

4 May 2023

File: RM120928V3
jennifer.rose@beca.com
Phone 543 8400

The Integrity Care Group Limited
C/- Gary Rae Consulting Limited
PO Box 57
Motueka 7143

Dear The Integrity Care Group Limited

Decision on Non-Notified Application – RM120928V3: Change of Conditions of Land Use Consent

Original application:	RM120928 as varied by RM120928V1 and RM120928V2
Address:	Langdale Drive, Richmond
Activity authorised by original consent:	Land use consent to construct and operate a lifestyle village, including 112 single-storey villas, 30 two-storey terraced houses, three apartment blocks, a care facility including rest home, dementia ward, hospital care and 58 apartments, a commercial and community precinct, village green, pond, associated landscaping and carparking
Proposed changes:	Variation to replace two apartment blocks (as well as two terrace houses alongside those apartment blocks), with a single apartment block building in the same location and a change to provide an alternative route for articulated trucks during the construction phase.

The above application has been granted and a copy of Council's decision is attached. Please read this document carefully and feel free to contact me if you have any questions.

Here are some matters that I need to highlight for you.

Section 357A of the Resource Management Act 1991 ("the Act") provides you with the right to lodge an objection with the Council against this decision including any of the conditions. Objections must be made in writing setting out the reasons for the objection together with a deposit fee of \$340.00 (GST inclusive) and must be lodged within 15 working days of you receiving this letter.

The final cost of processing your applications has not been calculated yet. You will receive a letter shortly about the final costs of processing your application.

Yours sincerely



Jennifer Rose - Consultant Planner

Tasman District Council
Email info@tasman.govt.nz
Website www.tasman.govt.nz
24 hour assistance

Richmond
189 Queen Street
Private Bag 4
Richmond 7050
New Zealand
Phone 03 543 8400
Fax 03 543 9524

Murchison
92 Fairfax Street
Murchison 7007
New Zealand
Phone 03 523 1013
Fax 03 523 1012

Motueka
7 Hickmott Place
PO Box 123
Motueka 7143
New Zealand
Phone 03 528 2022
Fax 03 528 9751

Takaka
78 Commercial Street
PO Box 74
Takaka 7142
New Zealand
Phone 03 525 0020
Fax 03 525 9972

RESOURCE CONSENT DECISION

LAND USE CONSENT RM120928V3

Pursuant to Sections 104B and 127 of the Resource Management Act 1991 (“the Act”), Tasman District Council (“Council”) hereby grants resource consent to:

Olive Estate Lifestyle Village Limited

(hereinafter referred to as ‘the Consent Holder’)

Activity authorised: Land use consent to construct and operate a lifestyle village, including 112 single-storey villas, 28 two-storey terraced houses, an apartment block, and 58 apartments, a commercial and community precinct, village green, pond, associated landscaping and carparking (as amended by variations V1-V3).

Location details:

Address of property: Langdale Drive, Richmond
Legal description: Lots 2 3 DEEDS PLAN 1763 & Lot 2 DP 489806
Record of title: NL56/85
Valuation number: 1960000305
Co-ordinates: Easting: 1615126 Northing: 5422180 (NZTM)

Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:

CONDITIONS

1. The construction and operation of the lifestyle village for people aged 55 years and over shall be in general accordance with the information provided in the original application and the information submitted as part of the variation applications RM120928V1, RM120928V2 and RM120928V3, and in general accordance with the following plans prepared by Weir Walker Architecture, Canopy Landscape Architecture and Verrall & Partners Ltd, attached to this consent:
 - Development Master Plan, C-01 dated 28 August 2017;
 - Setbacks and Private Space, C-02 dated 28 August 2017;
 - Open Spaces and Linkages, 1208 - 103, Revision 3 May 2013;
 - Street Trees, 1208-104, Revision 3 May 2013;
 - Park trees, 1208 - 105, Revision 3 May 2013;
 - Sections B, 1208 - 107, Revision 3 May 2013;
 - Conceptual Road Calming Treatment Plan, 1208 - 114, Revision November 2013; and
 - Proposed Boundary Adjustment 109 Wensley Road, Richmond being Lots 2, 3, and Pt 4 Deeds 1763 and Lot 2 DP 489806 NL 56/85 and 705790, Plan dated July 2017. [amended 9 October 2017]

In addition, the construction and operation of the lifestyle village shall be in general accordance with the following plans prepared by Weir Walker Architecture, Canopy Landscape Architecture and Verrall & Partners Ltd, attached to this consent:

- Staging Plan, 1208 - 108A, Revision October 2013; and
- Indicative Mains Services Layout 109 Wensley Road, Richmond being Lots 2, 3, and Pt 4 Deeds 1763 comprised in CTs 56/85 and 56/87

With the above plans being subject to the amendments approved by variation RM120928V2 (bundled with consents RM190790 and others) Plans labelled A1 – A4 Masterplans 3.2 to 3.5 (014 to 017) 17115, 4th Amendment dated 30 March 2021 attached to this consent;

And as further amended by variation RM120928V3 Plans labelled ‘Olive Estate Lifestyle Village Apartment Building’, referenced 12.689, dated September 2021 attached to this consent.

Where there are any discrepancies or apparent conflict between the information provided with the application and any conditions of this consent, the conditions shall prevail.

2. Either when the temporary access strip ceases to be used for construction traffic and legal access is provided by Wensley Road Developments Ltd, or after 2 years from the date that this consent has been given effect to, whichever is the sooner, the following works shall be implemented:
 - (a) the main access road to Olive Estate shall be installed;
 - (b) a right turn bay along Wensley Road shall be installed; and
 - (c) a pedestrian refuge crossing shall be installed on Wensley Road (subject to Condition 4).

Advice Note:

This condition is subject to a legal agreement between the Consent Holder and Wensley Road Developments Ltd. The agreement is sufficiently certain to allow this condition to be imposed.

3. No traffic of residents of Olive Estate shall use the temporary access strip.

Advice Note:

This condition is to ensure that the Consent Holder must implement the road through the Wensley Road Developments Ltd land and install the right turn bay and pedestrian refuge prior to residents moving onto the site.

4. The pedestrian refuge referred to in Condition 2 shall be constructed at the most appropriate location in the vicinity of the cemetery on Wensley Road. The actual location shall be identified by the Council’s Transportation Manager.

The most appropriate location for the refuge is identified as the point at the north-east end of the angle parking in front of the cemetery just before the boundary between the cemetery and 78 Wensley Road. Construction of the pedestrian refuge may require extending the kerb into one or so of the angle parks to allow pedestrians easy access to and from the footpath on the north side of the road. Any such works shall be done by the Consent Holder as part of the construction of the refuge.

In the event that the Transportation Manager decides that construction of the refuge at the above location is not a feasible crossing location then compliance of this condition may be waived.

Reserves and Community Services Financial Contributions

5. The Consent Holder shall, no later than at the time of uplifting the building consent for the building, pay a reserves and community services financial contribution to the Council. The amount of the financial contribution shall be assessed as a percentage of the value of the building consent component in accordance with the following table:

Financial Contribution – Building	
Component	Contribution
Building Consent (\$0 to \$50,000 value)	0%
Building Consent (\$50,001 to \$200,000 value)	0.5%
Building Consent (above \$200,001 value)	0.25%
Notes: (1) The financial contribution is GST inclusive. (2) The building consent value is GST exclusive. (3) The contribution due on a building should be identified separately from other contributions set for any resource consent for an activity that includes buildings. (4) The financial contribution shall be determined by taking the total estimated value of the work required for a building consent and applying each component identified in the table to that value and the contribution is the sum of the components.	

Maximum Height

6. The proposed new buildings shall not exceed the following specified heights measured from ground level:

The Lake House Building	7.6 metres
Carriage House	10.2 metres
The Apartment Block	<u>The building shall not exceed the heights shown on the cross-section plans prepared by Weir Architecture, referenced 12.689 Sk. 1.5 and dated September 2021</u>

Advice Note:

For the avoidance of doubt, ground level is defined in the Tasman Resource Management Plan as follows: means the natural ground level, or where that has been altered by subdivision, means the actual finished ground level when all works associated with the subdivision of the land are completed, and excludes any excavation or filling associated with the building activity.

