

HAINES

PLANNING

Kerikeri Land Limited

Proposed Retirement Village (Stage 2) at
57C Hall Road and 22 Limelight Lane, Kerikeri

Application for Resource Consent to the
Far North District Council

March 2020

Revision History

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1.0. INTRODUCTION

Overview

- 1.1. Kerikeri Land Limited ("the Applicant" or "KLL"), a subsidiary of Arvida Group Limited, seeks the necessary resource consents from the Far North District Council ("FNDC") for the "Stage 2" development of a retirement village ("the Proposal") at 57C Hall Road, 22 Limelight Lane and Lot 1 DP 164771 (address unavailable) in Kerikeri ("the Site").
- 1.2. Resource consents for the "Stage 1" development, which comprises 28 ILUs and associated roading and services, have been granted. The Proposal relates to the balance of the retirement village development and seeks consent for the following elements:
 - 172 additional independent living units (ILUs) (including replacing a two-bedroom ILU consented as part of Stage 1 with two one-bedroom ILUs)
 - a 76-bed care facility
 - a health and wellness centre ("wellness centre")
 - a clubhouse
 - associated roading, services and landscaping.
- 1.3. When combined with Stage 1, the Site will accommodate a comprehensively designed, high quality retirement village development comprising 200 ILUs, aged-care and communal facilities with associated roading, servicing and extensive landscaping.
- 1.4. Overall, the Proposal requires a discretionary activity resource consent. The specific reasons for consent under the Far North District Plan ("District Plan") and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health ("NESCS") are summarised in Section 4 of this report.
- 1.5. A separate application is being made concurrently to the Northland Regional Council ("NRC") for a discretionary activity resource consent under the regional plans.
- 1.6. This report provides an assessment of effects on the environment ("AEE") and a statutory planning assessment of the Proposal. It concludes that the Proposal will have effects that are on balance positive; is consistent with the relevant planning instruments; and satisfies the statutory requirements under the Resource Management Act 1991 ("Act" or "RMA") to be granted consent.
- 1.7. In terms of process, the Applicant requests that the application be publicly notified pursuant to s 95A(3)(a) of the RMA. The Applicant further requests that the application be notified jointly with the separate application lodged with NRC.

Site Information

- 1.8. The Site comprises four contiguous allotments as identified in **Table 1** and **Figure 1** below. The relevant certificates of title are included as **Attachment 1**.

Table 1: Addresses and legal descriptions

Address	Legal Description	Area (ha)
57C Hall Road	Lot 2 DP 435929	0.0665
	Lot 1 DP 173449	7.3847
Unavailable	Lot 1 DP 164771	5.5512
22 Limelight Lane	Lot 2 DP 149521	3.6618
Total Area		16.6642

- 1.9. KLL is the owner of the above properties, as well as two adjacent properties at 56 and 59 Hall Road, which do not form part of the application site.
- 1.10. The entire landholding is zoned Residential under the District Plan. The Wairoa Stream and a tributary of that stream meander along most of the Site's north-eastern and western boundaries. The associated riparian areas are identified in the District Plan as Esplanade Priority Areas.

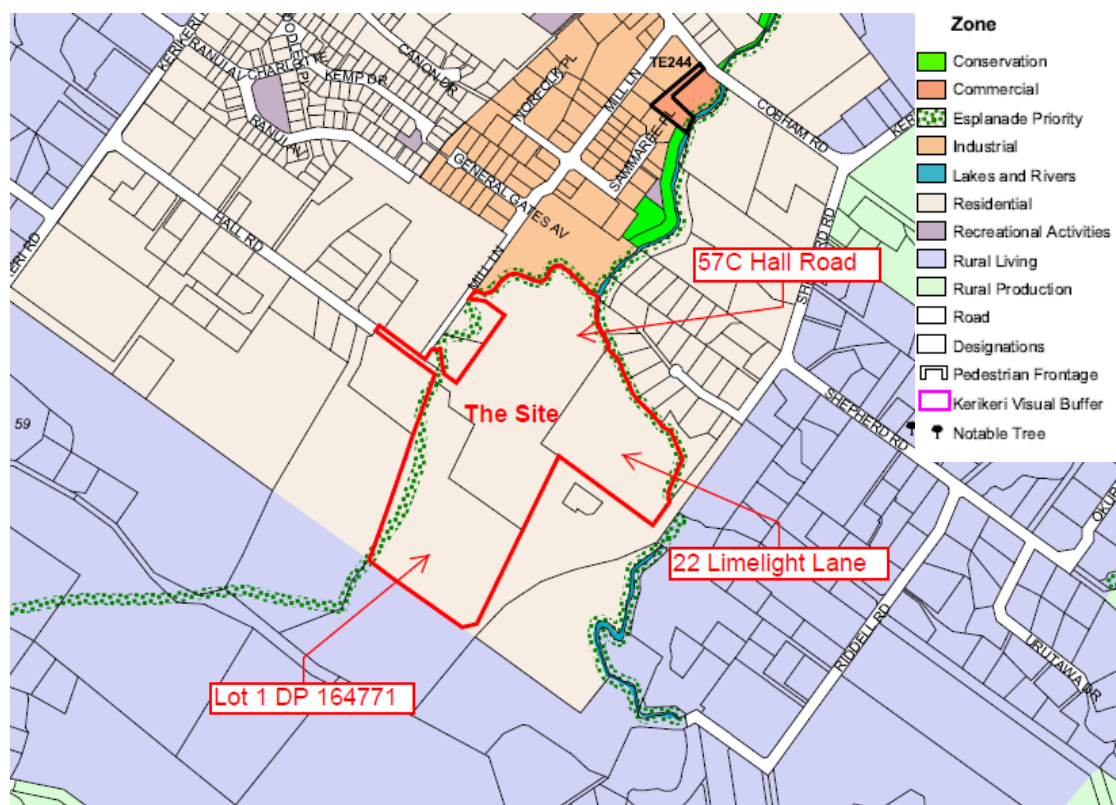


Figure 1: District Plan - Planning Map

Background

- 1.11. Arvida acquired the Site in 2018 following extensive research into suitable sites for the development of a new retirement village in Kerikeri. The Site has a number of desirable characteristics: it is suitably zoned under the District Plan for residential development; it is located within the area of benefit (“AOB”) for the Kerikeri Wastewater Scheme; it is free from any significant natural hazards; it is close to the town centre and is large enough to accommodate a comprehensive retirement village development.
- 1.12. KLL’s plans for the Site are to develop it into a high-quality comprehensive retirement village with both independent living and aged-care facilities, and supporting amenities including a wellness centre, a clubhouse and extensive landscaping. The brief to the design team was to respect the heritage of Kerikeri and be sympathetic to the character of the locality. This is reflected in the proposed design through its low-density, single-storey built form, the choice of building style and materials and ample areas of green open space.
- 1.13. Resource consents for the Stage 1 development were granted by the FNDC¹ and the NRC² in December and September 2019, respectively. Copies of the FNDC and NRC consents are included as **Attachment 2** and **Attachment 3** respectively. Enabling works for the Stage 1 development have commenced.
- 1.14. The Proposal introduces a minor design change to the Stage 1 development by replacing a two-bedroom ILU at the north-eastern corner of the Stage 1 area with two semi-detached one-bedroom ILUs (i.e. a “duplex”).³ Consequently, KLL seeks a variation to the existing resource consent under s 127 of the RMA; specifically, as a discretionary activity, to change the conditions of RC2190387 to refer to the revised scheme as necessary (refer paragraph 4.17). The effects of this change are considered as part of the present application.

¹ RC2190289 (Stage 1 Enabling Works) and RC2190387 (Stage 1 Land Use).

² APP.040597.01.01.

³ The enabling works consent (RC2190289) is not affected in any material way by this minor change.

2.0. ENVIRONMENTAL SETTING

Location and Landscape Context

- 2.1. The Site is situated approximately 1km south-east of Kerikeri town centre, on the fringe of the existing urban area. The Site is zoned Residential under the District Plan and, until recently, has been used for growing crops (orchards and market gardens) with pockets of pasture. Established shelterbelts are present within the Site and along much of its perimeter.
- 2.2. Land to the south of the Site is predominantly in productive agricultural and horticultural uses. To the north-east of the Site is a cluster of residential properties accessed off Shepherd Road and Campbell Lane. Further afield, the density of lots decreases with predominantly lifestyle properties.
- 2.3. To the north-west of the Site is an area of low-density residential housing with density increasing further north towards the town centre. To the immediate north of the Site is an established industrial area accessed from Mill Lane.
- 2.4. Overall, the Site is surrounded by established residential, rural residential, rural production and industrial land uses. The Site is relatively enclosed and screened from these activities by established shelterbelts and riparian vegetation along the edges of the Wairoa Stream and its unnamed tributary.
- 2.5. Due to the surrounding landform and the presence of vegetation, the Site is relatively contained with limited visibility except from properties immediately adjacent to it.

Topography and Hydrology

- 2.6. The Site is characterised by a gently sloping to undulating landform with a more elevated knoll at RL 74.5m near the entrance. From this high point, the land slopes away towards the Wairoa Stream to the north-east and the tributary stream to the west. The two streams converge at the northern corner, which is also the low point (RL 59.0m) of the Site.
- 2.7. The Wairoa Stream and its tributary generally form the Site's north-eastern, northern and western boundaries. Areas closer to these streams slope away more steeply (especially along the Wairoa Stream). The riparian areas adjoining these streams are either fenced or separated from the historic orchard activities by shelterbelts or pasture.
- 2.8. The Site is underlain by moderately well-drained soils. During light rainfall, stormwater soaks into the soils and the fractured bedrock below. During heavy rain events, stormwater follows natural flow paths towards Wairoa Stream and its tributary.

Approximately 55% of the Site drains to the Wairoa Stream; the remaining 45% drains towards the tributary.

Access

- 2.9. Hall Road is a no-exit road off Kerikeri Road and is approximately 550m long. The sealed pavement width is 8.0m between kerbs for the first 30m from the Kerikeri Road intersection; the carriageway then narrows to 4.6m to 4.65m for the next 200m; then widens again to between 5.0m and 6.0m for the remainder of the road.
- 2.10. Hall Road has open drains on both sides and currently has no formal footpath. However, a 1.5m wide all-weather public footpath along the full length of Hall Road will be constructed by KLL as a condition of the Stage 1 consent.
- 2.11. The Site is accessed from the end of Hall Road. This driveway (herein referred to as “the Hall Road extension”) will be upgraded to an 8m-wide Urban Type-B standard as part of the Stage 1 development, but will remain private. Part of the upgraded driveway is located within the adjacent property at 56 Hall Road. The Site has a right of way over this area and therefore has legal access over the full width of the driveway.
- 2.12. The existing dwelling at 22 Limelight Lane is accessed via an existing gravel track, over which KLL retains a right of way from the end of Limelight Lane. The Proposal does not involve any works to this access as part of this application.

3.0. THE PROPOSAL

Site Layout and Buildings

- 3.1. The Stage 1 development for 28 ILUs has been consented and forms part of the existing environment. The Proposal for which this application seeks consents relates to the remainder of the retirement village being:
- 171 ILUs, the care and communal facilities and associated roading, services and landscaping, and
 - a minor design change to Stage 1 (which increases the number of Stage 1 ILUs by one to 29, by converting one two-bedroom ILU into two semi-detached one bedrooms ILUs forming a duplex).
- 3.2. Architectural drawings for the whole retirement village are included as **Attachment 4**. The overall retirement village comprises the following:
- 200 ILUs comprising:
 - 12 one-bedroom units
 - 131 two-bedroom units
 - 57 three-bedroom units
 - a 76-bed care facility
 - a wellness centre
 - a clubhouse
 - associated roading, services and landscaping.
- 3.3. The Proposal has been carefully designed to respond to the Site's opportunities and constraints, including its topography and riparian environment; as well as reflect the built heritage and character of Kerikeri. A single-storey built form is maintained for the entire development. A variety of open spaces (both public and private) form an integral part of the overall design to provide a high standard of amenity for the residents, while maintaining a low-density character that is considered appropriate for the Kerikeri setting (refer **Attachment 5**: Architectural Design Statement).
- 3.4. The choice of building materials, which include natural timber and rock, echo the rural character and volcanic origins of the wider area, while the proposed landscape design is based on the character of the local Kerikeri landscape – this being subtropical and horticultural. These have also informed the choice of plant species.
- 3.5. All buildings are setback a minimum 20m from the edge of a stream (except for the five ILUs near the eastern corner of the Site and a retaining wall running parallel to the Wairoa Stream, all buildings are setback more than 26m from the nearest watercourse).

3.6. The Proposal will utilise the upgraded driveway from the end of Hall Road, which was consented as part of the Stage 1 development. Residents and visitors entering the village will arrive at the central village roundabout. The Stage 1 villas are located to the south-east of the roundabout which, together with the four roads which branch from it, divide the Site into the following precincts:

- To the north-west is the wellness centre and, behind it, the care building.
- To the north-east is the clubhouse, which is the architectural centrepiece and the “heart” of the village. Behind is a bowling green which leads to a green link which traverses down the northern terraces to the Wairoa Stream. ILUs make up the balance of the precinct.
- To the south are exclusively ILUs set within a network of green corridors.

3.7. The proposed ILUs are grouped into clusters as micro-communities. Each cluster is accessed via a shared pedestrian and vehicle laneway/mews cul-de-sac. The clusters are arranged in a way that provides various landscaped green space corridors which provide pedestrian linkage to communal open spaces and village centre amenities, separate from the internal roads. The overall site plan is shown in **Figure 2**.

