Boffa Miskell

Summerset Prebbleton

Resource Consent Application
Prepared for Summerset Villages (Prebbleton) Ltd

25 September 2020

Document Quality Assurance

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Cover photograph: [Existing Meadow Mushrooms Building off Springs Road, © James Bentley, 2020]

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1.0 Introduction

The purpose of this document is to provide an assessment of the effects of establishing a retirement village at 578 - 606 Springs Road, Prebbleton, comprising a range of residential typologies that will meet the needs of elderly persons within a safe and attractive living environment.

This Assessment of Environmental Effects (AEE) comprises three parts:

Part 1 contains:

- application and property details;
- a description of the site at which the activity is to occur and surrounding environment; and
- a description of the activity.

Part 2 contains an assessment of the activity:

- against relevant objectives, policies, or rules in the Selwyn District Plan;
- in terms of its effects on the environment; and
- an assessment against section 95-95E of the Act.

Part 3 contains an assessment of the activity:

- against relevant objectives, policies, or rules in the Canterbury Land and Water Regional Plan, and the Canterbury Air Regional Plan;
- in terms of its effects on the environment; and
- an assessment against section 95-95E of the Act.

An AEE is required to accompany any application for resource consent under Section 88 of the Resource Management Act 1991 (RMA). This AEE has been prepared in accordance with the Fourth Schedule of the RMA, covering those matters of relevance identified in the Selwyn District Plan, the Canterbury Land and Water Regional Plan, and the Canterbury Air Regional Plan. Consent is also sought under the National Environmental Standard – Managing Contaminants in Soil for Human Health (NES-CS).

All necessary consents are sought to enable the development, occupation and operation of the comprehensive care retirement village. If other consent triggers beyond those summarised on the application form(s) (Form 9) and this AEE were identified by either the Selwyn District Council or Environment Canterbury, consent is also sought for those matters.

PART 1

2.0 Applicant and Property Details

A completed copy of the relevant application forms are enclosed as **Appendix 1**. The summary details relating to the applicant and subject site are as follows:

To:	Selwyn District Council Canterbury Regional Council
Applicant's Name:	Summerset Villages (Prebbleton) Limited
Address for Service:	Boffa Miskell Ltd PO Box 110, Christchurch 8140 Attn: Claire Kelly Phone: 03 353 7561 Email: clairek@boffamiskell.co.nz
Address for Fees:	Summerset Group Holdings Ltd PO Box 5187 Wellington 6140 Attention: Phill Stanley
Site Address:	578 Springs Road, Prebbleton
Legal Description:	Lot 1 DP548161
Owner/Occupier Name and Address:	Summerset Villages (Prebbleton) Limited
Site Area:	91,142m^2
District Plan	
District Plan Zoning:	Living X
Designations / Limitations:	None.
Pre-Application Reference Number:	None – pre-application meeting held on 13th August with additional meeting with Gabi Wolfer on 27th August.
Canterbury Regional Council (ECan)	
Aquifers:	Semi-confined or unconfined aquifers. Northwest corner is in the Coastal Confined Gravel Aquifer System.
Combined Surface and Groundwater Allocation Zone:	Selwyn-Waimakariri
Pre-Application Reference Number:	RMA210368

3.0 Description of the Site

The Site comprises one lot (Lot 1 DP548161, hereafter referred to as 'the Site'). The Site was originally two lots (Lot 1 DP46168 and Lot 104 DP328501) that were amalgamated by Summerset in 2020.

The Site is located at 578 Springs Road, within the settlement of Prebbleton. Prebbleton is located to the southwest of Christchurch and has become an increasingly desirable place to live with substantial growth occurring in the last 10-15 years.

3.1 History of the site

Aerial photographs[1] show that the site was agricultural land in the 1940s and it was not until approximately 1970 that Meadow Mushrooms established a mushroom farm on part of Lot 1 DP46168. Aerial photographs from the 1970s clearly show several buildings associated with the mushroom farm. By the early 1980s the operation had expanded onto the land to the south, with a range of new purpose-built buildings. Aerial imagery from 1985-1989 shows boulder pits for processing wastewater from the mushroom factory to the south (see Figure 1 below).

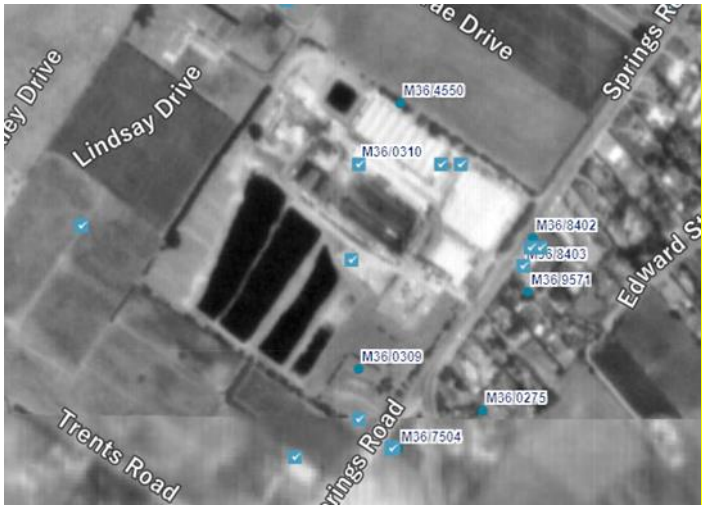

Figure 1: Canterbury Maps: Canterbury Imagery 1985-1989

By the late 1990s, the boulder pits had fallen into dis-use and had been grassed over, but the buildings remained, and the site continued to operate as a mushroom farm. However, a new facility was opened at Wilmers Road in 2011 and operations slowly started to move to that site, including all administrative staff in 2017. The remaining mushroom growing and processing operations ceased in 2020.

A separate legal parcel (previously Lot 104 DP328501), to the north of the main site, was purchased by Meadow Mushrooms in 2003, at about the time that Cairnbrae Drive was being subdivided and developed. The reason for purchasing that land was to create a noise/odour

[1] www.canterburymaps.govt.nz

buffer between the mushroom factory and the residential development to the north. This part of the site was subject to a Consent Notice that required:

- Structures must be erected no closer than 9m from the Springs Road frontage; and
- No fences can be erected closer than 5 metres from the Springs Road frontage; and
- That any fence facing Springs Road within Lot 104 must be no more than 1.8 metres in height and shall be of a standard design approved by the Selwyn District Council, with any approved batons internal to the allotment.

However, in agreement with SDC, the Consent Notice has been removed from the certificate of title, to facilitate a comprehensive design and use of the site that ensures a high level of amenity for residents and the surrounding area.

3.2 Site location and character

The Site is located on the north-western side of Springs Road within the village of Prebbleton, some 13km southwest of Christchurch (illustrated in Figure 2). The Site is currently occupied by the Meadow Mushrooms Factory, with two grassed paddocks to the south and north of the factory buildings. The Site is accessed from Springs Road with three entrances near the old growing rooms and office building, and the tray repair building.

Figure 2: Site Location

The Site sits within the centre of the township of Prebbleton, with a mix of housing typologies constructed as early as the 1930s and 1940s, through to houses built in the 2000s and more recent subdivision development. Prebbleton itself is still a growing township, with subdivisions such as Stirling Park and Village Estates at Prebbleton (600 metres northeast of the Site) currently under construction. Many of the newer houses within the Stirling Park, Trent Park and Cairnbrae subdivisions are single storey houses, largely clad in brick or linear weatherboard and orientated to the northwest. Houses built during the 1930s and 1940s are found on Springs Road and are usually two-storey dwellings being commonly clad in white weatherboard.

Situated in the Canterbury Plains the topography of the Site is flat, with expansive views of the Port Hills to the east and the Southern Alps to the west. Nearby landmarks include the Prebbleton Nature Park 500 metres south of the Site, Prebbleton School 500 metres north of the Site, and the Christchurch Southern Motorway approximately 2.5 kilometres from the Site. Springs Road is the primary access route through Prebbleton, connecting townships such as Lincoln and Springston to the Christchurch Southern Motorway and the larger settlements and industrial areas within Hornby and Wigram.

3.3 Description of the site

The Site is 91,142m^2 in area. It currently contains several very large buildings towards the northern part of the Site, which extend from Springs Road to near the western Site boundary. These buildings are separated from the residential properties to the north by a 2.5-metre-high grassed bund and a 40-metre-wide grassed area.

That part of the Site to the south of the buildings is grassed with bunding around a significant portion of this area, where wastewater from the mushroom factory was treated many years ago. The land within the bunds is lower than the surrounding land, and more recently was used as a horse training facility. There are also two wastewater treatment ponds to the west of the buildings.

The road boundary is heavily vegetated, particularly towards the south east corner. Trees have also been planted along the bunded area and to the north of the buildings. There are three vehicle access points to and from Springs Roads; one to the north of the buildings, and two further entrances for trucks and staff vehicles further south near the centre of the Site. This is illustrated on the aerial image above.

There are three historical bores within the site: M36/4550, M36/0310 and M36/0309.

4.0 Prebbleton Structure Plan

The Prebbleton Structure Plan was adopted by Selwyn District Council on 24 February 2010. It provides a framework for guiding development over the next 30 years to achieve a high level of town planning and urban design.

The Prebbleton village is expected to grow by an additional 1,295 households by 2041. The Structure Plan details what community services and infrastructure are expected and the character elements that need to be protected to ensure that the village amenity is retained.

The Structure Plan was informed by the Urban Development Strategy[2] (UDS) and the Christchurch, Rolleston and Environs Transportation Study[3] (CRETS).

Some of the key messages from the Strategy are set out below with associated commentary:

Sense of Place

Prebbleton has a sense of place that can be retained by:

- ensuring that the rural belt between Christchurch and Prebbleton remains;
- ensuring that the urban limit is upheld, and rural residential development does not cause Prebbleton to sprawl into its rural surroundings; and
- Providing for the cultural identity of Ngai Tahu in the urban landscape through low impact design stormwater management systems, the provision of open space, use of native plantings in particular mahinga kai species, riparian planting and native habitat restoration and enhancement.

The Strategy also notes that a strong and mutually supportive community is more likely to exist where there is an integrated mix of homes of different types to support a range of household sizes, ages and incomes.

Character

Prebbleton's character is derived from the existence of large trees throughout the township, especially those that can be viewed when travelling along Springs Road. It is recognised that most of these trees are in the grounds of large properties. Street trees are mainly exotic with a predominance of oaks and also ash and elm and there has been a policy of planting roses in the garden beds. In order to strengthen the homogeneity of the village, the theme which has developed around oaks and roses can be continued. Whilst extensive planting on private property contributes to the rural feel of the village, the use of hedging, minimising hard stand and maintaining a good balance between the size of the house and the size of the garden can be used on smaller sites.

[2] The UDS was a broad scale, long term land use strategy to manage urban growth in the region. The strategy identified Lincoln and Rolleston as the key activity centres and major areas of growth in the Selwyn District. Less growth was directed to Prebbleton, in order to maintain its distinct identity from the main Christchurch urban area.

[3] CRETS focused on identifying shortcomings in the strategic transport network in the area to the south and southwest of Christchurch. The outputs of this study that are of relevance to Prebbleton are proposals for the Lincoln, Prebbleton and Tai Tapu to Christchurch corridor: the aim of which is to reduce future traffic growth on Springs Road through Prebbleton township.

The use of neutral colours; a limited palette of facing materials such as plaster, timber and stone; and colonial style pitched roofs can also enhance the rural/village character of Prebbleton.

Transport

Springs Road is the busiest road in the 'Local Road' category in the Selwyn district, with 10,000 vehicles using the road each day. It acts as a barrier to the movement of people and goods around the township. There is a conflict between the need for traffic to turn onto and off of Springs Road from side roads and the need to retain the functionality of what is a busy arterial road. Problems for traffic turning onto Springs Road, particularly from Tosswill Road, are likely to increase as the township grows. A roundabout is planned for the intersection of Springs Road and Hamptons Road, similar to the one currently in-situ at the junction of Springs Road and Blakes Road. This will be the southern threshold to the village and will serve to slow down traffic entering the built-up area of the township from the south. It will also encourage through traffic to follow alternative routes which by-pass Prebbleton, including the CSM2 interchange to the west or eastwards via the orbital route proposed for the south west area of Christchurch.

Growth

The adopted Selwyn District Council growth projection[2] for Prebbleton predicts that the number of people living in Prebbleton will increase at the average rate of 2.6% per annum during the 33 years from 2008 until 2041. The rate of increase will be greater in the shorter term with the population predicted to double in the next 15 years.

Meadow Mushrooms site

The Meadow Mushrooms site has a residential zoning (Living X), which allows subdivision to an average section size of 800m². The site could accommodate around 85 houses under the present zoning, but as it is located close to shops and community facilities and on a bus route, it lends itself to higher density development and community uses.

Due to its prominent location in the centre of Prebbleton, the redevelopment of this site will have a significant impact on the township. Redevelopment for residential purposes will provide the opportunity to enhance the main thoroughfare of the village, if it is carefully designed. Given its high-profile location and the site size and shape, it is possible that there may be pressure for a change of zoning to business use. This would reinforce the lack of continuity of the main street, rather than knit the site back into the residential fabric of this part of the township. Retail use would be at odds with the establishment of the expanded commercial centre around the existing nucleus of the township. Dispersion of commercial activity on two sites would dilute the central focus of Prebbleton and may result in two marginal centres rather than one thriving one.

Other

Other issues identified in the Structure Plan include access onto Springs Road; the treatment of the Springs Road frontage; incorporation of public open space including the creation of a reserve around the existing trees close to the Springs Road frontage; pedestrian and vehicular linkage to adjoining sites. A road connection running from Springs Road, through the Meadow Mushrooms site to connect with Lindsay Drive was indicated in the Structure Plan. It was also

indicated that development on the Meadow Mushrooms site would provide a link to the walkway from Edwin Trent Drive, and to any adjacent reserve on land to the west of the Meadow Mushrooms site including a pedestrian/cyclist link from the stormwater reserve on Cairnbrae Drive.