Setbacks

7. The proposed new buildings shall be set back to achieve as a minimum the setbacks from external site boundaries detailed on the attached plan entitled Setbacks and Private Space, C-02 dated 28 August 2017.
- 7A. Villas V25-D and V24-B as shown on Master plan 3.5 'Proposed Development' referenced 17115 – 4th Amendment and dated 30 March 2021 attached to this decision and marked RM120928V2 A1, shall be constructed so as to comply with rules 17.1.3.1 (m) and (n) 'building envelope' and 17.1.3.1 (q), (r) and (s) 'setbacks' of the Tasman Resource Management Plan.

Care Facility Building

8. Deleted by RM120928V2
9. Deleted by RM120928V2

10. Deleted by RM120928V2
11. Deleted by RM120928V2
12. Deleted by RM120928V2
13. Deleted by RM120928V2
14. Deleted by RM120928V2
15. Deleted by RM120928V2
16. Deleted by RM120928V2

Buildings Other than the Care Facility

17. The apartments and carriage houses shall be designed to include the following elements:
 - (a) a residential style, character and external appearance;
 - (b) shall be clad in at least two different building materials;
 - (c) the exterior of the buildings shall be finished in colours that are appropriate for the residential environment. The Consent Holder shall submit to the Council's Environment & Planning Manager for certification prior to applying for building consent the following details of the colours proposed to be used on the walls and roof of the building:
 - (i) the material to be used (eg, paint, Colorsteel);
 - (ii) the name and manufacturer of the product or paint;
 - (iii) the reflectance value of the colour;
 - (iv) the proposed finish (eg, matt, low-gloss, gloss); and
 - (v) either the BS5252:1976 (British Standard Framework for Colour Co-ordination for Building Purposes) descriptor code, or if this is not available, a sample colour chip.

The buildings shall be finished in colours that have been certified by the Council.

Advice Note:

The purpose of the above condition is to ensure the buildings have elements of a residential building and good urban design. Colours do not necessarily need to be recessive or dark, but should be carefully chosen to be compatible with a residential environment and to create a high-quality urban space.

18. The lake house shall be designed to include the following elements:
 - (a) a residential style, character and external appearance;
 - (b) shall be clad in at least two different building materials;
 - (c) the exterior of the buildings shall be finished in colours that are appropriate for the residential environment. The Consent Holder shall submit to the Council's Environment & Planning Manager for certification prior to applying for building consent the following details of the colours proposed to be used on the walls and roof of the building:
 - (i) the material to be used (eg, paint, Colorsteel);
 - (ii) the name and manufacturer of the product or paint;

- (iii) the reflectance value of the colour;
- (iv) the proposed finish (eg, matt, low-gloss, gloss); and
- (v) either the BS5252:1976 (British Standard Framework for Colour Co-ordination for Building Purposes) descriptor code, or if this is not available, a sample colour chip.

The buildings shall be finished in colours that have been certified by the Council.

Advice Note:

The purpose of the above condition is to ensure the building has elements of a residential building and good urban design. Colours do not necessarily need to be recessive or dark, but should be carefully chosen to be compatible with a residential environment and to create a high-quality urban space. A range of colour palettes with various colour options and tonal ranges will be suggested, so as to achieve variation and interest in the streetscape whilst clearly identifying particular neighbourhoods.

19. The town houses and villas shall be designed to include the following elements:
- (a) a residential style, character and external appearance;
 - (b) shall be clad in at least two different building materials;
 - (c) the Consent Holder shall submit to the Council's Environment & Planning Manager for certification prior to applying for building consent the following details of the colours proposed to be used on the walls and roof of the building:
 - (i) the material to be used (eg, paint, Colorsteel);
 - (ii) the name and manufacturer of the product or paint;
 - (iii) the reflectance value of the colour;
 - (iv) the proposed finish (eg, matt, low-gloss, gloss); and
 - (v) either the BS5252:1976 (British Standard Framework for Colour Co-ordination for Building Purposes) descriptor code, or if this is not available, a sample colour chip.

The building shall be finished in colours that have been certified by the Council.

Advice Note:

The purpose of the above condition is to ensure the building has elements of a residential building and good urban design. Colours do not necessarily need to be recessive or dark, but should be carefully chosen to be compatible with a residential environment and to create a high-quality urban space. A range of colour palettes with various colour options and tonal ranges will be suggested, so as to achieve variation and interest in the streetscape whilst clearly identifying particular neighbourhoods.

Outdoor Living Areas

20. Each villa, terraced house, townhouse, carriage house and apartment shall be provided with an outdoor living area to which its occupants have exclusive rights of use in general accordance with the attached plan entitled Setbacks and Private Space, C-02 dated 28 August 2017.

Advice Note:

It is noted that the apartment block will contain balconies providing outdoor living spaces above ground level.

Landscaping

21. The landscape plans and design guide shall be implemented for each stage of the development in general accordance with the guide entitled "Olive Estate Design Guide" prepared by Canopy Landscape Architects and attached to the application as Appendix B, and in accordance with the plans entitled Open Spaces and Linkages, 1208 - 103, Revision 3 May 2013; Street Trees, 1208-104, Revision 3 May 2013; and Park Trees, 1208 - 105, Revision 3 May 2013 all attached to this consent.

The landscaping shall be maintained and any plants that die shall be replaced in the next planting season (May to August inclusive). The landscaping provided for each stage shall be completed prior to occupation of the buildings within that stage.

Pedestrian Connectivity

22. In the event that any walkway connection is legally established over a site between the Olive Estate site and Chelsea Avenue, the Consent Holder shall undertake any such works as necessary to continue that public walkway connection into the site at an appropriate location taking account of any built development on the Olive Estate site. This may involve additional surfacing of a walkway, planting and/or fencing.

Advice Note:

An indicative walkway is currently in the Tasman Resource Management Plan over 20 Chelsea Avenue. While this connection has not been formed, it is possible that at some stage in the future a walkway connection may be formed over this property or another property along Chelsea Avenue. The Consent Holder has agreed to a condition on this consent requiring that connection be made to a future walkway.

Commercial and Facilities Precinct

23. The lake house building and associated car parking shall be located entirely within proposed Lot 1 and Lot 2 established in accordance with the information provided and with the attached plan entitled Development Master Plan, C 01 Dated 28 August 2017.

24. *[Deleted]*

25. The hours of operation for the commercial activities listed in Condition 26 shall be limited to 8.00 am to 9.00 pm 7 days a week, except that the café/bar may remain open until no later than 11.00 pm on 1 night per week.

Advice Note:

Liquor licence restrictions may further restrict these opening hour times for the café/bar.

26. The activities operating from the lake house building shall be limited to a swimming pool, gymnasium, small theatre/craft room, library, club and function rooms, general store, beauty salon, café/bar, sales and corporate offices.
27. Prior to the commencement of any of the activities described in Condition 26 taking place in the lake house building a minimum of 32 parking spaces shall be provided and located as shown on the plan entitled Development Master Plan, C-01 dated 28 August 2017 and attached to this consent. The parking spaces shall be formed and finished with an all-weather dust-free surface prior to the activities commencing in the building.

- 28. Any area for outdoor storage or rubbish holding and collection for the lake house building shall be fenced and landscaped so that it is screened from the view of any neighbour(s) and the general public, and shall also be:
 - (a) covered to prevent any windblown debris from leaving the storage area;
 - (b) separated from and not encroaching into any boundary setback for building or parking area.

Service Deliveries

- 29. All delivery and service vehicles entering and exiting the site for the purposes of the operation of the commercial and community activities within the proposed lake house building shall be restricted to 7.00 am to 9.00 pm.

Lighting

- 30. All site lighting shall be designed to ensure that light spill or glare onto neighbouring properties is avoided and that the light is directed onto the site. All site lighting shall also be designed to ensure that vertical light spill is avoided to the maximum extent practicable. This shall be achieved by either outdoor lighting being shielded from above in such a manner that the edge of the shield shall be below the whole of the light source; and/or low powered street-level lights are used (eg, bollard lighting).

Visual Impact of Equipment

- 31. All heat pumps, cooling fans and generators shall be either screened or positioned in locations where they are not visually intrusive.