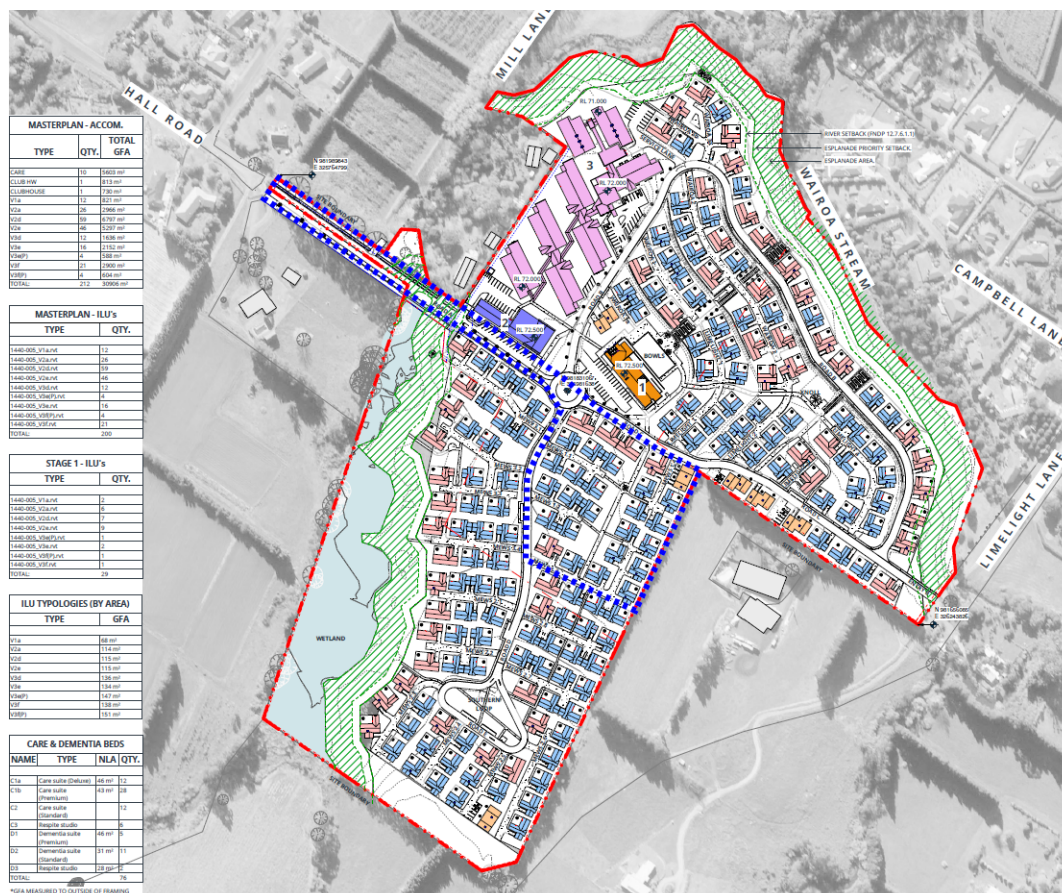


Figure 2: Overall site plan (blue dotted line represents the approx. extent of the Stage 1 buildings and the Hall Road extension)

Independent living units

- 3.8. The proposed ILUs maintain the same character and intensity as the consented Stage 1 development, comprising single-storey residential buildings in standalone and duplex arrangements. A range of sizes and typologies is proposed with the majority of the ILU's having two-bedrooms (~66%). The balance is made up of three-bedroom (~29%) and one-bedroom units (6%).
- 3.9. The two- and three-bedroom ILUs each have, as a minimum, a single-garage with space for another vehicle to park in front of it. Some of the three-bedroom units are provided with double garages. The one-bedroom units either have an adjacent parking pad, or a shared parking area close by.
- 3.10. Floorplans, elevations and a typical materials palette for the proposed ILUs are included as part of the Architectural Drawings. The proposed building materials generally comprise bagged brick walls (off-white) with fibre cement cladding (dark grey/black), pitched metal roof (dark grey/black) and aluminium joinery. Additional design features include the use of natural timber and stone cladding on some of the units, as well as natural timber pergola within courtyards.

Care building

- 3.11. The care building is the largest building within the proposed retirement village (with a gross floor area (GFA) of 5,603m²) and houses 76 care suites. Each care suite has a single bed with its own bathroom, but does not have any meal-making facilities (i.e. no kitchens or kitchenettes).
- 3.12. The building is made up of eight wings linked by a meandering glazed corridor. Each wing is oriented at an angle to the main spine. This design seeks to mitigate the bulkiness of the building when viewed from outside, and any institutional feel for residents living within.
- 3.13. Each wing functions as a "household" and has between 8-10 residential care or dementia care suites. Each household has direct access to a private courtyard and a "quiet lounge" which provides for the gathering of smaller groups of residents and their families.
- 3.14. The care building has 32 adjacent car parking spaces.

Wellness centre

- 3.15. The wellness centre houses some of the main administrative functions of the retirement village and provides leisure facilities for residents. It is purposely located along the Hall Road extension (the accessway to the Site referred to above) and will be the first building any visitor or resident sees as they enter the retirement village.

Reflective of its two functions, the centre has a staff/administration wing and a larger leisure wing.

- 3.16. The wellness centre building has a GFA of 813m² and 24 adjacent car parking spaces.

Clubhouse

- 3.17. The clubhouse is centrally located within the Site and forms the heart of the village alongside a bowling green, landscaped gardens and a playground for visiting children.
- 3.18. Being on a northwest-southeast axis, the building's northerly deck overlooks both the bowling green and a green corridor which traverses down the northern terraces to the Wairoa Stream. It also benefits from an easterly view shaft towards a secondary green link down to the stream.
- 3.19. The clubhouse building has a GFA of 730m² and 26 adjacent car parking spaces.

Landscape design

- 3.20. The Proposal provides a range of interconnected green spaces which serve a range of functions (refer **Attachment 6**: Landscape Drawings). These spaces include manicured lawns and gardens, communal vegetable gardens, play areas, courtyards (both public and private) and a network of footpaths. KLL also proposes to maintain and enhance the riparian areas of the Wairoa Stream and the tributary with planting of locally appropriate riparian vegetation and through weed management.
- 3.21. These open spaces and the proposed landscaping create green linkages throughout the development which enhance amenity for the residents and provide for their recreational needs. The choice of plant species is informed by the subtropical climate and horticultural character of Kerikeri (refer **Attachment 7**: Landscape Design Report).
- 3.22. The Site has a limited visual catchment with relatively few residential neighbours. Further, the Site's Residential zoning means that more intensive development is anticipated. Within this context, the change in landscape from rural to urban is anticipated and cannot be considered an adverse change. The proposed landscaping therefore focuses on enhancing on-site amenity rather than mitigating off-site effects. The notable exception to this is the relationship between the proposed care building and the existing dwelling at 57 Hall Road. Additional landscaping is proposed along this boundary to create a dense visual buffer.

Infrastructure and Services

Access and roading

- 3.23. Main roads within the Site (excluding the Hall Road extension) have a carriageway width of 5.5m and a 1.5m wide footpath. Laneways/mews have a reduced width of

5.0m. Additional footpaths are proposed within green corridors throughout the village, separate from the roads.

- 3.24. An access gate will be constructed at the Hall Road entrance. Public access into the Site will be limited to daylight hours. Access to the Site outside of these hours will need to be authorised by the residents or Village Management. The access gate will be located past the culvert crossing and before the wellness centre building.
- 3.25. Another gate will be constructed at the Limelight Lane entrance at the eastern end of the Site.
- 3.26. KLL proposes to widen the Hall Road carriageway to a width of 6.5m as part of the Proposal. The appropriate timing for undertaking this widening is discussed in Section 5 of this report. A draft set of engineering drawings, which includes the 1.5m wide footpath required as part of the Stage 1 consent, is appended to the Transportation Assessment (**Attachment 8**). The design specifically anticipates and allows for the future upgrading of Hall Road by the FNDC (to an Urban Type B standard), should FNDC consider this necessary in the future.
- 3.27. The final design of the proposed upgrade to Hall Road is subject to approval by FNDC as the road controlling authority. Notwithstanding possible changes to the design details, KLL offers a condition of consent (refer Section 8) to the effect that the Hall Road carriageway shall be upgraded to 6.5m at the appropriate time prior to the completion of the Proposal.

Stormwater

- 3.28. The proposed stormwater management has been designed to comply with district and regional planning and engineering requirements, and to avoid adverse effects on the receiving environment. The following design principles apply to stormwater management for the proposed retirement village development:
 - Stormwater reticulation within the Site to suitable discharge points designed for the 10% annual exceedance probability (AEP) design flows
 - Overland flowpaths within the Site to suitable discharge points designed for the 1% AEP design flows
 - Control scour, particularly at discharge points
 - Improve stormwater quality where practicable
 - Avoid increases in flooding downstream as a result of the development

- 3.29. The proposed stormwater design is detailed in the Engineering Assessment (**Attachment 9**) and the accompanying Engineering Drawings (**Attachment 10**). The design incorporates a number of “green engineering” principles to aid infiltration and attenuate flows to pre-development levels, control scour and ensure compliance with district and regional planning requirements. It comprises:

Primary System

- Piped stormwater reticulation network
- Catch-pit inlets
- Kerb & channel on the main roads
- Central V drainage on accessways
- Stormwater treatment wetlands

Secondary System

- Roads and driveways lower than surrounding houses
- Overland flow paths through drainage / access path

- 3.30. Stormwater pipelines are to be designed for the 10% AEP (10-year ARI) storm event in accordance with the FNDC’s Engineering Standards. Adopting the 10% AEP rather than the 20% AEP (5-year ARI) specified in the Regional Water and Soil Plan rules, provides a conservative design approach.
- 3.31. The roads, driveways, footpaths and swale drains will be constructed lower than the surrounding residential properties to act as secondary flow. These have been designed for the 1% AEP flood flow assuming there is no stormwater attenuation and all pipe inlets are blocked. While this approach is very conservative, it ensures that buildings within the development will not be flooded even under the most extreme circumstances.
- 3.32. The proposed piped stormwater reticulation network and overland flow paths are shown on Engineering Drawing MP5 (**Figure 3**). The developed site has been divided into 14 catchment areas. Each catchment drains to a different discharge point as shown in Figure 3.
- 3.33. Catchments 1 to 4 will drain through constructed wetlands to the Wairoa Stream. Catchment 5 will drain through a constructed wetland to the combined ‘Access tributary’ and ‘Hall Road Tributary’ approximately 130m upstream of the Wairoa Stream confluence. Catchments 6 to 14 drain to the ‘Access Tributary’ pond upstream of the access road.
- 3.34. The proposed wetlands will attenuate stormwater runoff to some extent. However, attenuation of stormwater runoff from the Site to pre-development levels is not

considered appropriate given the location of the Site towards the lower end of the Wairoa Stream catchment.

- 3.35. Alternative stormwater management options have also been considered. These are recorded in the Engineering Assessment. The proposed design is considered to be the best practicable option for the Proposal.

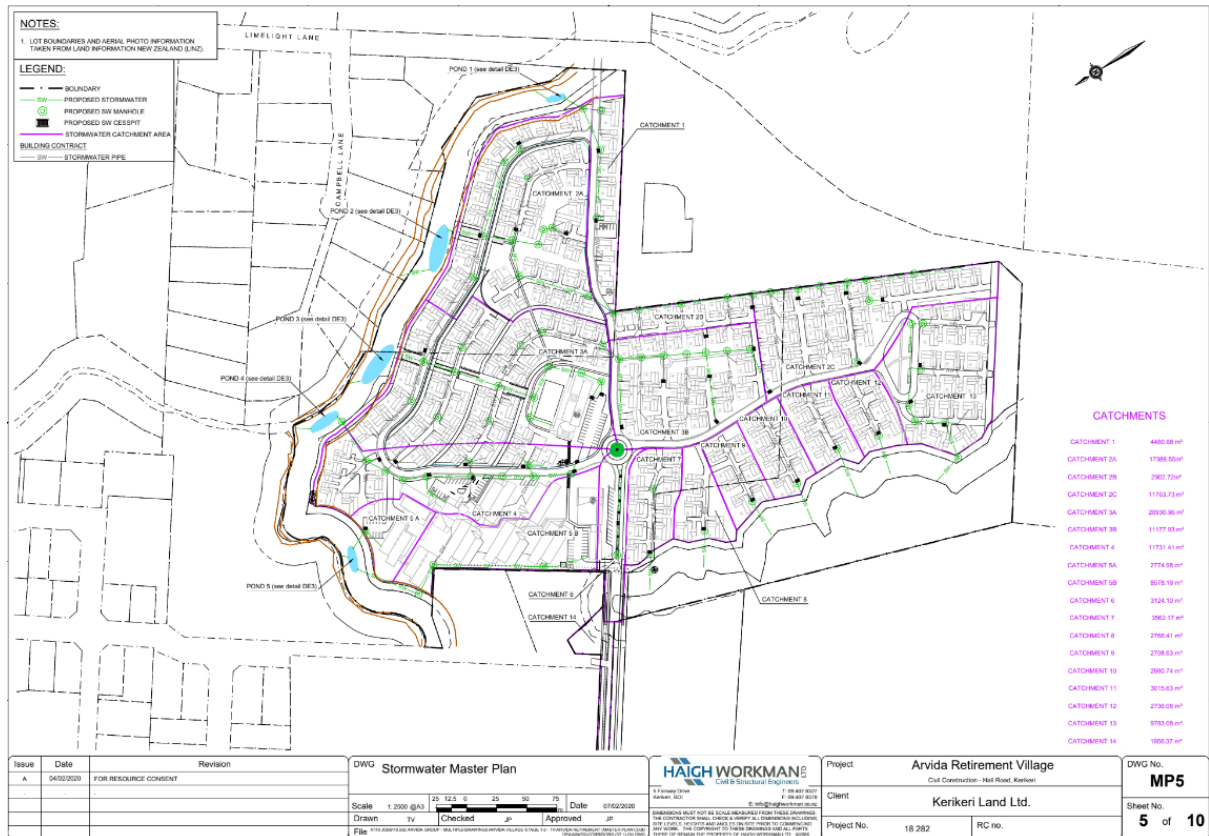


Figure 3: Stormwater Management Plan

Water supply

- 3.36. The Proposal will be served by reticulated water from the Kerikeri Town Water Scheme, as detailed in the Engineering Assessment.
- 3.37. FNDC is proposing to install a new 150mm diameter water supply pipeline down Hall Road from the existing 200mm public water main within Kerikeri Road. This line will then turn to connect to the existing 100mm line within Mill Lane. The Proposal will connect to the proposed 150mm line at the intersection of Hall Road and Mill Lane. This will provide adequate flow and pressure within the Site for firefighting.
- 3.38. The Site is currently connected to the Kerikeri Irrigation Scheme. Water from the Scheme is non-potable but is available for watering lawns and gardens. This will reduce the demand on the Town Water Scheme.

