

Retirement Village & Carehome Complex

BUPA New Zealand

25 Ulyatt Road, Napier



Resource Consent Application
Wasley Knell Consultants Limited
October 2017

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Attachments to the Application:

- Appendix 1 – Architectural Plans and Design Statement (Jerram Tocker Barron Architects Ltd)
- Appendix 2 – Landscape Design (Shafer Design Ltd)
- Appendix 3 – Traffic Impact Assessment (Traffic Solutions Ltd)
- Appendix 4 – Infrastructure and Civil Report (Bonisch Consultants)
- Appendix 5 – Preliminary Geotechnical Report (RDCL)
- Appendix 6 – Acoustic Assessment (Hegley Acoustic Consultants)
- Appendix 7 – NES Soils (Hail Environmental)

APPLICANT:	Bupa New Zealand
APPLICATION:	Proposed aged care and retirement living complex
LOCATION:	25 Ulyatt Road
SITE AREA:	5 hectares approximately
LEGAL DESCRIPTION:	Lot 1 DP 423183 and part of Lot 2 DP 423183
ZONE:	Main Rural

1.0 PROPOSAL

Bupa New Zealand propose the construction and operation of an aged care complex comprising 49 care home rooms, 19 retirement apartments and 99 retirement villas.

The proposed care home and retirement apartment buildings are centrally located within the site as a linked complex. The care home is two level and the apartments are three levels. The ground floor of the retirement apartment building is the location of the administration centre for the complex. Carparking for the carehome and apartments is located in close proximity to these buildings.

The retirement apartments are a mix of one and two bedroom design. The apartments cater for individuals and couples who may have a reduced level of independence and who also may prefer to be close by the support provided by the care home.

The proposed complex includes kitchen, nursing stations, communal dining and lounge areas and the visitor, service, reception and administration areas. The apartment and care home wings provide separately for communal lounge and dining areas

Although functioning as separate living environments, including separate communal spaces, there are physical links to enable access between the care home and apartment areas.

The design of the retirement apartment units incorporates many features found in a general residential dwelling. However they are not fully independent with the complex providing services for support of the residents as necessary. Supported living in this way caters for the everyday needs of residents, including for example a dining room which provides the majority of meals for apartment residents.

The retirement villas will provide for those elderly persons that are able to live with a higher level of independence but who seek the support and security of living within a village environment.

The retirement villas provide for a range of one and two bedroom design typologies. The villas are single level with garaging and typically in groups of 2 or 3 villas.

The varying levels of care and living environments available represent a continuum of care model that provides for residents as their circumstances change over time. It also enables couples with differing requirements to be provided for whilst enabling them to continue to live in close proximity to each other.

Overall the proposal is presented as a comprehensive design detailing the design of building and the layout of the site including landscaped grounds, access and carparking.

The proposal as defined as a Retirement Complex under the provisions of the Napier District Plan is specifically identified as a discretionary activity under the provisions of the Main Rural Zone.

The proposal has been the subject of pre-application meetings with Council staff including the consideration of preliminary and advanced architectural design and of traffic and civil engineering assessment.

The proposed development site will be the subject of a subdivision to create the proposed parcel of land shown. At this time the area of the proposed site will be confirmed.

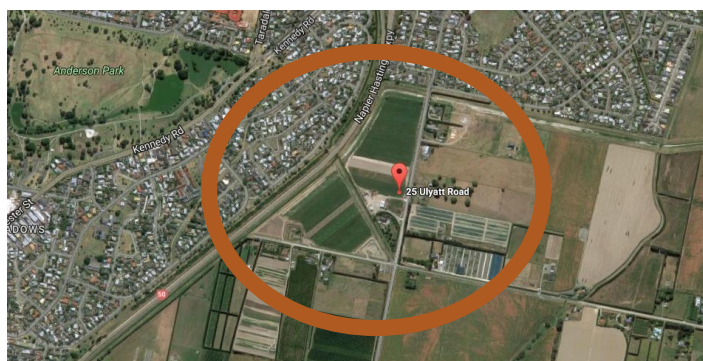
2.0 LOCATION

The development site is located on the western side of Ulyatt Road in South Pirimai. The site lies to the south of the residential area and east of the state highway (SH50) and residential area beyond.

Adjoining the site to the west and north is public open space providing a cycle and walkway and stormwater drainage.

Immediately opposite the site on Ulyatt Road are Main Rural Zone properties.

The site is currently used for commercial turf production, with the proposed development area subject to a subdivision to from the parent title and balance land area to the south.



3.0 RESOURCE MANAGEMENT ACT 1991

Before making a decision pursuant to Section 104B of the Act, Council must consider the proposal pursuant to Section 104 of the Act. Subject to Part 2, Section 104 requires that regard be given to any actual or potential effect on the environment and any relevant policies under or other provisions of the Napier District Plan and any other relevant matters. The proposal is a discretionary activity as identified by the provisions of the Napier District Plan.

Section 5 of the Act declares the statutory purpose of sustainable management as that which

"Enables people and communities to provide for their social, economic and cultural wellbeing".

Enabling the wellbeing of people and communities has to be achieved in the context of Section 5 (2) (a) (b) (c). In particular the responsibility of (c) for

"Avoiding, remedying or mitigating any adverse effects of activities on the environment".

The proposal represents a sustainable use of the land resource as it will result in the efficient use of existing infrastructure associated with the established pattern of urban development. The activity avoids and mitigates adverse effects on the environment.

There are no Section 6 matters (National Importance) of relevance to consideration of the proposal.

