and organisations within Greytown Village. The access to public transport routes means that access to social and cultural activities in the wider Wairarapa area will also be readily accessible for residents. This will enable residents with existing club memberships to retain these interests and is also likely to mean increased membership by new Orchards residents. The same can be said generally for residential and other existing businesses within Greytown which is addressed above under socio-economic effects.

The proposed Wellbeing Centre to be developed on site will be a central location within the development for recreational, social and cultural activities. There is the potential for a variety of interest groups and clubs to utilise this space and provide social and cultural activities for residents. Given the close proximity to Greytown Primary School, it is also recognised that there is ample opportunity for interactions between Orchards residents and school students through such things as reading groups and performances which are mutually beneficial to the participants.

The proposed relocation of the Greytown Bowling Club to the Orchards site is an opportunity for both existing bowling club members who will benefit from a modernised and updated facility, and also for Orchards residents to be active participants in the sport of lawn bowls.

The Orchards development will provide ample opportunities for older people to socialise and interact with other people within the site, including opportunities for support for those who may be on their own, unwell or of limited mobility. The site also provides the opportunity for walking and cycling within the site itself to enable residents are able to keep active and exercise in a safe and supportive environment. In this respect also, the Orchards development will provide for a range of residential accommodation options to providing variation in the level of independence/care required, with the comprehensive nature of the development allowing for change as an individual's needs might change over time.

In relation to Māori cultural effects, the site is not known to be a site of significance to local iwi. However, it is proposed that an ongoing relationship between local iwi and the Papawai Marae to be developed and strengthened throughout the development and operation of the site.

During the development of the Orchards concept, members of the development team have met with Rangitāne (on site), Kahungunu and the Council's Māori Standing Committee. These meetings helped provide a useful forum for communication where Rangitāne shared that effects on water quality was their greatest concern for the development. The Māori Standing Committee expressed their desire for Papawai heritage to be acknowledged in some way, either through the naming of buildings or through the use of Te Reo on site. There is also the potential for local iwi to contribute to the detailed landscape design of the site by including Māori/cultural references in the landscaping.

Management of the discharge of contaminants is addressed further below.

Affordability of housing was another matter that was raised by the Māori Standing Committee. The Orchards development will provide a range of housing options from self-contained apartments through to three-bedroom villas which are intended to meet the needs of a range of older people in the community.

I acknowledge that the development of the retirement village will provide employment and training opportunities for people in the Wairarapa. Appendix 17 provides a summary of the anticipated level of staffing required to successfully operate the retirement village. Based on the highest estimate, around 118 employment opportunities could be created.

As part of good practice in resource consenting, it is proposed to include a condition relation to the protocol to be followed on site should the accidental discovery of archaeological or human remains be uncovered during development of the site.

Overall, I consider that there are significant social and economic benefits that will be realised as a result of the proposed development.

### 4.1.3 Landscape character and visual effects

Ms Annan concludes in her report that while the character of the site will change, the future amenity provided will be appropriate to the setting. She finds that the proposal's amenity will be derived from design measures to soften and enhance the proposal's appearance as a suitable development pattern for this location. Having assessed Ms Annan's report and the design statements provided by Local Collective (Appendix 19) and DGSE (Appendix 18), I concur with Ms Annan's views on the impact of this development on landscape character and visual effects.

### 4.1.4 Amenity Effects

#### 4.1.4.1 Visual amenity

There is no denying that the development will result in a significant change to the surrounding environment through its development from a rural orchard land use to a residential development providing continuous care accommodation for older people. Given the proximity of the site to the Greytown town centre, I consider that the use of the site for residential purposes is not out of context with the existing surrounding land uses which are a mix of residential, rural-residential and rural land uses.

Ms Annan's report (Appendix 20) provides a useful assessment of the application site's context and how it modifies the visual impact of the proposed development. She notes that the *"composite landscape character of the setting reflects the surroundings of both rural and residentially zoned land. This is not a stretch of a purely rural working landscape but a zone boundary setting at the existing urban edge of Greytown. The mixed characteristics and densities of the surrounds afford capacity for a level of landscape change on the application site to be absorbed here"*.

The change in character from rural to residential will be most visible from adjoining properties which represent a mix of typologies and densities. A large number of existing orchard trees will be removed from the site to enable the development to occur. I note however that none of the existing vegetation on the site is protected and could be removed as of right.

Elements of the existing rural character will be retained on the site, including through the retention of some existing orchard vegetation, retention and enhancement of the existing farmhouse garden 'Murphy's Garden' while the built aspects of the development have been developed to complement existing villa development found around the Greytown township.

I note that the proposal includes a significant landscape concept plan which describes a number of different planted and open space features that will be created on the site:

- Murphy's Garden
- Orchard Gardens

- Swale Parkland
- Gardens near advanced care facility/hospital
- Southern entry walk
- Resident's individual gardens

I consider that these landscaped features will act as mitigation of the built aspects of the development and will help the development integrate into the surrounding environment. Ms Annan discusses her involvement in providing design and mitigation feedback throughout the concept design development at Section 6 of her Landscape and Visual Assessment report. She discusses how external boundary setbacks and the dispersed parking and green space on the site helps to break up built form development throughout the site. She also considers mitigation of the built form of the development through the mix of building typologies for villa buildings and the positive contribution that this variety makes to ensuring repetition of built form is mitigated. The proposed development has been specifically designed to integrate and form and extension of the existing residential areas in Greytown including through the design of the residential villa units.