Wastewater

- 3.39. The Site is located within the AOB for wastewater reticulation. FNDC infrastructure staff have confirmed that the Site can be served by the Kerikeri Sewerage Scheme when it is upgraded (estimated to be complete in April 2020 and fully operational by October 2020). The Proposal will connect to the Kerikeri Wastewater Scheme as detailed in the Engineering Assessment.
- 3.40. A 75mm OD pipe will be laid extending from the Site to the proposed 110mm diameter FNDC pressure sewer on Mill Lane. Wastewater from the Site will be reticulated by pressure sewer, with pump chambers having at least 24 hours storage capacity.
- 3.41. It is proposed to connect groups of between 13 and 41 ILUs to 'duplex' (double-pump module) pump chambers. The care facility, clubhouse and wellbeing centre will each have its own duplex pump chamber.

Site Development

Bulk earthworks

- 3.42. The Proposal requires bulk earthworks to create suitable levels for building, road formation and stormwater infrastructure. Specifically, these include:
- Stripping of topsoil
 - Forming roads and berms
 - Excavating trenches for stormwater and services
 - Forming building platforms
 - Excavation to maintain floodway
 - Excavating stormwater treatment wetlands
- 3.43. The extent of the proposed earthworks is shown in **Figure 4**. Excluding Stage 1, it is estimated that approximately 112,700m² of the Site will be earth-worked. The estimated volume of cut is 60,410m³, of which 44,230m³ will be reused as fill on-site. An additional 13,600m³ of imported aggregate will be used in road formation. Overall, there will be a net surplus of approximately 16,200m³ of cut material that will be removed from the Site.
- 3.44. Earthworks will be carried out in stages, likely over a period of eight years or more, in general accordance with Engineering Plan MP9A and as outlined in Section 4.3 of the Engineering Assessment. The staging of bulk earthworks does not necessarily align with the timing for the construction of buildings; materials excavated from one stage may be placed directly as engineered fill for a later stage of development. To reduce the overall risk of sediment discharge from the Site, it is proposed to limit the area of bare soil exposed at any time to a maximum of 50,000m².

- 3.45. The location, timing and extent of earthworks to be carried out in any earthworks season will be the subject of an erosion and sediment control plan (ESCP) which will be required (as a condition of consent offered by the Applicant) to be submitted to and approved by the NRC and FNDC prior to earthworks commencing in a new area of the Site. A detail summary of the relevant sediment control measures is included in the Engineering Assessment and provides a toolkit which KLL can draw from when developing ESCPs for specific areas within the Site.

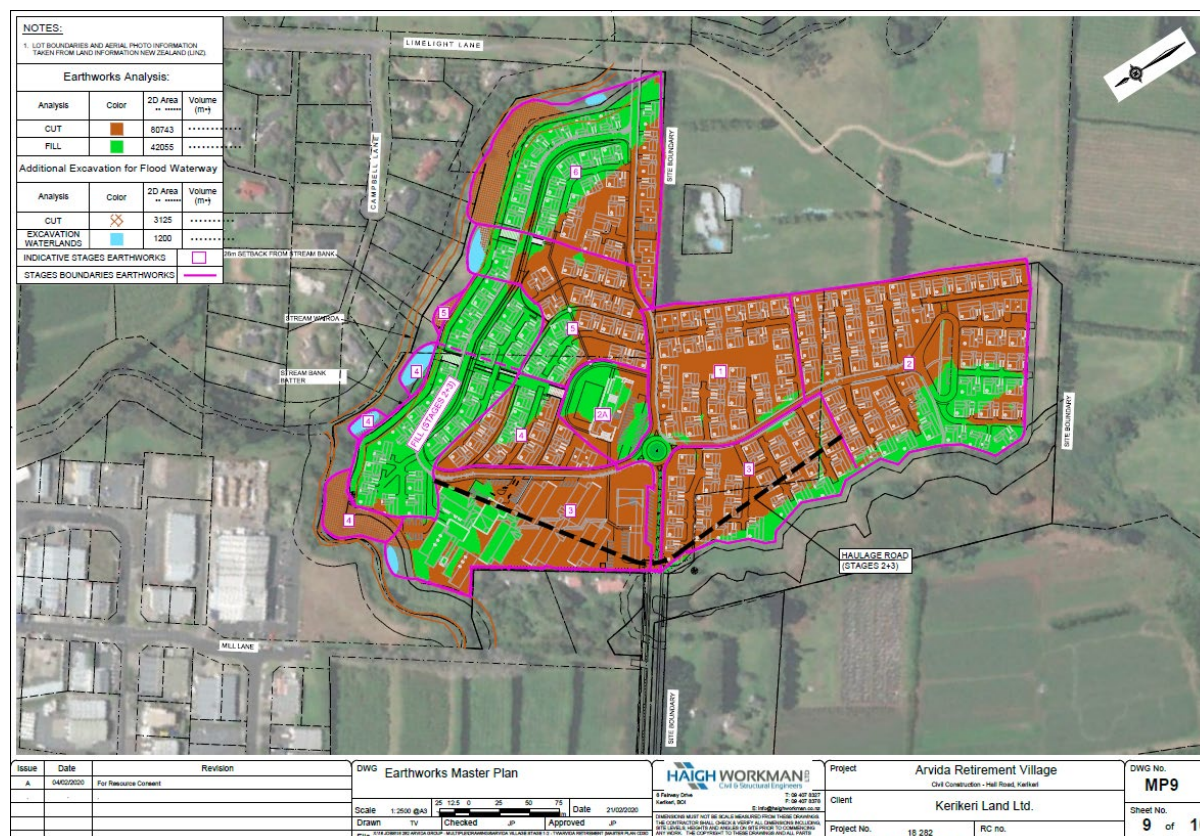


Figure 4: Earthworks Plan

Batters and retaining walls

- 3.46. The northern part of the Site slopes towards the Wairoa Stream. To provide suitable levels for elderly residents, it is proposed to form a series of level terraces as illustrated on Engineering Drawing DE4 (Typical Terrace). These terraces will be separated by planted batters and retaining walls. The batter/wall nearest to the Wairoa Stream is set back 20m from the stream bank; this is identified as “Streamside Batter/Wall” on Engineering Drawings DP5 to DP8.
- 3.47. A retaining wall is also proposed on the boundary with the neighbouring property 30 Limelight Lane (Lot 2 DP 321732); this is identified as “Limelight Boundary Wall” on Engineering Drawing DP5.

Flood mitigation

- 3.48. Parts of the Site adjoining the Wairoa Stream and the tributary are subject to flooding in the modelled 1% AEP Maximum Probably Development (MPD) + Climate Change (CC) scenario, as shown in **Figure 5**. It is proposed to elevate the streamside building sites to provide more than the minimum 500mm freeboard required by FNDC and NRC rules.
- 3.49. Placing fill in the 1% AEP flood hazard area would reduce the waterway area and increase flood levels on adjoining properties. To avoid the increase in flood levels, it is proposed to maintain the 1% AEP waterway area by excavating the floodplain adjacent to the Wairoa Stream as shown on Engineering Drawing MP9.
- 3.50. The proposed buildings adjacent to the tributary are well elevated above the 1% AEP flood levels. However, approximately 70m upstream of the Wairoa Stream confluence, the tributary is restricted by a ridge extending down from the Site. To reduce flood levels and improve access and amenity values alongside the tributary, it is proposed to excavate this area as shown on Engineering Drawing MP9.

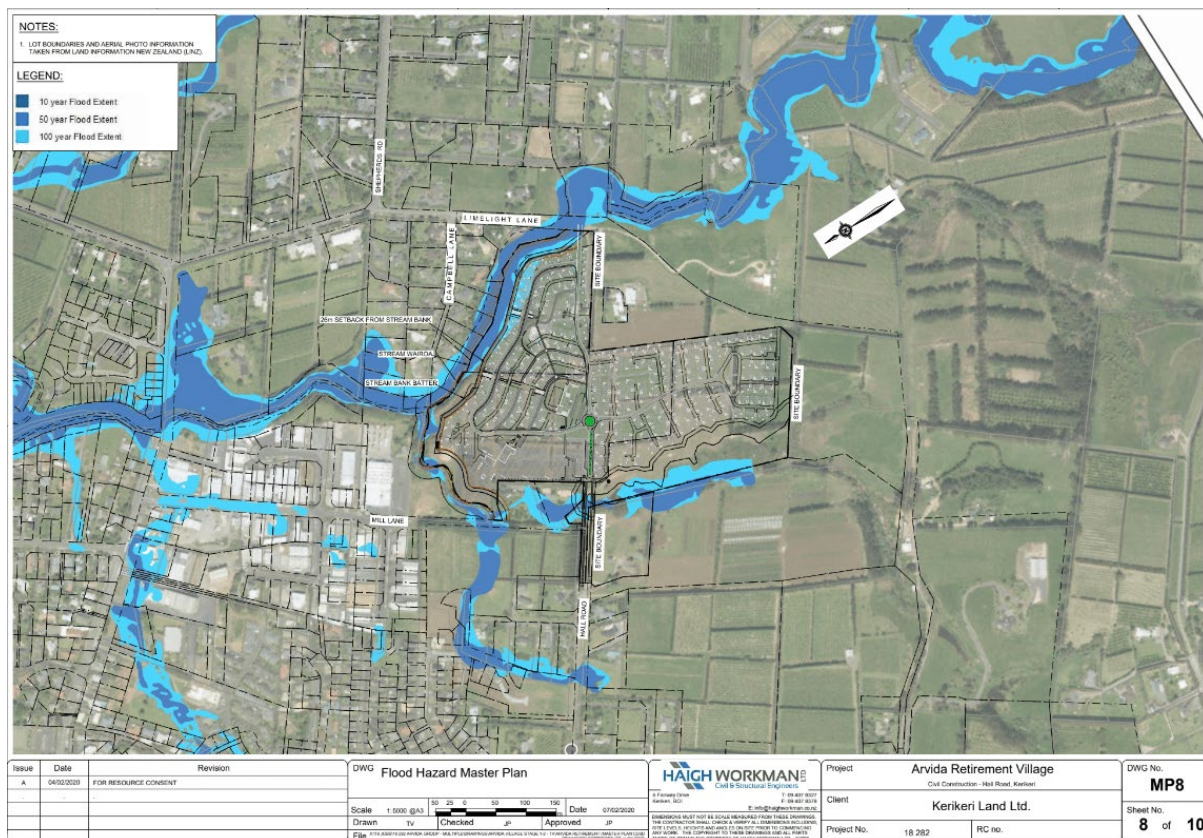


Figure 5: Flood Hazard Plan

4.0. REASONS FOR THE APPLICATION

- 4.1. Section 9 of the RMA places restrictions on land use. It set out that no person may use land in a manner that contravenes a national environmental standard or a rule in a plan unless the use is expressly allowed by a resource consent (or has existing use rights).
- 4.2. The Proposal is assessed to require a discretionary activity resource consent overall. The specific reasons for consent under the District Plan and the NESCS are identified and discussed below. A separate application is being made concurrently to the NRC for a discretionary activity resource consent under the regional plans.

Far North District Plan

Residential zone

- 4.3. The Site is zoned Residential under the District Plan. An assessment of compliance against the permitted activity rules of Chapter 7 (Urban environment), Section 7.6 (Residential zone) of the District Plan is provided in **Table 2**.

Table 2: Compliance assessment (Residential zone rules)

Rule No.	Standard	Commentary
7.6.5.1.1 Relocated dwellings	n/a	n/a
7.6.5.1.2 Residential intensity	<p>Each residential unit⁴ for a single household shall have available to it a minimum net set area of:</p> <ul style="list-style-type: none"> Sewered sites: 600m² Unsewered sites: 3000m² <p>The proposed development will be sewerred (see the Applicant's offered condition of consent in Section 8 which confirms this) and therefore the one unit per 600m² standard applies.</p>	<p>The Site measures 16.6642ha.</p> <p>Taking the existing environment (Stage 1) and the Proposal together, the Site following the development of the Proposal will accommodate 276 "residential units".</p> <p>166,642m² / 276 "residential units" = 603.78m².</p> <p>Complies</p>
7.6.5.1.3 Scale of activities	The total number of people engaged at any one period of time in activities on a site, including employees and persons making use of any	<p>The maximum number of people (excluding residents) on the site at any given time:</p> <ul style="list-style-type: none"> 3x Managers 3x Nurses

⁴ The proposed development comprises 200 retirement villas and 76 care suites. We have very conservatively treated the development as consisting of 276 "residential unit" for the purpose of Rule 7.6.5.1.2.