The relevant matters of Section 7 are:

- (a) *The efficient use and development of natural physical resources.*
- (c) *The maintenance and enhancement of amenity values.*

It is noted that this is a form of residential development albeit for a specific (aged) sector of the community, with characteristics that distinguish this sector from the generality of residential housing.

The Napier City Plan contains specific policy for the Main Rural Zone that directs the consideration of the development of the rural land resource to be weighed against the importance of versatile sources, the amenity and character of the area and the regional strategy for urban development. The regional urban development strategy (HPUDS) is given specific reference to in this assessment. Included in the strategy is meeting the needs of the ageing population.

This Main Rural Zone of the District Plan has given a discretionary activity status to Retirement Complexes whereas larger scale residential subdivision and development has

non-complying activity status. This recognises the ability to provide for such complexes without presenting the threat that general large scale residential development and subdivision has in managing urban development and the rural land resource.

Catering for the specific needs of the elderly in comprehensive ... that progressively provide for the care and living needs of the elderly is a responsibility of the community. The comparatively large area of land required for such development is recognised by HPUDS.

The proposal represents a sustainable and efficient use of the land reserve. The proposed complex needs to be of sufficiently large scale to be economically viable to deliver quality aged care and accommodation and supporting infrastructure. The area of the site needed must therefore be proportionate to the scale of the complex and comparably significantly larger than available residential site areas.

Providing for the care and accommodation of the elderly is fundamental, and in this regard, there is a responsibility for a community to make such provision. At a local level this response enables residents of an area to remain part of and connected to their neighbourhood. Progressive accommodation and care options for community members as they age enables the wellbeing of the community as part of catering for their needs throughout their life.

With regard to the maintenance and enhancement of amenity values, the interpretation given in the Act to amenity values is referenced as meaning:

"... those natural, physical qualities and characteristics of an area that contribute to peoples' appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes."

The care requirements and age profile of residents results in lesser offsite environmental effects than general residential development due to the reduced mobility and dependence of residents. This characteristic distinguishes it from residential developments in general.

The proposal provides for the continued amenity of the area through a considered design approach that is sympathetic to the local environment.

Section 104B of the Act enables the Council to either grant or refuse consent for a discretionary activity and, if granted, the consent may be subject to such conditions under Section 108, as are deemed appropriate.

4.0 DISTRICT PLAN PROVISIONS

Zoning and Activity Definition

The site is zoned Main Rural in the City of Napier District Plan (District Plan).

The proposal lies within the definition of Retirement Complexes. This definition states;

Retirement complex means land and/ or buildings used or intended to be used for the purposes of providing services and facilities including accommodation, recreation, welfare and/or health care for elderly and retired persons. It may include residential activities, whether subject to care, supervision or not, but does not include a residential care facility, day care centre, health care centre, or travellers accommodation.

The District Plan distinguishes Retirement Complexes from other types of residential activity.

This specific definition is carried through to the activity status within the zone. In this regard Retirement Complexes are discretionary as distinct from other residential (aside from single and supplementary dwellings) and larger scale accommodation developments which are non-complying activities.

This is an important distinction in activity status separating Retirement Complexes from other forms of residential and accommodation developments in the Main Rural Zone.

Activity Status

Retirement Complexes are specifically listed as a discretionary activity within the Main Rural Zone by Rule 34.14 g).

This rule refers to the assessment criteria for discretionary activities in Chapter 39 of the District Plan.

Assessment Criteria

Rule 39.3.1 sets out the assessment criteria for Retirement Complexes as follows;

The Council will have regard to the relevant objectives and Policies of this Plan and in addition will consider:

Intensity of Land use

- a) *Whether the land use will contribute to the efficient use and/or development of natural and physical resources within the City and whether any alternative sites, locations or zones have been considered.*
- b) *Whether the land use provides any positive effects to the surrounding environment and wider community, including the extent to which the land use may enhance amenity values of the area.*
- c) *Whether the impact of the scale and intensity of the use is compatible with surrounding land uses.*
- d) *Whether the land use will have any adverse effects on outstanding natural features significant landscapes, rural character and amenity of the surrounding area. The Council will have particular regard to the potential for visual and noise impacts and may require the provision of landscaping and other mitigation*

measures over and above those required by the rules within the rural environments.

- e) Whether there are any effects of a low probability, but high potential impact.*
- f) Whether the establishment and operation of the land use would adversely effect the amenity of the rural or rural settlement or Jervoistown areas, or result in significant social or economic impacts.*
- g) Whether the establishment and operation of the land use would adversely effect the efficient use and/or development of natural and physical resources of any other zone or result in significant social or economic impacts.*
- h) Whether the land use's hours of operation would adversely affect the amenity, health, safety and wellbeing of surrounding land uses and residents.*
- i) Whether the volume of traffic likely to be attracted to the site is likely to cause an effect on the neighbouring people and environment including the road network and traffic safety and efficiency.*
- j) Whether the site is a suitable size for the type and number of persons being catered or cared for.*
- k) Whether the proposed land use will have an adverse effect on any cultural values or heritage values of the area.*
- l) Whether the land use will contribute to the social and economic well being of the community, including for the purposes of diversifying land uses complementing primary production such as agricultural, horticultural and/or viticultural activities.*

Design and External Appearance

- m) Whether the design of buildings, structures and carparking areas maintains streetscape qualities, including whether paved areas associated with manoeuvring or parking dominate the streetscape.*
- n) Whether parking and storage areas are adequately screened from adjacent sites, public places and roads by fencing and/or landscaping.*