Ms Annan also addresses the proposed signage proposed with the development, being more closely aligned with signage anticipated in the rural environment than the residential environment. I concur with Ms Annan that given the location of the site on the margin between rural and residential zoning and land uses that there is less sensitivity to increased signage as a result.

#### **4.1.4.2 Noise**

It is recognised that there will be a change in the noise generated from the site going from a rural orchard site to a residential development. There will no longer be the sound of farm machinery and equipment on the site. During the construction phase of the development, there will be construction noise associated with site preparation, building construction which will eventually, in stages, be replaced with the noises associated with people and vehicles in a residential context. It is anticipated that throughout the development and occupation of the site that the noise standards outlined in the District Plan under Rule 4.5.2(f) will be adhered to.

#### **4.1.4.3 Dust**

It is recognised that given the number of trees to be removed from the site to enable the development to occur, there is the potential for dust from tree felling and stump grinding. The amount of dust generated from this activity will depend on climate and weather conditions at the time. Wind speed and direction will also have implications on how and by who effects of this activity could be experienced. Generally, ensuring the site is damp will reduce the potential for dust nuisance beyond the site boundary. As a result, I recommend a condition of consent be included to ensure that tree felling is managed to mitigate any potential adverse effects beyond the site boundary.

#### 4.1.4.4 Lighting

The applicant has sought advice on site lighting from those involved in working towards the recognition of parts of the Wairarapa as a Dark Sky Reserve. As a result of discussions and advice from Lee Mauger, Chairman and co-founder of the Martinborough Dark Sky Society, lighting will be installed that is sensitive to the potential of recognising Greytown as a future Dark Sky Reserve and will be consistent with public lighting standards.

Mr Mauger provides some useful resource for consideration at the detailed design stage in relation to lighting including links to the International Dark-Sky Association website:

<https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>

<https://www.darksky.org/the-promise-and-challenges-of-led-lighting-a-practical-guide/>

Mr Mauger has also provided the following observations which are also useful for consideration at detailed design stage:

1. *The residents will be able to spend their evenings with a telescope observing the stars if we get the lighting right.*
2. *If you are also careful about interior lighting, you can help the residents get a good night's sleep which helps with mental and physical health.*
3. *Elder people suffer from glare much more than younger people. Shielded, warm lights will help them avoid accidents.*

There is also a possibility that the retirement village could be marketed as a "Dark Sky friendly" place to live which is likely to appeal to some future residents.

#### 4.1.4.5 Hours of operation

The residential nature of the site means that it will be 'operational' 24 hours a day, 7 days a week. However, it is acknowledged that there are some activities that will need to occur on the site that could result in adverse effects on residents within the Orchards and on sites surrounding the development including rubbish collection, deliveries (such as linen, food, medical supplies etc). As a result, it is proposed to include a condition on the consent which limits these service activities from occurring outside the hours of 7am-6pm.

While I consider that there will be significant changes in the amenity values experienced by the adjoining neighbours to the site and the surrounding environment, I acknowledge the changes resulting from vegetation removal could occur without the requirement for consent. While the built development on the site has the potential to result in adverse amenity effects, I consider that these will be mitigated appropriately through conditions of consent, through the proposed building and landscape design associated with the development, and overall, are unlikely to result in adverse effects on the environment that are more than minor.

I note that an independent residential unit will be used on a temporary basis (duration yet to be determined) will operate on the site while construction is underway. It is proposed that the hours of this showhome be limited to 9am-5pm in order to mitigate the effects of visitors to the site.

#### 4.1.5 Potential effects on Significant Natural or Historic Values

There are no known significant natural areas or areas of the site with historic heritage values. However, as mentioned above, an accidental discover protocol will be included in the suite of conditions to ensure that any accidental discovery is managed appropriately.

#### 4.1.6 Discharge of contaminants

##### 4.1.6.1 Site servicing

As discussed in the Infrastructure Report prepared by Calibre Consulting Ltd (Appendix 21), the development and proposed level of activity can be satisfactorily serviced in terms of water supply, stormwater, wastewater disposal, electricity and telecommunications.

**Stormwater** will be managed on site through the use of vegetated berm swales which finish at on-site raingardens which will feed the stormwater from the site into the Council's stormwater network beyond the site in accordance with the requirements of NZS 4404:2010. This proposed approach is detailed in the Calibre report under Section 3. It is anticipated that the proposed stormwater soakage system will "reduce the total discharge volume and flow from the property from pre-development levels" during storm events. Sheet C430 of the Calibre report illustrates the proposed overland flowpaths for the site.

It is anticipated that there may be some rainwater capture from the roofs of buildings within the site although the extent of this is not yet know and greater consideration of this will be undertaken at detailed design stage.

Ultimately, it appears from the analysis work undertaken in the Calibre report, the management of stormwater on the site will be adequately managed on the site to the point where adverse effects on the surrounding will likely be less than they are from the site as it operates currently.

**Wastewater** disposal is intended to be discharged into the Council network at two locations along Market Road. Approximately 50% of the development is at levels that require a sewer pump and rising main to be installed while the remainder of the site will be gravity fed. The Calibre report outlines that this approach meets the requirements of NZS 4404:2010.

It appears from the Calibre report that wastewater generated from the site will be adequately addressed to meet the requirements of New Zealand standard are being adhered to and as such, I consider that it is unlikely for adverse effects on the environment as a result of the proposed wastewater design.