Unlike the other large development sites around Prebbleton, this site has no Outline Development Plan to guide its development. However, the Structure Plan identifies the potential for gaining environmental benefit through increasing the development value of the site by supporting an increase in residential density.

The development of the Master Plan for the Prebbleton Summerset Retirement Village on the former Meadow Mushrooms site has been informed by and has taken into consideration the outcomes sought in the Prebbleton Structure Plan.

5.0 Proposal

This application seeks consent to construct and operate a comprehensive care retirement village. The village will be largely residential in scale and provide a continuum of care which meets all aged care needs (see the Master Plan in **Appendix 3**). No subdivision of the Site is proposed.

The proposed village will be designed and constructed as follows:

5.1 Village philosophy

The Design Statement in Appendix 5 sets out Summerset's design philosophy.

In summary, the village will provide older persons with residential options in their transition from a larger family home to a smaller self-contained residence within a community of similar aged persons. The options for care available, in addition to the independent villas and cottages include assisted living suites, rest home care, hospital care and memory care (for residents living with dementia), providing a full range of residential options within the village for older people with varying dependency needs. Whilst the village will typically provide for persons over 75 years of age, the average entry age for Summerset residents is usually early 80's.

The design and layout of a Summerset village is paramount to ensure ease of access to all amenities. The Main Building which houses the recreation, care and administration amenities, will be a key focal point of the village being centrally located. Furthermore, the village will be a low traffic volume and speed environment, creating a pedestrian-friendly village that also provides walkways and usable landscaped spaces between buildings. This encourages residents to move and engage within the village environment.

The village will also strive to create a sense of community yet maintain some sense of individuality for each of its residents through a considered selection of external materials, cladding colours and landscape design, features and planting.

5.2 Layout and Design

The Site has been laid out to ensure a high level of on-site amenity. Careful consideration has been given to all elements of the village including layout, aesthetic form and materiality of the buildings. This will ensure that the retirement village functions as a community within the existing neighbourhood, being sympathetic and connected to the surrounding area, with significant areas of open green space, plantings and pedestrian linkages. It will also accord with the outcomes sought in the Prebbleton Structure Plan (see the Landscape Plan in **Appendix 12**).

There will be 224 independent living units comprising a mix of one-storey villas and cottages containing two-to-three bedrooms and a centralised Main Building containing assisted living suites, memory care suites and care beds, together with community amenities. In total the

village will contain 343 units. The units will have a range of floor plans and indoor, outdoor recreational amenities and garden spaces (see Plans in **Appendices 3 and 12**).

The focal point of the village is the centrally located two/three-storey Main Building and associated recreation amenities and green spaces. This Main Building will provide a range of indoor recreational options and will be adjacent to the outdoor bowling green and key outdoor communal areas. This focal point will be located to the centre of the site and will be partially visible from Springs Road down the main entrance boulevard to the Village.

The landscape design will provide a green and open layout for the Site. There are no boundary fences between the villas, reinforcing the sense of spaciousness. However, low hedging and ground covers are used to provide a sense of separation between the independent living units. Existing trees will be retained along Springs Road (where feasible) and new trees will be positioned to complement the Site and to provide an open, park-like setting, whilst at the same time providing screening and separation between public and private spaces. Connectivity throughout the village will be achieved by the formed roads and informal pedestrian routes throughout the Site. Refer to Master Plan for details of site layout (**Appendix 3**).

A careful selection of plant species will provide a high-quality design ensuring the village is attractive, sustainable and sympathetic to its surroundings. Plants include small shrubs and medium and large specimen trees including fruiting trees (refer to the Landscape Design in **Appendix 12**). There will also be a number of communal vegetable gardens scattered throughout the village to meet residents' demand for this type of garden. The swales and rain gardens will also provide additional amenity, being connected by walkways and bridges for active recreation and being pleasant places to sit and relax.

Fencing of the Site along Springs Road will largely be 1.5m high open, aluminium railing type fencing with 1.8m high brick masonry pillars that will be setback in parts from the road boundary. It is intended that the fencing provide a sense of uniformity, security and privacy whilst still allowing for connectivity with the surrounding area and views into and out of the community where appropriate. It also enables part of the landscaping to appear as part of the streetscape, thereby contributing to the amenity of the local area.

At the main entrance on Springs Road there will be solid feature walls and columns being approximately 1m in height to identify entrance to the Site. The frontage with Springs Road will be dominated by landscaping including existing mature trees that are suitable to be retained, that will be supplemented with new planting that reflects the landscaping found in Prebbleton (refer to the Landscape Design in **Appendix 12**); this reflects more 'English' species such as Oaks, Ash and Elms rather than indigenous vegetation. This landscaping will soften the public/private interface by providing 'shared' landscaped areas at the public boundary.

The northern, western and southern boundaries will be defined by a typical residential 1.8m high timber fence to ensure privacy, both for residents of the village and surrounding properties.

5.3 Unit mix

A total of 224 residential units and 43 care facility beds are proposed for the village. These are made up of:

2 bedroom self-contained villas / cottages	154
3 bedroom self-contained villas / cottages	70
Total villas and townhouses	**224**
Care beds (within the Main Building)	43
Total Care Facility beds	**43**
Memory care suites (within the Main Building)	20
Assisted living suites (within the Main Building)	56
Total Village	**343**

Floor plans and elevations of the villas, cottages and the Main Building are included in **Appendix 4**.

All units will be located within the village with a north/northwest orientation to ensure living areas have good access to sunlight. Equally as important will be the preservation of setback areas between the active face of buildings to preserve amenity around each individual unit, whilst also creating a park-like environment with ample open space for the collective benefit of residents.

5.4 Main Building and communal amenities

The Main Building will be in the centre and heart of the village, and contains the assisted living suites, memory care suites and the care beds (outlined above), as well as many centralised services including the main reception and offices, and resident amenities such as a gymnasium, swimming pool, lounges, dining areas, library, village café, theatre/chapel, main kitchen, and hair salon.

The Main Building will be 3,936m^2 in area and will have three main wings with an internal courtyard servicing the memory care suites. It is surrounded by landscaped areas, seating, and outdoor bowling green and petanque court. Plans of the Main Building are contained in **Appendix 4**.

5.5 Roading, Access and Parking

The main vehicle and pedestrian entrance to the village will be from Springs Road, located centrally to the Site. There will also be two additional pedestrian access points to Springs Road at either end of the road boundary, and one from Edwin Trent Drive through the southern boundary. There will also be a secondary vehicle and pedestrian exit and entry onto a cul de sac adjoining the western boundary of the Site.

Internal roads will vary in width depending on their function. The internal lane network will be designed for both vehicles and pedestrians and provides access to all parts of the village. The speed limit within the village will be 15km/h which is consistent with providing a pedestrian friendly environment. However, residents will be actively encouraged to use the lanes and green spaces to get around the village.

The lane widths will vary from 4.5m to 6.5m depending on the number of dwellings being served and their function, including providing for delivery and fire truck access. Lanes that provide access to the Site and the Main Building will be 6.5m in width. This hierarchy of lane widths is consistent with the Summerset standards applied successfully throughout New Zealand. The main entrance lane will essentially be a tree-lined boulevard that can be temporarily closed off, enabling it to be used for village events.

Driveways and off-street parking will be provided for each villa/Cottage. All of the villas and cottages (except for the type C1 and C3 cottages) will have internal garages and there is space in front of these garages for a second car or visitors' cars on a parking pad, equating to 430 car parks.

In addition, the village will have 65 car parks for visitors, staff and residents of the C1 and C3 cottages, 4 accessible car parks and 2 parks for Summerset vehicles established close to the Main Building. There will also be 12 cycle parks located adjacent to the principal entrance to the Main Building.

5.6 Services

The Site will be fully serviced including water supply, stormwater, wastewater, power and communications. The retirement village, in relation to all services except stormwater, will only involve pipe or line extensions to existing services. With regard to operational stormwater, disposal will be to ground through a purpose designed system of rain gardens and swales.

Construction stormwater will be managed within the site and discharged to land.

The works on the Site will be undertaken by the applicant, so the proposal does not require any unplanned infrastructure works to be carried out by the Council. A description of the civil works proposed is contained in the Civils Report in **Appendix 22**.

5.7 Staging

The works will be undertaken in stages. The six stages of work will progress across the Site in an anti-clockwise manner, with the Main Building being under construction during multiple stages.

5.8 Earthworks

It is proposed to undertake 36,300m^3 of earthworks over the entire Site, with 20,200m^3 of fill and 16,100m^3 of cut. Of this, 12,600m^3 will need to be brought onto the Site and approximately 9,500m^3 of unsuitable material (including material within the existing man-made earth bunds) will be cut to waste, removed from the site and disposed of at a suitable disposal facility. With regard to the bulk earthworks, cuts are generally between 1 and 0.2m, and the maximum height of fill will be approximately 0.2m to 1m (refer to **Appendix 19**). The maximum cut to form the service trenches will be 4.5m in depth. Most earthwork activity to form site development profiles is expected to occur within silt and silty sand.

It is unlikely that groundwater will be encountered during the proposed bulk earthworks activities, with the maximum cut depth being 4.5m required for service trenches and stormwater soakage devices. However, these cut depths will still ensure a minimum separation of 1m between the proposed excavation base and the measured ground water surface, being on average 6m below ground level.

An allowance for topsoil re-spread, 300mm in depth, over the proposed landscape areas has been considered. This material will be stripped and stockpiled on-site for respread during landscape works. Excess topsoil that cannot be placed within the Site for landscaping purposes will be removed off-site and disposed of to a suitably licensed facility.

A geotechnical assessment has also been prepared by Rileys (**Appendix 21**). The report includes recommendations on the design of foundations, with a recommendation of further investigation of the soils surrounding the ponds towards the northern corner of the Site. It is considered likely that water from the ponds has leaked into the surrounding ground. However, should this be an area of naturally high groundwater, specific engineering design or remediation may be required for buildings in this area.

Site-won materials are considered suitable for use as engineered fill; however, care will be required to control moisture content and compactive effort. Earthworks activities will be programmed to avoid winter and early spring, as site soils are expected to be moisture sensitive and subject to damage during seasonal wet periods. Further laboratory testing to determine optimal soil compaction parameters is recommended.

The bunds along the northern boundary of the site generally consisted of silt and fine to medium gravel and was similar to natural soils. It is anticipated this material will be suitable for reuse as fill. However, laboratory testing will be required to confirm material properties. The bunds in the fields towards the south-west of site comprised dry, compacted organic topsoil. It is not likely this material will be suitable for reuse as fill.

Overall, the report concludes that the Site is considered suitable for use as a retirement village.

5.9 Generator and Hazardous substances

It is proposed to establish and operate a 150kVA generator on the Site, which will be used for emergency electricity generation only. The generator will contain 350 litres of diesel. It will be located as shown on the Master Plan in **Appendix 3** and will be housed in a weatherproof canopy surrounded by a 2m high acoustic fence.

5.10 Signage

There is a need to provide signage to locate the Site and to advise the forthcoming retirement village.

The construction and sales signage will form part of the screening of the Site during site construction works. There will be one V shaped free-standing sign adjacent to Springs Road and two ACM panel signs per 'bay' as identified on the drawings in **Appendix 16**. It is proposed to have up to 51 signs, with the free-standing sign measuring 18m^2 and each 'panel' sign measuring up to 3.6m^2 which equates to a total area of 198m^2 of signage. The signage displayed will be typical of such development sites, see plans in **Appendix 16**.

Permanent signs identifying the name of the applicant (Summerset) and the name of the village only will be displayed on the two feature walls either side of the Springs Road entrance to the village. Each sign will be 4.2m in width and 1.6m in height, which equates to a total area of 13.44m^2.

6.0 Existing Environment

The Site is located in the centre of Prebbleton with Springs Road forming its eastern boundary. The Site's 3 other boundaries are defined by existing residential development at a density of approximately 600m^2.

6.1 Topography

The site is relatively flat, with a slight slope from the north-western boundary to the south-eastern boundary of the Site adjacent to Springs Road. Site contours show an approximate ground surface elevation of RL 22.4m at the north-western boundary and a minimum elevation of approximately RL 20.6m at the south-eastern boundary.

6.2 Built development

Residential development defines the land on three sides surrounding the Site, with development beginning in 2004, and the application site was enclosed by residential development by 2014. Prebbleton has continued to develop to the west and east, with rural residential and lifestyle properties being established in the adjoining rural areas.

The land on the opposite side of Springs Road is occupied by a mix of older residential properties, a petrol station, horse float hire business, and the Prebbleton community hall. Approximately 500m to the north on the opposite side of Springs Road there is a café and a further 100m along, on the corner of Tosswill Road, there is the Prebbleton Tavern and consent has been granted for a commercial development and supermarket. The supermarket (Freshchoice) has opened recently.

6.3 Transport

6.3.1 Roads

Springs Road is classified as an Arterial Road in the Selwyn District Plan and has a posted speed limit of 50km/h within Prebbleton. Adjacent to the Site, it is flat and straight with single traffic lanes and cycle lanes in each direction and a flush median. There is a car parking lane on the eastern side of the road and a section of indented parking on the western side at the northern end of the Site. There are footpaths on both sides of the road.

The Council carried out traffic counts on Springs Road between Cairnbrae Drive and Birchs Road in August 2019. Springs Road carries its highest traffic volumes during weekday evenings between 4pm and 6pm. The Monday-Thursday average peak hour was 4.30pm to 5.30pm when approximately 1,450 vehicles per hour (vph) were recorded, of these approximately 810vph were southbound (away from Christchurch) and 650 vph were northbound.

The local road network includes Lindsay Drive and Glenary Drive. Lindsay Drive is a local residential road which runs between Trents Road and Cairnbrae Drive. It has an 8m wide carriageway and a curving alignment, with a footpath on the eastern side of the road. Glenary Drive is an approximately 55m long cul de sac that provides access to two residential lots. It has been formed with an 8m wide carriageway and a footpath on the southern side of the road. No turning head has been provided.