Site Layout

- o) Whether buildings and structures including outdoor entertainment, recreation and play areas are sited in a way that minimises any adverse effects on the visual and aural privacy of adjacent land uses, public places and roads.*

Vehicle Parking and Access

- p) Whether provision is made for the safe and efficient circulation of vehicles through the site where necessary.*

- q) *Whether the proposal will avoid on-road congestion, including vehicle parking, as a result of the ingress and egress of vehicles to and from the site.*
- r) *Whether the land use will adversely effect vehicular and pedestrian safety and the efficiency of the road network where any access is directly onto a state highway or an arterial road.*
- s) *Whether adequate sight distances are available for vehicular and pedestrian safety.*

The Council will pay particular attention to the adequacy of accessways when the facility is located on a rear site, as well as to the location of entry and exit points to the site, and their relationship with existing intersections, site constraints and adjacent dwelling units. The Council will require adverse effects to be avoided, remedied or mitigated by controlling access to the road or site, by redesign of the access or roadway, or by traffic signals and the like. Sites adjacent to local roads may be unsuitable for some land uses.

Noise Mitigation Measures

- t) *Whether noise arising from the land use, including the congregation of people or movement and parking of vehicles, will have an adverse effect on the amenity of the surrounding environment.*
- u) *The Council will require noise mitigation measures to be undertaken to protect the aural amenity of adjacent land uses and residential areas.*

Odour and Dust Mitigation

- v) *Whether the land use will create any dust or odour effects that will adversely impact upon the amenity of surrounding land uses.*

Infrastructure

- w) *Whether the land use can avoid, remedy or mitigate any adverse effects it may have on infrastructural services, as guided by the Essential Services Development Reports 2000.*

Where the existing infrastructure cannot sustain new development, the proposal must provide a satisfactory alternative or level of mitigation. This may be in the form of financial contributions.

Air Traffic Safety

- x) *Whether the proposed land use will have an adverse actual or potential effect on safety, efficiency and operations, (including landings and take-offs) of the Hawke's Bay Airport.*

Cumulative Effect

- y) *Whether the proposed land use will have an adverse cumulative effect on the surrounding area.*

In assessing the appropriateness of allowing a land use to be located in an area, or an increase in the scale and intensity of a land use, consideration will be given to the presence of land uses already located in the area and on the site, and their effect on the surrounding residential environment. Of particular concern is the cumulative adverse effect of locating a land use on a site adjacent to or already accommodating land uses that may currently generate traffic, noise and other adverse effects not in keeping with the surrounding residential area.

The assessment of environmental effects has considered the above criteria and the relevant objectives and policies of the District Plan.

In this regard the assessment of effects has been compiled under the following headings;

- Relevant Objectives and Policies
- Main Rural Zone Permitted Activity Conditions
- Pattern and Intensity of Land Use
- Social and Economic Effects
- Design and Landscape Assessment
- Traffic and Carparking
- Service Infrastructure
- Earthworks
- Geotechnical
- Acoustic
- NES (Contaminants in Soils)
- Lighting and Glare
- Heritage
- Cumulative Adverse Effects
- Regional Plan

5.0 ASSESSMENT OF EFFECTS INCLUDING RELEVANT OBJECTIVES AND POLICIES

5.1 Relevant Objectives and Policies of the Main Rural Zone

Objective 33.2 – Inappropriate Subdivision, Use and Development

To protect the City's outstanding natural features, significant landscapes, and its rural land from the adverse effects of inappropriate subdivision, use and development of land.

Policies

To achieve this objective, the Council will:

- 33.2.1 *Ensure that on rural land; potential is maintained for a range of current and future productive land uses to occur.*
- 33.2.2 *Ensure that the rural character of rural land is maintained for future generations.*
- 33.2.3 *Manage land uses and subdivision to ensure any adverse effects on outstanding natural features and significant landscapes are avoided, remedied or mitigated.*
- 33.2.4 *Avoid the location and siting of structures on skylines, ridges, hills, and prominent places and natural features.*
- 33.2.5 *Require specific consideration of the landscape and visual effects of development proposals where they are located on landscapes identified as outstanding or significant in the Napier City Landscape Assessment Study.*
- 33.2.6 *Avoid, remedy and mitigate the adverse effects of residential and rural land uses on each other.*
- 33.2.8 *Establish defined urban limits to retain and protect the versatile and productive soils from ad hoc urban subdivision and development in accordance with the recommendations of the adopted Heretaunga Plains Urban Development Strategy (HPUDS).*
- 33.2.9 *Discourage the separation of dwellings from the productive use of rural land.*
- 33.2.11 *Restrict activities which may cumulatively deplete the versatility and productivity of the soil resource.*

Objective 33.3 – Rural Character and Amenity

To maintain and enhance the character and amenity values of the rural environment.

Policies

To achieve this objective, the Council will:

- 33.3.1 *Control the scale and intensity of land use and development (including subdivision) in the rural areas to maintain rural character and amenity, and a sense of openness and privacy.*
- 33.3.2 *Assist community and interest groups to prepare community vision documents and plans, and have regard to any such documents when making decisions on resource consent applications.*

- 33.3.4 *Restrict the number and scale of residential dwelling units, supplementary units and other non-rural uses permitted in rural areas.*

Objective 33.4 – Residential and Rural Residential Development

To enable residential and rural residential development in a manner that avoids, remedies or mitigates adverse effects on the environment and the rural character of the environment.