**Potable water supply** to provide for water needs of residents and for any firefighting needs on the site have been considered in the Calibre report. I understand that the proposed approach to provision of potable water is that water is stored from the Council supply in underground storage tanks that will be pumped around the site to residents. It is proposed that a maximum water storage requirement of 120,000L is will provided for on the site.

The proposed design has considered against the requirements of NZBC G12: Water Supplies, NZ4509: New Zealand Fire Service Firefighting Water Supplies Code of Practice and NZS 4404:2010. It is also assumed that no rainwater collection will be undertaken although as stated above, this will be considered further at detailed design stage.

Ultimately, I consider that the provision of potable water to the site aligns with the generally accepted requirement of the various relevant standards and as such, it is not anticipated that there will be any adverse effects associated with the provision of potable water to the site.

#### **4.1.6.2 Management of contaminated soils**

Consent was granted on 4 March 2019 for the remediation and overall development of a site with a history of use of hazardous substances associated with its orchard activities under the NES for Assessing and Managing Contaminants in Soil to Protect Human Health. This consent addresses the need to manage the discharge of contaminants to air as a result of earthworks on the site and imposes a condition requiring a site management plan.

I consider that this adequately addresses the potential discharge of contaminants and no further mitigation is required.

#### **4.1.7 Soils/Productivity**

I acknowledge that the proposed development will result in the loss of productive soils from within the Rural Zone. The site is roughly 13.8ha in size and I consider that the current use is relatively small scale when compared with the scale of other rural land use activities and land holdings in the Wairarapa. Whilst the development of the subject site will remove a portion of land from the primary production land resource, it does not result in the segmentation of the rural environment. This is because the site is located adjacent to existing residentially zoned and developed land and is closely located to existing amenities within the Greytown township. This is supported by Ms Annan's assessment (Appendix 20) which notes:

*Abutting an urban area, the application site's proposed change to this residential zoning is less dramatic than it would be if surrounded entirely by a rural landscape. The composite landscape character of the setting reflects the surroundings of both rural and residentially zoned land. This is not a stretch of a purely rural working landscape but a zone boundary setting at the existing urban edge of Greytown. The mixed characteristics and densities of*



*the surrounds afford capacity for a level of landscape change on the application site to be absorbed here.*

*In considering the existing urban form of Greytown, the site is somewhat 'nestled in' along the town's mideast edge. The site, if zoned for residential development as proposed, would not sit prominently 'out on a limb into the rural environment'. It would be within a setting of property parcels with varying density.*

I also acknowledge that there is no vacant residential land within Greytown, or within other residential townships in the Wairarapa, that would enable residential development on the scale proposed. To create a residential development of this scale within existing residential zoning would require the acquisition and redevelopment of existing residential development which would displace a number of existing residents. It therefore seems appropriate for residential development of this scale to locate in close proximity to existing residential development.

The BERL report (Appendix 16) shows that South Wairarapa, in line with the country as a whole, has an ageing population. Appropriately accommodating and caring for older people is acknowledged as a resource management issue.

The applicant has acknowledged that the current zoning of the site is not the most appropriate fit for the proposed development and has prepared a private plan change application concurrently with this resource consent application to rezone the land from rural to residential to better reflect the intended use of the site.

The proposed development site for the Orchards development was identified following a site selection process. The South Wairarapa District was selected to build a retirement village for the following reasons:

- Population demographics indicate an ageing population;
- Desirability of the area to retire/live in;
- Lack of immediate competition; and
- Proximity to Wellington

A meeting with South Wairarapa District Council in early 2018 highlighted that they would be supportive of a retirement village development as they recognized the aged care crisis in the district.

Initially Martinborough was investigated. However, it became apparent early in the site investigation stage that there were no parcels of land large enough that were in close proximity to the local community. Any land close to Martinborough generally has substantial dwellings and in order to get the scale required more than 4 parcels of land would have needed to be purchased.

Greytown was then identified as the most desirable location for a retirement village as it is a beautiful town and has strong property prices, an aged demographic, good quality local amenities and services and is relatively close to Masterton Hospital.

Initial due diligence was undertaken on land that was for-sale at the North Eastern end of Greytown. This is the land that fronts SH2 to the East with the old Red Barn on it. Further investigations highlighted the following:

- the land was in the floodplain and not suitable for a retirement village
- due to the location road noise would be excessive
- the highway and speed limit would pose a danger to residents of a retirement village

The applicant used Google Earth to highlight the best site in Greytown. It became apparent that Murphy's Orchard was the most desirable location as it had the following features and characteristics:

- Generous land area contained in two contiguous allotments;
- No restrictive covenants on the titles;
- Close proximity to amenities and the existing community;
- Several existing accesses on the roading network;
- Flat topography;
- Not located in the floodplain
- Easily accessible from the centre of Greytown, by foot, bicycle and car;
- Existing established planting that can be utilised in the design; and
- Available for purchase.

Overall, I consider that the use of 13.8ha of productive land in close proximity to the Greytown Village for a retirement village and the associated loss of productive land is outweighed by the benefits to the community associated with the provision of purpose built and well-designed residential accommodation for older people. I consider that the effects from the loss of 13ha of productive land are less than minor.