Noise

- 32. The operation of the activities in the commercial and facilities precinct and associated activities shall not exceed the noise limits in the Tasman Resource Management Plan for the Residential Zone, at the boundary of the site unless a subsequent resource consent is obtained that authorises the exceedance of the noise limits:

Noise generated by the activity measured at or within the boundary of any site within the zone, other than the site from which the noise is generated, does not exceed:

	Day	Night
Leq	55dBA	40dBA
Lmax		70dBA

Where Day = 7.00 am to 9.00 pm Monday to Friday inclusive and 7.00 am to 6.00 pm Saturday (but excluding public holidays);

Night = All other times plus public holidays.

- 33. All plant and equipment (such as heat pumps, cooling fans, generators) shall be located, designed, installed and maintained using the best practicable option to ensure that the noise does not exceed the noise limits in the Tasman Resource Management Plan for the Residential Zone, at the boundary of the site unless a subsequent resource consent is obtained that authorises the exceedance of the noise limits:

Noise generated by the activity measured at or within the boundary of any site within the zone, other than the site from which the noise is generated, does not exceed:

	Day	Night
Leq	55dBA	40dBA
Lmax		70dBA

Where Day = 7.00 am to 9.00 pm Monday to Friday inclusive and 7.00 am to 6.00 pm Saturday (but excluding public holidays);

Night = All other times plus public holidays.

Construction Management Plan

34. A detailed Construction Management Plan shall be prepared by a suitably qualified and experienced person and submitted to the Council's Co-ordinator Compliance Monitoring for certification at least 20 working days prior to the commencement of work on site.

The Construction Management Plan shall establish acceptable performance standards regarding public safety and amenity protection during the construction process of this development. Such standards are expected to include but not be limited to the following:

- a contact telephone (mobile) number(s) for the on-site manager where contact could be made 24 hours a day/7 days a week;
- details of appropriate local signage/information on the proposed work including the location of a large (greater than 1 m2) noticeboard on the site that clearly identifies the name, telephone number and address for service of the site manager, including cell phone and after hours contact details
- a communication and complaints procedure for adjoining property owners/occupiers, passers-by and the like;
- a timetable and nature of the construction works proposed;
- hours of operation;
- safety fencing and associated signage for the construction site;
- dust mitigation measures (the noise aspect of the Management Plan should be written with reference to NZS 6803:1999 Acoustics - Construction Noise); and
- measures to ensure dirt, mud or debris is not left on the road, and does not enter the Council's stormwater system.

The Council's Co-ordinator Compliance Monitoring will certify the Construction Management Plan in a timely fashion following consultation with appropriate officers within the Tasman District Council.

Construction Traffic Management Plan

35. A detailed Construction Traffic Management Plan must be prepared by a suitably qualified and experienced person and submitted to the Council's Co-ordinator Compliance Monitoring for certification at least 20 working days prior to the commencement of work on site.

The Construction Traffic Management Plan will establish acceptable performance standards regarding public safety and amenity protection during the construction process of this development. Such standards shall include but not be limited to the following:

- hours at which construction vehicle movements may take place;
- defining the routes which construction vehicles will take to and from the site;

- the exclusion of the section of Fairose Drive between Langdale Drive and Hart Road, from use for any construction traffic, except that section of Fairose Drive may be used during the construction of the apartment block only by long articulated trucks on those occasions where alternative routes cannot be practically used;
- temporary traffic management on Wensley Road;
- identifying potential impacts on pedestrians and cycle movements within the vicinity and how these will be addressed;
- measures to ensure dirt, mud or debris is not left on the road, and does not enter the Council's stormwater system;
- staff parking areas; and
- communication and complaint procedures.

The Council's Co-ordinator Compliance Monitoring will certify the Construction Management Plan in a timely fashion following consultation with appropriate officers within the Tasman District Council.

36. The Construction Management Plan and Construction Traffic Management Plan approved under Conditions 30 and 31 above must be implemented and maintained throughout the entire construction period and modified as directed by the Council's Co-ordinator Compliance Monitoring to deal with any deficiencies in their operation.

Engineering Works

37. All engineering works shall be designed and constructed to comply with the conditions of consent, the approved engineering plans and the Council's Engineering Standards & Policies 2013, or where the engineering plans or Standards & Policies 2013 are not complied with, to the Council's Engineering Manager's satisfaction.

Engineering Plans

38. Engineering plans showing the details of all works required, including details of how the cut at the eastern corner of the apartment block (at its closest point to Langdale Drive) will be retained, detailing all services, roading, footpaths and access, right turn bay and pedestrian refuge on Wensley Road, and including works for stormwater control, sediment control during earthworks for each stage or phase of construction work (see Condition 4 of RM130347) shall be submitted to Council's Engineering Manager for approval prior to any works on that phase or stage being carried out. The plans will be approved by the Engineering Manager if the works are designed to comply with the conditions of consent, and they are in accordance with the Engineering Standards & Policies 2013 or, where the latter is not complied with, they are to the satisfaction of Council's Engineering Manager.
39. Prior to the occupation of any residential buildings or commencement of activities within the commercial and community precinct in each respective stage, as-built plans detailing all services and access formation shall be provided for approval and signing by the Tasman District Council Engineering Manager. All plan details are to be in accordance with the Tasman District Council Engineering Standards & Policies 2013 or to the satisfaction of Council's Engineering Manager.

Commencement of Works and Inspection

40. The Tasman District Council Engineering Department shall be contacted 5 working

days prior to the commencement of any engineering works. No work shall commence on each phase or stage until the engineering plans for that phase or stage, required under Condition 38, are approved and signed by Council's Engineering Manager.

Engineering Certification

41. At the completion of works for each stage or phase, and prior to occupation of any residential building in respective stage or phase, a suitably experienced chartered professional engineer or registered professional surveyor shall provide the Council's Engineering Manager with written certification that the works have been constructed in accordance with the approved engineering plans, drawings and specifications and any approved amendments.

Traffic and Connecting Road

42. All vehicle access and car parking shall be in general accordance with the information provided in the application, the plans attached to this consent and the specific conditions set out on the subdivision consent RM130346V1.
43. All internal roading and car parking shall be constructed in accordance with the 2013 Engineering Standards, or to the approval of the Council's Engineering Manager.

Advice Note:

Minor roads shall meet the standard of a right of way of at least 5.0m sealed carriageway width and remain in private ownership.

44. All roading and car parking shall be shown on the engineering plans required under Condition 38 in each respective phase or stage of work.
45. When a phase of development is undertaken that will result in the total developed area of the site reaching or exceeding 65% of the site, the Consent Holder shall as part of that phase entirely form the collector road within Lot 4 through to the boundary with Lot 1 DP 411576 (or the replacement title) and shall vest Lot 4 as road to the Council.

[deleted]

In any event, after 10 years has elapsed from the date that this consent is first given effect to the Consent Holder shall complete the road and vest Lot 4 in its entirety.

Advice Notes:

The connector road link to the boundary is an important strategic linkage for the development of this area. This condition ensures that connection is made to the boundary in a timely fashion in step with the development of this site.

The Council only accepts a narrower road width along that portion of Langdale Drive that is closest to the apartment block. However, it does not accept the entirety of the road to vest plan dated July 2022 (and received by the Council on 16 September 2022). The consented road boundaries are shown on Verall & Partners Ltd Plan 12039-2a (dated December 2013) attached to the original bundled consents – including land use RM120928 and subdivision RM130346, with a subsequent version Plan 12039 - 4 (dated July 2017), being Plan A attached to RM130346V1 and Appendix A to this resource consent by RM120928V1 in October 2017. Variations to this consent and subdivision consent RM130346V1 will be required if the consent holder wants to amend the areas to vest with Council as legal road.

Servicing

46. Full separate servicing shall be provided for the residential dwellings, carriage houses, apartments and the proposed lake houses in general accordance with the attached plan entitled Indicative Services Plan prepared by Verrall & Partners Limited and dated July 2013.

Advice Note:

Connection fees will be payable to Council at the time building consent is issued.

47. Prior to the residential dwellings, carriage houses, apartments and the proposed lake house buildings being occupied, a separate water connection shall be provided to the buildings in accordance with the Tasman District Council Engineering Standards & Policies 2013.

