

Questions for Bupa witnesses:

Richard Stephenson

Para 14 How do the development contributions compare at this site?

It is very hard to do a meaningful comparison. Inquiries made of the Council at the time (i.e. late 2016) suggested that such costs at Te Awa were higher (perhaps as much as double) and also subject to further review. It was only one of the factors on which Bupa discounted Te Awa (the others being land price and negative perception).

Marc Barron

None

Boyd Wilson

Para 14 Who directed Bupa to the current site?

On the 16th of March 2016 I met with Council CEO, Mr Wayne Jack to discuss suitable locations for large scale Retirement Village. The area was one that was identified by Mr Jack but not the specific site. The landowner approached Bupa directly shortly after which started the detailed investigation into the sites suitability.

Para 29 Is the drain side planting required to offset water quality effects in the Cross Country Drain or is it merely amenity planting?

Sole purpose is amenity planting as discharge pre-treatment occurring onsite

Para 42 This seems at odds with the evidence of Marc Barron, paragraph 30. Please explain?

The 12.2 FFL maybe further reduced if hydraulic modelling currently being carried out by Council proves that the inundation risk is not as great. The plans provided by Mr Barron illustrate the worst-case scenario. Bupa accept the 12.2FFL as the worst-case scenario but if modelling does allow a reduction in height then this will result in reduced earthworks and overall height of buildings

Paul Murphy

None.

Ian Constable

None.

Greg Knell

Paras 2.5 and 9.18 Following on from my question to Boyd Wilson above, if the CCD planting is for amenity purposes and is not related to the effects of the proposal on CCD water quality, would the 'agreed planting' more appropriately either be 1) reflected in the consent document as an

advice note, or 2) as a side agreement with HBRC outside of the consent document?

Consideration was given to the construction and planting of the cross-country drain (CCD) by way of separate agreement with the Regional Council, the applicant and the land owner (Napier City Council) during negotiations with the submitter (Regional Council). As the work on the CCD that is agreed with the Regional Council is closely aligned to the construction of the proposed retirement complex, it is pragmatic to carry out this work in conjunction with the construction of the complex.

This approach also leads to detailed engineering and landscape design being done contemporaneously with the retirement complex including the certification of these designs by the consent authority. This allows for a high level of assurance being given to the Regional Council, as a submitter, for the timing and completion of this work. For the applicant, there is also efficiency in both the design and construction process that these are linked to the construction of the retirement complex.

The inclusion of the work on the CCD in giving effect to the resource consent provides a further consequential positive effect from the development for the benefit of the local environment and community.

It is for these reasons that the applicant offered the work as a design type condition for inclusion in the resource consent.

Para 8.2 Isn't it the case that the Bupa proposal is clearly inconsistent with a majority of the Rural Zone objectives and policies (understandably as it is a non-rural land use), but that is simply one matter to have regard to under a s104 assessment, and is to be weighed against the fact that South Pirimai is a HPUDS 2017 reserve area that is deemed suitable for retirement villages where they cannot reasonably be located within preferred HPUDS greenfields areas?

Retirement complexes have a specific set of assessment criteria under the Rural Zone that reflects the discretionary activity status. These provisions provide a clear distinction from general residential subdivision and development. I agree that as a discretionary activity, consideration of objectives and policies is only one matter to be had under a Section 104 assessment (and as identified under the discretionary assessment criteria of the District Plan).

The recognition given to the demand and development requirements for retirement villages and the classification of the land under HPUDS 2017 as reserve does, in my opinion, lend support for this location. This was a critical consideration to selecting this location for a resource consent application.

The discretionary status and the consideration of HPUDS may be considered to diminish the influence of the objectives and policies of the District Plan. However, in my opinion the proposal is not inconsistent with the overall policy framework of the Main Rural Zone. This policy framework emphasises and gives prominence to rural over non-rural activity. It also however provides clear direction to the outcomes expected in assessing non-rural or in this case residential forms of development. In this regard I note the direction given under;

- *Objective 33.2 (Inappropriate Subdivision, Use and Development) to assessing the effect of non-rural uses.*
- *Objective 33.3 (Rural Character and Amenity) as to the effect on rural character, amenity and sense of openness.*
- *Objective 33.4 (Residential and Rural Residential Development) and the specific regard given to assessing the effects of residential development.*
- *Objective 33.6 (Cumulative Effects) as to the cumulative effect of non-rural activity.*

Para 9.25 I understand that Mr Knell and Mr Lambert for NCC are in the process of finalising a revised suite of conditions that address the matters in my questions arising from the S42A Report. I may have further questions of clarification when I view that final suite of conditions, so I have not raised any questions here relating to the conditions attached to Mr Knell's evidence.

(No further questions on this).