#### **4.1.8 Effects on the health and safety of people and property**

##### **4.1.8.1 Natural Hazards**

The Orchards site is not located with a known natural hazard area as identified by either the SWDC or GW Regional Council. Flood hazard mapping does not indicate that the site is subject to flood events and the closest fault line is located approximately 5.5km to the North West of the application site at the base of the Tararua Ranges.

The independent Report prepared by EQO Ltd and attached as Appendix 26 confirms that the site is not known to be at risk to any significant natural hazard and standard engineering solutions are available to address any geotechnical issues that may arise through detail design.

This report also confirms that the site contains soft silt soils for 1.5-2.5m with gravels underneath. EQO Ltd report identifies that specific foundation design may be required for majority if not all buildings. This matter will be addressed through at the building consent stage and I do not consider that any mitigation of this matter is required through the resource consent process.

Overall, I consider that the risk to people and property as a result of natural hazard risk is not more than minor.

#### **4.1.8.2 Contaminated soils – residual effects**

The existing use of the site as an orchard and for cropping has the potential to result in pose a risk to human health due to the previous fertiliser and spray use on the orchard. This risk has been considered in the independent Report prepared by EQO Ltd which identifies that “the risk to human health as a result of the change of and use is a foreseeable risk”. As a result of this assessment, an application was made to SWDC to remove ‘hotspots’ of contamination on the site. This application was granted with conditions on 4 March 2019.

The findings from soil sampling on the site are described in the report at 10.2.6. The findings of this soil sampling identify:

1. Contaminant concentrations at ground level are well below guideline levels for the entire site.
2. There are two hotspots that have elevated Arsenic concentration that it would be prudent to remediate.
3. The average Arsenic concentration over 200mm and 300mm is well below guideline values.

The report goes on to identify that the primary pathways for [human contact] with metal in soil is from dermal (skin) contact and direct ingestion. As a result, the report makes the following conclusions:

- Direct contact with the soil upper layers is extremely unlikely to cause harm to human health.
- Vegetables grown in un-remediated soil and consumed are extremely unlikely to cause harm to human health as the average concentration over rooting depth is significantly lower than guideline levels.
- The old wash down area (2015 samples 36,37) shows sufficiently high levels of contaminants to warrant remediation. Removal and carting to suitable landfill is recommended.
- The current chemical filling area (2015 samples 11,12) shows some elevated contaminant levels, however the area is small and easily

managed in terms of remediation. The main contaminant is copper, which is not significantly harmful to human health. Again, removal and replacement of existing material is recommended.

The application for a restricted discretionary activity, approved by the SWDC [reference 180203], approves the remediation of the two 'hotspot' areas and the overall soil disturbance of the development site<sup>7</sup>. Conditions of this consent include the requirement to prepare a site management plan which details that remaining soil will be kept on site and to address how the earthworks will be managed to address risks to human health both of worker on the site during construction and adjoining landowners. I consider that this condition, together with the other conditions of this consent will adequately avoid, remedy or mitigate adverse effects on human health arising from the existing soil contamination on the site. I consider that no further conditions of consent are required, however, I consider that it is appropriate to include a condition which ensures the requirements of the consent under the NES are met.

The Wairarapa Combined District Plan provides for activities within contaminated land as permitted activities under Rule 21.1.23, subject to the compliance with permitted activities standards. It is considered that the application granted under the NES for the site on 4 March 2019 addresses the requirements of this rule. While it is acknowledged that (b) requires that the land be "determined as safe for the intended use" is not strictly complied with currently, the proposed remediation of hot spots on the site, which aligns with the permitted activity at 21.1.23(c) will ensure that the site is suitable and safe for the intended use as a retirement village.

Overall, I consider that the health risk to people as a result of the redevelopment of the site will be no more than minor.

#### **4.1.9 Transportation effects**

##### **4.1.9.1 Road network**

The Transport Assessment report prepared by Stantec (Appendix 22) provides a useful summary of the existing roading network surrounding the Orchards site. This summarises the current patterns of use, existing traffic volumes and road accident history. The report goes on to identify the anticipated traffic to be generated from the Orchards development including the split of this use over the Reading Street and Market Road access points to the site. The report anticipates an addition 400 vehicles per day utilising the Reading Street access with 300 vehicles per day utilising Market Road.

The report then goes on to assess the traffic generation against the requirements of NZS4404:2010. As a result of this assessment, and based on the anticipated level of traffic to be generated by the development, the report makes the following recommendations:

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<sup>7</sup> It is noted that consent from the Regional Council for the area of earthworks required is likely and will be applied for once the detailed design stage is completed and the full extent of earthworks on the site are known.

- Upgrading the widths of both Market Road (currently width of 5m) and Church Street (currently width of 6m) to meet minimum road widths of 5.5-5.7m and sealed 0.5m shoulder
- Upgrading Reading Street (existing width 5.4m) to a minimum road width of 5.5-5.7m with 1.5m footpaths on both sides and separate parking including formalising/sealing the roadsides used for parking adjacent to the Greytown Primary School.

These upgrading recommendations will ensure that any potential safety risks to road users are appropriately mitigated and the roads will align with the minimum requirements of the recognised New Zealand Standard.

I note that it may be preferable for the developer and the Council to come to a Development Agreement to undertake these works, rather than relying on development contributions. The Partnership wish to discuss the opportunity of this with the Council.

The Stantec report considers the potential impacts of traffic from the development on SH2, which is located North West of the Orchards site. The report concludes that "due to the network of roads available in the area and operational characteristics of the development, it is anticipated that the additional traffic is not expected to have any notable impact on the current operation of SH2."