Policies

To achieve this objective, the Council will:

- 33.4.1 *Ensure that residential, lifestyle character and rural residential development avoids, remedies or mitigates any adverse effects on the capacity of existing infrastructure or on the receiving environment.*
- 33.4.2 *Manage the adverse effects of agricultural, horticultural and viticultural activities in a manner which safeguards the life-supporting capacity of air, water, soil and ecosystems and avoid, remedy or mitigate any adverse effects on peoples' health and safety who reside in residential or rural residential zones.*
- 33.4.3 *Discourage or avoid rural residential development outside of existing rural residential zones, particularly on soils of high versatility or which have a long term potential for productive use.*
- 33.4.4 *Encourage rural residents to recognise noise, dust and other amenity issues are part of the rural environment.*
- 33.4.5 *Ensure that residential, lifestyle character and rural residential development does not adversely effect the long term sustainability and development of natural and physical resources in the rural environment.*
- 33.4.6 *Ensure the adverse effects of residential and rural activities on one another are avoided, remedied or mitigated by creating a separation distance between the residential and rural environments where any new greenfield residential subdivision occurs.*
- 33.4.8 *Ensure that amenity and character values are not adversely affected and/or services over committed by the overall density of development within lifestyle character zones.*
- 33.4.9 *Within the Rural Zone, avoid residential or rural residential subdivision and development outside of the residential greenfield growth areas identified in Appendix 35.*
- 33.4.10 *Inappropriate ad hoc subdivision and development within residential greenfield growth areas identified in Appendix 35 prior to rezoning shall be avoided.*

- 33.4.11 *Encourage the clustering of non-rural buildings in order to retain land for productive use and minimise effects on rural character and amenity.*

Objective 33.5 – Services and Infrastructure

To enable the use and development of services and infrastructure in a manner which avoids, remedies or mitigates adverse effects on the environment.

Policies

To achieve this objective, the Council will:

- 33.5.4 *Ensure that the design, development and servicing of subdivision and land development avoids, remedies or mitigates adverse effects on natural and physical resources.*

Objective 33.6 – Cumulative Effects

To ensure that the cumulative adverse effects of subdivision, use and development of land on rural resources are recognised, and avoided, remedied or mitigated.

Policies

To achieve this objective, the Council will:

- 33.6.1 *Ensure that subdivision, use and development of natural and physical resources are managed in an integrated manner, so that cumulative adverse effects, including effects that range across resources or across jurisdictional boundaries, are avoided, remedied or mitigated.*
- 33.6.2 *Manage the cumulative adverse effects of subdivision, residential development, and commercial and industrial activities on the character and amenity of the City's rural areas, so that these effects are avoided, remedied or mitigated.*
- 33.6.3 *Ensure that adverse effects on identified cultural and heritage sites are avoided, remedied or mitigated.*
- 33.6.5 *Closely monitor the effects of residential development on the Rural Environment.*

5.2 Main Rural Zone Permitted Activity Conditions

In assessing the effect of the activity on the environment, direction is provided by the environmental outcomes sought by the relevant performance standards for the zone, the assessment criteria and the framework of relevant objectives and policies.

An assessment of the proposal against the permitted activity conditions is as follows;

Condition	Compliance
Density One dwelling per site	Does not comply
Yards Front – 7.5 metres Side and rear – 6 metres	Does not comply The siting of the proposed buildings are located 6 metres from the front boundary, 3 metres from southern and 4 metres from the northern side boundaries. Compliance with the rear yard requirement is met with the villas located no closer than 7 metres from the western boundary.
Height Maximum 9 metres	Does not comply The proposed central complex building exceeds the maximum height by up to 1.415 metres for the two level care home wing and by up to 4.905 metres for the 3 level retirement apartment wing. The effect of the overall scale of the built form is the subject of assessment. For geotechnical reasons the site is the subject of a raised ground level. The height of the buildings for the purposes of this assessment is taken from the existing ground level.
Site Coverage Maximum of 10% of the net site area	Does not comply Proposed site coverage is approximately 26%. The development of the site including the extent of buildings proposed is the subject of this assessment.
Noise Noise standards apply as stated for the <ul style="list-style-type: none"> - Generation of noise - Acoustic insulation for noise sensitive activities in proximity to the Expressway Noise 	Complies An acoustic assessment has been prepared by Hegley Acoustics as set out in the Assessment of Environmental Effects

Boundary	
<p>Light Spill</p> <p>Standards apply to the measurement of light spill including as measured at the building and effects on adjacent land, aircraft and road users</p>	<p>Complies</p> <p>Light spill beyond the site is not proposed to exceed these standards.</p>
<p>Vibration</p> <p>Any land use must not generate a vibration that causes an unreasonable adverse effect on any adjacent land</p>	<p>Complies</p> <p>No potential adverse vibration effect from the operation of the complex is proposed</p>
<p>Odour and Dust</p>	<p>Complies</p> <p>The operation of the complex is not proposed to generate a level of odour or dust to a level of nuisance</p>
<p>Fences</p> <p>No fences within the front, side or rear yards are to exceed 2 metres high.</p>	<p>Complies</p>
<p>Parking</p> <p>The parking standards of Rule 61.14A require</p> <p>Care home – 0.35 spaces per bed</p> <p>Retirement units – 1 space per unit</p> <p>Retirement apartments – 0.5 spaces per apartment</p>	<p>Complies</p> <p>For the 49 bed care home, 99 retirement units and 19 retirement apartments, the total number of carparks required is 126.</p> <p>167 carparks are proposed.</p>
<p>Signage</p> <p>Rule 58.27 identifies a maximum area of signage for sites in the zone of 2.5m².</p>	<p>Complies</p>

Pattern and Intensity of Land use

Objective 33.2 and Policy 33.2.8, Objective 33.3 and Policy 33.3.4, objective 33.4 and Policies 33.4.5, 33.4.9 are specific to the effect of development on the rural land resource

and to considering the urban growth management set out by the Heretaunga Plains Urban Development Strategy (HPUDS).