	<p>facilities, but excluding people who normally reside on the site or are members of the household shall not exceed:</p> <ul style="list-style-type: none"> • 2 persons per 600m² (sewered) • 2 persons per 3,000m² (unsewered). <p>See above regarding the Site's 'sewered' classification.</p>	<ul style="list-style-type: none"> • 10x Carers • 12x Kitchen staff • 3x Cleaners • 2x Laundry staff • 3x Maintenance staff • 3x Admin • 1x Hairdresser • 3x Doctors • 1x Visiting Consultants <p>Total = 44 staff</p> <p>166,642 sqm / 44 staff = 3,787m² per person</p> <p>Complies</p>
7.6.5.1.4 Building height	The maximum height of any building shall be 8m.	<p>A portion of the care building exceeds 8m by approximately 500mm. This is a restricted discretionary activity under Rule 7.6.5.3.3.</p> <p>All other buildings comply.</p>
7.6.5.1.5 Sunlight	2m + 45-degree recession plane.	Complies
7.6.5.1.6 Stormwater management	The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 50%.	<p>Total impervious area = 49.0% (81,675m²)</p> <p>Complies</p>
7.6.5.1.7 Setback from boundaries	<p>(a) Front yard: 3m</p> <p>(b) Side/rear yards: 1.2m</p> <p>(c) 50% of the front yard shall be landscaped (min. 2m depth).</p>	The Limelight Boundary Wall, shown on Engineering Drawing DP5, is located along the Site's boundary with 30 Limelight Lane. This is a restricted discretionary activity under Rule 7.6.5.3.7.
7.6.5.1.8 Screening for neighbours (non-residential activities)	Screening of parking, loading, outdoor storage areas from residential neighbours: fences or landscaping 1.8-2.0m in height (landscaping 2m deep).	n/a
7.6.5.1.9 Outdoor activities	n/a	n/a
7.6.5.1.10 Visual amenity	n/a (Only applies to Coopers Beachfront Estate and Cobham Road sites).	n/a

7.6.5.1.11 Transportation	Refer to Chapter 15 – Transportation for Traffic, Parking and Access rules.	Addressed under separate heading.
7.6.5.1.12 Site intensity (non-residential activities)	The maximum net area of activities other than residential units on any site shall be 1,000m ² for sewerred sites, and 5,000m ² for unsewered sites, except that this area may be exceeded for public reserves without buildings.	Proposed GFA other than residential units: - Care building ⁵ = 5603m ² - Arvida Club = 813m ² - Clubhouse = 730m ² This is a discretionary activity pursuant to Rule 7.6.5.4.
7.6.5.1.13 Hours of operation (non-residential activities)	This rule does not apply to activities that have a predominantly residential function such as lodges, motels and homestays.	Not applicable as the proposed retirement village serves a predominantly residential function.
7.6.5.1.14 Keeping of animals	n/a	n/a
7.6.5.1.15 Noise	Noise from the site shall not exceed the following noise limits as measured at or within the boundary of any other site in this zone: <ul style="list-style-type: none"> 0700 to 2200 hours: 50 dBA_{L10} 2200 to 0700 hours: 45 dBA_{L10} and 70 dBA_{Lmax} Construction noise shall meet the limits recommended in NZS 6803P:1984 (This has been superseded by NZS 6803:1999).	Noise from the use of the retirement village will comply with these noise limits. The Noise Assessment has identified that the limits in NZS 6803:1999 may potentially be breached at seven dwellings. This requires a restricted discretionary activity resource consent under Rule 7.6.5.3.
7.6.5.1.16 Helicopter landing areas	n/a	n/a
7.6.5.1.17 Building coverage	Any [new building] is a permitted activity if the total Building Coverage of a site does not exceed 45% of the gross site area.	Total roof area ⁶ = 40,346m ² , which equates to 24.2% of the gross site area. Complies.

⁵ The care building has been conservatively identified as a non-residential building for the purpose of applying this rule, despite having also been identified as constituting 76 “residential units” for the purpose of applying the Residential Intensity rule (7.6.5.1.2).

⁶ This method of calculation is more conservative than the District Plan’s definition of building coverage. Nonetheless, it demonstrates compliance with the Building Coverage rule by a significant margin.

Natural and physical resources

- 4.4. Bulk earthworks (excavation and filling) required to facilitate the development of the Site exceed the relevant thresholds under the District Plan. An assessment against Chapter 12 (Natural and physical resources), Section 12.3 (Soils and minerals) is provided in **Table 3**.

Table 3: Compliance assessment (Earthworks)

Rule No.	Standard	Commentary
12.3.6.1 Permitted activities 12.3.6.1.3 Excavation and/or filling, excluding mining and quarrying, in the [Residential Zone].	Excavation and/or filling is permitted provided that: (a) it does not exceed 200m ³ in any 12-month period per site; and (b) it does not involve a cut or filled face exceeding 1.5m in height i.e. the maximum permitted cut and fill height may be 3m	Approximately 112,700m ² of the Site will be earth-worked. The estimated volume of cut is 60,410m ³ , of which 44,230m ³ will be reused as fill on-site. An additional 13,600m ³ of imported aggregate will be used in road formation. The maximum cut/fill depth in places will exceed the permitted activity standard.
12.3.6.2 Restricted discretionary activities 12.3.6.2.2 Excavation and/or filling, excluding mining and quarrying, in the [Residential Zone].	Excavation and/or filling is a restricted discretionary activity, provided that: (a) it does not exceed 2,000m ³ in any 12-month period per site; and (b) it does not involve a cut or filled face exceeding 1.5m in height i.e. the maximum permitted cut and fill height may be 3m	Earthworks exceeding the volume and depth thresholds require a discretionary activity resource consent under Rule 12.3.6.3.
12.3.6.2 Discretionary activities	Applies to activities which do not meet the above standards.	

- 4.5. Five of the proposed ILUs and a retaining wall are set back less than 26m from the boundary of the Wairoa Stream. An assessment against Section 12.7 (Lakes, rivers, wetlands and coastline) of the District Plan is provided in **Table 4**.

Table 4: Compliance assessment (Stream setback)

Rule No.	Standard	Commentary
12.7.6.1 Permitted activities 12.7.6.1.1 Setback from rivers	Within the Residential zone, any building and any impermeable surface must be set back a minimum of 26m from the boundary of any river over 3m wide.	Five of the proposed villas encroach into the 26m setback (refer Architectural Drawing A1039). The proposal also involves the construction of a retaining wall

12.7.6.3 Discretionary activities	Applies to an activity which does not comply with one or more of the permitted activity standards under Rule 12.7.6.1.	parallel to and set back 20m from the Wairoa Stream (refer Engineering Drawings DP5 to DP8). These require a discretionary activity resource consent under Rule 12.7.6.3.
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Transportation provisions

- 4.6. The Chapter 15 (Transport) of the District Plan regulates activities in terms of traffic intensity, on-site parking, and access.

Traffic intensity

- 4.7. The Traffic Intensity Factor (TIF) contained in Appendix 3A of the District Plan establishes a threshold for determining the status of an activity. The TIFs adopted for calculating traffic generation of the Proposal are as follows:

- Home unit / town house (ILUs) 7 per unit
- Home for the aged (care suites) 2 per bed

- 4.8. The Proposal's 172 additional ILUs have a TIF of 1,204 and the 76 care beds 152, thus a total TIF of 1,356. Activities within the Residential zone which exceed a traffic intensity value of 40 require a **discretionary activity** resource consent under Rule 15.1.6A.5.

On-site parking

- 4.9. Appendix 3C of the District Plan specifies that one car parking space is required for each unit of "pensioner housing". This is considered an appropriate proxy for the proposed ILUs. The car parking ratio for the proposed ILUs exceed one space per unit.
- 4.10. "Home for the aged" requires one car parking space for every five people the facility is designed for, plus one space for every two employees. With 76 single-occupancy rooms and a maximum of 44 staff⁷ on-site at any time, 37 spaces are required. 82 spaces are provided adjacent to the care building, the wellness centre and the clubhouse which exceed the District Plan requirement.
- 4.11. The proposed carparking spaces comply with the design and manoeuvring requirements of the District Plan as confirmed in the Transportation Assessment.

⁷ 35 staff associated with the care facility and 9 staff associated with the clubhouse and wellness centre.

Vehicle access

- 4.12. Rule 15.1.6C.1.1 of the District Plan states that “[a] private accessway may serve a maximum of 8 household equivalents”. The Proposal infringes this standard because the internal roads, which will remain private, will be used to serve more than eight household equivalents. Non-compliance with this standard requires a **discretionary activity** resource consent under Rule 15.1.6C.2.

National Environmental Standard (Contaminants in Soil)

- 4.13. A detailed site investigation (DSI) has identified two isolated hotspots with elevated levels of arsenic (not including the two hotspots within the Stage 1 area which have been addressed through the previous consent). Consequently, undertaking earthworks and changing the use of the Site from horticultural to a residential is a **restricted discretionary activity** pursuant to Regulation 10 of the NESCS.

Summary of Reasons for Consent

- 4.14. In summary, the Proposal requires resource consent for the following activities under the District Plan:
- a. Rule 7.6.5.3.3 – a **restricted discretionary activity** for part of the roof of the care building which exceeds the 8m building height.
 - b. Rule 7.6.5.3.7 – a **restricted discretionary activity** for building (the Limelight Boundary Wall) within a yard.
 - c. Rule 7.6.5.3.8 – a **restricted discretionary activity** for potentially breaching construction noise limits.
 - d. Rule 7.6.5.4 – a **discretionary activity** for the care facility, wellness centre and clubhouse buildings which exceed the 1000m² GFA threshold for non-residential buildings.
 - e. Rule 12.3.6.3 – a **discretionary activity** for the proposed earthworks which exceed the permitted (200m³) and restricted discretionary (500m³) thresholds.
 - f. Rule 12.7.6.3 – a **discretionary activity** for five of the proposed ILUs which encroach into the 26m setback.
 - g. Rule 15.1.6A.5 – a **discretionary activity** for exceeding the permitted (20) and restricted discretionary (40) traffic intensity thresholds.
 - h. Rule 15.1.6A.5 – a **discretionary activity** for exceeding the maximum number of household equivalents served by a private accessway.

- 4.15. Taking a bundling approach, a **discretionary activity** resource consent is required under the District Plan.
- 4.16. A **restricted discretionary activity** resource consent is required under Regulation 10 of the NESCS.
- 4.17. A **discretionary activity** resource consent is also sought under s 127 of the RMA to accommodate a change to the layout of Stage 1 development by replacing a two-bedroom ILU at the north-eastern corner of the Stage 1 area with a duplex of one-bedroom ILUs. It is proposed that Condition 1 of RC2190387 be amended as follows: (added text underlined)

That subject to incorporating any changes necessary by the following conditions, land use shall be carried out in general accordance with the application prepared by Haines Planning, the supporting technical assessments and various further information, including the plans attached to this consent and marked 'approved'. This includes:

- The architectural drawings prepared by Ignite, dated 14 December 2018, except that the two-bedroom ILU at the north-eastern corner of the Stage 1 area (as shown on A1031, Rev A, dated 14 December 2018) is replaced by a duplex of one-bedroom ILUs as shown on A1031, Rev B, dated 31 January 2020.
- The Appendix A drawings attached to the 'Stage 1 enabling works report for the proposed retirement village 56 and 57C Hall Road for Arvida Group' prepared by Haigh Workman, reference 18 282, dated November 2018.

5.0. ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

Premise to Assessment

- 5.1. As a discretionary activity, the FNDC's discretion is not restricted and all actual and potential effects of the Proposal may be considered. In addition, the District Plan specifies assessment criteria against which an application for resource consent shall be assessed against. The relevant District Plan assessment criteria (and matters for assessment under the NESCS) include:
- Assessment criteria 11.2 (building height)
 - Assessment criteria 11.3 (noise)
 - Assessment criteria 11.6 (setback from boundaries)
 - Assessment criteria 11.9 (non-residential buildings)
 - Assessment criteria 12.7.7 (buildings within the riparian setback)
 - Assessment criteria 12.3.7 (earthworks)
 - Assessment criteria 15.1.6A.7 (traffic intensity)
 - Assessment criteria 15.1.6C.4 (access)
 - Regulation 10(3) of the NESCS
- 5.2. A key method used to achieve the objectives and policies of the Residential zone is the Residential Intensity rule (7.6.5.1.2). The relevant objectives seek to achieve the development of new residential areas at similar densities to those prevailing at present (7.6.3.1) while enabling the development of a wide range of activities within residential areas where the effects are compatible with the effects of residential activities (7.6.3.2).
- 5.3. With this context, the permitted Residential Intensity standard is set at 600m² per unit. This may be reduced to 300m² per unit as a restricted discretionary activity. Where the sites to be created are "unsewered", the permitted activity threshold increases to 3,000m² per unit. The purpose of the larger site area is presumably to ensure there will be sufficient land area for the on-site disposal of effluent. The Proposal has been designed to connect to the reticulated wastewater network and, on that basis, the 600m² should apply. Assurance of the sewered nature of the Site is confirmed by the Applicant's offered condition of consent (refer Section 8) which requires the Site to be able to be connected to a reticulated wastewater network prior to occupation of the Proposal's units or care beds.
- 5.4. Notwithstanding the above, an assessment below has given particular regard to residential intensity assessment criteria in Section 11.1 of the District Plan. The assessment demonstrates that even if the residential intensity rule was triggered, the effects of the Proposal on the environment would still be acceptable and the relevant assessment criteria would be met.