The report also considers the suitability of existing intersections at Reading/McMaster Street and Reading Street/Market Road/Church Street intersections. The report concludes that the existing intersections are suitable for the anticipated increase in traffic generated by the development and no upgrading is required.

Two new intersections are proposed for Market Road and Reading Street as a result of the development. These are proposed to be designed in accordance with the requirements of NZS 4404:2010 and I consider it is appropriate to include a condition on the consent which ensures that these design standards are complied with. This will ensure that the new intersections with public roads will be constructed to meet the requirements of the development and ensure public safety requirements are met for the level of traffic being generated.

The report also acknowledges that there will be several intersections within the development on the proposed private roading network. It is proposed that these intersections will be designed to comply with the standards for private roads outlined in NZS4404:2010 and again, I consider it is appropriate to place a condition on the consent application which confirms this.

The Stantec report considers the implications of the traffic from the proposed development on vulnerable road users given the proximity of the development to Greytown Primary School. The report's authors consider that the potential for interactions between pedestrians on Reading Street and vehicle traffic from the development will be minimal due

to the expected peak periods of drop off and collection at the school (anticipated as being 8.30am and 2.30pm) no coinciding with the peak periods of traffic movement at the development which are anticipated to be 12pm. As a result of this, together with the proposed roading upgrades discussed above, I do not consider additional mitigation measures are required.

The comprehensive nature of the development has enabled the careful consideration of how the development interacts with the surrounding environment. I consider that the design reaches a good balance between integrating with the existing environment through buildings fronting the street where possible, as well as managing the number of new access points on the public road network. The location of the site also benefits from the ability from non-car transport of residents into Greytown which can be accessed on foot, on bike and with a mobility scooter.

Overall, I consider that the effects on the existing roading network will be adequately mitigated through the recommended roading upgrades and compliance with the intersection requirements through NZS4404:2010. I consider that any effects on the existing public roading network from the proposed Orchards development will be no more than minor.

#### **4.1.9.2 Internal private roading network**

As discussed above, there will be several new intersections developed internal to the Orchards development. These will be designed to comply with the requirements for private roading access within the site under NZS 4404:2010.

The internal roading network itself has been designed with the guidance of NZS 4404:2010. The Stantec report identifies that the proposed design will comply with the relevant aspects of 4404 which the exception of the requirements for passing bays.

The report states, at Section 7.2:

*The secondary roads on-site have a width of 3m and are longer than 50m in length. NZS 4404:2010 requires that roads such as this should provide passing opportunities at 50m intervals. The proposal does not include any passing bays however this is not considered to be an issue on the basis that the volumes on these roads are low (10-40vpd as indicated in Figure 13) and the driveways to the units would allow vehicles to pass.*

I also note that the Stantec report details that the speed limit on private roads within the site will be limited to 20km/hr on primary roads and 10km/hr on secondary roads. I consider that this, when combined with low traffic volumes and the ability for vehicles to utilise driveways for passing will suitably mitigate the absence of passing bays on the private roadways within the development. I also consider that the addition of parking bays is likely to result in significant additional cost to the development, both the in the loss of land available for other uses and in the cost associated with creating these areas.

The comprehensive site design has also taken into account the need to walking and cycling access throughout the site. This is provided for with footpaths and connecting green laneways and with the ability of cyclists to share the internal roading network with vehicles. The Stantec recognises that “the convenience of the location of the site and the good pedestrian connectivity of the site is expected to encourage residents to walk to nearby destination which would in turn reduce car ownership to some degree”.

Overall, I consider that the private roadways will adequately meet the needs of the proposed development and the non-compliance with the requirements for passing bays will be adequately mitigated within the site. I consider that the effect of this non-compliance is ultimately no more than minor.

#### 4.1.9.3 Parking

The residential aspects of the Orchards development propose the following parking configurations:

<b>Building</b>	<b>Accommodation</b>	<b>Parking provided</b>
<b>Villa A</b>	Two-bedroom unit	On-street parking only
<b>Villa B</b>	Two-bedroom unit	1 garaged parking space
<b>Villa C</b>	Three-bedroom unit	2 garaged parking spaces
<b>Villa D</b>	Three-bedroom unit	2 garaged parking spaces

The Stantec report has considered the parking requirements anticipated for the entire site, including the advanced care facility which is not part of this current proposal. Consent will be sought for this aspect of the proposal separately.

Current District Plan parking requirements at Rule 21.2.25(c)(i)(1) specify that every activity shall provide off-street parking for vehicles associated with the activity and vehicles expected to visit. As outlined above, Villa A units will have on-street parking only. Although this does not meet the current District Plan requirement, Stantec consider that it is considered that the site can “operate without any major concerns as the internal roads of the developments are anticipated to operate with slow speeds and low traffic volumes”.

In addition, Rule 21.2.25(c)(i)(3) requires that the total parking required shall be the combined total requirement for all activities. Stantec has stated that “the parking on-site has been provided based only on the residential activities as the ancillary activities are only expected to be used by the residents of the development. On this basis, the parking provision at the development is considered appropriate.”

As proposed, 212 off-street parking spaces 117 on-street parking spaces and 1 loading space will be provided for within the Orchards development. This is a total of 329 parking spaces, not include any off-street parking spaces provided on driveways. Based on the District Plan requirements of 1 parking space per residential unit, up to 180 residential units would require 180 parking spaces, with additional spaces required for the serviced apartments, rest home, dementia care unit and hospital (to be developed at a later stage).