These roads carry lower traffic volumes than Springs Road as follows:

Road	Location	Traffic Volume	Count Date
Lindsay Drive	South of Cairnbrae Drive	700vpd	April 2018
Trents Road	West of Springs Road	1620vpd	November 2017
Cairnbrae Drive	East of Lindsay Drive	720vpd	April 2018

Trents Road carries a higher volume that likely reflects some use by through traffic between Springs Road and Shands Road.

6.3.2 Public transport

There is currently one Metro bus service (number 80) which runs through Prebbleton between Christchurch City and Lincoln. The bus stops in Prebbleton every half hour, with more frequent trips in the commuter peaks, including one Express trip in each of the morning and evening peaks that only stops at major stops. On Saturdays, the bus runs every half hour between 6:30am and 4:00pm, then hourly until midnight. The Sunday timetable is similar but has reduced hours. The closest bus stops to the Site are near the northern end of the Site on Springs Road.

6.3.3 Walking and cycling

There are on-road cycle lanes marked in both directions on Springs Road and footpaths on both sides of the road.

The only crossing point provided nearby is a pedestrian refuge south of the Tosswill Road intersection. There is a footpath on the southern side of Glenary Drive connecting to Lindsay Drive. An off-road footpath has been constructed from Edwin Trent Drive through a reserve to the southern boundary of the Site.

6.4 Services

6.4.1 Stormwater

Existing site stormwater runoff is generated from the factory buildings, associated hardstand area and adjacent landscaped areas. The impervious cover is extensive totalling an approximate area of 30,000m^2 across the northern portion of the site. The runoff from this extensive impervious area is captured via roof and catch pits and conveyed through gravity pipe

networks to a combination of soakage to ground and existing public gravity networks (via connections within Springs Road). The general site grade indicates that any excess runoff from the impervious area and the landscaped areas, flows overland and onto Springs Road.

6.4.2 Groundwater

Riley Consultants have measured groundwater at 6.1m and 6.2m depth in piezometers installed in boreholes (BH)203 and BH202, respectively after a week of heavy rain on 3 July 2020. Groundwater was not encountered in any shallow test (test pits, hand augers, soakage tests) locations and is expected to lie within gravel at depths greater than 4.0m across the whole site.

6.5 Contaminated land

A detailed site investigation (DSI) has also been prepared by Riley Consultants, with intrusive field investigations being undertaken from 30 October to 1 November 2019, and 15 June to 19 June 2020. Soil sampling (including drilling through the hard-sealed area of the site) was undertaken in general accordance with the requirements of National Environmental Standard Managing Contaminants in Soil for Human Health (NES-CS) and the MfE Contaminated Land Management Guidelines No. 5.

In hard sealed areas of the site, no relevant NES-CS soil contaminant exceedances were identified in soils. In undeveloped and unsealed areas, the 2019 investigation identified arsenic in surface soil at HA11 (as identified on the plan on page 151 of Riley Consultant's report in **Appendix X**) at a concentration of 201mg/kg, over four times the NES-CS soil contaminant standard for high-density residential land use (45mg/kg) and nearly three times over the soil contaminant standard for protection of outdoor workers (unpaved) (70mg/kg). This area requires further delineation prior to earthworks occurring. The 2020 investigation identified an additional two hotspots (S1 and S3) in the southern corner along the residential dwelling boundary. One contaminant of concern (arsenic: 69mg/kg and 67mg/kg) exceeded NES-CS soil contaminant standard for intended site end-use (high density residential). Asbestos fibres (chrysolite, 0.0016%) were identified in one soil sample (S3) from the southern corner alongside the residential property and, is above relevant human health criteria <0.001%.

Various heavy metals (mainly arsenic, zinc, chromium, lead, nickel and copper) exceeded published regional background levels. The demolition of buildings containing asbestos in the northern hardstand area will require approval from Worksafe NZ. Post demolition, soil validation testing for potential residual asbestos will also be required.

CONTENTS

PART 2

7.0 Reasons for the Application

The proposal has been assessed against the provisions of the Selwyn District Plan. Overall, land use consent is sought as a **Non-Complying Activity** as set out below, due to the impact of the right of way rule.

7.1 Zoning

The site is located within the Living X Zone, which provides for low density residential development. This zone does not have defined provisions relating to density and site coverage. The intent is to enable flexibility for future developers, provided that any future density is not greater than that for the Living 1 Zone in Prebbleton (being 800m^2) and the number of sites with more than one dwelling is managed to maintain the overall residential density of the zone. In addition, site coverage can exceed that for permitted activities, provided any adverse effects on the overall residential density of the area are avoided, remedied or mitigated.

7.2 Definitions

The Selwyn District Plan does not define the term ‘‘retirement village’. As such, the different components of the retirement village need to be assessed as individual activities. The individual activities that are proposed to establish and operate on the site are:

- Residential activities including the villas and cottages;
- Assisted living suites;
- Memory care suites;
- Care beds; and
- Ancillary village management and maintenance uses including offices; and
- Resident amenities including onsite catering services, gym, theatre, chapel, hair salon, bowling green and social support.

7.2.1 Residential activity

The District Plan defines ‘residential activity ’as the ‘use of land and buildings for the purpose of living accommodation and ancillary activities’ including:

a) Accommodation offered to not more than five guests for reward or payment where the registered proprietor resides on-site.

b) Emergency and/or refuge accommodation.

c) Supervised living accommodation and any associated caregivers where the residents are not detained on the site.

Residential Activity does not include:

a) Travelling accommodation activities (other than those specified above)

b) Custodial and/or supervised living accommodation where the residents are detained on site.

The villas and cottages and assisted living suites are considered to meet the definition of 'residential activity'. However, residents in the 'memory care suites' will essentially be detained on the Site (i.e. cannot leave unsupervised) and the care beds provide for hospital level care, therefore these activities cannot be defined as a residential activity.

7.2.2 Elderly Residential Care

Elderly Residential Care is defined as 'any facility and associated ancillary services providing care for the elderly. For the purposes of Rule 10.13 (Elderly Residential Care – Living 1A Zone at Lincoln) it does not include 'hospital care, or similar, in a full nursing care licensed rest home.'

This definition appears to provide for a range of activities that are required in caring for the elderly. The definition specifically excludes hospital care and a full nursing care licensed rest home in the Living 1A Zone at Lincoln, but it is assumed that elsewhere these facilities would be defined as 'elderly residential care'. Therefore, it is considered that the 'care facility' and 'memory care facility' can be defined as 'elderly residential care.' The offices and recreational amenities provided on the Site are considered to be 'ancillary services' as they are only provided for the benefit of residents.

Emma Larsen a senior planner at SDC confirmed this application of the definitions by way of an email exchange on 16th July 2020.

7.3 Statutory assessment

7.3.1 Selwyn District Plan

The proposal requires the following resource consents pursuant to the Operative District Plan:

A detailed assessment can be found in **Appendix 7**.

Rule	Non-Compliance	Activity Status
4.6 Building density	Erecting 224 dwellings on the site, which exceeds the district plan	Discretionary

	requirement by 223 (rule requirement is for one dwelling per site).	
4.8 Building height	The main building will be 14.9 metres in height to the top of the chimneys on the main building. Thus, the building as a whole will exceed the permitted height limit by 6.9 metres.	Discretionary
5.2 Vehicle accessways	The rule requires the primary access to be from the cul de sac rather than Springs Road. The main site access is proposed to be to Springs Road (an arterial road) and Glenary Drive on the western boundary to be used as a secondary site entrance and exit Access will be to Springs Road as currently occurs. The rule requires access to more than six dwellings to be from a legal road. The proposed vehicle accessways will be formed to the relevant standards in Appendix E13.2.1, however these will provide shared access to more than six dwellings and will be a private accessway and not vested legal road.	Discretionary Non-Complying
5.3 Vehicle crossings	Non-compliance with Appendix E13.2.4.2: there will be two vehicle crossings: one to/from Springs Road and one to/from Glenary Drive. Non-compliance with Appendix E13.2.4.5 as the Springs Road vehicle crossing will be more than the maximum 7m in width (11.6m). Non-compliance with Rule 5.1.3.4 as the site access to Springs Road will service in excess of 100 car movements per day.	Restricted Discretionary

5.5 Vehicle parking and cycle parking Appendix E13.1.10	The queuing space at the Glenary Drive access will be 0m in length (being at the head of the existing cul de sac), rather than the 15.5m required in Table E13.3.	Discretionary
Rule 7.1.2 Outdoor signs	The permanent signs exceed 1m^2, with a total of 13.44m^2 proposed.	Discretionary
Rule 7.4.1 Outdoor signs – Property sales	There will be more than 3 signs that each exceed 3m^2, with a total of 198m^2 proposed.	Discretionary
10.1 Activities and contaminated land	Building dwellings on contaminated land is a restricted discretionary activity.	Restricted Discretionary
10.8 Activities and scale of activities	Non-residential activities that will employ more than two persons who will live off-site are not provided for. The gross floor area of the memory care suites and care rooms will exceed 300m^2 and associated vehicle movements will likely exceed 40 per day.	Discretionary

7.3.2 Buildings

Compliance with the rules in Chapters 4, 7 and 10 of the District Plan relating to buildings, signage and activities has been assessed (see full assessment in **Appendix 7** and summary table above).

Collectively under the building and activity rules, the proposal is a Discretionary activity.

7.3.3 Transport

Compliance with the rules in Chapter 5 of the District Plan relating to access, parking and loading provision has been assessed (see Stantec report in **Appendix 15** and the summary table above).

Collectively under the transport rules, the proposal is a Non-Complying activity due to the application of the right of way rule which does not provide for access to a multi-unit development on one title.

7.3.4 Contaminants in Soil

A Detailed Site Investigation (DSI) has been prepared by Riley Consultants, with intrusive field investigations being undertaken from 30 October to 1 November 2019, and 15 June to 19 June 2020. Soil sampling (including drilling through the hard-sealed area of the site) was undertaken in general accordance with the requirements of National Environmental Standard Managing Contaminants in Soil for Human Health (NES-CS) and the MfE Contaminated Land Management Guidelines No. 5. The results were evaluated against:

- Background Concentrations: Environment Canterbury (Background Concentrations of Trace Elements in Canterbury soils, Environment Canterbury).
- NES-CS soil contaminant standards for outdoor worker land use (unpaved) with respect to the protection of workers during the soil disturbance.
- NES-CS soil contaminant standard for high-density residential land use, with respect to the protection of future residents.
- Where soil contaminant standards are not provided in the NES-CS, health investigation levels for soil contaminants were obtained via MfE's Contaminated Land Management Guideline No.2: Hierarchy and Application in New Zealand of Environmental Guideline Values (Revised 2011).
- Guideline on the Investigation Levels for Soil and groundwater, NEPM Australia, updated 2013 (high-density residential and commercial values).
- BRANZ New Zealand Guidelines for Assessing and Managing Asbestos in Soil, November 2017 (NZ Abestos Guidelines).

In areas of the site that are currently hard sealed, no relevant NES-CS soil contaminant exceedances were identified in soils.

In undeveloped and unsealed areas, the 2019 investigation identified arsenic in surface soil at HA11 (as identified on the plan on page 151 of Riley Consultant's report in **Appendix 18**) at a concentration of 201mg/kg, over four times the NES-CS soil contaminant standard for high-density residential land use (45mg/kg) and nearly three times over the soil contaminant standard for protection of outdoor workers (unpaved) (70mg/kg). This area requires further delineation prior to earthworks occurring, which is addressed in the Remedial Action Plan and Site Management Plan (RAP/SMP) in **Appendix 20**.

The 2020 investigation identified an additional two hotspots (S1 and S3) in the southern corner along the residential dwelling boundary. One contaminant of concern (arsenic: 69mg/kg and 67mg/kg) exceeded NES-CS soil contaminant standard for intended site end-use (high density residential). Asbestos fibres (chrysolite, 0.0016%) were identified in one soil sample (S3) from the southern corner alongside the residential property and, is above relevant human health criteria <0.001%.

Various heavy metals (mainly arsenic, zinc, chromium, lead, nickel and copper) exceeded published regional background levels. The demolition of buildings containing asbestos in the northern hardstand area will require approval from Worksafe NZ. Post demolition, soil validation

testing for potential residual asbestos will be required. As such, the proposal requires consent as a **restricted discretionary activity** under the NES-CS.

8.0 Assessment of Environmental Effects

An assessment of the effects of the proposal has been undertaken and is set out below. As a non-complying activity, the Council can consider any matter it considers relevant and as such the assessment below has addressed a broad range of potential adverse effects arising from the construction and operation of the village.

8.1 Section 104(2) Permitted Baseline

The only relevant permitted baseline is residential activities across the whole of the site. Whilst minimum density on the Site is subject to a rule, the policy direction allows choice in residential density in Living X Zones, provided that it is not greater in density than the Living 1 Zone(s) in that township, being 800m^2. However, the plan limits the number of dwellings on a site in Living X Zones to one to maintain the overall residential density of the zone.

Any principal building is permitted, if the area between the road boundary and the principal building is landscaped with shrubs and:

- Planted in lawn, and/or
- Paved or sealed, and/or
- Dressed with bark chips or similar material.

A permitted height limit of 8m applies in the Living X zone, and a building setback of 4m from roads and 2m from internal boundaries. However, these setbacks can be reduced for accessory buildings and garages if the length of the building wall is 7m or less. Buildings must also be connected to reticulated water supply and sewage treatment and disposal systems.

In this regard an applicable permitted baseline would be a residential subdivision of the land to create some 80+ residential dwellings, each on around 800m^2 of land and with buildings covering 40% of each site. It would be realistic for the dwellings to be a mix of one and two storeys and for those dwellings on the southern portion of the application site to be sited close to the southern boundary to the existing neighbouring dwellings to maximise sunlight access to garden spaces.

Permanent signs are permitted if they relate to products or services sold on the site or includes information about the site on which it is located, do not exceed 2 per site and do not exceed 1m^2 in size. For sale signs are permitted if there are no more than 3 per site and each sign is no greater than 3m^2. Standards that manage the location of signs, their design and safety also apply to both types of signage.