Advice Note:

Connection fees will be payable to Council for each residential dwelling, apartment, carriage houses and the proposed lake house at the time building consent is issued.

48. The servicing provided shall include:

(a) Water Supply

Water reticulation shall be provided to the residential dwellings, apartments, carriage houses and the proposed lake house complete with all mains, valves, fire hydrants and other necessary fittings. The final layout of water reticulation and location of water meters shall be confirmed at the engineering plan stage.

(b) Sewer

Full sewer reticulation discharging to Council's approved system shall be installed complete with any necessary manholes and connection to the residential dwellings, apartments, carriage houses and proposed lake house buildings. Wastewater services provided through the site shall contain connections for Lot 2 DP 7794 (the Nicoll Block) in general accordance with the Indicative Services Plan 12039-1a attached to this consent.

(c) Stormwater

Full stormwater reticulation discharging to Council's approved system shall be installed. The reticulated network will involve a detention pond on-site designed to control flows up to a 100 year return period 15 minute duration rainfall event, as required by Council's current Engineering Standards & Policies 2013. The stormwater will discharge from the pond at a maximum rate of 400 litres per second via a pipe connected to a new outfall to Hart Stream. The new pipe outlet from the detention pond will operate over a range of events and have a controlled graduated release of stormwater to Hart Stream.

Stormwater (including secondary flow paths) services provided through the site shall contain connections for Lot 2 DP 7794 (the Nicoll Block) in general accordance with the Indicative Services Plan 12039-1a attached to this consent.

(d) Electricity and Telephone

Live telephone and electric power connections shall be provided to each dwelling and all wiring to all dwellings shall be run underground.

Advice Note:

Services connection fees will be payable for each residential dwelling, apartment building, carriage houses, lake house buildings to Council in accordance with Council's Long-Term Plan at the time building consent is issued.

49. All the services referred to in conditions of this consent shall be installed in accordance with the Tasman District Council's Engineering Standards & Policies 2013.

Firefighting Water Supply

50. All domestic-scale residential buildings (villas and town houses) shall be provided with a firefighting water supply system and access to this system that complies with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

As a minimum, each residential unit shall be within 135 metres of a working fire hydrant and also within 270 metres of a second working fire hydrant. Both fire hydrants must be capable of delivering 12.5 litres per second to achieve compliance with SNZ PAS 4509:2008.

Advice Note:

The optimal means of compliance with the New Zealand Fire Service Code is considered by the NZ Fire Service to be the installation of domestic sprinkler systems in accordance with Fire Sprinkler Systems for Houses NZS 4517:2010.

51. The carriage houses, apartments, commercial and facilities building shall be provided with a firefighting water supply in accordance with the SNZ PAS 4509:2008.
52. Notwithstanding the above, the carriage houses, apartments, commercial and facilities building shall be provided with a sprinkler system in accordance with the relevant requirements of the Building Code.
53. The firefighting water supply shall be shown on the engineering plans required under Condition 38.

Stormwater Management Plan

54. The Consent Holder shall produce a stormwater management plan that provides for maintenance and servicing of the pond and release system to ensure it is at all times in a fully operational state. In addition to the maintenance of the pond and release system, the plan shall also address land use in the contributing catchment with the objectives of maximising ground soakage and avoiding the transfer of silt, bark, mulch and contaminants being entrained in the stormwater system.
55. The stormwater management plan shall be finalised prior to any residents being accommodated in Olive Estate and a copy of the plan shall be provided to the Council. Any update to the plan shall also be provided to the Council.

Lapsing Date

This consent shall lapse 10 years after the date that it commences, unless it has been given effect to, or unless the Council has granted an extension pursuant to Section 125(1)(b) of the Act.

Advice Note:

This consent commences when it can legally be given effect to.

GENERAL ADVICE NOTES

Council Regulations

1. This is not a building consent and the Consent Holder shall meet the requirements of Council with regard to all Building and Health Bylaws, Regulations and Acts.

Other Tasman Resource Management Plan Provisions

2. This resource consent only authorises the activity described above. Any matters or activities not referred to in this consent or covered by the conditions must either:
 - 1) comply with all the criteria of a relevant permitted activity rule in the Tasman Resource Management Plan (TRMP);
 - 2) be allowed by the Resource Management Act; or
 - 3) be authorised by a separate resource consent.

Consent Holder

3. This consent is granted to the abovementioned Consent Holder but Section 134 of the Act states that such land use consents “attach to the land” and accordingly may be enjoyed by any subsequent owners and occupiers of the land. Therefore, any reference to “Consent Holder” in the conditions shall mean the current owners and occupiers of the subject land. Any new owners or occupiers should therefore familiarise themselves with the conditions of this consent as there may be conditions that are required to be complied with on an ongoing basis.

Development Contributions

4. The Consent Holder is liable to pay a development contribution in accordance with the Development Contributions Policy found in the Long Term Plan (LTP). The amount to be paid will be in accordance with the requirements that are current at the time the relevant development contribution is paid. Council will not issue a Code Compliance Certificate until all development contributions have been paid in accordance with Council’s Development Contributions Policy under the Local Government Act 2002.

Interests Registered on Property Title

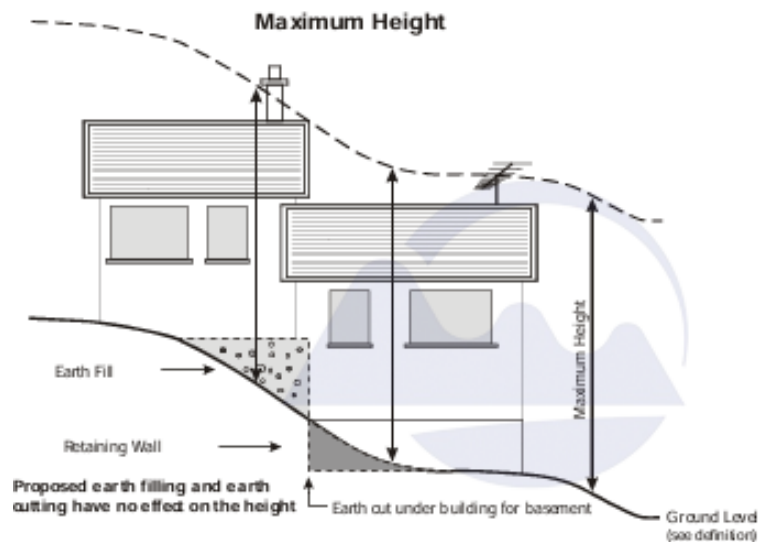
5. The Consent Holder should note that this resource consent does not override any registered interest on the property title.

Height of Buildings

6. For the avoidance of doubt, “height” is defined in The Tasman Resource Management Plan as follows:

Height - in relation to a building, means the vertical distance between ground level at any point and the highest part of the building immediately above that point. For the purpose of calculating height, account is taken of parapets, but not of:

- (a) radio and television aerials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2.5 metres;
- (b) chimneys (not exceeding 1.1 metres in any direction); or finials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 1.5 metres.



Monitoring

7. Monitoring of this resource consent will be undertaken by the Council as provided for by Section 35 of the Act and a one-off fee has already been charged for this monitoring. Should the monitoring costs exceed this fee, the Council reserves the right to recover these additional costs from the Consent Holder. Costs can be minimised by consistently complying with conditions, thereby reducing the necessity and/or frequency of Council staff visits.

Archaeological

8. Council draws your attention to the provisions of the Historic Places Act 1993. In the event of discovering an archaeological find during the earthworks (eg, shell, midden, hangi or ovens, garden soils, pit depressions, occupation evidence, burials, taonga, etc) you are required under the Historic Places Act, 1993 to cease the works immediately until, or unless, authority is obtained from the New Zealand Historic Places Trust under Section 14 of the Historic Places Act 1993.

Firefighting Standards

9. The Consent Holder should address the requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008). The NZ Fire Service Commission considers the optimal means of compliance with the NZFS Code is the installation of a domestic sprinkler system in accordance with Fire Sprinkler Systems for Houses NZS 4517:2010.
10. For the larger buildings (carriage houses, apartments, commercial and facilities buildings the sprinkler requirements of the Building Code are applicable.
11. Regarding the design of the apartment building it is recommended that early contact is made with New Zealand Fire Service fire risk management personnel to discuss management and integration of the evacuation scheme and alarm system requirements.
12. The first point of contact for discussing firefighting requirements as set out in the conditions of consent and in advice notes above is Rob Dalton, Senior Fire Risk Management Officer on (03) 577 8211 or 027 4956 691.