Overall, I consider that while the parking spaces provided do not strictly comply with the requirements of the District Plan, the outcome of provision of parking spaces on sites exceeds the on-site requirements and I consider will ultimately ensure that parking for the residential component of the development will be adequately provided for. Further consideration of parking requirements associated with the advanced care aspect of the development will need to be undertaken to ensure that sufficient parking is provided for this element of the development in future. I consider that the adverse effects associated with the non-compliances of the development in relation to parking are no more than minor.

I acknowledge that the detailed design stage will need to make provision for parking associated with the temporary show home to ensure that visitors to the show home have adequate parking provided for them.

#### **4.1.10 Construction effects**

The proposal has the potential to give rise to potential temporary nuisance effects associated with the earthworks and building construction (for example dust, noise, disruption to traffic networks). Discussion of these effects and their management are outlined below.

##### **4.1.10.1 Construction Noise**

It is generally accepted that activities associated with construction are short term but can be louder than other general noise levels. As a result, a separate New Zealand Standard NZS 6803:1999 Acoustics - Construction noise provides direction on the requirements for measuring and assessing construction noise.

To ensure that construction noise is appropriately managed, it is recommended that a condition be placed on the consent which requires compliance with this standard. It is also proposed that a Construction Management Plan will be developed either for the development as a whole, or for each development stage to ensure adverse effects associated with construction stage of development are identified and appropriately managed.

##### **4.1.10.2 Operating hours for construction traffic in condition**

The scale and staged approach to the development of the site will see development occurring on the site over a longer period of time than would be experienced with a single residential dwelling.

As a result, I consider it is appropriate to put in place additional mitigation mechanisms to mitigate the effects of construction on the Orchards site, it is recommended that a condition be placed on the consent that protects, as much as possible, the amenity of surrounding properties, and of the occupied portions of the site as development continues on site.

I therefore propose a condition be placed on the consent that restricts the construction on site to the following hours:



- No construction work on Sundays and public holidays
- No construction work outside the hours of 7.30am - 6pm Monday to Friday and 7.30am to 1pm Saturday.

#### **4.1.10.3 Earthworks**

The Calibre Consulting report provides a Cut/Fill levels and depths plan on drawing C210. This plan illustrates the anticipated level of site contouring earthworks to be undertaken on the site. It is noted that there will be additional earthworks on the site in the form of building foundations, service trenches, burying the underground water tanks and any other works and a clearer idea of the total earthworks requirements will the site will be understood following the completion of detailed design.

It is not yet known whether earthworks will be undertaken on the site all at once or in a staged fashion. However, it is not anticipated that the earthworks will comply with the duration standard outlined in Rule 21.1.16 Temporary activities.

Regardless of the level of earthworks occurring on the site, it is acknowledged that there is the potential for earthworks to result in dust nuisance for neighbouring properties and there is also a risk of sediment runoff, even with a relatively flat site. It is therefore proposed that prior to construction commencing on the site, a sediment and dust management plan be developed for the site, for each stage of the development that outlines the management techniques and mitigation measures that will be utilised on the site. A condition requiring such a plan has been recommended in the suite of suggested conditions, Appendix 34.

#### **4.1.10.4 Construction traffic**

The effects of construction traffic are considered at Section 9 of the Stantec Report. The report recommends a Construction Traffic Management Plan be prepared for the site and I recommend that a condition be placed on the consent which requires this. This will ensure that any effects associated with construction traffic are identified and managed at the beginning of the development to ensure any identified adverse effects on the surrounding can be appropriately managed.

#### **4.1.11 Reverse Sensitivity Effects**

The proposed location of the development is in what can be described as a semi-rural environment. As a result, it can be anticipated that rural land uses of varying scales are occurring on land adjacent to Boundaries 3, 4, 5 and to some extent 6 and 7, although these boundaries are with Market Road and not directly adjoining rural properties, as indicated on the boundary identification plan attached as Appendix 10. This means that it can be anticipated that villas along these boundaries can expect some elements of rural land use including rural machinery noise as well as potential animal noise and odour. The close proximity of the site to these rural land uses have the potential to give rise to reverse sensitivity effects for residents of the proposed development.

I consider that these effects can be appropriately managed through the proposed landscaped boundary treatments along these boundaries and the proposed building setbacks from external site boundaries. This can also be managed by ensuring that those residents who reside in villas along these boundaries are aware of the rural setting they are going to be residing in so that they can select an alternative location on the site if that is their preference. I also acknowledge that the rural character of the surrounding environment might be sought after by some residents, particularly those who may be moving to the Orchards from a farming environment.

I considered the potential for reverse sensitivity effects of the development from Greytown Primary School. It is acknowledged that schools can generate a level of noise during student play times and potentially at drop off and collection times. It is not anticipated however that this will result on adverse effects on the proposed Orchards development that are more than minor given that these activities only occur during weekdays i.e. not at night time or weekends, and the school is located across Reading Street so is setback from the development site a considerable distance. It is also anticipated that the recommended road widening outlined in the Stantec report will mitigate any potential reverse sensitivity effects of school traffic on residents of the retirement village.

Overall, I consider that the potential for reverse sensitivity effects of the development being located within a semi-rural environment will have no more than minor effects for its residents.