Development Pattern

The discretionary activity status that distinguishes the proposal as a Retirement Complex from other forms of residential development provides for consideration of Main Rural Zone land in general for this form of development. This is a key distinction as Retirement Complexes should not be considered as presenting the threat that residential subdivision and development does to the pattern of urban development set down by District Plan zoning and HPUDS. An approved Retirement Complex could not in my opinion, be used to provide any basis for supporting residential subdivision or development as a non-complying activity in the area. As a non-complying activity residential subdivision for example, presents a potential threat to the integrity of the District Plan and is subject to a more stringent 'threshold' test under the Resource Management Act.

As a discretionary activity there is a need to balance the benefit to the community from this form of development against the use of the rural land resource including versatile soils.

As part of the review of the Heretaunga Plains Urban Development Strategy (HPUDS), a sub-report (Retirement Sector Housing Demand Forecasts 2016-2045) was prepared.

This report reflects in its key findings the ageing of the population and the new approach to retirement villages that encompass a continuum of care approach incorporating retirement villages, retirement apartments and care home.

The report recognises the large area of land required for a comprehensive retirement village, noting a survey average of 6.25 hectares.

In the local context the number of persons aged over 65 is expected to increase by 81% by 2045. By 2061 approximately one in four people aged 65 will be aged 85 or over compared with one in eight in 2012.

The study recognises the shift in housing requirements as people age and move into the retirement bracket (65 and over). It further examines the motivation for persons moving into retirement villages including downsizing of house and improving the financial position.

The report supports drawing a distinction between the characteristics of retirement complexes against residential development and subdivision in general.

Given the recognition to this 'new' form of retirement village and the land area required, I consider this to be reflected by the provision made in the District Plan for Retirement Complexes.

In my opinion where a viable alternative in the form of a retirement complex is available for a community, this allows for the transition of that housing stock to a younger household.

This transition should be considered as part of the response to the demand for housing from population growth.

In the local context the subject site is near the established residential neighbourhood and represents a logical extension of the urban form or pattern, in meeting the needs for that community, rather than a dislocated site further into the rural area.

Due to the specific nature of the development, and the distinction drawn by The District Plan to residential development and subdivision in general, Council can continue to manage the use of the rural land resource in the area. Importantly Council can maintain the integrity of the District Plan and avoid the use of this resource for urban development. The land is located outside of the residential greenfield growth areas of Appendix 35 of the District Plan however does not infringe upon the ability for adjacent Main Rural Zone land under the provisions of the District Plan and HPUDES to be managed for residential development.

Site Selection

Both the large area of land required for a Retirement Complex and the need to align the development with an existing community are key factors for Bupa New Zealand in selecting a site. As part of the site selection process, Bupa identified this area of Napier as desirable in that there was an established community which was not well provided for by comprehensive aged care and living options.

For this form of progressive retirement and aged care development to be viable, a large area of land is required. This is necessary to support the financial investment required for a complex that includes the establishment and operating cost of a care-home together with ensuring a high level of amenity for a retirement village development.

Bupa considered other areas of Napier for the location of the complex. The factors that supported the proposed location over others considered were:

- Ready availability of large area of land near to the established residential area
- The desirability of the location as a place to retire for residents of the Napier area.
- Availability of service infrastructure
- Easily accessible location

The support that the location must have from the population base is critical as a destination living environment for the ageing population within the community.

The proximity to the existing residential area provides for a compatible land use transition from the existing urban development. This proximity mitigates against the loss of rural character to the south.

The key Policies considered are 33.2.1, 33.2.11 and 33.4.5.

Versatile Soils

Main Rural Zone land provides for a productive land resource, including versatile soils, within the district. It is the effect on this resource that the above key policies are focussed. The development of the land for a Retirement Complex will diminish the versatile soil resource. However, the effect of the reduction in this resource must be weighed against the social and economic effects and benefits resulting from an improved level of care and living environment for the aged members of the community.

In this regard providing for the care and living requirements of the elderly in a retirement complex represents a long term sustainable example for meeting the needs of this sector of the community.

The land has proven to be a productive rural resource for the community in its current use for turf production. However, it is the suitability of the location for a retirement complex that in my opinion gives greater weight for this use in benefit to the community than the loss of the land for rural production. Supporting characteristics to the pattern of land development include:

- The large area of land required for this type of complex;
- Close proximity to the residential area;
- The specialist care and accommodation provided by the complex to the ageing sector of the community;
- Available service infrastructure and good access.

As identified the discretionary status sets the proposal apart from residential subdivision and development in general. A grant of consent for a Retirement Complex does not diminish the importance of the productive rural land resource within the area or expose it to urban development. What the provisions of the District Plan enable is the ability to meet the needs of the ageing population within the community and consideration of the rural land resource to provide a large area of greenfield site required for a Retirement Complex.

Community Benefit

Providing for the living and care requirements of the elderly in a well serviced and supportive environment is a necessary part of the fabric of a community, that is comprehensively achieved in a Retirement Complex. The characteristics of this support and sense of security differentiate Retirement Complexes from other forms of residential development. In my opinion the discretionary activity status recognises the social benefit in providing for the living requirements for all age groups including the specific needs of the elderly in the community.