Signage

13. Any signage proposed must comply with the Tasman Resource Management Plan standards in Section 16.1 for the Residential Zone. Separate resource consent would be required for any signage that does not comply with these rules, including for each commercial tenancy within the Olive Market Building.

Sale of Liquor

14. No liquor sales shall take place until the required licences pursuant to the Sale & Supply of Alcohol Act 2012 are issued.

This variation consent is granted on 03 May 2023 under delegated authority from the Tasman District Council by:



Paul Gibson
Acting team leader – Land Use Consents

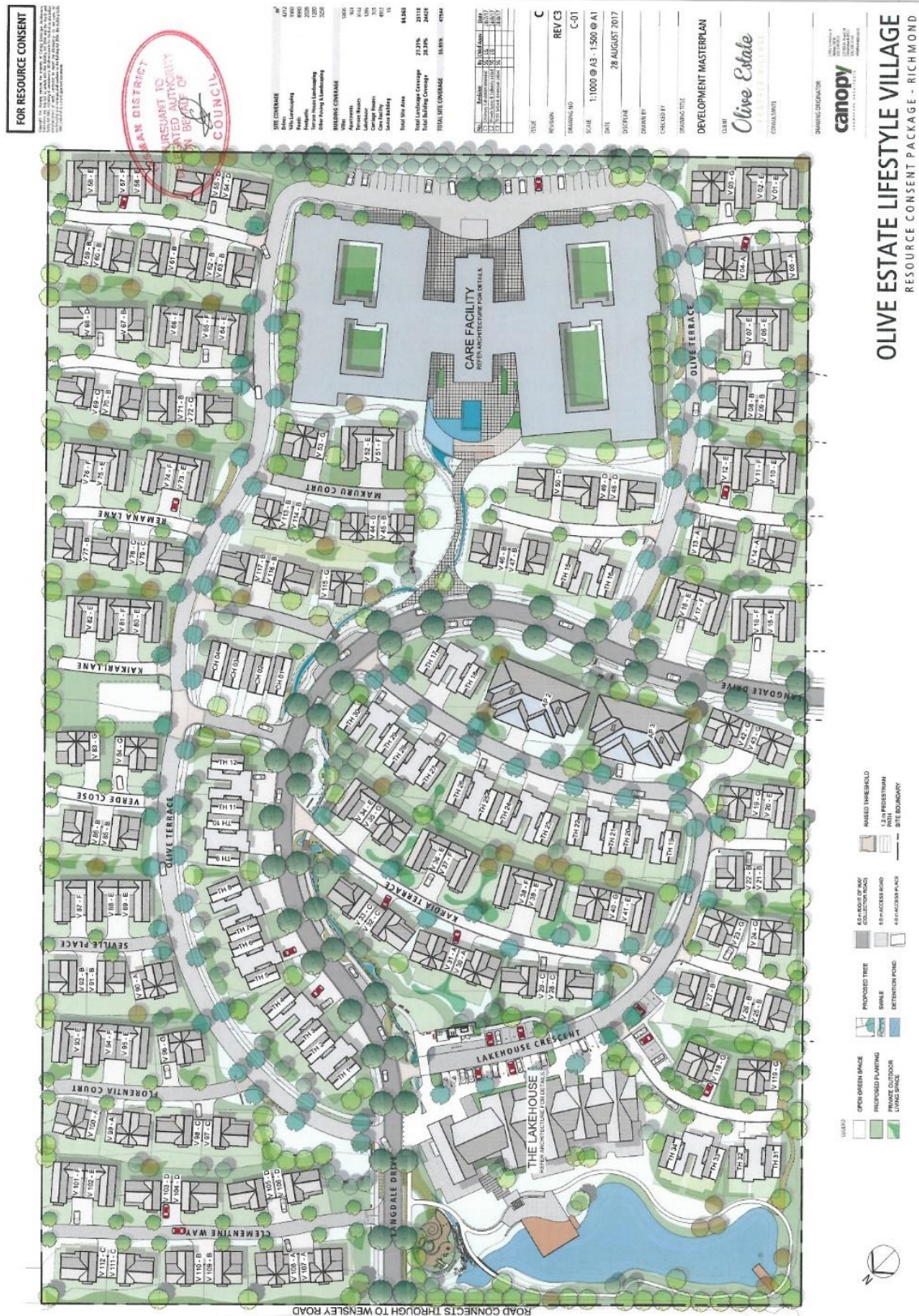


Appendix A
Plans (21 Sheets)

PLANS FROM DECISIONS RM120928 and RM120928V1 (11 sheets)

Subject to amendments RM120928V2 and RM120928V3

Development Master Plan C-01 dated 28 August 2017



Setbacks and Private Space C-02 dated 28 August 2017



LEGEND

- OPEN GREEN SPACE
- ACTIVITY NODE
- PEDESTRIAN CONNECTION BETWEEN ACTIVITY NODES
- TRAFFIC MOVEMENT
- ACCESS ROAD CONNECTOR
- OPEN GREEN SPACE
- PROPOSED PLANTING
- PRIVATE OUTDOOR LIVING SPACE
- RIVER BED
- DETENTION POND
- 6.0 m BRIGHT OF WAY (COLLECTOR ROAD)
- 8.0 m ACCESS ROAD
- 4.0 m ACCESS PLACE
- RAISED THRESHOLD
- 1.2 m PEDESTRIAN PATH
- SITE BOUNDARY