## **4.2 Proposed development controls/consent conditions**

We propose that the development be subject to numerous resource consent conditions, and we have included, in Appendix 34, a suite of suggested conditions. The actual extent and wording of the conditions is anticipated to be developed with SWDC staff over the course of the resource consent process.

## **5 Assessment against Operative District Plan Objectives and Policies**

An assessment of the proposal against the operative policies and objectives of the WCDP is included at Appendix 31.

Based on this analysis, it is acknowledged that the proposed development will result in the loss of a small amount of rural land (13.8ha), and the associated rural character and amenity values. The design process for the proposed development has been mindful of this fact and has mitigated this change in character and amenity by ensuring that the bulk, location and building design, together with comprehensive on-site landscaping mitigate this where

possible e.g. through the provision of community gardens, extensive landscaping, retention of some existing trees and through the use of building setbacks, and quality building design.

The proposed development, although not located within the residential area of Greytown, is located on the edge of existing residential development. As a result, the proposed development benefits from the ability to connect to existing wastewater and potable water networks and due to the size of the site, is able to dispose of stormwater within the site.

The access and roading associated with the proposed development has been developed to consider any effects on the surrounding public roading network and to comply with the requirements of NZ 4404:2010.

## **5.1 National Environmental Statements**

There is one NES that needs to be considered in the assessment of this proposal.

### **5.1.1 National Environmental Standard for Assessing and Managing Contaminated in Soils to Protect Human Health**

As noted previously, an application for a restricted discretionary activity under the NES has been submitted to SWDC and, at the time of writing, was being processed by Council. It is anticipated that, upon granting of the application, the remediation works recommended by EQOz can be undertaken. A validation report will then be prepared and provided to Greater Wellington Regional Council in order that the site can be confirmed as being 'remediated/managed' (Category IV).

## **5.2 Relevant National Coastal Policy Statement Provisions**

The New Zealand Coastal Policy Statement is not relevant to the assessment of this activity.

## **5.3 National Policy Statement for Freshwater Management 2014 (amended 2017)**

S104(1)(b) requires the consent authority to have regard to any relevant provisions of a national policy statement.

The National Policy Statement for Freshwater Management (NPSFM) provides guidance and direction to enable regional councils and communities to more consistently and transparently manage freshwater resources.

The NPS objectives regarding water quality are of relevance in a consideration of the retirement village development.

*A1 To safeguard:*

- a) the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems, of fresh water; and*
- b) the health of people and communities, as affected by contact with fresh water;*

*in sustainably managing the use and development of land, and of discharges of contaminants.*

*A2 The overall quality of fresh water within a freshwater management unit is maintained or improved while:*

- a) protecting the significant values of outstanding freshwater bodies;*
- b) protecting the significant values of wetlands; and*
- c) improving the quality of fresh water in water bodies that have been degraded by human activities to the point of being over-allocated.*

*A3 The quality of fresh water within a freshwater management unit is improved so it is suitable for primary contact more often, unless:*

- a) regional targets established under Policy A6(b) have been achieved; or*
- b) naturally occurring processes mean further improvement is not possible.*

*A4 To enable communities to provide for their economic well-being, including productive economic opportunities, in sustainably managing freshwater quality, within limits.*

The proposed development seeks to manage stormwater generated within the application site responsibly and sustainably. This is described in Calibre's report in Appendix 21 and summarised earlier in this report. Having considered the preferred solution to managing stormwater, I consider that it is not inconsistent with the achievement of the NPS objectives highlighted above as they relate to the Ruamahanga whitua and may positively contribute to them. I also consider that the proposed development will result in stormwater discharge that will not be not inconsistent with the water quality limits and targets in the PNRP and that will be refined and established by the Whitua through its Whitua Implementation Programme and the subsequent plan change.

## **5.4 Greater Wellington Regional Policy Statement**

The objectives and policies of the operative RPS considered to be relevant to an assessment and determination of the proposed development are set out in the table at Appendix 33.

Overall, it is anticipated that the proposed development aligns with the direction for development provided by the Regional Policy Statement.

## **5.5 Greater Wellington Regional Plans**

At the time of writing, the relevant regional plans to consider in this proposal are:

- Regional Freshwater Plan for the Wellington Region (Operative); and
- The Proposed Natural Resources Management Plan (PNRP).

Decisions on the PNRP are expected mid-2019.

I have completed an brief assessment of the following regional rules:

#### **Regional Freshwater Plan**

- Rule R3 Stormwater Discharges

#### **Proposed Natural Resources Plan**

- Rule 48 Stormwater from an individual property
- Rule 54 Site Investigation
- Rule 55 Discharges from contaminated land
- Rule 99 Earthworks

I conclude that the proposed activities on the site fall within the permitted activity standards of both the operative Regional Plans and the Proposed, with the exception of the Rule R99 in relation to earthworks required on the site.

Earthworks for each stage of the development are anticipated to exceed the permitted activity level of 3000m<sup>3</sup> per property per 12-month period under Rule R99 of the Proposed Plan. As a result, the earthworks for the site require resource consent under R101 as a discretionary activity.

Greater detail of actual earthworks volumes will be known once detailed design has been completed. Once this has been completed, the necessary earthworks consent will be sought from Greater Wellington Regional Council.

It is proposed that discussions with the Regional Council will continue once detailed designed for the site has been finalised. Any non-compliances identified with regional planning documents will be addressed through a separate resource consent process.