Permitted Baseline and Existing Environment

- 5.5. When considering the effects of an activity, the consent authority may, under s104(2) of the RMA, disregard the effects of an activity on the environment if a plan or a national environmental standard permits an activity with that effect.
- 5.6. The District Plan is an “effects-based” plan which seeks to manage the effects of activities rather than activities per se. It does not prescribe which activities are permitted (or not) within the Residential Zone but controls the scale and intensity of activities through the application of “standards”. These standards provide a useful baseline against which the effects of the Proposal can be assessed. The relevant baselines include:
 - a. Residential units at an intensity of one unit per 600m²
 - b. Buildings up to 8m in height
 - c. Building coverage of up to 45% of the site area
 - d. Impermeable surfaces up to 50% of the site area
- 5.7. Non-residential scale buildings can be established within the Residential zone provided they do not exceed 1,000m² in GFA (or 5,000m² on an “unsewered site”) and comply with the height, setback and building coverage standards.
- 5.8. At over 16.66ha, the Site could potentially be subdivided into some 200 residential lots as a controlled activity (assuming 25% of the land is to be set aside for roads and reserves etc.). Whilst this does not technically form a permitted baseline (as all subdivisions require resource consent), it does demonstrate that the scale and intensity of the proposed retirement village is in keeping with those anticipated within the Residential zone.
- 5.9. Lastly, the consented and commenced Stage 1 development forms part of the “existing environment” and any effects of that development are not relevant when undertaking the assessment of effects of the Proposal under s104(1)(a) of the RMA.
- 5.10. With respect to the s127 application, only the effects of change to the consented residential unit (into a duplex) is to be assessed.
- 5.11. Having regard to the above, the below assessment considers the effects of the Proposal under the following headings:
 - a. Landscape and visual effects
 - b. Residential character and amenity values
 - c. Ecological effects
 - d. Effects on water quality
 - i. Discharge of sediments during earthworks
 - ii. Stormwater runoff from new impermeable areas

- e. Natural hazards
- f. Remediation of contaminated soils
- g. General construction effects
 - i. Construction noise and vibration
 - ii. Construction traffic
- h. Transportation effects
 - i. Effects on Hall Road
 - ii. Effects on Kerikeri Road
 - iii. Access and car parking
- i. Water supply and wastewater disposal
- j. Effects on cultural heritage
- k. Social and economic effects

Landscape and Visual Effects

- 5.12. The assessment of landscape effects is based on a combination of the sensitivity of the landscape relative to its zoning context, its visibility from both public vantage points and private property, and the nature and scale of the changes being proposed.
- 5.13. Changes in landscape do not, of themselves, constitute an adverse effect. Landscape is dynamic. Within an urban or peri-urban environment, changes can be either subtle or transformational. The Urban environment and Residential zone provisions provide the framework within which these changes are to be assessed.
- 5.14. Within this context, the Landscape and Visual Effects Assessment (LVEA) in **Attachment 11** summarises the landscape and visual effects of the Proposal as follows:
- a. The landscape effects of the Proposal will be limited to the Site and immediate surroundings due to the limited visual connectivity with the wider landscape. The majority of vegetation removal is within the interior of the Site, with external buffer vegetation which limits views into the Site largely being retained. Earthworks within the Site will be extensive however, these are designed to work with the general natural topography and will not result in incongruous edge treatments along any boundaries; and will not appear out of character with the existing and future wider landscape.
 - b. The introduction of buildings into the landscape will have the most noticeable impact on the landscape character by introducing new elements into the Site. Residential development is present in the wider landscape, particularly to the immediate east of the Site and further north towards the Mill Lane industrial estate. Although the proposed retirement village will appear to be at a higher density than the immediate surrounding residential

developments, it will meet the overall density provisions of one dwelling per 600m² of site area and is in keeping with the Site's residential zoning.

- c. Works within the riparian environment will be limited to flood mitigation. The proposed replanting and management of the riparian corridor around the Site will help to improve the natural character and landscape quality of the Wairoa Stream and its tributary.
 - d. Although the Proposal introduces a new retirement village into the landscape, with some larger scale buildings, this is generally in keeping with the future land use anticipated by the District Plan's zoning of the Site. Within the context of the residential and industrial areas to the north, the Site represents a logical extension of Kerikeri to the south. Within this context it is considered that the landscape will be able to accommodate the Proposal with limited physical landscape effects.
- 5.15. Overall, the combined landscape and natural character impacts within the wider context of the Site are expected to result in a low level of adverse effects.
- 5.16. With respect to visual effects, the LVEA considers that while the magnitude of change associated with the development, for the limited number of residents that have a clear view into the Site, would be moderate to high, the level of adverse visual effects would range between low and moderate-low. This takes into account the Site's zoning and consequently the anticipated change from a horticultural land use to residential. It is also considered that the comprehensive design of the Proposal, the use of quality building materials, the proposed open space and landscaping will result in an improved visual amenity outcome over time.
- 5.17. In terms of the minor breach of the 8m height plane by the care building, no adverse effects (i.e. dominance and shading) are expected to arise given the location of the encroachment, which is internal to the Site.
- 5.18. With respect to the location of the Limelight Boundary Wall within the required yard (adjoining 30 Limelight Lane), this infringement is of a technical nature as its purpose is to retain the higher neighbouring land and will not give rise to any adverse visual effects on this neighbour.

Residential Character and Amenity Values

- 5.19. Residential character and amenity values are informed by the appearance of buildings, the design and layout of roads and open spaces, the nature and intensity of activities and people's interactions with the built environment. It can also be expressed as the "look and feel" of an area.

- 5.20. The Urban Environment and Residential zone provisions provide the framework for undertaking this assessment. The Residential zone seeks to enable the development of residential areas where the effects of activities *"are compatible with sustainable development and with the existing character and amenity, which is typically medium density residential living."*
- 5.21. The proposed buildings are all single-storey and are set within a network of green space and supported by a range of communal facilities which provide a high standard of amenity for the residents. The choice of building materials and plant species are based on the character of the Kerikeri landscape.
- 5.22. The ILUs are residential and are generally permitted as of right within the Residential zone. The proposed care facility provides supported residential care for people requiring assistance and forms an integral part of the proposed retirement village.
- 5.23. The design and treatment of the larger buildings, including the care building, wellness centre and clubhouse, are effective at moderating their scale. They complement, both functionally and visually, the rest of the retirement village and are compatible with character and amenity expectations of the Residential zone.
- 5.24. Noise generated from the operation of retirement villages is typically similar to or less than that of a quiet residential neighbourhood. The Noise Assessment (**Attachment 12**) has identified the following noise sources:
- a. Vehicle movements
 - b. Mechanical plant noises (e.g. heat pump outdoor units and ventilation)
 - c. Noise from residential activities
- 5.25. As the main site access is well separated from nearby dwellings on Hall Road, traffic movements would not generate noise levels that would breach the District Plan daytime or night-time noise limits.
- 5.26. Mechanical plant will generally be well separated from residential neighbours and can readily comply with the night-time noise limit of 40 dB L_{A10}. Details on the location of heating and cooling plant for the care facility will be determined in detailed design stages but there are ample opportunities to locate these away from site boundaries, such that they will be able to comply with the night-time noise limit.
- 5.27. For the foregoing reasons, it is concluded that the "look and feel" of the proposed retirement village will be compatible with the character and amenity of the Residential zone. Any adverse effects on residential character and amenity values will be minimal and acceptable given the Site's zoning.

Ecological Effects

- 5.28. NZ Environmental has undertaken an Ecological Assessment (**Attachment 13**) of the Site's ecological values and considers the terrestrial ecological values of the Site to be low-moderate. It considers that the Proposal would have minor localised effects on the terrestrial ecological values, in that the number of birds and lizards would be reduced locally for several years following construction and at a local population level these effects would likely be noticeable. However, such effects would be temporary, as bird numbers would recover once riparian habitats are established and gardens and amenity plantings at the Site mature.
- 5.29. The ecological value of the riparian areas within the Site is generally low. Except for a small area of previous planting at the eastern end of the Site, the existing riparian margins are narrow and weedy.
- 5.30. The Applicant proposes to undertake weed clearance and infill planting of native species within the existing sparsely planted riparian areas. This will result in between approximately 2m and 25m of riparian vegetation along Wairoa Stream and enhancing the wetland area upstream of the access road. The additional planting areas would improve the ecological connection and function of the riparian areas for both terrestrial and aquatic species.
- 5.31. Encroachment of the five ILUs into the 26m riparian setback is minor (each are still at least 20m set back from the Wairoa River) and does not give rise to any adverse ecological effects or undermine the implementation of the proposed riparian enhancement works.
- 5.32. The Applicant offers as conditions of consent (refer Section 8) to carry out riparian planting in accordance with a planting and weed management plan, and to undertake lizard salvage and relocation, as recommended in the Ecological Assessment. Subject to these conditions and adopting best practice erosion and sediment control during earthworks, any adverse effects of the Proposal on terrestrial and aquatic ecological values are considered to be acceptable and insignificant relative to the Proposal's positive ecological effects.

Effects on Water Quality

Discharge of sediments during earthworks

- 5.33. Earthworks are a precursor to development. The Site is zoned Residential. Therefore, residential development and associated enabling works are contemplated by the District Plan. The scale the proposed earthworks is commensurate with a development of this nature and unexceptional relative to the Site's size. The required volume of cut and fill has been minimised by generally working to the Site's topography and reusing cut material on-site where possible.

- 5.34. The Proposal will be developed in stages. This means that only a defined area of the Site will be disturbed at any one time. An indicative staging plan (MP9A) is included in the Engineering Drawings (the sequencing and the extent of the stages are subject to change) to illustrate the area of earthworks that is likely to occur at any given time. It is conservatively estimated that no more than 5ha of the Site will be disturbed at any one time and an erosion and sediment control plan will be prepared prior to commencing earthworks in a new part of the Site.
- 5.35. The potential environmental effects of such earthworks operations are well understood, as are the methods to manage them. Subject to implementing suitable erosion and sediment control measures and following industry best practice, the adverse effects of such activities can be appropriately managed.
- 5.36. The Applicant offers a condition of consent (refer Section 8) requiring that a finalised erosion and sediment control plan is submitted to the FNDC for approval prior to the commencement of earthworks in a new area of the Site. The proposed erosion and sediment controls will be designed and implemented in accordance with Auckland Council Guideline GD05.⁸ Subject to the implementation of these measures, it is considered that the risks of sediment runoff will be minimised and any adverse effects on the water quality of the adjacent streams would be minor and acceptable.

Stormwater runoff from new impermeable areas

- 5.37. The proposed impermeable areas comply with the District Plan's permitted activity standard. As such, the stormwater management assessment criteria in Chapter 11 of the District Plan do not apply.
- 5.38. Notwithstanding the above, it is acknowledged that the temperature of stormwater runoff from heated roofs and pavements will increase as a result of the development. However, this will be reduced to ambient temperature through the proposed bioretention devices before stormwater discharges into the receiving environment.
- 5.39. Methods to control specific contaminants are summarised in **Table 5**.

Table 5: Sources of contaminants and control methods

Contaminant	Source	Control Methods
Oxygen demanding substances	Sewage	Closed sewerage system with standby pumps and at least 24 hours emergency storage
Pathogens	Sewage	

⁸ Leersnyder, H., Bunting, K., Parsonson, M., and Stewart, C. (2018). Erosion and sediment control guide for land disturbing activities in the Auckland region. Auckland Council Guideline Document GD2016/005. Incorporating amendment 1.

Metals	Vehicles (zinc, lead, copper and chromium) Roofs (zinc)	Source control Bioretention devices Avoid uncoated zinc roofs
Hydrocarbons and oils	Pavement Vehicles	Bioretention devices on completion of construction
Pesticides	Orcharding and gardening	Reduction in use
Nutrients	Orcharding and gardening	Reduction in use
Litter	People	Appropriate village management and litter collection

- 5.40. With the appropriate controls, the contaminant load of stormwater discharging from the Site will be lower than the stormwater runoff from the original orchard, garden and pasture usage of the Site.

Natural Hazards

- 5.41. The Site is not susceptible to erosion, falling debris, subsidence or slippage. Subject to the recommendations set out in the Geotechnical Assessment (**Attachment 14**), the Site is considered suitable for residential development.
- 5.42. The margins of the Wairoa Stream and its tributary are susceptible to the 10-year and 100-year ARI floods. Part of the proposed development is located within the 1% AEP floodplain. The proposed flood hazard mitigation includes elevating the streamside building sites to a minimum of 700mm above the modelled 1% AEP MPD + CC flood level. Building floor levels will be at least 200mm above ground level. This will provide more than the minimum 500mm freeboard required by the FNDC and NRC rules.
- 5.43. It is also proposed to excavate the floodplain adjacent to the Wairoa Stream and part of the tributary where flow is currently restricted. This will reduce flood levels and improve access and amenity values alongside the tributary.
- 5.44. Downstream effects of the Proposal have been carefully considered in the design of the proposed stormwater design. In summary,
- The increase in peak runoff from the Site as a result of the proposed development is very small in comparison to the peak flood flows in the adjacent stream.