There is, as noted in Section 3.0, a responsibility for the community to make such provision for its elderly members.

A Retirement Complex will, by and large, draw its residents from the community within which it is located. In this way the elderly are able to remain close to and feel connected to the area within which they have recently lived or have resided for most of their lives.

There is increasing expectation from the community for a range of progressive care and living options to be provided within a retirement complex. The expectation is that the village or complex provides high quality living environment with progressive care options that eliminate the need to relocate beyond the village as requirements change.

Providing for the care and living requirements of the elderly is a positive effect. The specific requirements of the elderly and the land area required for a comprehensive retirement complex limit the opportunity for establishment within an existing community unless greenfield areas are available.

A further positive effect arises from the availability of housing stock resulting from the earlier transition of residents where choice is available into a retirement complex.

Design and Landscape Assessment

The key Policies of the District Plan considered are 33.2.3, 33.2.4, 33.2.5, 33.3.1.

Visual and Landscape Assessment

At an early stage the Shafer Design landscape architect established the key viewpoints of the site, and the notable visual characteristics of the location. It was with close regard to these viewpoints and characteristics that the building form was further developed and design and landscape features incorporated.

The landscape architect has provided design input to achieve integration of the design with the local environment context. Consequently, the design has been the subject of a review process to achieve mitigation of the effect of building scale and to reflect the landscape and visual character of the neighbourhood.

A substantial scale of main central complex building is required to ensure the care home is functional and viable in providing for the living and care requirements of the elderly, for the provision of retirement apartments and for the administrative function for the village. Linking the care home with the apartment building enables efficiency in the servicing of resident requirements such as the provision of meals. It further allows for the administration role to be incorporated within the design supporting the day to day requirements of residents and the operation of the complex.

The design has consequently incorporated features to assist in mitigating the mass of the building including a variety in roof form, materials, cladding and external modulation.

The Landscape Amenity and Visual Effects Assessment has identified the key representative viewpoints of the subject site. The viewpoints that are considered are:

1. Northeast of the site at intersection of Ulyatt Road, Harold Holt Avenue and Bill Hercock Street.
2. Opposite the site on Ulyatt Road
3. Southwest of the site across the State Highway
4. West of the site on Atherfold Crescent
5. North west of the site on the State Highway

I have examined the location of the viewpoints and agree that they capture the key viewing locations towards and across the site. I note that the viewpoints contain elements of rural and residential components that reflect the site location at the edge of the urban area.

The Shafer Design Report identifies characteristics of the location that mitigate the visual effect of the development on rural amenity. These characteristics include:

- Close proximity to the residential area that provides a visual link to the established urban form
- Areas of permanent open space comprising the State Highway to the west, Ulyatt Road to the east, the presence of reserve land both to the west and the north and the road intersection to the north east. These areas provide a visual relief from continuous urban form.
- Flat topography of the area that diminishes views of the site and the potential for cumulative visual effect of urban form by limiting the viewing audience. Whilst the raising of the site ground level is proposed, this will not be to such an extent that will eliminate the wider characteristic of topography.
- The presence of existing residential development to the north, north east, west and southwest of the site. This characteristic serves to nestle the site into a corner of the existing urban form. In this way urban development partially frames and visually connects the site to the urban area.
- The flat topography results in closer proximity development to interrupt views from more distant locations. The flat topography also results in existing residential development to remain visible in the background from viewpoints of the site in the western sector.

The proposed central complex (care home and retirement apartments) exceeds the maximum height requirement for the zone. The extent of this requirement is detailed on the architectural plans (sheets P07 - P10) resulting in maximum height encroachments for the care home wing of up to 1.415 metres and for the retirement apartment wing up to 4.905 metres.

The central site location of the main complex and the intervening roads and permanent open space creates separation distance to key external viewpoints that together with the absence of any discernible intrusion into view corridors are primary mitigation characteristics.

The proposed site development and building design include mitigating characteristics to potential visual dominance of building form. These characteristics include:

- The predominantly single level building form across the development
- The central location of the multi-level buildings
- The clustering of villas into 2 and 3 unit groups that create space and visual breaks in this form.
- The use of variety in external design features to modulate buildings forms and mitigate the visual effect of mass. For the central multilevel complex this includes a core form of interconnected wings, avoidance of continuous unbroken external walks, and use of balconies.
- Use of colour, external textures and articulation to create variety and mitigate the effects of mass.
- The level of the State Highway to the west, being higher than both the development site and residential land to the west, that effectively serves to screen the lower level portion of buildings (including walls of the villas) from viewpoints in the western sector.
- The design of buildings, in particular the roof plan, consistent with the established character of the residential area

Shafer Design have proposed a landscape design a part of the visual effects assessment that has been incorporated into the proposed site development. The landscape design is not intended to screen but to assist in the proposed built form being visually absorbed into the landscape.

The visual assessment highlights that the proposed development represents a visual change to the area. Whilst the open space, low built form appearance of the site is an existing characteristic, the change resulting from the proposed development is not inherently an adverse visual effect.

Where such a significant change to an existing site is proposed, there is critical focus in managing the change to ensure site development is in accordance with the character of the area and does not detract from the visual amenity. It is with close regard to the outcomes sought by the District Plan provisions as to character and amenity that were a focus of the design process. Consequently, whilst a change to the appearance will occur from the development, the effect on the visual character and the amenity of the area have been mitigated.

Permitted Baseline of Effect

A baseline of effect resulting from the carrying out of permitted rural activities on the land has been identified in the Shafer Design Assessment.