Earthworks of any volume are permitted where they are built upon, sealed, landscaped, or the land recontoured and replanted, no more than 12 months after the earthworks commencing, except in the case of landscaping and planting which needs to be undertaken during the first planting season following the completion of the earthworks.

It is considered appropriate to apply the permitted baseline given the residential character of the retirement village proposal.

8.2 Effects assessment

8.2.1 Urban Design, Landscape and Visual Assessment

The Boffa Miskell design team was engaged to prepare an Urban Design, Landscape and Visual Assessment (**Appendix 13**) in relation to the proposed village. The report has particularly assessed the non-compliance relating to those components of the Main Building which exceed the permitted height within the proposed retirement village. Also, the entire village has been assessed against the relevant matters in Rule 4.12: Medium Density Comprehensive Development.

8.2.1.1 Urban design

Within the Operative Selwyn District Plan, the Site is zoned as Living X, which provides for suburban style residential development. However, SDC has confirmed that the proposed village is to be assessed against the Medium Density Comprehensive Residential Development matters as set out under Rule 4.12, which are set out on pages 7 and 8 of the Landscape Report, and include the following:

- Context and spaciousness.
- Attractive street scene, public interface and external appearance.
- Dwelling design, position and orientation.
- Visual and acoustic privacy.
- Private outdoor living spaces.
- Safety and security.
- Accessibility and connectivity.

In summary, the report concludes that:

- The village will maintain its integration with the surrounding residential context by locating the Main Building within the central part of the Site, with graduated layering of the independent dwellings rising up to meet it. Furthermore, the Main Building is integral to the village and appropriate in an urban form, as opposed to the large industrial buildings that are currently on the Site.

- The part of the Main Building that exceeds the permitted height limit will be separated from all boundaries and orientated parallel to the main road frontage with Springs Road. In addition to this, the overall vertical relief provided by the additional height provides a sense of legibility to the Site by contrasting with the single storey villas and cottages clustered around its periphery. The Main Building will also provide a visual reference point within the village and be easily read as the heart of the village where visitors and residents can find parking and communal amenities.
- The main entrance, with its modulated and articulated built-form complemented by existing and supplementary tree planting and transparent pool-style fencing which is 'stepped' will create an inviting and activated street frontage that also enables surveillance into and out of the site and 'blurs' public/ private areas.
- The retention of a number of existing mature trees along the Springs Road frontage supplemented with new trees will ensure that the proposal will be integrated into the surrounding area and will reflect the local vernacular.
- The arrangement of the independent dwellings will create small community clusters, but these will be offset to avoid living spaces looking into neighbouring living spaces, with privacy also being provided by landscape screening between units and private outdoor areas.
- The combined provision of private and communal space will more than adequately provide for the functional, recreational and amenity needs of residents.
- The site will provide a sense of openness and transparency to encourage a positive private/public interface and encourage passive surveillance into and out of the Site. All gates to both roads and pedestrian entries will be closed at night, to enable continued a sense of security for the residents.

In addition, the Design Statement in **Appendix 5** sets out the design philosophy for the village. The village has been designed to create an environment that is in keeping with the 'look and feel' of Prebbleton that will ensure it becomes an integrated part of the wider village fabric. This is achieved through the proposed landscaping, creation of the tree lined Boulevard that provides for views into and out of the Site, the layout of the internal roading network that also ensures views to the surrounding area are retained, the use of building materials that reflect the local residential environment and the architectural design of the buildings. Material and colour choices are largely neutral or rural in tone with the use of predominantly reds, browns and whites and a limited palette of housing materials including plaster, timber and stone. Colonial style pitched roofs are also apparent, which enhance the rural/village character.

Based on this, it is considered that urban design effects will be less than minor and generally positive for residents in the village, those in the surrounding area and for Prebbleton as a whole.

8.2.1.2 Visual effects

An assessment of the visual prominence of the village and the Main Building from a number of houses that abut or are within close proximity of the Site has been undertaken. The assessment

concludes that the visual change will primarily be the removal of varied land uses which is experienced from a limited number of surrounding houses, to create a coherent residential outlook. Some views will become more open due to the removal of many of the large mature and coniferous trees and the existing large industrial buildings that curtail longer distance views into the Site. However, over time, a layering effect of trees within the village site will reduce the visibility of any roofs. Accordingly, the majority of the houses are assessed as receiving Low or Very Low visual effects at Year 1, reducing (or remaining the same) to Very Low at Year 10. This reduction in effect is principally due to the growth of the proposed trees within the Site.

Only House 39 at 9 Edwin Trent Drive has visual effects that are assessed as Moderate Low (from the upper storey) and Low from the lower storey at Year 1. As with the remaining properties that surround the Site, the visual effects from this property will reduce to Low and Very Low at Year 10 for the reasons discussed above.

There are two other two-storey houses (House 1 and House 45) in proximity to the west of the site, however, due to distance (170m for House 1 and 218m for House 45) and the orientation of the houses to the north and away from the Site, it is assessed that the visual effects from these houses arising from that part of the Main Building that exceeds the permitted height limit is Very Low at Year 1 remaining at Very Low at Year 10.

From the surrounding road network, that part of the Main Building that exceeds the permitted height limit will be partly visible from a 350 metre stretch of Springs Road and potentially from a short part of Birches Road. It is considered that views of this part of the Main Building will be Very Low at Year 1 and remaining at Very Low by Year 10. The transitory corridor of Springs Road will offer views which are reasonably short, intermittent and oblique. Vegetation and adjacent buildings will assist to further integrate the Main Building into its broader village setting.

In summary, a combination of factors has enabled the village, including that part of the Main Building that exceeds the permitted height limit, to have Low and Very Low levels of visual effects including:

- The distance from adjacent residences, where the nearest residence is approximately 89m from the over-height component part of the Main Building.
- The retention of existing trees and the planting of new trees, along with landscape treatments will assist in integrating the building into its setting.
- A contained visual catchment, where due to the relatively flat topography and established character of the surrounding landscape, buildings can be readily absorbed.
- The overall net height of the over-height component of the Main Building is small in comparison to the scale of the proposed retirement village as a whole and largely internalised by intentionally locating the source of the over-height component of the central part of the Main Building away from the most sensitive residential areas and public roads.

Overall, the report considers that the proposed Main Building has been located within a part of the Site that is at sufficient distance from neighbouring properties to avoid any significant adverse visual or amenity affects, and the components of the Main Building that exceed the

permitted height will be seen in the broader context of the proposed retirement village within land that already anticipates a level of built development.

8.2.1.3 Landscape Character Effects

There will be a change in the current character of the Site, which is anticipated by its zoning, and which will be broadly consistent with residential development that is evident within the surrounding area. The numerous large industrial buildings associated with the Meadow Mushrooms factory will be replaced by a land use that is more compatible with adjacent land uses. Large overly mature exotic trees will be replaced by street trees, which again will appear more compatible with adjacent residential areas. A greater level of openness will be experienced through the site. Based on this, it is considered that the effects on landscape character will be less than minor and generally positive.

8.2.2 Traffic and Access

Stantec was engaged by Summerset to prepare an Integrated Traffic Assessment to assess the potential effects of the proposal on the surrounding road network.

Stantec recorded traffic generation at the Summerset Wigram Village (which comprises 160 independent villas and cottages, 49 care beds and 53 assisted living suites) in June 2018 as a direct comparison to the proposal. Trip generation per villa and cottages ranged from 3.03 to 0 trips per day and for the care beds and assisted living suites, from 2.56 to 0.07. The village peak (the busiest hour of village traffic generation recorded) occurred during the mid-afternoon.

This provided the basis for determining the possible traffic generation for the proposed village in Prebbleton, as set out below:

Activity	Daily (vpd / bed or unit)	AM (vph / bed or unit)	Village Peak (vph / bed or unit)	PM (vph / bed or
Care Beds	305	7	44	29
Villas	679	25	56	58
Total	983	32	100	87

The weekday evening peak is considered the critical period as this is when Springs Road carries its highest volume of traffic and when the village also generates some of its highest traffic volumes. The directional split observed at Wigram has been adopted for this Site (53% of vehicles entering the village and 47% leaving). In terms of traffic direction on the road network, an 80-20 split has been taken, with the majority of traffic heading north to the main commercial, community and leisure amenities. These figures, along with the requirements of the District Plan in terms of access, and potential adverse effects on the surrounding road network, have formed the basis of the assessment set out below.

8.2.2.1 Springs Road Access

The main access to the retirement village will be from Springs Road, with a secondary access onto Glenary Drive through the western boundary. The District Plan requires that access be provided to the lower classified frontage road only. However, it is considered preferable that

the village has direct access to Springs Road rather than all village traffic being required to use the local road network which has not been designed for the high volumes of traffic.

Stantec modelled four access performance scenarios using Sidra Intersection 8.0 for the Springs Road access. The first three scenarios are based on the existing passing traffic volumes on Springs Road with the proportion of traffic using the rear access to Lindsay Drive and the proportion of Springs Road traffic coming to/from the south being varied for each scenario. The fourth scenario shows the effect of a 10% increase in passing traffic volumes on Springs Road.

With a 10% increase in peak hour traffic volumes on Springs Road, the performance of the right turn out of the village access would deteriorate to a Level of Service F. This means that there will be delays for people turning right out of the site, particularly during peak times. However, it is anticipated that a low number of vehicles will make that turn, with most vehicles expected to turn left which is the less onerous movement. Queuing is not anticipated on the main driveway, which means that people making the right turn will be able to wait until there is a safe gap without the pressure of a queue forming behind them. Consequently, it will not result in adverse effects on the efficiency and safety of the access. It is noted that the Glenary Drive exit will offer an alternative route for people leaving the village towards the south-west e.g. Rolleston.

The right turn into the Site will still operate with limited delays and negligible queuing, and the flush median on Springs Road will allow anyone waiting to turn right to wait clear of southbound through traffic. This means that through traffic on Springs Road will not be impacted by the operation of the access.

The proposed vehicle crossing onto Springs Road will not adversely impact on pedestrian safety given there will clear visibility between drivers leaving the Site and pedestrians on the footpath. Similarly, drivers turning into the Site from Springs Road will be able to see pedestrians on the footpath. The vehicle crossing formation with a continuous footpath will allow pedestrians a continuous surface and priority over vehicles crossing it.

Overall, it is concluded that the proposed vehicle access arrangements will be appropriate for the location and activity and the access onto Springs Road will operate safely, and that any potential adverse effects will be less than minor. It is recognised that there will be delays for drivers turning right out of the Site onto Springs Road during peak times however this is expected to be a low volume movement. Furthermore, the traffic volumes that could be generated by the village will be similar to those which would be generated by a typical residential development of the site.

8.2.2.2 Wider Traffic Effects

In terms of potential adverse effects on the road network, it is acknowledged that the access onto/from Glenary Drive access will be convenient for people travelling to/from the immediately surrounding residential area or from the south-west, e.g. Rolleston, via Lindsay Drive and Trents Road. If 20% of total village traffic uses the Glenary Drive access, this will represent less than 20 vehicle movements per hour during peak times. This number of traffic movements

reflects that anticipated for a residential subdivision within the Site and it is considered that this can occur without adversely affecting the safe and efficient operation of Lindsay Drive.

With regard to Springs Road, if 80% of the peak hour traffic turns to/from Springs Road and 80% of that traffic is to/from the north, the village will result in an increase of approximately 55vph on Springs Road north of the Site. This equates to one extra vehicle northbound and one extra vehicle southbound every two minutes and will not have a noticeable effect on the operation of Springs Road. Traffic volume increases in other directions would be much smaller and consequently, will not have a noticeable effect on other surrounding roads.

As such, effects on the road network will be less than minor.

8.2.2.3 Number of Vehicle Crossings

The District Plan has a requirement for developments in Living Zones to only have one vehicle crossing per site. It is considered preferable that the village has access directly to/from Springs Road given the volume of traffic that will be generated by the proposal and its potential to impact on local roads. However, it is recognized that the second vehicle crossing to Glenary Drive will be convenient for some staff and visitors as it provides a safe alternative to turning right onto Springs Road and a second access point for emergency vehicles. As such, the effect of having two vehicle crossings is positive.

8.2.2.4 Widths of Vehicle Crossings

Vehicle crossings are permitted to be up to 7m wide in Living Zones. However, the Springs Road vehicle crossing will be 11.7m wide to accommodate service vehicle tracking and two-way vehicle movements at the Site frontage. It is noted that the current main entrance to the Site exceeds 11m in width. As discussed above, the vehicle crossing to/from Springs Road has been designed appropriately and will operate safely with no increased risks to pedestrians or traffic travelling along Springs Road.

Glenary Drive will continue into the site without a typical formed vehicle crossing, but where it crosses the Site boundary, the vehicle crossing will be 8m in width. However, it is considered that there will be no adverse effects arising from this non-compliance as this is not intended to be a pedestrian access point (no footpaths are provided) and effectively the existing road will continue into the Site, to become a private driveway.

As such, the effects of having wider than permitted vehicle crossings will be less than minor.

8.2.2.5 Vehicle Accessway Formation

The internal vehicle accessways (lanes) will exceed the maximum formed width of 3.5m as they will be supporting a comprehensive retirement village made up of 224 dwelling units and care units. In this situation a maximum width of 3.5m is not appropriate.

However, it is considered that there are no adverse effects from the non-compliance with this rule as the accessways provide for improved safety for residents in a slow vehicle environment.

8.2.2.6 Shared access to be vested

The village will provide a low speed and calm living environment for residents who will be at varying stages of physical and mental cognizance. As such, security and a high level of amenity are important and therefore it is proposed that a single operator will administer the Site as a private concern to ensure comprehensive construction maintenance of the landscaping and roads. To enable this, Summerset will not be vesting the internal road network with the Council. Notwithstanding this, the Site will be accessible to the public during defined times (usually dawn-dusk) and as such, the roads within the Site will be maintained to a standard commensurate with the council's engineering code of practice.