- b. In a spatially uniform rainfall event with a single peak, the increase in runoff from the Site will not coincide with the peak tributary flow because the two catchments have considerably different times of concentration (time to peak flow at the Site after a rainfall burst in the catchment is 10 minutes, compared with approximately 1.5 hour in the Wairoa Stream).
 - c. The increase in runoff from the Site at the early stage of flood flows in the Wairoa Stream will have no effect on peak flows in the stream.
- 5.45. Stormwater attenuation is often implemented to avoid an increase in peak flow from a new development. Peak stormwater runoff is detained and released slowly over a period of time, typically up to 1 to 2 hours. Modelling undertaken as part of the Engineering Assessment has shown that the increase in peak flows from the Site in a spatially uniform rainfall event with a single peak occurs well before the peak flow in the Wairoa Stream and the tributary and will not add to their peak flows. Therefore, detaining stormwater at the Site and releasing it later would result in increased flows downstream closer to the time of the peak flow in the Wairoa Stream, and thus increase peak flooding.
- 5.46. If a second peak in rainfall coincided with the peak stream flow, the peaks would be additive. However, the probability of two independent 1% AEP events occurring at the same time is remote (0.01% AEP). In the extremely unlikely event that peak flows were additive, the resulting increase in Wairoa Stream flood flows from the Proposal's stormwater discharge would have no observable effect on flood levels.
- 5.47. Based on the above analysis, the proposed stormwater management system provides only minor attenuation. Despite potential perception that unattenuated stormwater flow could have adverse effects downstream, this is considered the best practicable option for the Site and will, in fact, avoid downstream flooding.

Remediation of Contaminated Soils

- 5.48. Site investigations undertaken for the Stage 1 development area identified two localised arsenic hotspots. Consent to remediate these hotspots was granted as part of the Stage 1 applications.
- 5.49. A separate Detailed Site Investigation (DSI) (**Attachment 15**) undertaken in support of the Proposal has identified the following:
 - a. Orchards were present across the Site from approximately 1970 to 2019. Activities such as chemical use via spraying will have taken place within the Site.

- b. Two isolated hotspots with elevated levels of arsenic were identified across the Site (outside of the Stage 1 area). They are labelled Hotspot 3 and Hotspot 4. Each hotspot covers approximately 25m² and extends to 0.3m below ground level, equating to 7.5m³ per hotspot. No further areas of contamination were identified within the Site.
 - c. The maximum level of arsenic recorded at Hotspot 3 is 91 mg/kg, and 39 mg/kg for Hotspot 4 (compared to a Standard Residential scenario limit of 20 mg/kg). No soil samples identified levels of arsenic in exceedance of the produce ingestion or the dermal contact threshold. The main concern for site users is soil ingestion (24 mg/kg).
 - d. Arsenic concentrations at the two sample locations exceeded the human health threshold for the intended residential use (20mg/kg for “standard residential with 10% produce”) but were well within the guidelines for construction workers (72 mg/kg).
- 5.50. The DSI recommends remediation of the arsenic hotspots to protect human health and ecological receptors. The Applicant intends to undertake remediation via excavation and removal to landfill. Works will be undertaken by a Suitably Qualified and Experienced Practitioner (SQEP) in accordance with Contaminated Land Management Guidelines, as follows:
- a. A remediation strategy has been developed to outline and managed the remediation works. The proposed Remediation Action Plan (RAP) and Site Management Plan (SMP) (combined) is included as **Attachment 16**.
 - b. A Site Validation Report (SVR) including validation samples will be prepared to confirm that, following the completion of remediation, the Site will be suitable for its intended use (i.e. the likelihood of significant pollutant linkage to receptors is low/negligible).
- 5.51. The Applicant offers to include an obligation to comply with the combined RAP and SMP and prepare a SVR for certification by FNDC as a condition of consent (refer Section 8). Consequently, following remediation, the Site will be suitable for its intended use.

General Construction Effects

- 5.52. The Site’s zoning anticipates residential development. At 16.66ha, development of a substantial scale is logical to be expected, as are the construction effects associated therewith, including noise, dust and traffic movement.
- 5.53. The relatively contained nature of the Site means that there is only a limited number of potentially affected parties. A range of measures can be implemented to minimise

disruptions and to maintain an acceptable standard of amenity while construction is taking place near these properties.

Construction noise and vibration

- 5.54. With respect to construction noise, the Noise Assessment has identified activities (including vegetation clearing, bulk earthworks and building construction) which may breach the NZS6803:1999 guideline of 70 dB L_{Aeq} as summarised in **Table 6**.

Table 6: Dwellings potentially receiving levels above 70 dB L_{Aeq}

Activity	Dwellings
Vegetation clearing	<ul style="list-style-type: none"> • 57 Hall Road • 15, 17 and 19 Campbell Lane • 26 Limelight Lane
Bulk earthworks	<ul style="list-style-type: none"> • 57 Hall Road • 9, 17 and 19 Campbell Lane • 16 and 26 Limelight Lane
Building construction	<ul style="list-style-type: none"> • 57 Hall Road

- 5.55. The Noise Assessment has recommended mitigation options to either reduce noise to compliant levels (using noise barriers) or reduce noise effects by limiting activities to weekdays.
- 5.56. The District Plan does not contain any rules with respect to vibration. Notwithstanding this, the Noise Assessment has identified that the use of vibratory rollers to compact hardfill under the care building as a potential source of vibration disturbance on 57 Hall Road and has recommended mitigating measures to avoid cosmetic building damage and to minimise effects on the amenity of the occupants of that property.
- 5.57. While construction activities will inevitably cause some disturbance to the amenity of the surrounding residents, these effects can be minimised by adhering to appropriate construction practices. As recommended in the Noise Assessment, the Applicant will prepare a construction noise and vibration management plan (CNVMP) to ensure that the best practicable option is taken to reduce noise and vibration effects to reasonable levels.
- 5.58. Lastly, it is noted that the Proposal will be developed in stages and progressively occupied. This means that only a defined area of the Site will be under construction at any one time. This also means that it will be in KLL's interest to maintain a reasonable standard of amenity for the benefit of its residents as well as its neighbours, as the village is developed.

Construction traffic

- 5.59. It is standard practice as part of the consent conditions for large developments that a construction traffic management plan (CTMP) is proposed to outline how the effects of construction traffic will be managed. The Transportation Assessment considers that a CTMP should include the following:
- a. Construction dates and hours of operation, including any specific non-working hours for traffic congestion, noise etc.
 - b. Truck route diagrams both internal to the Site and externally on the surrounding road network.
 - c. Temporary traffic management signage/details for both pedestrians and vehicles, to appropriately manage the interaction of these existing road users with heavy construction traffic.
 - d. Details of vehicle access/egress during the construction period.
- 5.60. Management of construction traffic was a contentious topic during the processing of the Stage 1 applications and was carefully scrutinised by traffic experts. The resulting traffic management measures, as detailed in the CTMP for Stage 1, provide a robust solution to the issues identified. The Transport Assessment concludes that adopting a similar approach for the Proposal's development stages is an adequate and appropriate method to ensure that construction effects are managed to an acceptable level from a transportation perspective.

Operational Transportation Effects

Effects on Hall Road

- 5.61. As part of the Proposal, KLL proposes to widen the Hall Road carriageway to a consistent width of 6.5m. An upgrade of Hall Road was not considered necessary in relation to Stage 1 of the development and was not a condition of that consent. In relation to the Proposal, it is not considered necessary to upgrade Hall Road until the trip generation associated with the Proposal reaches a level where upgrade is necessary to efficiently and safely accommodate the additional traffic.
- 5.62. Based on the assessment contained in the Transportation Assessment, an upgrade of Hall Road to a 6.5m wide sealed carriageway will only become necessary when the combined traffic flow of the existing Hall Road traffic and the traffic associated with the Proposal reaches around 750 vehicles per day (vpd), which provides for an additional 260 vpd under the Proposal. Therefore, upgrading of Hall Road should occur prior to the occupation of more than, either:

- a. 130 ILUs associated with the Proposal (in addition to the consented 28 ILUs associated with Stage 1); or
 - b. 76 beds of the care facility and 70 ILUs (in addition to the consented 28 ILUs associated with Stage 1); or
 - c. 76 beds of the care facility, the wellness centre and clubhouse, and 25 ILUs (in addition to the consented 28 ILUs associated with Stage 1); or
 - d. Any combination of the above resulting in no more than 260 additional vpd.
- 5.63. The Transportation Assessment concludes that the traffic generation associated with the occupation of the above ILUs or care beds would be able to operate safely and efficiently through the continued use of the passing bays formed as part of the Stage 1 works, which will serve as an interim mitigation measure for Hall Road. The continued use of the passing bays (together with appropriate maintenance) will cater for both the movement of construction vehicles when stages of development are being delivered, as well as for the movement of existing Hall Rd users, and residents, visitors and staff associated with the occupation of the above ILU and care bed configurations. The Transportation Assessment therefore recommends that the passing bays are kept in place until Hall Road is upgraded.
- 5.64. Temporary retention of the passing bays until the upgrade of Hall Road is necessary will sufficiently support the needs of the initial stages of the Proposal and will ensure that two vehicles can safely pass each other without any conflict.
- 5.65. The proposed upgrading of Hall Road rectifies an existing issue with Hall Road, being that it fails to meet FNDC's road engineering requirements. This deficiency is not caused by the Proposal but KLL has agreed (at its cost) to rectify the issue to avoid any impediment that the current standard of the road would potentially present to the Proposal. The proposed upgrade will benefit all users of Hall Road, including existing residents and future users. It will also enable safe access to and from the proposed retirement village.
- 5.66. Following the upgrading of Hall Road, the scale of additional traffic expected to be generated by the Proposal is considered modest and can be readily accommodated. When the Hall Road widening is combined with the footpath along the full length of Hall Road (which KLL is required to construct as a condition of the Stage 1 consent), the Proposal is unlikely to give rise to any adverse effects on the efficiency and safety of Hall Road, and will in fact result in a material net positive effect.

Effects on Kerikeri Road

- 5.67. Hall Road connects onto Kerikeri Road, which is an Arterial Road connecting Kerikeri town centre to State Highway 10. Using data obtained from nearby NZTA traffic count

stations, the Transportation Assessment estimates that traffic along Kerikeri Road will increase by 6% per annum for the foreseeable future.

- 5.68. The Hall Road leg of the “T” intersection is controlled by a “Give Way” sign. There is a painted flush median within Kerikeri Road that serves as a right turn bay. The intersection is on a straight portion of the road with excellent visibility (more than 200m) in both directions.
- 5.69. Recognising that the traffic from the Site will use this intersection, the Transport Assessment provides a detailed assessment of the effects of the Proposal on the performance of the intersection. Traffic survey undertaken as part of the Transportation Assessment indicates that the morning peak hour of the intersection is from 8-9am and the afternoon peak hour is from 4:30-5:30pm.
- 5.70. It is estimated that, on completion, the Proposal will generate 55 and 58 vehicle trips per hour during the morning and afternoon peaks, respectively. However, it is noted that the peak hours of traffic generation for retirement villages generally differ from the peak hours on the wider roading network. This is because retired residents, in general, are able to adjust their travel to avoid peak traffic hours. It is anticipated that residents at the Proposal will similarly elect to avoid the busier periods of traffic on Kerikeri Road.
- 5.71. The above observation is consistent with assessments undertaken for other retirement villages. For example, a June 2019 trip generation survey of Arvida’s Lauriston Park Retirement Village found that the peak hour periods for the retirement village were 9-10am in the morning peak and 2:30-3:30pm in the afternoon peak. It is anticipated that the current Proposal will similarly have a peak generation period that avoids, and therefore does not materially contribute to the wider roading network’s peak traffic hours.
- 5.72. Taking the above into consideration, the effect of the forecast development traffic volumes on the performance (“Level of Service” or “LOS”) of the Kerikeri Road/Hall Road intersection has been assessed in the Transportation Assessment. Sidra⁹ models were created for the morning and afternoon peak hour periods of the on-road peak periods, as well as the anticipated peak periods related to the retirement village Proposal, and assessed against existing (2020) and future (2025) scenarios.
- 5.73. The modelling results show that the intersection performs at a reduced LOS in the morning peak hour when the primary traffic flows through the intersection are Kerikeri Road traffic. However, the results demonstrate that the reduction in the LOS at the Kerikeri Road intersection is primarily the result of growth in traffic along Kerikeri Road,

⁹ Sidra Intersection, which is a software package used for intersection and network capacity, level of service and performance analysis.

rather than a consequence of the Proposal. Indeed, none of the peak hours show any reduction in the LOS as a result of the Proposal.

- 5.74. The Transportation Assessment considers that the intersection performance is acceptable with the exception of a limited period during the morning peak hour, which is due to the extent of the existing traffic on Kerikeri Road. It further considers that that the Proposal is unlikely to be noticeable or adversely affect the efficiency of the road network in the vicinity of the Site, and is unlikely to have an adverse effect on the safety of the surrounding road network.
- 5.75. Overall, the Transportation Assessment concludes that the scale of additional traffic expected to be generated by the development will be modest and can be accommodated within the adjacent road network and as a result no intersection upgrades are recommended.