16 MAY 2018 RESOURCE CONSENT
17 JAN 2019 AMENDMENT
19 JULY 2021 AMENDMENT

CONSULTANTS:
INCLITE PLANNING
ENVIRONMENTAL ENGINEERING
VERRELL & PARTNERS
TIM KELY TRANSPORT PLANNING

TITLE:
OLIVE ESTATE LIFESTYLE VILLAGE

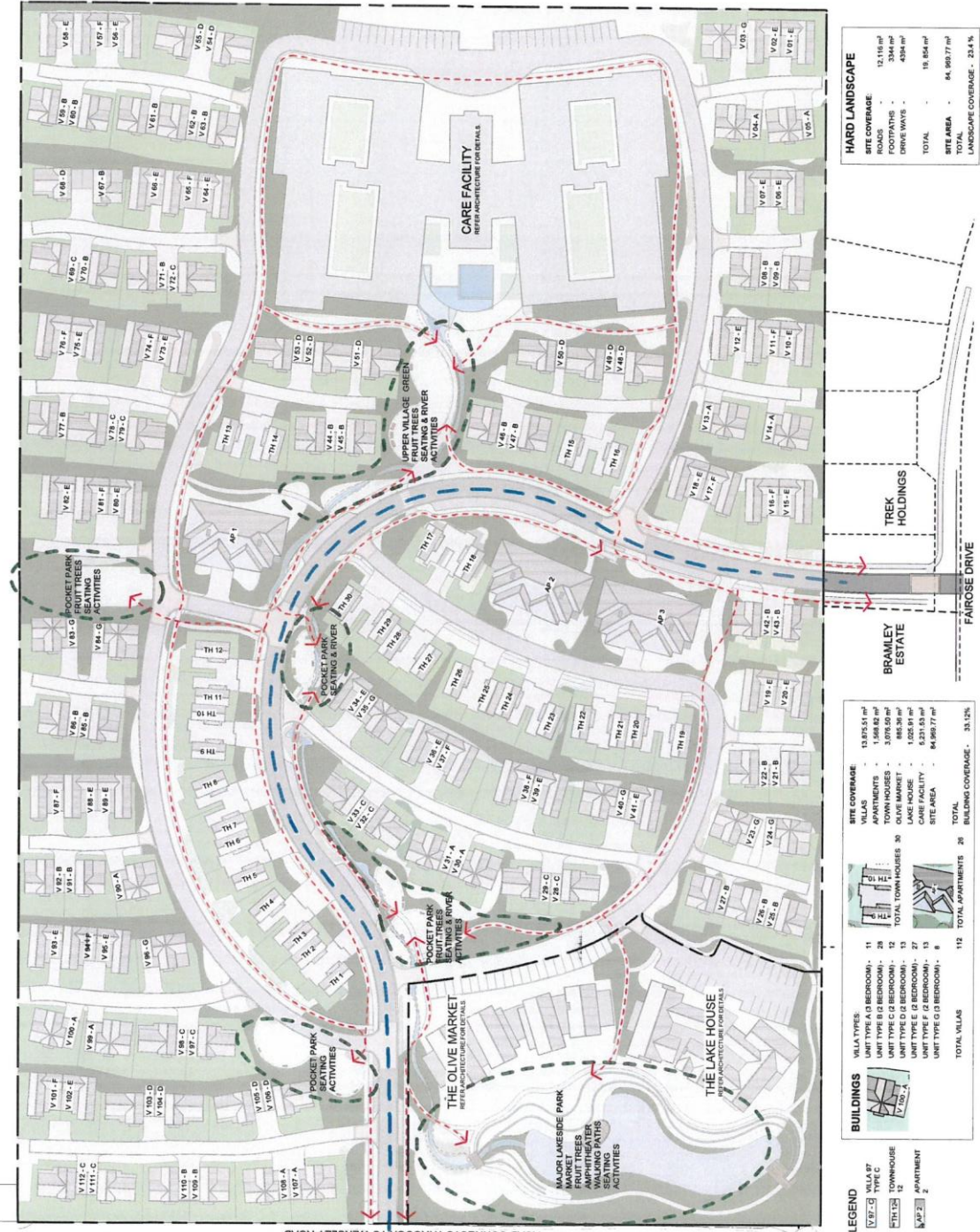
TRAILING TITLE:
OPEN SPACE & LINKAGES

SCALE:
1:500 @ A1

DATE:
MAY 2013

1208 - 103

weirwalker ARCHITECTURE
canopy LANDSCAPE ARCHITECTURE



HARD LANDSCAPE

SITE COVERAGE:	12,116 m ²
ROADS:	334 m ²
FOOTPATHS:	424 m ²
DRIVEWAYS:	424 m ²
TOTAL:	18,854 m ²
SITE AREA:	94,893.7 m ²
LANDSCAPE COVERAGE:	23.4%

SITE COVERAGE

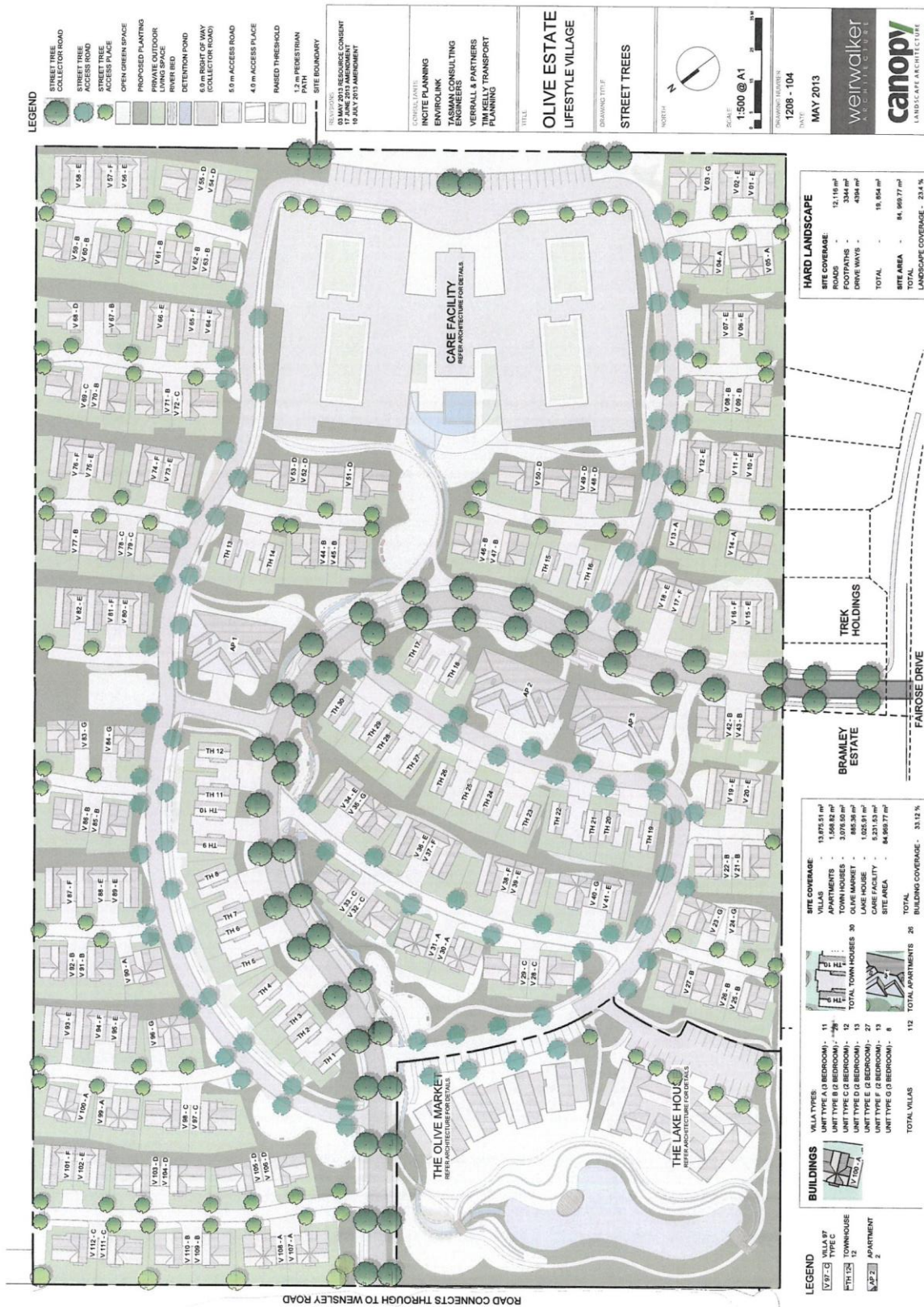
VILLAS:	13,825.51 m ²
APARTMENTS:	3,082.58 m ²
TOWN HOUSES:	1,907.91 m ²
OLIVE MARKET:	865.38 m ²
LAKE HOUSE:	1,025.91 m ²
CARE FACILITY:	5,231.59 m ²
SITE AREA:	94,893.7 m ²
TOTAL:	26,839.88 m ²
BUILDING COVERAGE:	33.12%

BUILDINGS

VILLA TYPES:	112
UNIT TYPE A (3 BEDROOM):	11
UNIT TYPE B (2 BEDROOM):	28
UNIT TYPE C (2 BEDROOM):	12
UNIT TYPE D (2 BEDROOM):	27
UNIT TYPE E (2 BEDROOM):	13
UNIT TYPE F (2 BEDROOM):	8
TOTAL APARTMENTS:	26
TOTAL VILLAS:	112

LEGEND

- VILLA 87 TYPE C
- VILLA 28 TYPE B
- TOWNHOUSE
- APARTMENT



LEGEND

- STREET TREE
- COLLECTOR ROAD
- STREET TREE
- ACCESS ROAD
- STREET TREE
- ACCESS PLACE
- OPEN GREEN SPACE
- PROPOSED PLANTING
- PRIVATE OUTDOOR
- RIVER BED
- DETENTION POND
- 5.5 m ACCESS ROAD
- 5.5 m ACCESS ROAD
- 4.0 m ACCESS PLACE
- RAISED THRESHOLD
- 1.2 m PEDESTRIAN
- PATH
- SITE BOUNDARY

REVISIONS
 12 JUNE 2013 RESOURCE CONSENT
 12 JUNE 2013 AMENDMENT
 14 JULY 2013 AMENDMENT

CONTROL DATE
 INCITE PLANNING
 ENVIRONMENTAL
 TASMAN CONSULTING
 ENGINEERS
 VERRALL & PARTNERS
 TRIMNELLY TRANSPORT
 PLANNING