8.2.2.7 Access onto an Arterial Road

Stantec has assessed that the Springs Road access will operate safely, and the traffic generated by the village will have a negligible effect on the operation of Springs Road. Also, as above, it is preferable from a transport perspective that a village of this size has direct access to/from Springs Road. Overall, adverse effects on the safe and efficient operation of Springs Road will be less than minor.

8.2.2.8 Queuing Space

The District Plan requires a 25.5m queuing space for 151 or more car parking spaces. A distance of 14.6m is proposed to the gate at the Springs Road entrance/exit and 5m is proposed to the gates on the Glenary Drive access.

However, during daytime hours when most staff and visitors are arriving/leaving, the gates on both driveways will be open. This means that there will be approximately 30m from Springs Road to the first internal intersection and approximately 20m from Glenary Drive to the first internal intersection. This will provide a queuing space that meets the District Plan requirement and will ensure there are no vehicles queued back onto the frontage roads.

During the night, the Springs Road gate is closed but set back from the road sufficiently to allow three cars to queue clear of the carriageway. This will be more than enough queuing space based on the low numbers of vehicles that would enter during the night. There will be no vehicle entry from Glenary Drive during the night and therefore no queuing space will be required on the Glenary Drive driveway once the gate is closed.

It is therefore considered there will no adverse effects associated with the technical non-compliance with the queuing space rule.

8.2.2.9 Scale of activity

As discussed, adverse effects on the road network associated with generating more than 40 vehicle movements per day has been assessed above and will be less than minor.

Overall, it is concluded that:

- There are no safety concerns with the surrounding transport network that would be exacerbated by the addition of traffic from the village.

- The village will be located close to public transport facilities and will have good connectivity to the surrounding area for pedestrians.
- The proposed village will have less than minor effects on the surrounding transport network.

8.2.3 Signage

The temporary 'For-Sale' signage proposed will be integrated into the fence erected along the Springs Road frontage of the site and will act as both advertising and screening during the staged construction and delivery of the village. In this way, the signage will:

- Be directly related to the development of the Site as a retirement village and provide a coherent and consistent method of advertising the nature of the activity. The scale and quantity of signage proposed is consistent with the size of the Site and the scale of the village proposed. It is comparable to the signage common to residential subdivisions and other similar developments.
- Be comprehensively designed to integrate into the fence design and structure and provide a quality look rather than have a temporary or ad-hoc appearance.
- Provide an attractive partial screen of the construction activity occurring on the Site, including the storage of materials and vehicle parking at the front of the site during construction. This will improve amenity as viewed from the street and from residential properties on the eastern side of Springs Road, as compared to an unscreened view or a view of traditional construction fencing.
- Provide attractive graphics of the proposed retirement village highlighting the amenities that will be provided e.g. graphics showing the interior of units, and simple contact details for enquiries (see **Appendix 16**), which will be in keeping with the nature of the site as a retirement village.
- Be consistent with the signage anticipated for any residential development on this Site as it is common to have billboard style signs advertising residential subdivisions along with a range of real estate type signs, often with multiple signs for every individual site. This signage will be more coordinated, having simpler and less visually cluttered appearance than many other large-scale developments.
- Be of a scale of that is consistent with the long road frontage of the Site.
- Not be likely to cause any impacts on motorists or traffic safety given the integration of the signage into the fence, the straight and open nature of the road with good visibility, and the simple nature of the proposed signage.

The permanent signage will be attached to the two feature walls at the entrance to the Site and will display the name and owner of the village only. The signage will be directly related to the village and will be very simple in design, thereby be clear and easy to read from Springs Road. This means that it will not cause any impacts on motorists or traffic safety given the integration of the signage into the feature walls, the straight and open nature of the road with good visibility,

and the simple nature of the proposed signage. Neither will the signs be of a colour or design which resembles a traffic sign or signal.

The scale of the signage will be greater than generally anticipated in a residential zone, but it will reflect the scale of the village, and will not look overbearing given the length of the Springs Road frontage.

Overall, it is considered that the adverse effects generated by the proposed temporary and permanent signage will be less than minor.

8.2.4 Contaminated land

The relevant matters of discretion relating to contaminated land are:

10.1.3.1 The adequacy of any methods proposed to reduce any potential adverse effects on people or animals.

10.1.3.2 If the soil is to be removed from the site, where it is to be disposed to, the level of risk to human health and the environment and how it is to be disposed of.

10.1.3.3 Where the site is not confirmed as contaminated but has been used for one or more of the activities listed in Appendix 10, further investigation to determine whether the site is contaminated and the extent of that contamination.

In addition, the matters under the NES-CS are:

(a) the adequacy of the detailed site investigation, including—

(i) site sampling:

(ii) laboratory analysis:

(iii risk assessment:

(b) the suitability of the piece of land for the proposed activity, given the amount and kind of soil contamination:

(c) the approach to the remediation or ongoing management of the piece of land, including—

(i) the remediation or management methods to address the risk posed by the contaminants to human health:

(ii) the timing of the remediation:

(iii) the standard of the remediation on completion:

(iv) the mitigation methods to address the risk posed by the contaminants to human health:

(v) the mitigation measures for the piece of land, including the frequency and location of monitoring of specified contaminants:

(d) the adequacy of the site management plan or the site validation report or both, as applicable:

(e) the transport, disposal, and tracking of soil and other materials taken away in the course of the activity:

(f) the requirement for and conditions of a financial bond:

(g) the timing and nature of the review of the conditions in the resource consent:

*(h) the duration of the resource consen*t.

The Preliminary/Detailed Site Investigation Report provided by Riley Consultants (see **Appendix 18**) includes an assessment of the soil conditions and a Detailed Site Investigation for the purposes of the Regulations.

A RAP/SMP has been prepared by Rileys that will manage the earthworks associated with the village including remediation and validation of identified hotspots (**Appendix 20**). The RAP/SMP contains protocols for any unexpected contamination discovered during works, and guidance to the civil works contractor regarding on-site soil re-use and off-site soil disposal options and requirements.

Consequently, it is considered that the potential adverse effects of developing a contaminated site will be less than minor if the RAP/SMP are adhered to.

8.2.5 Positive Effects

For the purpose of considering proposal under section 104 of the Act, positive effects are relevant.

The lack of retirement living and aged care in New Zealand is considered by many in the industry to be at crisis point. The demand for quality living options up to a standard that is acceptable to retirees is significantly higher than the current supply. It is necessary to ensure that older persons are able to access a high quality, safe and warm environment, where residents are able to go about their day to day activities comfortably and to a standard that people choose to live in. This proposal will meet the needs of this sector of the community.

In this case, the proposed retirement village will provide comprehensively designed, high quality housing options and choices for older persons. The proposal will provide a continuum of care from an independent lifestyle to 24-hour nursing care within the same site and this is considered to be very important for the following reasons:

- A site offering a full range of care options means that residents only need to make one move; and
- It allows couples to remain close to each other despite any differences in the level of care that they may require individually.

In addition, and due to the frailty and mobility limitations of some residents, the proposal provides extensive on-site community amenities, including recreation and entertainment activities, a cafe, communal sitting areas, and large, attractively landscaped areas. All of these

features lead to significant positive benefits for residents and for the efficient management and operation of the retirement village.

From a social and economic standpoint, it is desirable that elderly people live as independently as possible for as long as possible, with the transition to more advanced care undertaken with minimum stress and disruption. When this transition can be made within a residential community that the individual is familiar with the potential disruption and stress caused by the transition is minimised. The Site will provide the opportunity for residents to continue to participate in community life in a familiar setting, close to friends and family. The ability to achieve this has proven benefits in terms of improving the quality of life for elderly people. Where residents can continue to reside in or near to the community within which they have previously lived, the stress associated with the transition to assisted living or a higher level of care is markedly reduced. The location of the retirement village will also enable passive interaction for the less able residents. The proposal will make a positive contribution to the local community and will ensure that the elderly residents are not isolated from the community.

The retirement village will also provide an economic benefit to the community and the local workforce during construction, as well as providing employment once operational. In this regard, the retirement village will employ approximately 40-50 full-time equivalent staff once operational.

The design statement and design philosophy in **Appendix 5** also reinforce the positive aspects of the Village, in that it has been designed to integrate with the existing village feel and character of Prebbleton.

8.3 Conclusion of Assessment of Environmental Effects

It is concluded that:

- Any adverse visual effects of the portion of the proposed Main Building which exceeds the permitted height on the wider environment, and on any adjoining or adjacent properties, will be less than minor.
- Any adverse effects on traffic safety or efficiency on the wider environment, will be less than minor.
- Any adverse effects of the proposed signage on the wider environment, and on any adjoining or adjacent properties, will be less than minor.
- The proposal will provide significant positive effects in terms of the provision of additional housing choice and opportunity for older persons.
- The proposal has been designed to reflect and accord with the character and ‘feel’ of Prebbleton.

Overall, adverse effects generated by the proposal will be less than minor.

9.0 Statutory Assessment

In accordance with Section 104(1) of the Resource Management Act 1991 ('RMA'), this part of the report addresses the following statutory documents which are relevant to the assessment of this proposal:

- Part II of the RMA.
- National Policy Statement on Urban Development.
- Canterbury Regional Policy Statement.
- Selwyn District Plan.

9.1 Part II of the RMA

Part II of the RMA sets out the purpose (Section 5) and principles (Sections 6-8) of the RMA.

When considering whether to grant or decline an application of this nature, regard must be had to Part 2 matters of the Act, pursuant to s.104(1).

In the recent decision (RJ Davidson Family Trust v Marlborough District Council [2016] NZEnvC 81) the Court noted that "subject to Part 2" does not give a specific direction to apply Part 2 in all cases but only in certain circumstances. The Court found that, in addition to where there is a conflict between provisions, the decision maker should only resort to Part 2 of the Act when a planning document is invalid, has incomplete coverage, or is uncertain as to meaning. The Environment Court's approach was confirmed by the High Court in RJ Davidson Family Trust v Marlborough District Council [2017] NZHC 52, and although the High Court decision is subject to appeal, that approach remains relevant at the present time.

The SDP in this case adequately addresses the Part 2 matters. There is no inherent conflict, invalidity, incompleteness or uncertainty between the SDP and the higher order documents, and accordingly further analysis under Part 2 in not considered necessary.

9.2 National Policy Statement on Urban Development

The NPS-UD replaces the National Policy Statement on Urban Development Capacity 2016 and sets out the objectives and policies for planning well-functioning urban environments with a focus on improving housing supply and affordability and maintaining amenity values. Objective 1 and Policy 1 provide for people's wellbeing through the provision of well-functioning urban environments and enabling a variety of homes. Objective 3 seeks that councils enable more people to live in areas that are well-serviced by existing or planned public transport.

The retirement village will be located in an existing urban environment close to public transport routes and will provide an additional housing choice for elderly persons. The village, as

previously discussed in this application, has been designed to integrate with the surrounding environment and reflect the village' feel and character' of Prebbleton. The overall design with the Boulevard, landscaping, open spaces and retention of existing mature trees will ensure that the village has a high level of amenity.

Objective 4 recognises that urban environments, including their amenity values, change over time in response to the diverse and changing needs of people, communities, and future generations. This is supported by Policy 6 that seeks decision-makers have particular regard to matters including that the planned urban built form in RMA planning documents may involve significant changes to an area, and these changes may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and are not, of themselves, an adverse effect.

Objective 4 and Policy 6 recognise that urban environments change over time and that people's appreciation of amenity differs i.e. some people may appreciate the current openness of the southern part of the Site, whilst others would prefer to live adjacent to a more 'urban' environment with a greater level of activity. The overall status of the application is non-complying, but this relates to a technical non-compliance as the roading network, in particular, the main Boulevard will not be vested with the Council and not to any 'built' aspect of the village.

The mushroom factory that had been operating on the Site with its extensive open space and associated noise and odours will be replaced by an architecturally designed retirement village. This may be an improvement in amenity for some adjoining residents and not for others. However, the NPS-UD essentially directs the Council and community to anticipate change and provides a steer that such change should not be difficult to achieve, recognising people's differing appreciation of amenity values.

Overall, the proposal is considered to give effect to the relevant objectives and policies of the NPS-UD.

9.3 Canterbury Regional Policy Statement

The Canterbury Regional Policy Statement (CRPS) gives an overview of the significant resource management issues facing the region. The purpose of the CRPS is to set out objectives, policies and methods to resolve those resource management issues and to achieve the integrated management of the natural and physical resources of Canterbury.

9.3.1 Land Use and Infrastructure

The objectives and policies in the Land Use and Infrastructure chapter (Chapter 5) seek that across the region, urban development is consolidated in and around existing urban areas, and there is a choice of housing whilst avoiding effects on regionally significant infrastructure. In addition, development should avoid effects on the efficient and effective functioning of arterial roads.

Discussion

The proposed retirement village will utilise a brownfield site that is located in the centre of Prebbleton. This will ensure that the proposal is consolidated within the existing urban area, in proximity to the developing commercial heart of the village. The proposed retirement village will contribute to the choice of housing available within Prebbleton by providing for independent style living in 224 units and with care provided on site.

The Site is located on Springs Road, which is classified as an arterial road in the Selwyn District Plan (from Marshs Road to Gerard Street in Lincoln). Arterial roads are defined as regional significant infrastructure in the CRPS. However, the Integrated Transport Assessment prepared by Stantec has determined that any effects on the safe and efficient operation of Springs Road will be less than minor. The proposal is therefore considered to accord with the objectives and policies in the Land Use and Infrastructure chapter.

9.3.2 Recovery and rebuilding of Greater Christchurch

The objectives in Chapter 6 specifically provide for development in the Greater Christchurch area, which avoids development outside of existing urban and greenfield priority areas, and effects on strategic infrastructure and optimises the use of existing infrastructure. The focus is on consolidation in existing urban areas including the 'self-sufficient' and 'sustainable' growth of Prebbleton and providing for a range of housing types especially on, amongst other areas, brownfield sites. There is also a clear direction to integrate transport planning with new development to facilitate less reliance on private vehicles, promoting public and active transport and reducing emissions.