Access and car parking

- 5.76. Resource consent is sought for breaching Rule 15.1.6C.1.1 of the District Plan, which states that “[a] private accessway may serve a maximum of 8 household equivalents”. It is likely that this rule was designed to be applied to conventional residential subdivisions. This is because sharing of a common driveway by multiple parties, through mechanisms such as easements or a jointly owned access lot, can give rise to conflict over its use and maintenance obligations. These conflicts are relatively manageable where only a few parties are involved but can become more problematic as the number of parties increases.
- 5.77. Such concerns do not exist in a retirement village setting as the maintenance of internal roads (and other infrastructure) are the responsibility of the Village Manager. This “non-compliance” is therefore technical in nature and does not give rise to any actual or potential adverse effects on the environment in the context of the Proposal.
- 5.78. Other aspects of the internal transport provisions, including on-site parking and manoeuvring, comply with the District Plan standards as confirmed by the Transportation Assessment. No further assessment is considered necessary as part of this AEE.

Wastewater and Water Supply

- 5.79. The Engineering Report confirms that the proposed development can be appropriately serviced in terms of water supply and wastewater infrastructure. This avoids any direct environmental effects associated with the abstraction of ground/surface water (which is restricted under s14 of the RMA) or the discharge of effluent into the environment (which is restricted under s15 of the RMA). No adverse environmental effects will arise.

Effects on Cultural Heritage

- 5.80. The District Plan does not record any Sites of Cultural Significance to Maori within or in the vicinity of the Site. Therefore, the proposal is not considered to give rise to any adverse effects on cultural values which cannot be avoided or mitigated through standard conditions.
- 5.81. The District Plan does not record any archaeological sites within the Site either. The New Zealand Archaeological Association's online maps identify a potential archaeological site (P05/42) within 56 Hall Road. However, archaeological evidence presented as part of the Stage 1 hearing confirmed that this record was incorrectly plotted and is not on the Site and is in fact located five miles to the east of the Site.
- 5.82. The Archaeological Appraisal report (**Attachment 17**) prepared for the Site and the adjacent property at 56 Hall Road determined that it is unlikely that archaeological remains would be exposed/affected as a result of the proposed development, but the possibility cannot be excluded. However, any risk can be appropriately dealt with by a provision for an accidental discovery protocol. In the unlikely event that archaeological remains are exposed during works, the provisions of the Heritage New Zealand Pouhere Taonga Act 2014 would apply.
- 5.83. In addition, an agreement has been reached with Ngati Rehia to undertake a cultural impact assessment of the proposed development. This will be provided to the FNDC in due course.

Social and Economic Effects

- 5.84. New Zealand has an aging population. There were 607,032 usual residents aged 65 years and over (65+) at the time of the 2013 Census. By 2038, the number of people aged 65+ is projected to more than double, to reach 1,285,800.¹⁰
- 5.85. The proportion of the New Zealand population that is aged 65+ is also increasing. In 1981 this age group made up 9.9 percent of the population, and in 2013 it was 14.3 percent. It is projected to be just over one-quarter (26.7 percent) of the population in 2063.
- 5.86. Northland had the second highest proportion of people aged 65+ (out of the 16 regional and unitary councils) in the 2013 Census, at 18.3 percent. In Kerikeri, 24.2 percent of the population were in the 65+ age group (1.7 times the national average).¹¹
- 5.87. An aging population will dampen population growth, but there will be more households, partly because of the trend to fewer people per household. The average household size fell from 3.7 people in 1951 to 3.0 people in 1981, and is projected to decline to

¹⁰ Statistics New Zealand (2015) *2013 Census QuickStats about people aged 65 and over*

¹¹ Statistics New Zealand (2013) *QuickStats - Kerikeri*

2.4 people by 2031. This is driven by more single person and couple-only households.¹²

- 5.88. The socio-economic implications of these trends (i.e. aging population and smaller households) need to be recognised and factored into decision-making under the RMA as part of the Act's purpose to enable "people and communities to provide for their social, economic, and cultural well-being and for their health and safety".
- 5.89. Taking the above into consideration, the Proposal is considered to have the following positive social and economic effects:
- a. The Proposal accords with the District Plan's zoned intentions for the Site and enables the District Plan's policy aspirations to be realised.
 - b. The Proposal introduces 172 additional ILUs for relatively independent residents, enabling them to move into retirement living at an earlier age. Once fully occupied, these residents are likely to vacate the equivalent of 200 conventional dwellings. In turn, this will contribute measurably to the local supply of housing, which may become available for younger families.
 - c. The Proposal provides a 76-bed care facility for people who require long term residential care or specialised dementia care. This will provide a valuable facility for the community while allowing future residents of the ILUs to age-in-place as their needs change.
 - d. The Proposal will generate employment and business opportunities for the community. These effects have not been quantified by KLL but are likely to be significant given the scale of the retirement village and, consequently, the economic activity it will generate both during construction and following occupation.
- 5.90. Overall, it is considered that the positive social and economic effects of the Proposal will be significant for Kerikeri.

¹² Statistics New Zealand (2013) *How will New Zealand's ageing population affect the property market?*

6.0. RELEVANT PLANNING PROVISIONS

- 6.1. The following is an assessment of the Proposal against the relevant provisions of the District Plan, the Regional Policy Statement for Northland ("RPS"), the National Policy Statement on Urban Development Capacity ("NPS") as well as Part 2 of the RMA, as required by s 104(1)(b) of the Act.

Far North District Plan

- 6.2. The District Plan regulates the development, use and any subdivision of land. The District Plan was notified in April 2000 and became fully operative in August 2009. A review of the District Plan is underway. However, no Proposed District Plan has been notified to date.
- 6.3. Section 4 and Section 5 of this report have identified, respectively, the consent triggers and the relevant assessment criteria under the District Plan. These have defined the scope of the above assessment of effects. The following section evaluates the findings of the above assessment against the objectives and policies of the District Plan.

Chapter 7 - Urban Environment

- 6.4. The introduction to the Urban Environment chapter explains that the various urban areas within the District have distinct, and often unique, amenity values. Amenity is protected in the District Plan by providing separate zones for housing, industry and commerce. The Site is zoned Residential, which is the only available "urban" residential zone under the District Plan. The stated environmental outcomes for the zone anticipate residential areas containing a range of activities that are compatible, in terms of their effects, with the predominant residential use and character of those areas.
- 6.5. The following Residential zone objectives and policies are considered to be relevant to the Proposal:

7.6.3 Objectives

- 7.6.3.1 To achieve the development of new residential areas at similar densities to those prevailing at present.
- 7.6.3.2 To enable development of a wide range of activities within residential areas where the effects are compatible with the effects of residential activity.

7.6.4 Policies

- 7.6.4.1 - 7.6.4.3 are not considered relevant as the Site is already zoned Residential.

- 7.6.4.4 That the Residential Zone provide for a range of housing types and forms of accommodation.
 - 7.6.4.5 That non-residential activities only be allowed to establish within residential areas where they will not detract from the existing residential environment.
 - 7.6.4.6 That activities with net effects that exceed those of a typical single residential unit, be required to avoid, remedy or mitigate those effects with respect to the ecological and amenity values and general peaceful enjoyment of adjacent residential activities.
 - 7.6.4.7 That residential activities have sufficient land associated with each household unit to provide for outdoor space, planting, parking and manoeuvring.
 - 7.6.4.8 That the portion of a site or of a development that is covered in buildings and other impermeable surfaces be limited so as to provide open space around buildings to enable planting, and to reduce adverse hydrological, ecological and amenity effects.
 - 7.6.4.9 That sites have adequate access to sunlight and daylight.
 - 7.6.4.10 That provision be made to ensure a reasonable level of privacy for inhabitants of buildings on a site.
- 6.6. Of particular relevance to the Proposal, Policy 7.6.4.4 specifically recognises and provides for “a range of housing types and forms”.
 - 6.7. Relevant to Policy 7.6.4.5 and Policy 7.6.4.6, the intensity of use associated with a retirement village is less than that of a comparable residential subdivision, due to factors such as fewer occupants per unit and fewer vehicle trips (particularly during peak traffic hours). Moreover, the single storey nature, design and treatment of the larger buildings that make up the Proposal, in particular the care building, successfully moderate their scale so that they are compatible with the character and amenity expectations of the Residential zone.
 - 6.8. In terms of Policy 7.6.4.7, the proposed units are provided with adequate on-site parking and manoeuvring, and a high standard of outdoor space, both private and communal.
 - 6.9. Consistent with Policy 7.6.4.8, the Proposal complies with the permitted impervious area threshold and includes extensive landscape planting.
 - 6.10. Due to the low-rise and spacious nature of the proposed development, no shading (Policy 7.6.4.9) or privacy (7.6.4.10) concerns arise.

- 6.11. Overall, the Proposal is assessed to be entirely consistent with the Residential zone objectives and policies.

Chapter 15 – Transportation

- 6.12. The following transportation objectives and policies are considered relevant:

15.1.3 Objectives

- 15.1.3.1 To minimise the adverse effects of traffic on the natural and physical environment.
- 15.1.3.3 To ensure that appropriate provision is made for on-site car parking for all activities, while considering safe cycling and pedestrian access and use of the site.
- 15.1.3.4 To ensure that appropriate and efficient provision is made for loading and access for activities.
- 15.1.3.5 To promote safe and efficient movement and circulation of vehicular, cycle and pedestrian traffic, including for those with disabilities.

15.1.4 Policies

- 15.1.4.1 That the traffic effects of activities be evaluated in making decisions on resource consent applications.
- 15.1.4.6 That the number, size, gradient and placement of vehicle access points be regulated to assist traffic safety and control, taking into consideration the requirements of both the New Zealand Transport Agency and the Far North District Council.
- 15.1.4.7 That the needs and effects of cycle and pedestrian traffic be taken into account in assessing development proposals.

- 6.13. The introductory text to the transportation chapter states that the main emphasis of the chapter is on the provision of parking and access in association with land uses on private property. Associated public transportation facilities, such as footpaths and cycleways, are generally provided for at the time subdivision of land is approved. It goes on to state that the FNDC “will continue to make provision for new roading and roading improvements through the Annual Plan, 30-Year Infrastructure Plan and the Long Term Plan.”
- 6.14. The stated approach is consistent with KLL’s understanding of the role of local government in developing and maintaining road infrastructure. Notwithstanding this, given Hall Road’s current width, the Applicant proposes to widen Hall Road to 6.5m as part of its Proposal (per the offered condition in Section 8). These are in addition to installing a 1.5m wide footpath along the full length of Hall Road as part of the

consented Stage 1 development. No upgrading of the Kerikeri Road intersection is considered necessary based on the detailed analysis undertaken in the Transportation Assessment.

- 6.15. Overall, with reference to Policy 15.1.4.1, it is considered that the traffic effects of the Proposal have been rigorously assessed. Subject to widening the Hall Road carriageway to 6.5m at the appropriate time (i.e. before the Proposal generates more than 260 additional daily vehicle trips), the traffic effects of the Proposal are considered to be acceptable and can be accommodated by the adjacent road network.

Chapter 12 – Natural and Physical Resources

- 6.16. The relevant objectives and policies concerning land disturbance activities are found in **Section 12.3 (Soils and Minerals)**. These provisions seek to maintain the life-supporting capacity of soils within the District (Objective 12.3.3.2 and Policy 12.3.4.5) and ensure that the adverse effects of earthworks, in particular soil erosion, are avoided, remedied or mitigated (Objective 12.3.3.3 and Policy 12.3.4.1).
- 6.17. The Proposal will remove the Site from productive rural uses to enable urban residential development. This aligns with the intent of the Residential zone and therefore does not conflict with the District Plan's provisions which seek to maintain the life-supporting capacity of soils. The above assessment has concluded that the risks of sediment runoff can be minimised with the implementation of appropriate controls such that adverse effects on water quality will be minimal.
- 6.18. In terms of **Section 12.4 (Natural Hazards)**, the Proposal involves hazard mitigation works within the areas that are subject to flooding. Building floor levels will exceed the minimum 500mm freeboard required by the NRC and FNDC rules. Stormwater runoff from the Site will not result in any downstream flooding.
- 6.19. **Section 12.7 (Lakes, Rivers, Wetlands and The Coastline)** is of relevance due to the encroachment of the five ILUs and a retaining wall within 26m of the Wairoa Stream, but also the Proposal generally. In broad terms, these provisions seek to avoid, remedy or mitigate the adverse effects of development on riparian margins; and to protect and enhance these areas through proactive restoration, rehabilitation or revegetation. This is achieved through the following policies:

12.7.4 Policies

12.7.4.1 That the effects of activities which will be generated by new structures on or adjacent to [rivers] be taken into account when assessing applications.

12.7.4.2 That land use activities improve or enhance water quality, for example by separating land use activities from [rivers] and retaining riparian vegetation as buffer strips.

12.7.4.3 That adverse effects of land use activities on the natural character and functioning of [riparian margins] be avoided.

12.7.4.11 That the extent of impervious surfaces be limited so as to restore, enhance and protect the natural character, and water quantity and quality of lakes, rivers, wetlands and the coastline.

12.7.4.15 To encourage the integrated protection and enhancement [riparian margins] through [planting of indigenous vegetation and weed control].

- 6.20. The Proposal is considered to be consistent with the above policies because the proposed buildings are generally well set back from the Wairoa Stream and the tributary. Five of the proposed dwellings and a retaining wall breach the 26m riparian setback rule, however no adverse effects on natural character and the functioning of the riparian areas arise. The proposed riparian enhancement works (revegetation and weed management) are consistent with and give effect to the above policies.
- 6.21. For completeness, it is noted that, as the Proposal does not involve the subdivision of land, the requirement for esplanade reserves or esplanade strips under s 230 of the RMA does not apply.
- 6.22. **Section 12.8 (Hazardous Substances)** requires that contaminated areas are used, managed and redeveloped in a manner which prevents or mitigates any adverse environmental effects and risks (Policy 12.8.4.5). This Policy overlaps with the purpose of the NESCS, which sets out a more detailed framework for assessment and managing contaminants in soils for the purpose of protecting human health. The proposed remediation strategy addresses the requirements of both the NES and this Policy.