## **6 Part II Assessment**

Section 5 of the RMA specifies the purpose of the Act as being:

*"...to promote the sustainable management of natural and physical resources."*

'Sustainable management' is thereafter defined as:

*"In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while–*

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment."*

Section 6, 7 and 8 identify 'matters of national importance', 'other matters' and Treaty of Waitangi' respectively.

Section 6 requires that all persons exercising functions and powers in achieving the purpose of the RMA shall 'recognise and provide for' the matters listed in (a) to (h).

The matters of national importance of relevance to this proposal are:

*(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*

*(h) the management of significant risks from natural hazards.*

Section 7 lists the matters that all persons exercising functions and powers under the Act shall have particular regard to. Of those matters, the following are considered to be relevant to the assessment of this proposal:

- (a) kaitiakitanga*
- (aa) the ethic of stewardship*
- (b) the efficient use and development of natural and physical resources*
- (ba) the efficiency of the end use of energy*
- (c) the maintenance and enhancement of amenity values:*
- (d) intrinsic values of ecosystems;*
- (f) maintenance and enhancement of the quality of the environment:*
- (g) any finite characteristics of natural and physical resources:*
- (i) the effects of climate change:*
- (j) the benefits to be derived from the use and development of renewable energy.*

Section 8 of the Act requires that all persons exercising functions and powers under the Act shall take into account the principles of the Treaty of Waitangi.

It is considered the proposal has been designed and can be constructed and operated in a way that achieves sustainable management of natural and physical resources. This is because the development:

- Will give rise to substantial socioeconomic benefits, including the provision of much required housing supply for older people;
- Will offer much needed aged care facilities, including dementia care which is particularly under-represented in the South Wairarapa;
- Is supported by numerous members of the local community;
- Creates housing options that take advantage of the sun for the purposes of creating a pleasant living environment and maximising the opportunities of solar gain;
- Seeks to maximise the development opportunities of the site whilst creating an attractive residential environment;
- Will not put people or property at risk from known natural hazard or soil contamination;
- Provides a sustainable approach to the management of stormwater, which will have environmental and aesthetic benefits to the site;
- Seeks to maintain and enhance many of the natural qualities of the site within a retirement village context, including through the retention of many trees and native plants, innovative and sustainable use of stormwater to create a high-quality environment, and the provision of comprehensive planting;
- Will be satisfactorily serviced without conflicting with or overload infrastructure capacity;
- Is not in a flood hazard area;
- Has sought a resilient approach to the on-site handling of stormwater that seeks to capture stormwater as a resource for use on site;
- Will not adversely affect any significant natural or historic environmental values;
- Will provide high quality urban design outcomes that unites and complements the urban characteristics of Greytown;
- Will maintain amenity and environmental values to a high or reasonable level including rural and open space landscape characteristics when viewed from public spaces and rural open spaces.
- Is part of a strategic approach to the development of land that is well located to support a retirement village development.

These matters have been discussed in detail in the assessment above.

### 6.1.1 Summary of Part II Assessment

Overall, the proposed development is assessed to be consistent with Part II of the Act.

## 7 Other matters

S104(1)(c) Any other matters considered relevant and reasonably necessary to determine the application

### 7.1 Archaeological authority

Under the Historic Places Act (1993) an archaeological site is defined as a place associated with pre-1900 human activity, where there may be evidence relating to the history of New Zealand. The application site is not recorded as an archaeological site by Heritage NZ Pouhere Taonga, and there is no evidence that the site was associated with pre-1900 human activity.

The site is not identified in either the Regional Plan maps or the WCDP as being associated with any specific Māori or cultural values, sites or taonga.

A condition is proposed in Appendix 34 that establishes the accidental discovery protocol so as to ensure that in the event of an accidental discovery of an archaeological site, archaeological material, artefacts or potential human remains (kōiwi), the appropriate procedures are adopted.

### 7.2 Moroa Water Race Bylaw

The proposal involves a very modest realignment of the northern branch of the Moroa Water Race and the provision of a small pool in line with a small stretch of the southern branch. The purpose and intended outcomes of both modifications are described in the Landscape Masterplan in Appendix 29.

The Moroa Water Race Bylaw 2007 is provided in Appendix 29 of this AEE.

The proposed activity on the site is able to comply with the prohibited uses set out in part 2.3 of the Bylaw. These include not allowing:

- any activity carried out on any land or building to contaminate, to make less pure the water in the water race (2.3.5);
- Obstructing the flow of water in the water race by any means whatsoever including undersized culverts, existing or new (2.3.6);
- Driving across the water race except by means of existing culverts, crossings or bridges, or constructed with the Council's written consent (2.3.7);



- Widen or deepen any water race or alter the course of any water race without the written consent of the Council (2.3.12).

Throughout the development of the Orchards proposals, the Council have been kept informed of the applicant's preference to use the water race going through the property to create internal amenity and high-quality open spaces. The Council have been supportive of these aspects of the development and indicated that this application will serve as notice to the Council that the applicant would like to undertake works implicated in clause 2.3.12 of the Bylaw.

## 8 Notification

The Plan is silent as to whether public notification is required for a Restricted Discretionary activity under Rule 4.5.5(c) or Rule 4.5.5(e).

The applicant seeks public notification of this application, together with the private plan change application submitted concurrently under s95A(3)(a) of the RMA.