TITLE
OLIVE ESTATE
LIFESTYLE VILLAGE

DRAWING TITLE
STREET TREES

NORTH

SCALE
 1:500 @ A1

DATE
 1208 - 104

DATE
 MAY 2013

weirwalker
 LANDSCAPE ARCHITECTS

canopy
 LANDSCAPE ARCHITECTS

HARD LANDSCAPE

SITE COVERAGE	12,116 m ²
ROADS	3344 m ²
FOOTPATHS	4394 m ²
DRIVEWAYS	4394 m ²
TOTAL	18,854 m ²
SITE AREA	84,969.77 m ²
TOTAL	84,969.77 m ²
LANDSCAPE COVERAGE	23.4%

SITE COVERAGE

VILAS	13,875.51 m ²
APARTMENTS	1,568.82 m ²
TOWN HOUSES	3,078.50 m ²
LAKE HOUSE	1,825.91 m ²
CARE FACILITY	5,231.53 m ²
SITE AREA	84,969.77 m ²
TOTAL	26
BUILDING COVERAGE	33.12%

BUILDINGS

VILLA TYPES	11
UNIT TYPE A (3 BEDROOM)	11
UNIT TYPE B (2 BEDROOM)	12
UNIT TYPE C (2 BEDROOM)	13
UNIT TYPE D (2 BEDROOM)	27
UNIT TYPE E (2 BEDROOM)	27
UNIT TYPE F (2 BEDROOM)	8
UNIT TYPE G (3 BEDROOM)	8
TOTAL VILAS	112
TOTAL APARTMENTS	26

LEGEND

VILLA 87	VILLA TYPE A
VILLA 88	VILLA TYPE B
VILLA 89	VILLA TYPE C
VILLA 90	VILLA TYPE D
VILLA 91	VILLA TYPE E
VILLA 92	VILLA TYPE F
VILLA 93	VILLA TYPE G



LEGEND

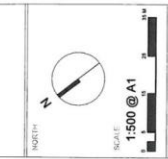
- OPEN SPACE TREE LARGE
- OPEN SPACE TREE SMALL
- FRUIT / NUT TREE
- OPEN GREEN SPACE
- PROPOSED PLANTING
- LANDING
- LANDING DOOR
- LANDING SPACE
- RIVER BED
- DETENTION POND (COLLECTOR ROAD)
- 6.5 m RIGHT OF WAY (COLLECTOR ROAD)
- 5.0 m ACCESS ROAD
- 4.0 m ACCESS PLACE
- RAISED THRESHOLD
- 1.5 m PEDESTRIAN PATH
- SITE BOUNDARY

PROPOSED:
 03 MAY 2023 RESOURCE CONSENT
 10 JULY 2013 AMENDMENT

CONSULTANTS:
 INCITE PLANNING
 ENVIRONMENTAL
 TARMAN CONSULTING
 VERBALL & PARTNERS
 TIM KELLY TRANSPORT PLANNING

TITLE:
OLIVE ESTATE LIFESTYLE VILLAGE

TRAINING TITLE:
PARK TREES



PROPOSED DATE:
 1208 - 105
 MAY 2013



HARD LANDSCAPE

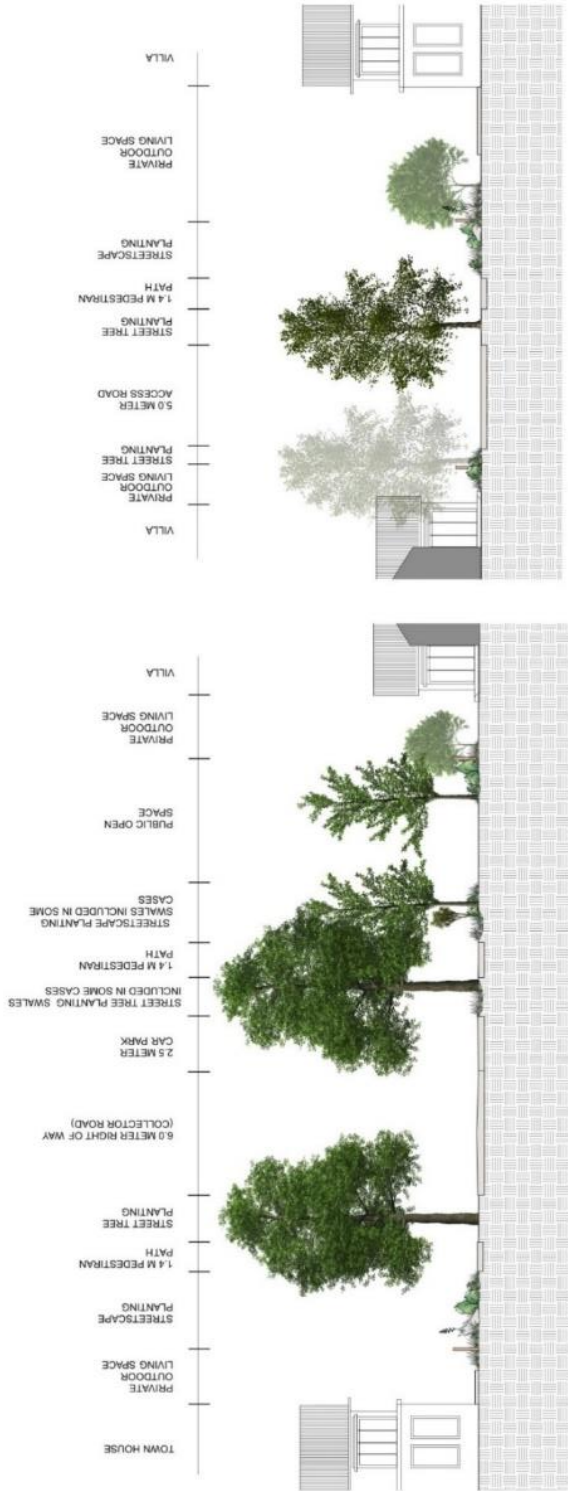
SITE COVERAGE	12,118 m ²
ROADS	334 m ²
FOOTPATHS	434 m ²
DRIVEWAYS	434 m ²
TOTAL	18,854 m ²
SITE AREA	84,969.77 m ²
TOTAL LANDSCAPE COVERAGE	22.4 %

BUILDINGS

VILLA TYPES	11	13,875.51 m ²
APARTMENTS	28	1,598.82 m ²
TOWNHOUSES	12	3,076.50 m ²
TOTAL TOWNHOUSES	30	4,655.32 m ²
LAKE HOUSE	1	1,025.91 m ²
CARE FACILITY	1	5,231.51 m ²
SITE AREA	84,969.77 m ²	
TOTAL BUILDING COVERAGE	31.12 %	