I concur with the permitted activities comprising ancillary rural buildings and horticulture related activities such as forestry and shelterbelt, large buildings may result from a permitted farming use of the land. The permitted conditions for the Main Rural Zone provide for a maximum of 10% site coverage by buildings to the height and yard standards

noted. This may result in a built form located near the western and or northern boundaries of the site. This location would be clearly visible from the residential area close by, and may result in a significantly visible built form.

The provision for forestry and shelterbelt planting are relevant in restricting views across the site. The current use of the land (turf growing) allows for views across the land. This current open space should not be considered as an inherent characteristic given the screening effect of the alternative permitted horticultural activity.

Overlook and Overshadowing

The proposed development does not directly adjoin residential properties, separated by the areas of permanent open space to the north and west. This separation avoids the potential adverse effects of loss of privacy and overshadowing on the amenity of these properties.

Synopsis

Overall the finding of the landscape and visual assessment is that the effects of the development are no more than minor. For the purposes of considering affected properties except for Viewpoints 1 and 2 the potential for adverse effect is considered less than minor. There are limited properties representative of Viewpoint 1 affected to a minor degree with Viewpoint 2 being representative of those properties on Ulyatt Road opposite the site.

Traffic and Carparking

A traffic impact assessment has been carried out by Traffic Solutions Limited.

Operation of the Retirement Complex

In carrying out the assessment of the traffic generating characteristics and parking demand, Traffic Solutions calls upon a range of survey data and studies to support the findings.

The proposal proposes 167 on-site carparks more than the 126 required by the District Plan standard.

Vehicle access to the site is proposed to be from Ulyatt Road. Two access points are proposed located at the northern and southern ends of the road frontage. Ulyatt Road has collector road status under the District Plan.

Traffic Solutions has assessed the traffic generation effect on Ulyatt Road, estimated at carrying approximately 5000 vehicles per day.

A characteristic of traffic generation of an aged care complex is the flatter peak periods of movement. This reflects that the residents do not drive and movements typical of residential development are absent such as household work commuting and the transporting of young family members. This is considered in the Traffic Solutions assessment

that estimates the complex will generate an additional approximately 500 trips per day (50 trips per hour).

The traffic impact assessment has identified and considered the maximum 21 staff on site at any one time and numbers of visitors and the resulting traffic generation.

The findings of the traffic impact assessment is that the level of additional traffic generated on the road network will be low and within the capacity of the road. This together with the adequacy of carparking will result in a less than minor adverse effect on the environment.

Ulyatt Road Upgrade

The design proposes the upgrading of Ulyatt Road to a more urban standard. These upgrades include the provision of kerbing and channelling, footpath and sealed shoulder for cyclists.

Details of the road upgrade are set out both in the Traffic Solutions and the Bonisch Consultants reports.

A speed threshold has been proposed at the southern end of the site to advise to slow speed. Additionally, a change in speed environment has been discussed with Council staff.

Construction Traffic

The potential effects arising from construction traffic has been identified in the Traffic Solutions assessment. Because of these potential effects, a construction management plan (CMP) is recommended to establish the management and operating requirements of this traffic. The requirements and control to be set down as part of this CMP will provide mitigation of these potential effects.

Synopsis

The transportation assessment has considered the potential for conflict arising from the traffic generated by the development on the functioning of the traffic environment. The characteristics of the traffic and parking generated for this type of activity have been assessed and mitigating measures proposed to avoid these potential conflicts. As a result, the potential for effect arising from the proposal on the traffic environment is assessed as less than minor

Service Infrastructure including Stormwater

Bonisch Consultants has prepared a civil and servicing assessment. Included within this assessment is a stormwater management assessment.

In preparing this assessment pre-application discussion was held with Council engineers in assisting to gain a clear understanding of the capacity of the local infrastructure and information requirements for assessment.

Wastewater generated and the demand for water by the development has been assessed as able to be provided for by existing infrastructure. Although not connected to the infrastructure, the report has assessed the design requirements for providing connections.

The provision for wastewater will require the provision of two pumping stations prior to the connection to the council infrastructure.

Further pressure testing is required to confirm the location of fire hydrants within the development.

The capacity of existing infrastructure and the current and forecast demand placed on this in consultation with Council staff will avoid the potential for a cumulative adverse effect on the design capacity.

Earthworks

The Bonisch Consultants report identifies the volume of earthworks required for the proposal at approximately 7000m³ to 8000m³.

The carrying out of this volume of earthworks will require consent from the Regional Council which will be applied for separately.

A detailed design of earthworks management will be required. The earthworks management plan will include the design and key control measures for managing the earthworks and control of sediment.

The traffic impact assessment proposes the preparation of a construction traffic management plan for managing the movements and potential nuisance effects generated by construction traffic. As a short term effect the construction phase managed in accordance with construction and construction traffic management plans and in accordance with relevant construction standards mitigates the potential for adverse effect.

Geotechnical

A preliminary geotechnical report has been undertaken by RDCL. This report is the result of detailed geotechnical investigation carried out and the identification of acceptable solutions to enable the construction of the proposed development on the land.

The report provides options for ground improvement and foundation design for the land considering the results of the investigation and the ground conditions present.

Acoustic

Hegley Acoustic Consultants have prepared an acoustic assessment. The assessment has been prepared with specific reference to the acoustic standards under Rule 34.25.2 of the

District Plan. The assessment has applied the Plan provisions identified for Expressway Noise Boundary due to the proximity of the site to State Highway 50.