Draft District Plan 2018

- 6.23. A review of the District Plan is underway and a Draft District Plan was notified for public consultation in December 2018. The Draft District Plan has no formal status under the RMA but is considered a relevant “other matter” under s 104(1)(c).
- 6.24. The Draft District Plan sets out the proposed policy framework for the new plan. It does not include maps, definitions or specific rules/standards, but sets the scene for future development of those details. Significantly, the Draft District Plan moves away from the current “effects-based” approach to a more “plan-led” approach. It seeks to more clearly define what activities are appropriate in which locations. As discussed below, this policy shift is considered necessary to give effect to the RPS’s policies on urban development.
- 6.25. Without maps which identify the location of residential zones, it is only possible to surmise that development of the Site as a retirement village would be consistent with the future provisions of the Draft District Plan.

6.26. Relevant to the present application, the Draft District Plan recognises “retirement villages” as an anticipated and appropriate form of development within a residential environment. This is reflected in Residential Zone Policy 3, which states: “*Enable a variety of housing types at higher densities in the Residential zone, including...retirement villages*”. This policy provides clear confirmation that retirement villages are a recognised residential housing type.

6.27. Since notification of the Draft District Plan, the Government has adopted the first set of National Planning Standards which defines “retirement village” as follows:

[A] managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities.

6.28. This definition clarifies that the presence of ancillary facilities within a retirement village does not undermine the residential nature of the village.

Regional Policy Statement for Northland

6.29. The RPS became operative on 9 May 2016. The purpose of the RPS is to promote the sustainable management of Northland’s natural and physical resources by providing an overview of its resource management issues, and policies and methods to achieve integrated management of its natural and physical resources. The RPS does not contain specific rules that trigger the requirement for consent but rather give guidance to the development of district and regional plans and, in some cases, the consideration of resource consent applications.

6.30. A district plan must give effect to the relevant regional policy statement. The District Plan was made operative prior to the promulgation of the RPS. It is therefore possible there may be inconsistencies between these two documents. Indeed, comparing the District Plan’s and the RPS’s policies on urban development, the RPS provisions are much more directive. In this respect, the current District Plan provisions do not give effect to the RPS and this would need be addressed through the district plan review.

6.31. Notwithstanding the above, nothing in the RPS appears to suggest that development of land already earmarked for urban residential purposes under the current District Plan should not be allowed for any high-level policy reasons.

National Policy Statement on Urban Development Capacity

6.32. The National Policy Statement on Urban Development Capacity (NPS:UDC) came into effect on 1 December 2016 and requires consideration under s104(1)(b) of the RMA. The NPS recognises the national significance of:

- a) Urban environments and the need to enable such environments to develop and change; and
 - b) Providing sufficient development capacity to meet the needs of people and communities and future generations in urban environments.
- 6.33. The NPS directs decision-makers, when making planning decisions that affect the way and the rate at which development capacity is provided, to have regard to¹³:
- a) Providing for choices that will meet the needs of people and communities and future generations for a range of dwellings types and locations; and
 - b) Promoting the efficient use of urban land and infrastructure.
- 6.34. When considering the effects of urban development, decision-makers are required to take into account¹⁴:
- a) The benefits that urban development will provide with respect to the ability for people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing; and
 - b) The benefits and costs of urban development at a national, inter-regional, regional and district scale, as well as the local effects.
- 6.35. The Proposal will benefit the future occupants of the retirement village and their families by providing a high quality, master-planned retirement village with aged-care facilities. The Proposal will also benefit the community by contributing to the supply and choice of housing in a manner that is consistent with the purpose of the Residential zone.
- 6.36. Overall, it is considered that the Proposal promotes the purpose of the NPS:UDC and is consistent with its policies.

Part 2 of the RMA

- 6.37. The considerations under s 104(1) are subject to Part 2 of the RMA, which sets out the Act's purpose (s 5) and principles (ss 6-8). The purpose of the RMA is to promote the sustainable management of natural and physical resources. "Sustainable management" is defined in s 5(2) to mean:

¹³ PA3, Items (a) and (b) of the NPS

¹⁴ PA4, Items (a) and (b) of the NPS

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 well-being 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.

6.38. The Court of Appeal in *R J Davidson Family Trust v Marlborough District Council* [2018] NZCA 316 ("*Davidson*") held that the legal principle in *King Salmon* applies to the consideration of applications for resource consent under s 104(1) insofar as it would be inconsistent with the scheme of the Act to allow planning documents to be rendered ineffective by general recourse to Part 2. Commenting on the implication of the words "subject to Part 2" in s 104(1), the Court of Appeal explained:

[75] If a plan that has been competently prepared under the Act it may be that in many cases the consent authority will feel assured in taking the view that there is no need to refer to pt 2 because doing so would not add anything to the evaluative exercise. Absent such assurance, or if in doubt, it will be appropriate and necessary to do so.

6.39. The foregoing assessment of the Proposal against the regional and district planning instruments did not result in any irreconcilable issues or questions relating to the competency of the planning process. As such, it is not considered necessary to refer to Part 2 to determine this application.

6.40. Notwithstanding the above, and for the avoidance of any doubt, it is considered that the purpose of the RMA will be served by granting consent to this application for the following reasons:

- a) In the absence of any outstanding or significant landscape, ecological or cultural features in the vicinity of the Site, it is considered that the Proposal does not raise any matters of national importance set out in s 6 of the RMA.
- b) The Proposal makes efficient and appropriate use of an underutilised land resource (s 7(b)) while enhancing amenity values and quality of the environment through high quality design and significant investments in the project (s 7(c) and (f)).
- c) In terms of s 6(e), s 7(a) and s 8 of the RMA, the Site does not contain any identified cultural heritage features or known archaeological sites. Therefore, the proposed development is not considered to adversely affect cultural values or be inconsistent with the principles of the Treaty of Waitangi. KLL has

respected the relationship of iwi with the wider area and has entered into a memorandum of understanding with the Ngati Rehia in relation to the Proposal.

- d) Overall, the Proposal promotes the sustainable management of natural and physical resources by providing accommodation opportunities on land zoned for that purpose, while ensuring that any adverse effects of the activities on the environment are avoided, remedied and mitigated through considered design responses.

7.0. CONSULTATION AND NOTIFICATION REQUEST

- 7.1. Prior to making this application, KLL has engaged with local residents and Ngati Rehia representatives. A summary of stakeholder engagement is provided in **Attachment 18**. KLL intends to maintain communications with its neighbours and other stakeholders.
- 7.2. To ensure that all interested parties are given the opportunity to review and comment on the Proposal, the Applicant requests public notification of this application in terms of s 95A(3)(a) of the RMA. The Applicant further requests that the application be notified jointly with the separate application lodged with FNDC.
- 7.3. If both applications attract submissions from parties wishing to be heard, it is anticipated that a joint hearing would be required.

8.0. SUGGESTED CONDITIONS OF CONSENT

- 8.1. Without limiting the FNDC's ability to impose conditions under s 108 of the RMA, the following conditions are offered by KLL as part of the Proposal:

Residential Intensity Rule (Sewered Sites)

- a. The residential units (ILUs), care facilities, wellness centre and the clubhouse buildings that are authorised by these consents shall not be occupied/used until the consent holder has received confirmation from the FNDC's [assets and infrastructure] department that the Site is able to connect to an existing lawfully established reticulated sewage disposal system.

Note: the reference to "an existing lawfully established reticulated sewage disposal system" is consistent with the definition of "sewered"¹⁵ under the District Plan.

Construction Noise and Vibration

- b. Prior to the site works authorised by these consents commencing, the consent holder shall prepare a Construction Noise and Vibration Management Plan (CNVMP) and submit it to FNDC's resource consents monitoring officer for certification. The CNVMP shall identify the applicable noise and vibration limits and the proposed noise mitigation measures, protocols, and monitoring and reporting requirements in accordance with the Noise Assessment prepared by Marshall Day Acoustics, dated 17 February 2020.

Construction Traffic

- c. Prior to the site works authorised by these consents commencing, the consent holder shall prepare a Construction Traffic Management Plan (CTMP) for certification by FNDC's corridor access engineer. The CTMP shall be prepared by a suitably qualified traffic engineering specialist and shall include, as a minimum:
- i. Construction dates and hours of operation, including any specific non-working hours for traffic congestion, noise etc.
 - ii. Truck route diagrams both internal to the Site and externally on the surrounding road network.

¹⁵ Sewered shall mean land which is either: (a) able to connect to an existing lawfully established reticulated sewage disposal system, or (b) able to be provided with, as part of the subdivision, a reticulated sewage disposal system, whether publicly or privately owned, for which all necessary approvals have been granted

- iii. Temporary traffic management signage/details for both pedestrians and vehicles, to appropriately manage the interaction of these existing road users with heavy construction traffic.
- iv. Details of vehicle access/egress during the construction period.

Earthworks

- d. Prior to the commencement of earthworks in a new area of the Site authorised by these consents, an Erosion and Sediment Control Plan (ESCP) shall be submitted to the FNDC for certification. The ESCP shall be prepared and implemented in general accordance with Auckland Council Guideline Document GD05, having regard to the site-specific considerations identified in the Site Suitability Report prepared by Haigh Workman, dated March 2020, and:
 - i. A suitably qualified engineering professional shall provide written certification to FNDC that the erosion and sediment control measures have been installed in accordance with the certified ESCP.
 - ii. The operational effectiveness and efficiency of all erosion and sediment control measures shall be maintained throughout the duration of earthwork operations, or until the site is permanently stabilised against erosion.
 - iii. The area of bare soil exposed on the Site shall not exceed a maximum of 50,000m² at any one time.
- e. Prior to the commencement of earthworks authorised by these consents, the consent holder shall prepare a lizard salvage and relocation plan as recommended in the Ecological Assessment prepared by NZ Environmental, dated 11 February 2020. A copy of this plan shall be submitted to the FNDC for its record.

Site Validation (Contaminated land)

- f. Within three months of the completion of earthworks on the Site authorised by these consents, the consent holder shall submit a Site Validation Report (SVR) confirming that the Site is at or below soil contaminant standards for the adopted exposure scenario of the Haigh Workman DSI report dated 14 February 2020. The SVR plan shall be prepared by a suitably qualified and experienced practitioner (SQEP) and submitted for the approval of FNDC's resource consents monitoring officer or designate.

Environmental Enhancement

- g. Within 12 months of the commencement of site works authorised by these consents, the consent holder shall prepare a planting and weed management plan for the riparian areas of the Wairoa Stream and the unnamed tributary adjoining the Site. The plan shall identify the proposed weed clearance and infill planting / replanting activities within the riparian areas as recommended in the Ecological Assessment prepared by NZ Environmental, dated 11 February 2020. A copy of this plan shall be submitted to the FNDC for its record.

Hall Road widening

- h. Prior to the occupation and use of more than:
- i. 130 ILUs associated with the Proposal (in addition to the consented 28 ILUs associated with Stage 1); or
 - ii. 76 beds of the care facility and 70 ILUs (in addition to the consented 28 ILUs associated with Stage 1); or
 - iii. 76 beds of the care facility, the wellness centre and clubhouse, and 25 ILUs (in addition to the consented 28 ILUs associated with Stage 1); or
 - iv. Any combination of the above resulting in no more than 260 additional vpd,

the consent holder shall ensure that Hall Road has been upgraded in general accordance with the following standards:

- A carriageway width of no less than 6.5m over its full length; and
- FNDC's engineering standards; and
- NZS4404:2004.

- 8.2. The Applicant also proposes to amend Condition 1 of RC2190387 as follows: (added text underlined)

That subject to incorporating any changes necessary by the following conditions, land use shall be carried out in general accordance with the application prepared by Haines Planning, the supporting technical assessments and various further information, including the plans attached to this consent and marked 'approved'. This includes:

- The architectural drawings prepared by Ignite, dated 14 December 2018, except that the two-bedroom ILU at the north-eastern corner of the Stage 1 area (as shown on A1031, Rev A, dated 14 December 2018) is replaced by a

duplex of one-bedroom ILUs as shown on A1031, Rev B, dated 31 January 2020.

- The Appendix A drawings attached to the 'Stage 1 enabling works report for the proposed retirement village 56 and 57C Hall Road for Arvida Group' prepared by Haigh Workman, reference 18 282, dated November 2018.

9.0. CONCLUSION

- 9.1. The Proposal seeks resource consent for Stage 2 of a comprehensively planned retirement village on Residential zone land. The nature, intensity and design of the Proposal strongly align with the purpose of the Residential zone and substantially comply with the relevant provisions.
- 9.2. A key trigger for consent relates to the exceedance of the traffic intensity threshold. This has been the subject of detailed analysis and it is concluded that, subject to the proposed mitigation measures, the Proposal will have acceptable effects on traffic movement and safety.
- 9.3. The other matters for consent are generally of a technical nature and their effects are either considered acceptable or can be appropriately managed through consent conditions.
- 9.4. The Proposal has been assessed to be consistent with the relevant planning objectives and policies and Part 2 of the RMA.
- 9.5. As a matter of process, the Applicant is requesting public notification of this application pursuant to s 95A(3)(a) of the RMA. Subject to reviewing any matters arising from submissions, it is considered that the Proposal merits the grant of consent.

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DATE:

13 March 2020

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