The supporting policies seek that development give effect to the urban form identified in the CRPS that supports consolidation to enable the efficient use of existing transport networks and infrastructure. The policies seek that development incorporates the principles of good urban design including a sense of place, integration with the current form and pattern of development, connections to the surrounding area and services, consideration of CPTED principles, providing for a choice of living environments, and incorporating sustainability in the layout of development, the use of resources and management of discharges whilst promoting innovative approaches to the provision of infrastructure and urban design.

There is particular policy support for the regeneration of brownfield land provided that it supports the safe and efficient functioning of the transport network and will not adversely affect the existing urban form or result in significant reverse sensitivity effects.

Discussion

The proposal supports the direction of these objectives and policies as it provides for the redevelopment of a brownfield site in Prebbleton. The village will provide a range of housing options for elderly persons near existing amenities including shops, cafes, cycle and walking paths, and bus stops on Springs Road. It will also, as discussed above, meet the principles of good urban design by ensuring the materials used reflect the character and 'feel' of Prebbleton. The village has been assessed as integrating with the current form and pattern of surrounding

residential development, with screening by existing and proposed planting providing relief from the built form and reflecting landscaping in the surrounding area.

The village will not require any upgrading of the existing road network and it has been determined that the safe and efficient operation of the surrounding road network will be maintained. Neither will the village trigger any upgrades to existing council potable water and wastewater systems. As such, it is considered that the proposal accords with the objectives and policies in Chapter 6.

9.3.3 Contaminated land

The objectives seek that people and the environment are protected from the adverse effects of contaminated land. This is proposed to be achieved through site investigations to determine the nature and severity of any contamination, and the effects of that contamination to be effectively managed including through remediation of the land. This does not necessarily require the contaminants to be removed provided that contaminants do not result in significant effects on the environment or human health.

Discussion

A Detailed Site Investigation (DSI) has been prepared by Riley Consultants. Soil sampling (including drilling through the hard-sealed area of the site) was undertaken in general accordance with the requirements of National Environmental Standard Managing Contaminants in Soil for Human Health (NES-CS) and the MfE Contaminated Land Management Guidelines No. 5. This identified arsenic at levels over four times the NES-CS soil contaminant standard for high-density residential land use and asbestos levels above the relevant human health criteria <0.001%. Various heavy metals (mainly arsenic, zinc, chromium, lead, nickel and copper) also exceeded published regional background levels. As such, a RAP/SMP report has been prepared by Riley that will manage the earthworks associated with the village including remediation and validation of identified hotspots. As such, the proposal accords with the objectives and policies that seek to manage contaminated land.

9.4 Selwyn District Plan

The Selwyn District Plan (SDP) sets out the objectives and policies for development within Selwyn.

9.4.1 Land and Soil

The objectives and policies seek to minimise adverse effects on the environment and people from contaminated land, and that landowners are encouraged to clean up contaminated sites. In terms of land in general, activities should not limit land or soil for other uses in the future and should not adversely affect ground water resources.

Development in townships like Prebbleton should have water supply and effluent and stormwater systems to avoid adverse effects on groundwater. Drinking water must meet New Zealand Drinking Water Standards and sewage must be discharged to a reticulated system.

Discussion

It is considered that the proposed retirement village will not limit land or soil for other uses in the future given that it is essentially a residential development in a residential zone. Furthermore, a DSI has been prepared by Riley Consultants, and earthworks will be managed through a RAP/SMP report, which will improve the quality of the soil on the Site for the benefit of future residents and potential uses. Stormwater will be managed within the Site to minimise any adverse effects on groundwater and soils. The village will be connected to the reticulated public water supply and effluent systems to avoid adverse effects on groundwater.

As such, the proposal accords with the objectives and policies that seek to manage land and soil.

9.4.2 Outstanding Natural Features and Landscapes

There is clear policy direction to retain a distinction between the rural areas of the District and the townships on the Canterbury Plains, recognising that this contributes to their landscape values. Townships should not be allowed to merge and the land between Christchurch City and a line extending from West Melton to Tai Tapu provides a rural landscape in contrast to Christchurch City.

Discussion

This policy direction was taken from an earlier CRPS that was operative at the time the current SDC Plan was being written and the operative CRPS does not contain the same policy direction. However, this proposal assists in achieving this policy as it is intended to re-develop a brownfield site within the existing urban area. It thereby maintains the distinction between the rural areas of the District and the townships on the Canterbury Plains.

9.4.3 Transport Networks

The intent is to manage development to minimise adverse effects on transport networks and manage and minimise adverse effects of transport on adjoining land uses. Transport networks and development should be managed in an integrated way. In this regard, specific consideration is given to the impact of new residential development on local roads and the District's road network, particularly Arterial Road links with Christchurch City and efficient and consolidated land use patterns are promoted.

The policies seek to protect the primary function of State Highways and Arterial Roads to ensure the safe and efficient flow of 'through' traffic. All sites must have legal access to a legal road that is formed to a standard that is appropriate to the number and type of vehicle movements generated by the activity; the road classification and function; and any pedestrian, cycle, public transport or other access required by the activity.

Activities must provide sufficient on-site car parking and loading facilities to minimise effects on adjoining roads especially arterial roads to maintain their function as efficient through-routes.

With regard to the safety of road users, buildings should be setback from road boundaries to enable good visibility. Furthermore, all vehicle crossings, intersections, pathways, roadside signs and noticeboards should be designed and positioned to allow safe passage, and access and egress.

The policies promote walking and cycling within townships by providing a choice of routes for active transport modes and ensuring that there is supporting infrastructure at destinations. This is supported by a strong policy direction to provide pedestrian and cycle links in new residential areas.

Discussion

As determined above, the village will have minimal effects on the safe and efficient use of the surrounding road network including Springs Road, an important through road. The Site will have two legal accesses to legal roads that will be formed to a standard that is appropriate for private vehicles and medium sized trucks. The Site will also be in proximity to cycle ways and there will be public pedestrian connections through the Site to the surrounding area.

All car parking required for the village will be provided within the Site, with no reliance on off-street or off-site parking and car parks will be designed to meet district plan requirements, with sufficient space for the safe manoeuvring of vehicles within the Site.

Buildings and signs will be well setback from the boundary with Springs Road to ensure that sight lines for vehicles turning into and out of the Site are provided for.

It is therefore considered that the proposal meets the intent of the Transport Network objectives and policies.

9.4.4 Quality of the Environment

The objectives intent is to ensure that the District's townships are pleasant places to live and work, provide for a range of activities while maintaining the character and amenity of each zone and avoiding reverse sensitivity effects. The growth of the townships should maintain a compact urban form with a variety of living environments and housing choices including medium density housing typologies located within areas identified in an Outline Development Plan. Such growth should be connected to existing development as well as providing for internal connections with access to a variety of forms of transport.

The policies seek that zones in townships are based on the existing quality of the environment, character and amenity values, except within Outline Development Plan areas in the Greater Christchurch area where provision is made for high quality medium density housing and that any activity can establish provided that any effects are compatible with the character and amenity of the zone. Living zones are anticipated to be pleasant places to live, more spacious than residential areas in Christchurch City, have safe and easy access for residents to associated services and facilities, provide for a variety of living environments and housing

choices, and that dwellings have access to sunlight and views as well as high levels of interface with roads and other dwellings. There should be a balance between built form and open spaces that complements the existing character and amenity of the surrounding area and natural or other unique features should be incorporated into the development to provide a sense of place, identity and community.

Discussion

This proposal will enable the construction and operation of a comprehensive care retirement village in the centre of Prebbleton on a brownfield site that was previously occupied by Meadow Mushrooms.

The comprehensive style of the proposed village will provide a high-quality residential amenity for elderly persons close to amenities and other residential areas. The balance of buildings to open space will create an overall site coverage of 31.6%, which is in-line with surrounding established residential development. There will be a balance between built form and open space that complements the existing character and amenity of the surrounding area. Furthermore, residential units have been sited to ensure indoor and outdoor living areas have good access to sunlight.

The retention of some street trees on Springs Road will assist in retaining the existing character of the area, that is described in the Prebbleton Structure Plan. That document states that 'Prebbleton's character is derived from the existence of large trees throughout the township, especially those that can be viewed when travelling along Springs Road. It is proposed to retain many existing street trees and supplement these with new exotic trees and plants that reflect those in the surrounding area and on the site. It is also proposed to use neutral colours including plaster, timber and stone and the villas and cottages will have pitched roofs to ensure the style of buildings reflects the rural/village character of Prebbleton.

Overall, it is considered that the proposal accords with the objectives and policies that relate to the quality of the environment.

9.4.5 Noise

Noise is to be managed in accordance with the quality of the environment and the amenity values of each zone, while not adversely affecting the health and well-being of people.

Discussion

The retirement village is anticipated to generate the type and level of noise generally anticipated in a residential area. In fact, it may be quieter due to less vehicle movements and general family activity such as ball games etc and will be quieter than the current and historical factory use.

9.4.6 Glare

Night lighting and glare should not shine directly into adjoining properties.

Discussion

The retirement village will have street lighting, but it will be designed to light internal roads and be directed into the Site, rather than onto adjoining properties.

9.4.7 Dust

The policies seek to avoid adverse effects from stockpiled material or construction work in the Living Zones.

Discussion

Any dust effects will be temporary and managed through the Erosion and Sediment Control Plan prepared by Riley.

9.4.8 Scale and Nature of Activities

Policy B3.4.16 seeks to ensure the operating hours for non-residential activities in Living zones do not disturb surrounding residential activities, particularly at night.

Discussion

The retirement village essentially operates as a residential activity, with the Site entrances being closed at night. There will generally be no night-time activities that will attract large numbers of people to the Site or create excessive levels of noise.

9.4.9 Traffic

Activities must have car parking facilities to manage effects on the amenity values of streets, the privacy of residents and safe and convenient access to sites, that also take into consideration access by sustainable transport modes. Car parks should have a high level of amenity, safety and accessibility for pedestrians, users of public transport and cyclists.

Discussion

The village parking will be provided with each villa and cottage, and small pockets of car parks (including 4 parks for disabled persons) for staff, visitors and Summerset vehicles will be clustered around the Main Building. As such, all car parking required for the village will be provided for within the Site. The car parks have been integrated into the overall design and landscaping of the village.

It is also proposed to provide 12 cycle parks adjacent to the Main Building and there will be pedestrian pathways across the Site for residents as well as members of the public, as the Site will provide a connection between the surrounding residential areas and the amenities along Springs Road.

9.4.10 Outdoor Signs and Noticeboards

Signs should be designed and located to avoid adverse effects on the visibility or safety of pedestrians, cyclists or motorists, safe egress and ingress to sites, high levels of glare and

reflectivity, the amenity of the zone and the skyline or views caused by signs protruding above the roofs of buildings. Signs should maintain the quality of the environment and amenity values of the Living Zone.

Discussion

As discussed above, it has been determined that the proposed signage will avoid adverse effects on the safe and efficient operation of the vehicle crossing onto Springs Road and on the safety of road users. Overall, the scale of the proposed signage will reflect the scale of the activity, and its design will ensure the quality of the environment and amenity values of the Living X Zone are maintained.

9.4.11 Building Design

It is intended that people have the freedom of choice in designing buildings or structures, except where building design needs to be managed to avoid, remedy or mitigate adverse effects on adjoining sites.

The policies seek to manage the design and location of buildings to ensure they do not shade adjoining properties, maintain a predominately low-rise skyline and set buildings back from road boundaries to maintain privacy and outlook for residents and maintain the character of the area. It is also recognised that buildings for non-residential activities are likely to differ in character but seek that their size and bulk are compatible with the quality of the environment and amenity values of the residential area.

Discussion

The village will maintain its integration with the surrounding residential context by locating the Main Building (part of which exceeds the permitted height standard) within the central part of the Site, with graduated layering of the independent dwellings rising up to meet it. Thus, the Main Building and villas will be setback from site boundaries ensuring there is no shading or overlooking of adjoining sites.

In addition to this, the overall vertical relief provided by the over-height component of the Main Building provides a sense of legibility to the site through its height contrast with the lower one storey villas and cottages clustered around the periphery of the Site. The Main Building will also provide a visual reference point within the village and be easily read as the heart of the village providing visitor parking and communal amenities.

The main entrance, with its modulated and articulated built form complemented by existing and supplementary tree planting and transparent pool-style fencing will create an inviting street frontage that also enables surveillance into and out of the site and ‘blurs’ public/ private areas. However, there will be sufficient landscaping to maintain the privacy of the residents within the village.

9.4.12 Landscape and Amenity Plantings

Sites in the Living zones are encouraged to maintain landscaping along the road boundary and new development in the townships retains existing bushes and trees on the site.

Discussion

The existing mature trees that are suitable to be retained will be supplemented with new planting that reflects the landscaping found in Prebbleton (refer to the Landscape Plan in Appendix 12); this reflects more 'English' species such as Oaks, Ash and Elms rather than indigenous vegetation. This landscaping will soften the public/private interface by providing 'shared' landscaped areas at the public boundary.

9.4.13 Growth of Townships: Residential Density

The objective is that a diversity of living environments is provided for, while maintaining the overall spacious character of the Living Zones, except within the Medium Density areas, where a high, quality medium density style of development is anticipated.

The policies provide choice in determining the residential density in the Living X Zone, provided that it is not greater than the density in the Living 1 Zone, as well as enabling greater site coverage and controlling the number of sites with more than one dwelling per site to manage potential adverse effects on overall residential density. High and continuous fences or screening of sites in Living Zones that have frontage but no access to Strategic Roads or Arterial Roads is discouraged.

Discussion

It is proposed to comprehensively develop the Site as a retirement village that will not be subdivided as usually occurs for a standard residential development. As such, there will be 224 villas and cottages on the Site in addition to the residential uses within the Main Building. It is noted that this is not common in this area, but this retirement village is unlikely to set a precedent given the subject Site is the last significant piece of land within Prebbleton to be developed. The overall site coverage and landscaping proposed including the visually permeable fencing along Springs Road will ensure a high-quality comprehensive retirement village with a sense of openness.