The assessment confirms the ability for the design of buildings to mitigate the potential noise effects from extended services in accordance with the above standard. A recommendation is made to provide an acoustic design report confirmation prior to the issue of building consent.

Contaminated Soils (NESCS)

A combined Preliminary and Detailed Site Investigation has been prepared by Hail Environmental. The report has carried out an assessment based upon historical analysis and records of the use of the land as well as conducting a level of sampling analysis. The report has been prepared in accordance with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) and Ministry for the Environment guiding documents.

The site is not listed on the Regional Council HAIL register.

The report concludes that the presence of agrichemicals sampled are at concentrations below the criteria for residential activity.

Lighting and Glare

All on site lighting will be managed to avoid infrastructure light spill on adjacent properties. Traffic generating characteristics and the design and location of parking areas will avoid intensive light spill on adjacent land from manoeuvring vehicles.

Heritage

There are no heritage features identified for the site.

Cumulative Adverse Effects

The proposed activity has been assessed as to its effect on the existing environment. In this regard there are no cumulative adverse effects that have been identified in combination with either existing or activities granted consent, where that consent has not yet been given effect to.

As a discretionary activity, Council can manage the potential for cumulative effect to arise from any future discretionary or non-complying use of the rural land within the area.

Regional Plan

The Hawkes Bay Regional Resource Management Plan has been considered. The Regional Plan contains relevant policy to consideration of urban development in particular;

OBJ UD1 Establish compact, and strongly connected urban form throughout the Region, that:

- a) achieves quality built environments that:
 - i. provide for a range of housing choices and affordability,*
 - ii. have a sense of character and identity,*
 - iii. retain heritage values and values important to tangata whenua,*
 - iv. are healthy, environmentally sustainable, functionally efficient, and economically and socially resilient, and*
 - v. demonstrates consideration of the principles of urban design;**
- b) avoids, remedies or mitigates reverse sensitivity effects in accordance with objectives and policies in Chapter 3.5 of this plan;*
- c) avoids, remedies or mitigates reverse sensitivity effects on existing strategic and other physical infrastructure in accordance with objectives and policies in Chapter 3.5 and 3.13 of this plan;*
- d) avoids unnecessary encroachment of urban activities on the versatile land of the Heretaunga Plains; and*
- e) avoids or mitigates increasing the frequency or severity of risk to people and property from natural hazards*

POL UD1 In providing for urban activities in the Heretaunga Plains sub-region, territorial authorities must place priority on:

- a) the retention of the versatile land of the Heretaunga Plains for existing and foreseeable future primary production, and*
- b) ensuring efficient utilisation of existing infrastructure, or*
- c) ensuring efficient utilisation of planned infrastructure already committed to by a local authority, but not yet constructed.*

This objective and policy seeks to avoid a ‘sprawling and uncontrolled pattern of development.’ The proposed development is not contrary to this objective and policy as it

- Provides specifically for the ageing members of a community
- Provides for members of the community to remain connected with that community as they age and their living requirements change
- Is not located on land identified with significant cultural or heritage values
- Has been subject to urban design review and provides for a comprehensively designed village
- Is on land able to be supported by existing service infrastructure
- Is a response to balancing the need of the community for this form of aged care and living that offsets the loss of versatile soils in achieving sustainable use of resources for the community. The distinction drawn by the Napier District Plan for retirement complexes as a discretionary activity from general residential development is noted, that separates the proposal from urban development in general.

Overall Synopsis

The findings of the assessments are that the proposal will have a less than minor effect on the environment, except for the minor visual and landscape effects from the viewpoints identified.

The provision for Retirement Complexes as a discretionary activity, distinct from residential subdivision and development in general requires, in my opinion, the activity to be considered without the concern that such other forms of development on the integrity of the District Plan and the pattern of development set down by HPUDS.

6.0 NOTIFICATION ASSESSMENT

Any potential adverse effect must be considered in terms of the discretionary activity status.

Section 95A(1) of the Act states that

A consent authority may, in its discretion, decide whether to publicly notify an application for a resource consent for an activity.

Pursuant to Section 95A(2), in accordance with the findings of the assessment of effects the proposal does not require public notification as it is not likely to have adverse effects that are more than minor.

In accordance with Section 95B(1), if the consent authority does not publicly notify an application it must decide (under sections 95E and 95F) if there are any affected persons or affected order holders in relation to the proposed activity.

Section 95E(1) states that

A consent authority must decide that a person is an affected person, in relation to any activity, if the activity's adverse effects on the person are minor or more than (but are not less than) minor.

The findings of the assessments are that the proposal will have a less than minor potential for adverse effect on the environment on properties within the area except for select properties representative of the Viewpoints 1 and 2.

Limited notification of the application is therefore supported.

7.0 CONCLUSION

An application for resource consent is required, as the proposal is a discretionary activity under the provisions of the Napier District Plan.

The proposal has been assessed as to its actual and potential effects on the environment and in accordance with the assessment matters and policy framework of the District Plan.

The proposal has a no more than minor adverse effect on the environment and is not contrary to the environmental outcomes of the relevant objectives and policies.

WASLEY KNELL CONSULTANTS LIMITED



Greg Knell
Director

Appendix 1

Architectural Plans and Statement

Appendix 2

Landscape & Visual Assessment

Appendix 3

Traffic Impact Assessment

Appendix 4

Infrastructure and Civil Report

Appendix 5

Preliminary Geotechnical Report

Appendix 6

Acoustic Assessment

Appendix 7

NES Soils Assessment