9.4.14 Residential and Business Development

The outcomes sought are that new residential development is provided for in existing zoned land or priority areas. The objectives also identify the development capacity for housing that must be enabled in the urban areas of Selwyn District in accordance with the CRPS Policy 6.2.1a. The medium term (2018-2028) capacity is 8,600 dwellings.

The policies seek to encourage new residential development to occur on vacant land in the existing Living Zones, if land is available and appropriate for the proposed activity. In Prebbleton, the policies direct where rezoning of land for residential development should occur,

being located to the east and west of the existing Living and Business zones, being those Living and Business zones that adjoin Springs Road and discourage further expansion of Prebbleton township north or south of the existing Living zone boundaries adjoining Springs Road.

Discussion

The proposed retirement village will be established on existing residential zoned land that is located within the existing developed area of Prebbleton. As such, it is considered that the proposal will meet the objectives and policies that address residential development.

9.5 Conclusion on Statutory Considerations

Overall, it is concluded that the proposal meets the intent of the objectives and policies of the CRPS and the SDP.

10.0 Consultation

10.1 Pre-Application Meetings

Summerset held a meeting with Emma Larsen (planner), Gabi Wolfer (urban designer) and Andrew Mazey (Traffic) on 27th February to discuss the project at an early stage and prior to detailed site design. Feedback from this meeting was incorporated into the design of the Master Plan for the site.

A pre-application meeting was held with SDC on 13th August 2020 to present a refined Master Plan and discuss any issues of concern to Council. Unfortunately, Gabi Wolfer was unable to attend that meeting, and a separate meeting was held on 27th August to address urban design issues.

10.2 Wider community

Summerset met with the Prebbleton Residents Association on 3rd July to discuss the intent of the project.

11.0 Notification

11.1 Public Notification

The Application has been assessed against each of the steps under section 95A to determine whether public notification is required.

Section 95A provides a step-by-step guide in determining whether public notification is required:

Step 1	Mandatory public notification in certain circumstances. An application must be publicly notified if: • the applicant requests public notification. • public notification is required under section 95C. • the application is made jointly with an application to exchange recreation reserve land.
Step 2	If not required by step 1, public notification is precluded in certain circumstances. An application cannot be publicly notified if: • a rule or national environmental standard (NES) precludes notification • the application is for one or more of the following, but no other, activities: – a controlled activity – a restricted-discretionary or discretionary application for: • a subdivision of land • a residential activity (defined in new section 95A(6)) – a boundary activity (defined in section 87AAB; – an activity prescribed in regulations.
Step 3	If not precluded by step 2, public notification is required in certain circumstances. Other than for those activities in step 2, public notification is required if: • a rule or NES requires public notification • the assessment under section 95D determines that the activity will have, or is likely to have, adverse effects on the environment that are more than minor.
Step 4	Public notification in special circumstances If notification is precluded under step 2, or isn't required under step 3, consideration must be given to whether special circumstances exist that warrant public notification of the application.

Public notification under section 95A is precluded in this application because:

- None of the circumstances of step 1 (section 95A(3)) exist. The applicant does not request notification, no further information has been requested and there is no recreation reserve land involved in the application.

- None of the circumstances of step 2 exist.
- In terms of Step 3, there is no rule or NES requiring public notification and the assessment undertaken above shows that the activity will not have any adverse effects on the environment that are more than minor.
- Step 4 does not apply as there are no special circumstances which could warrant public notification under s95A(9).

Accordingly, on the basis that there will be no adverse effects on the environment that will be more than minor and there are no special circumstances that apply to this application, the consent authority need not publicly notify this application.

11.2 Limited Notification

Where the consent authority accepts that public notification is not required (see above), the consent authority must determine if limited notification is required under section 95B:

Step 1	Certain affected groups and affected persons must be notified. If the consent authority determines that certain people or groups are affected, these persons/groups must be given limited notification: • affected protected customary rights groups • affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity) • an affected person under section 95E to whom a statutory acknowledgement is made (if the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement)
Step 2	If not required by step 1, limited notification is precluded in certain circumstances. An application cannot be limited notified if: • a rule or NES precludes limited notification of the application • it is for either or both of the following, but no other, activities: – a controlled land use activity under a district plan – an activity prescribed through regulations.
Step 3	If not precluded by step 2, certain other affected persons must be notified. Determine whether, in accordance with section 95E, the following persons are affected persons: • in the case of a boundary activity, an owner of an allotment with an infringed boundary; and

	• in the case of any activity prescribed under section 360H(1)(b), a prescribed person in respect of the proposed activity. In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.
Step 4	Further notification in special circumstances. If the consent authority determines special circumstances exist that warrant limited notification of the application to any other persons not already determined to be eligible for limited notification (excluding persons assessed under section 95E as not being affected persons), the council must give limited notification to those persons.

11.2.1 Limited Notification under section 95B is precluded because:

- None of the circumstances of Step 1 (section 95B(2) or (3)) apply.
- Step 2 does not apply as none of these criteria are met.
- Step 3 does not apply, as there are no adversely affected persons in accordance with section 95E (as assessed below).
- Step 4 does not apply as there are no special circumstances which would warrant limited notification under Section 95B(10).

With regard to affected persons, Section 95E states:

> *95E Consent authority decides if person is affected person*
>
> *(1) For the purpose of giving limited notification of an application for a resource consent for an activity to a person under section 95B(4) and (9) (as applicable), a person is an affected person if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor).*
>
> *(2) The consent authority, in assessing an activity's adverse effects on a person for the purpose of this section—*
>
> *(a) may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect; and*
>
> *(b) must, if the activity is a controlled activity or a restricted discretionary activity, disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and*
>
> *(c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.*

(3) A person is not an affected person in relation to an application for a resource consent for an activity if—

(a) the person has given, and not withdrawn, approval for the proposed activity in a written notice received by the consent authority before the authority has decided whether there are any affected persons; or

(b) the consent authority is satisfied that it is unreasonable in the circumstances for the applicant to seek the person's written approval.

(4) Subsection (3) prevails over subsection (1).

With regard to the above, there is no adversely affected person who must be notified of this application because the assessment provided above concludes that the effects of the proposal will be less than minor.

Accordingly, it is considered that the consent authority need not give notice of this proposal to any person.

11.3 Conclusion of Notification Assessment

Pursuant to Sections 95 to 95G of the RMA, this application must be processed without public notification and without limited notification to any person because:

- None of the steps under section 95A require the consent authority to publicly notify the application; and
- None of the steps made out under section 95B require the consent authority to give limited application.
- No persons are considered to be adversely effects under s95E.

12.0 Conclusion

It is proposed to establish a comprehensive care retirement village at 578 Springs Road in Prebbleton. The village will be of a typical scale for a comprehensive care retirement village providing a continuum of care which meets all aged care needs.

This assessment of environmental effects has determined that effects will be less than minor.

Consequently, the proposal is consistent with the objectives and policies of the SDP. It is also considered to be entirely consistent with and appropriate in light of the CRPS.

The application can be processed on a non-notified basis without notice to any person pursuant to Section 95 of the RMA as the effects on the environment will be less than minor, no persons are considered to be potentially adversely affected and no special circumstances exist.

In conclusion, it is considered that the Selwyn District Council has the authority to grant consent to the proposal on a non-notified basis in terms of Sections 104, 104B and 104D of the RMA for the reasons stated above.

CONTENTS

PART 3

13.0 Reasons for the Application

The proposal has been assessed against the provisions of the Canterbury Land and Water Regional Plan and the Canterbury Air Regional Plan. Overall, land use consent is sought as a **Discretionary Activity** as set out below.

13.1 Statutory assessment

The proposal requires the following resource consents pursuant to the Operative Canterbury Land and Water Regional Plan:

Refer to **Appendix 8** for a detailed assessment.

Rule	Non-Compliance	Activity Status
5.94B The discharge of construction-phase stormwater.	The proposed discharge of stormwater to ground during construction is from contaminated or potentially contaminated land.	Restricted Discretionary
5.97 The discharge of stormwater.	The proposed discharge of stormwater to ground is from contaminated or potentially contaminated land and occurs where there is an available reticulated stormwater system.	Discretionary

Overall, it is considered that the proposal requires consent as a **Discretionary Activity**.

14.0 Assessment of Environmental Effects

An assessment of the effects of the proposal has been undertaken as set out below.

14.1 Potential effects of discharging construction-phase stormwater

Riley have assessed the potential adverse effects of discharging construction-phase stormwater to land (refer to Earthworks and Sediment Control Assessment in **Appendix 19**).

In summary, stormwater from the construction site, especially during large scale earthworks, will likely be laden with sediment. This can block reticulated stormwater systems as well as adversely affect water quality in groundwater. As such, measures will be taken to minimise the volume of sediment discharged during construction including:

- mulching of exposed soils where earthworks require immediate stabilisation;
- creating a stabilised entrance at the entry/exit points of the site with provision of a wheel wash facility to minimise the volume of sediment being transported onto the local road network;
- progressively stabilising exposed areas with compacted granular hardfill once subgrade levels have been achieved; and
- the phasing of earthworks in order to isolate and reduce the area of exposed earth.

Silt and super silt fences will detain and direct sediment laden flows to a sediment retention pond, which will treat sediment-laden runoff and minimise the volume of sediment in stormwater discharged to land. Runoff diversion channels will also be used to intercept silt-laden runoff and divert it into earth decants and the sediment pond to be treated prior to discharging to land.

The sediment retention pond will be positioned at the eastern corner of the Site (within the Stage 6 area – refer to drawings in **Appendix 19**). This is the natural low point of the Site, and thus a convenient collection point. This position will also allow for easy access to carry out routine maintenance of the pond.

Chemical treatment of the runoff will be used to enhance the effectiveness of the sediment ponds and sediment control measures. A chemical liquid coagulant (flocculant) will be added where necessary to stormwater entering the sediment retention pond and decanting bunds via rainfall-activated systems. The rainfall activated chemical systems, pond and the bunds will be designed and constructed in accordance with the ECan's Erosion and Sediment Control Online Toolbox. The anticipated design, operation, and maintenance of the proposed systems are described in the Earthworks and Sediment Control Assessment in **Appendix 19**.

If the primary control measures are placed under significant pressure (e.g. an extreme weather event), the following secondary measures will apply:

- Cease earthworks carried out in the contributing catchment area;
- Repair existing sediment control devices and/or construct secondary devices to intercept and prevent further migration of sediment-laden runoff from entering the downstream system; and

- Notify the site engineer of the event. The contractor will provide details of the mitigation measures employed to the site engineer prior to recommencing earthworks.

Cleanwater diversion bunds will be used to divert upstream catchment flows safely away from proposed earthwork areas and adjoining properties to be discharged to land. Channels and bunds will be sized for the 20-year ARI rainfall storm event and will generally include a 0.30m freeboard.

Overall, it is considered that there will be no more than minor effects on groundwater quality due to the sediment and erosion control measures proposed. Furthermore, construction-phase stormwater can be collected and treated within the Site and there are not anticipated to be any adverse effects on adjoining neighbours due to changes to flow paths.

14.2 Potential effects of discharging 'development' stormwater to land

Riley have prepared a Civil Engineering Assessment (refer to **Appendix 22**) to assess the effectiveness and potential effects of the proposed stormwater management system within the Site.

The stormwater reticulation will be designed and constructed in accordance with the recommendations outlined in the Civil Engineering Assessment, SDC Engineering Code of Practice and the New Zealand Building Code (NZBC), given that ECan does not have specific guidelines to manage stormwater, and the reticulation must meet engineering and building code standards. Rain gardens will be sized in accordance with the CCC Rain Garden Design, Construction and Maintenance Manual, as referenced and used by ECan. Preliminary assessment of available areas for stormwater soakage systems has identified adequate capacity to service the retirement village within the confines of the Site.

Stormwater from roofs and landscaped areas

The primary stormwater pipe reticulation will be sized to convey the 50-year design flows from roof and landscaped areas to ground soakage areas. Eight soakage tests were carried out across the site by Geotechnics within boreholes augered during the geotechnical subsurface investigations. Whilst good soakage rates were achieved, it is understood from reviewing technical reports and documentation regarding soakage devices, these rates can reduce over the life of the device. As a result, the lower end soakage rate of 10,000mm/hour has been factored by 0.5 and a design soakage rate of 5,000mm/hour applied.

Soakage systems will be designed and constructed in accordance with the SDC Engineering CoP and E1/VM1 of the New Zealand Building Code. A combination of storm durations was assumed to confirm that the soakage systems were sized adequately to detain and discharge all runoff for the 2% AEP year storm event (including consideration of climate change). The maximum proposed depth of the soakage system is 4.5m below existing ground level. Given that ground water has been measured at 6.3m below existing ground level, more than 1m separation between the proposed soakage devise and ground water will be available.

Stormwater from roads

Stormwater from the road catchments will be directed to one of six stormwater treatment devices, being 4 rain gardens and 2 swales. The primary stormwater pipe reticulation will be sized to convey the 10-year design flows from these areas, and the rainwater gardens and swales will be designed to treat the first flush volume (also known as the water quality volume).

It is also anticipated that the rain gardens and swales will provide a certain amount of detention storage during higher-intensity storms when runoff flowrate exceeds the discharge soakage rate. This can occur during a high intensity event i.e. a short duration 10yr event that may have a higher intensity than a longer duration 50yr event. However, a conservative approach has been taken for the purposes of this assessment, and this additional storage/detention has not been taken into consideration.

Instead, consideration has been given to maintaining secondary overland flow to cater for higher intensity rainfall events in the event of blockages or exceedances of the reticulation and soakage system. Secondary overland flow from the Site will be directed via the internal road network to the rain gardens adjacent to Springs Road, where it will be discharged directly to designated ground soakage areas. The secondary overland flow path alignment is indicated on RILEY Dwg: 190417-17.

Overall, the collection, treatment and discharge of stormwater can occur within the Site to ensure that potential contaminants are removed prior to discharge to groundwater, and that there will be no overflow onto adjoining residential properties. It is therefore considered that there will be no more than minor effects associated with the discharge of stormwater to land.

14.3 Conclusion of Assessment of Environmental Effects

It is concluded that the adverse effects of this proposal on the environment from these discharges will be no more than minor.

15.0 Statutory Assessment

In accordance with Section 104(1) of the Resource Management Act 1991 ('RMA'), this part of the report addresses the following statutory documents which are relevant to the assessment of this proposal:

- Part II of the RMA.
- National Policy Statement for Freshwater Management 2020 (NPSFM).
- Canterbury Regional Policy Statement (CRPS).
- The Mahaanui Iwi Management Plan 2013 (MIMP).
- Canterbury Land and Water Regional Plan (CLAWP).

15.1 Part II of the RMA

Part II of the RMA sets out the purpose (Section 5) and principles (Sections 6-8) of the RMA.

When considering whether to grant or decline an application of this nature, regard must be had to Part 2 matters of the Act, pursuant to s.104(1).

In the recent decision (RJ Davidson Family Trust v Marlborough District Council [2016] NZEnvC 81) the Court noted that "subject to Part 2" does not give a specific direction to apply Part 2 in all cases but only in certain circumstances. The Court found that, in addition to where there is a conflict between provisions, the decision maker should only resort to Part 2 of the Act when a planning document is invalid, has incomplete coverage, or is uncertain as to meaning. The Environment Court's approach was confirmed by the High Court in RJ Davidson Family Trust v Marlborough District Council [2017] NZHC 52, and although the High Court decision is subject to appeal, that approach remains relevant at the present time.

The CLAWP in this case adequately addresses the Part 2 matters. There is no inherent conflict, invalidity, incompleteness or uncertainty between the CLAWP and the higher order documents, and accordingly further analysis under Part 2 in not considered necessary.

15.2 National Policy Statement for Freshwater Management

The National Policy Statement for Freshwater Management (NPSFM) seeks to manage freshwater in accordance with Te Mana o te Wai. This is a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.

The objective seeks to prioritise the management of freshwater as follows:

1. The health and well-being of water bodies and freshwater ecosystems;
2. The health needs of people (such as drinking water);
3. The ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

The policies of particular relevance to this proposal seek that the effects of the use and development of land are addressed on a whole-of-catchment basis and that freshwater is managed through a National Objectives Framework to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved. The policies also address the loss of wetlands, rivers and the protection of the significant values of outstanding water bodies and the habitats of indigenous freshwater species.

The policies are focussed on the ‘big picture’ i.e. are catchment based and set the framework for giving effect to the national objectives framework. This is one small proposal that seeks to discharge treated stormwater to land, that will percolate into groundwater beneath the Site. The stormwater will be treated to ensure it does not adversely affect groundwater quality and consequently, it is considered that the proposal meets the intent of the NPS-FM.

15.3 Canterbury Regional Policy Statement

The Canterbury Regional Policy Statement (CRPS) gives an overview of the significant resource management issues facing the region. The purpose of the CRPS is to set out objectives, policies and methods to resolve those resource management issues and to achieve the integrated management of the natural and physical resources of Canterbury.

15.3.1 Water

The objectives and policies seek that water is sustainably managed to provide for a wide range of activities both now and into the future. This is to be achieved by setting minimum water quality standards for surface and groundwater resources. Activities are then proposed to be managed to minimise effects on water quality in accordance with the standards.

Discussion

As discussed above, the stormwater from roads will generally be treated and ‘clean’ stormwater from roofs and landscaped areas will be discharged directly to ground. As such, it is anticipated that groundwater quality will not be adversely affected, and the proposal accords with the objectives and policies on water in the CRPS.

15.3.2 Contaminated land

The objectives seek that people and the environment are protected from the adverse effects of contaminated land. This is proposed to be achieved through site investigations to determine the nature and severity of any contamination, and the effects of that contamination to be effectively managed including through remediation of the land. This does not necessarily require the contaminants to be removed provided that contaminants do not result in significant effects on the environment or human health.

Discussion

A detailed site investigation (DSI) has been prepared by Riley Consultants. Soil sampling (including drilling through the hard-sealed area of the site) was undertaken in general accordance with the requirements of National Environmental Standard Managing Contaminants in Soil for Human Health (NES-CS) and the MfE Contaminated Land Management Guidelines No. 5. This identified arsenic at levels over four times the NES-CS soil contaminant standard for high-density residential land use and asbestos levels above the relevant human health criteria <0.001%. Various heavy metals (mainly arsenic, zinc, chromium, lead, nickel and copper) also

exceeded published regional background levels. As such, a RAP/SMP report has been prepared by Rileys that will manage the earthworks associated with the village including remediation and validation of identified hotspots. As such, the proposal accords with the objectives and policies that seek to manage contaminated land.

15.4 Mahaanui Iwi Management Plan 2013

The Mahaanui Iwi Management Plan 2013 (MIMP) contains policies on water that seek that land and water are managed as interconnected resources, and that the practice of using water as a receiving environment for contaminants is discontinued. This is further supported by a policy that the regional council classify activities that may result in the discharge of stormwater to water or onto land where contaminants may enter water as a prohibited activity. If discharges to land are consented, they need to be managed to protect ground and surface water by way of, for example application rates and native plants to absorb and filter contaminants. If contaminants are likely to enter water, they should be managed on site and at source. Discharges should also be appropriate to soil type and slope, and the assimilative capacity of the land to avoid over-saturation and contamination, run-off and leaching. This should be supported by regular testing of the soil and groundwater.

The MIMP provides guidance on how contaminated land should be managed including the potential for run-off and leaching, proposed land use changes and remediation or mitigation works.

The objectives that apply to land uses are clearly interlinked with the management of water. Land use needs to occur in a manner that is consistent with land capability and the availability of water resources and development should implement low impact, innovative and sustainable solutions to water, stormwater and waste issues. Stormwater is sought to be managed on-site through reducing the volume of stormwater, contaminants and sediment entering any system and discharge should occur to land i.e. using swales and retention basins. These can also form part of an open space network.

Discussion

As discussed above, a RAP/SMP report has been prepared by Riley that will manage the earthworks associated with the village including remediation and validation of identified hotspots. This will minimise the risk of contaminants entering the proposed stormwater system.

Post-construction stormwater will be managed on-site using swales and rain gardens to minimise adverse effects on groundwater quality. Stormwater during construction will also be treated on-site prior to discharge to land. The proposal is considered appropriate as the discharge of stormwater will be to land and not to water. This is considered preferable to discharging to the SDC reticulated system as this relies on surface waterbodies to collect and convey stormwater, and the proposal provides an opportunity to develop a site-specific system that can be incorporated into the landscaping for the village. Overall, it is considered that the proposal accords with the intent of the objectives and policies in the MIMP.

15.1 Canterbury Land and Water Regional Plan

The objectives and policies of the CLWRP seek an integrated approach to managing freshwater and land uses, recognising the need for land uses to continue to develop and change and the importance of soils. The policies clearly encourage the discharge of stormwater to a reticulated system in urban areas, and that such systems are managed by way of a management plan.

Discussion

As discussed above, a RAP/SMP report has been prepared by Rileys that will manage the earthworks associated with the village including remediation and validation of identified hotspots. This will minimise the risk of contaminants entering the proposed stormwater system.

Post-construction stormwater will be managed on-site using swales and rain gardens to minimise adverse effects on groundwater quality. Stormwater during construction will also be treated on-site prior to discharge to land. The proposal is considered appropriate as the discharge of stormwater will be to land and not to water. This is considered preferable to discharging to the SDC reticulated system as this relies on surface waterbodies to collect and convey stormwater, and the proposal provides an opportunity to develop a site-specific system that can be incorporated into the landscaping for the village. Overall, it is considered that the proposal accords with the intent of the objectives and policies in the CLWRP.

15.2 Conclusion on Statutory Considerations

Overall, it is concluded that the proposal meets the intent of the objectives and policies of the CRPS, CLWRP and the MIMP.

16.0 Consultation

16.1 Pre-Application Meetings

A pre-application meeting was held with ECan on 13th August 2020 to discuss matters related to earthworks and stormwater.

16.2 Wider community

Summerset met with the Prebbleton Residents Association on 3rd July to discuss the intent of the project.

17.0 Notification

17.1 Public Notification

The Application has been assessed against each of the steps under section 95A to determine whether public notification is required.

Section 95A provides a step-by-step guide in determining whether public notification is required:

Step 1	Mandatory public notification in certain circumstances. An application must be publicly notified if: • the applicant requests public notification • public notification is required under section 95C • the application is made jointly with an application to exchange recreation reserve land.
Step 2	If not required by step 1, public notification is precluded in certain circumstances. An application cannot be publicly notified if: • a rule or national environmental standard (NES) precludes notification • the application is for one or more of the following, but no other, activities: – a controlled activity – a restricted-discretionary or discretionary application for: • a subdivision of land • a residential activity (defined in new section 95A(6)) – a boundary activity (defined in section 87AAB; – an activity prescribed in regulations.
Step 3	If not precluded by step 2, public notification is required in certain circumstances. Other than for those activities in step 2, public notification is required if: • a rule or NES requires public notification • the assessment under section 95D determines that the activity will have, or is likely to have, adverse effects on the environment that are more than minor.
Step 4	Public notification in special circumstances

	If notification is precluded under step 2, or isn't required under step 3, consideration must be given to whether special circumstances exist that warrant public notification of the application.

Public notification under section 95A is precluded in this application because:

- None of the circumstances of step 1 (section 95A(3)) exist. The applicant does not request notification, no further information has been requested and there is no recreation reserve land involved in the application.
- section 95A(6)) states that residential activity means an *activity that requires resource consent under a regional or district plan and that is associated with the construction, alteration, or use of 1 or more dwellinghouses on land that, under a district plan, is intended to be used solely or principally for residential purposes*. The Main Building within the village cannot be defined as a 'dwelling house', therefore there are no applicable matters under Step 2.
- In terms of Step 3, there is no rule or NES requiring public notification and the assessment undertaken above shows that the activity will not have any adverse effects on the environment that are more than minor.
- Step 4 does not apply as there are no special circumstances which could warrant public notification under s95A(9).

Accordingly, the consent authority must not publicly notify this application.

17.2 Limited Notification

Where the consent authority accepts that public notification is not required (see above), the consent authority must determine if limited notification is required under section 95B:

Step 1	Certain affected groups and affected persons must be notified. If the consent authority determines that certain people or groups are affected, these persons/groups must be given limited notification: • affected protected customary rights groups • affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity) • an affected person under section 95E to whom a statutory acknowledgement is made (if the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement)
Step 2	If not required by step 1, limited notification is precluded in certain circumstances. An application cannot be limited notified if:

	• a rule or NES precludes limited notification of the application • it is for either or both of the following, but no other, activities: – a controlled land use activity under a district plan – an activity prescribed through regulations.
Step 3	If not precluded by step 2, certain other affected persons must be notified. Determine whether, in accordance with section 95E, the following persons are affected persons: • in the case of a boundary activity, an owner of an allotment with an infringed boundary; and • in the case of any activity prescribed under section 360H(1)(b), a prescribed person in respect of the proposed activity. In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.
Step 4	Further notification in special circumstances. If the consent authority determines special circumstances exist that warrant limited notification of the application to any other persons not already determined to be eligible for limited notification (excluding persons assessed under section 95E as not being affected persons), the council must give limited notification to those persons.

17.2.1 Limited Notification under section 95B is precluded because:

- None of the circumstances of Step 1 (section 95B(2) or (3)) apply.
- Step 2 does not apply as none of these criteria are met.
- Step 3 does not apply, as there are no adversely affected persons in accordance with section 95E (as assessed below).
- Step 4 does not apply as there are no special circumstances which would warrant limited notification under Section 95B(10).

With regard to affected persons, Section 95E states:

> *95E Consent authority decides if person is affected person*
>
> *(1) For the purpose of giving limited notification of an application for a resource consent for an activity to a person under section 95B(4) and (9) (as applicable), a person is an affected person if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor).*

(2) The consent authority, in assessing an activity's adverse effects on a person for the purpose of this section—

(a) may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect; and

(b) must, if the activity is a controlled activity or a restricted discretionary activity, disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and

(c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.

(3) A person is not an affected person in relation to an application for a resource consent for an activity if—

(a) the person has given, and not withdrawn, approval for the proposed activity in a written notice received by the consent authority before the authority has decided whether there are any affected persons; or

(b) the consent authority is satisfied that it is unreasonable in the circumstances for the applicant to seek the person's written approval.

(4) Subsection (3) prevails over subsection (1).

With regard to the above, there is no adversely affected person who must be notified of this application because the assessment provided above concludes that the effects of the proposal will be no more than minor. Accordingly, it is considered that the consent authority need not give notice of this proposal to any person.

17.3 Conclusion of Notification Assessment

Pursuant to Sections 95 to 95G of the RMA, this application must be processed without public notification and without limited notification to any person because:

- None of the steps under section 95A require the consent authority to publicly notify the application; and
- None of the steps made out under section 95B require the consent authority to give limited application.
- No persons are considered to be adversely effects under s95E.

18.0 Conclusion

It is proposed to establish a comprehensive care retirement village at 578 Springs Road in Prebbleton that will manage the collection and treatment of both construction and operational stormwater within the Site.

An assessment of environmental effects has determined that effects will be no more than minor.

Consequently, the proposal is considered to be entirely consistent with, and appropriate in light of the CRPS and the CLWRP.

The application can be processed on a non-notified basis without notice to any person pursuant to Section 95 of the RMA as the effects on the environment will be less than minor, no persons are considered to be potentially adversely affected and no special circumstances exist.

In conclusion, it is considered that the Canterbury Regional Council has the authority to grant consent to the proposed development on a non-notified basis in terms of Sections 104 and 104B of the RMA for the reasons stated above.