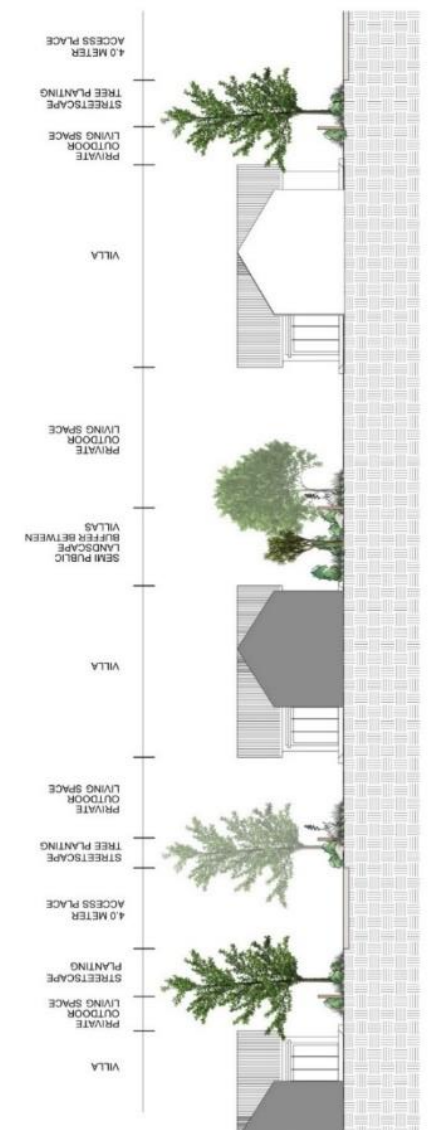
LEGEND

- V100-A VILLA B1 TYPE C
- TH12A TOWNHOUSE
- AP12 APARTMENT



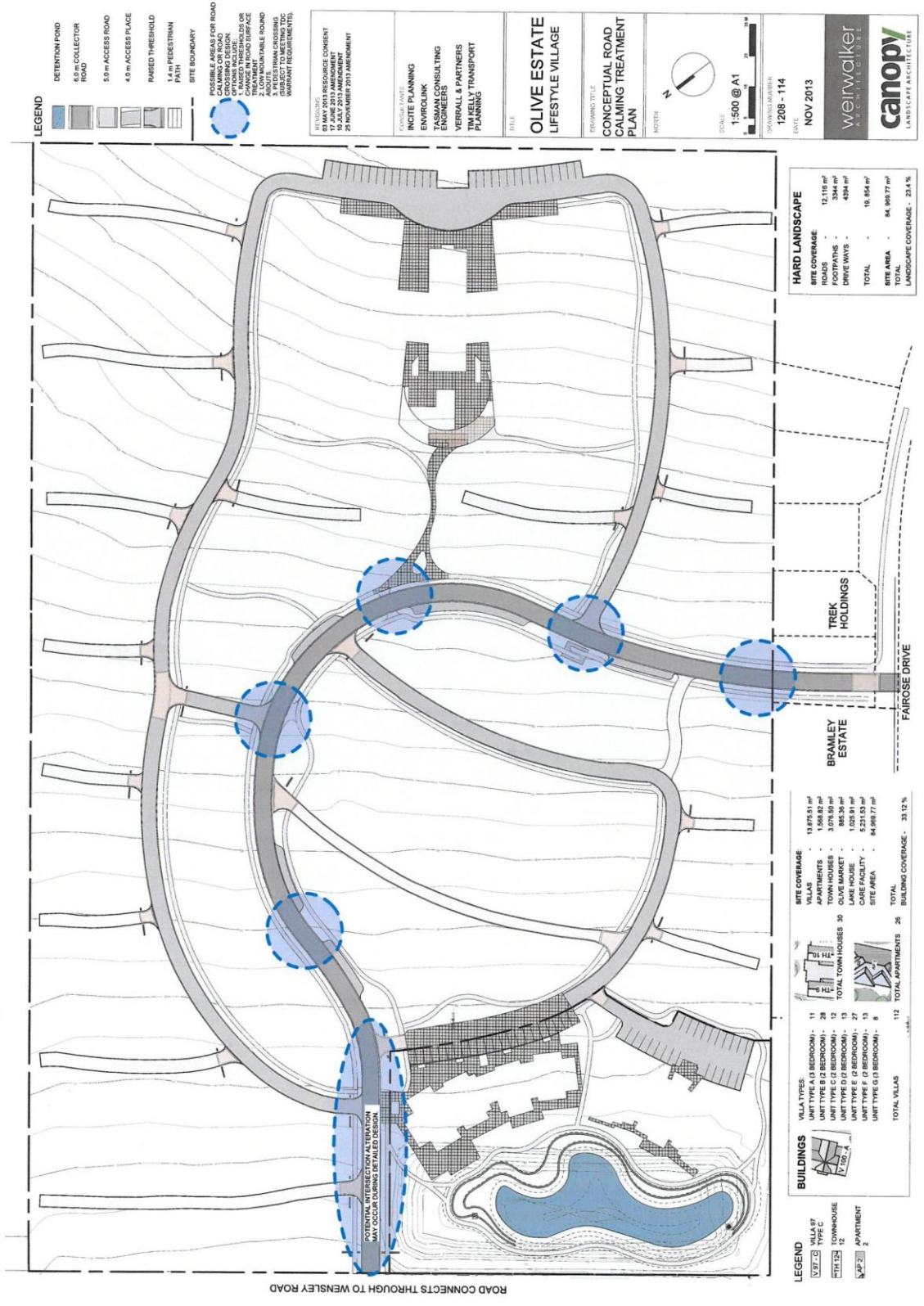
01 SECTION B - B 1:100 @ A1
6 METER RIGHT OF WAY (COLLECTOR ROAD)

02 SECTION C - C 1:100 @ A1
5 METER ACCESS ROAD



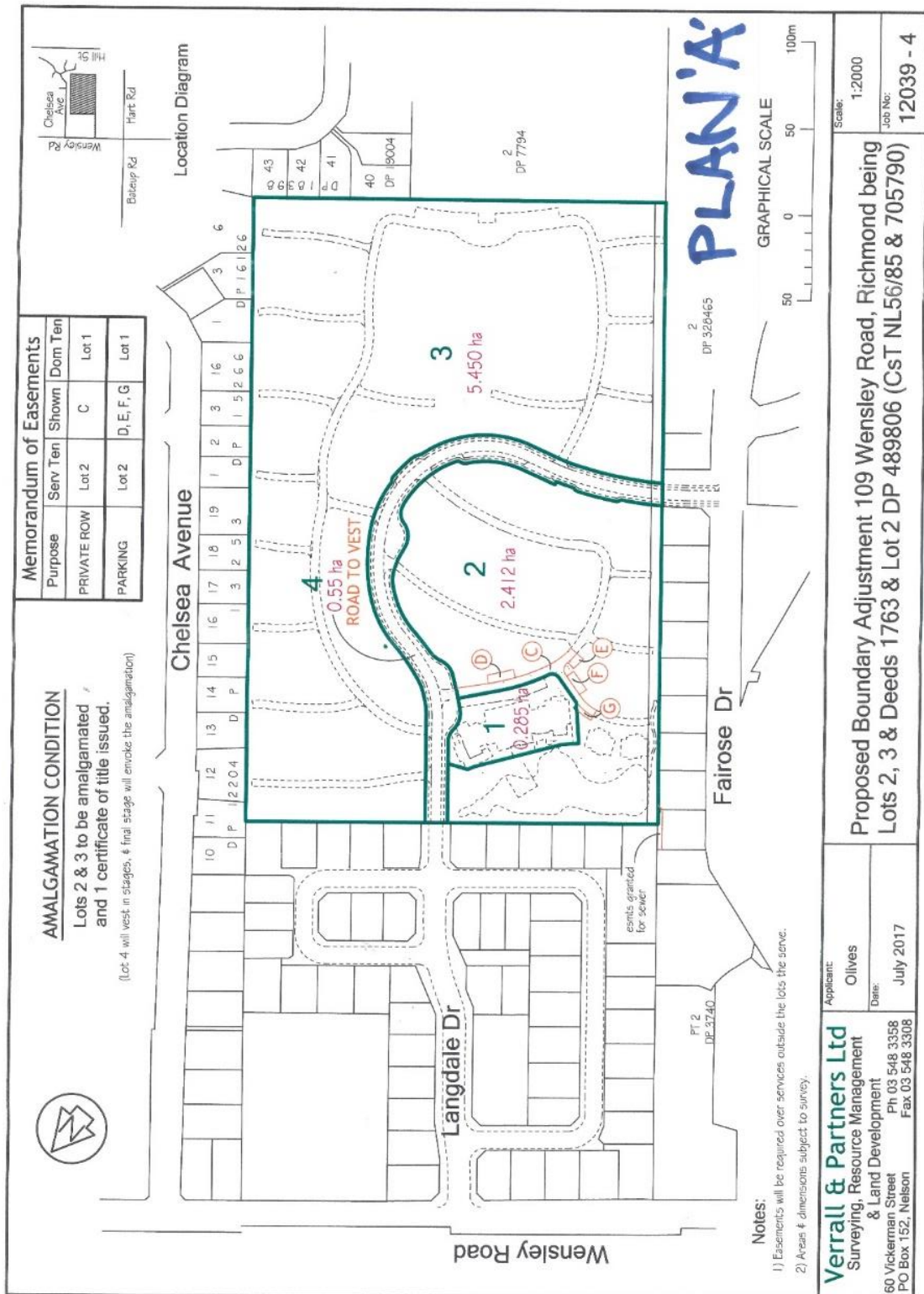
03 SECTION D - D 1:100 @ A1
4 METER ACCESS PLACE

REVISIONS 03 MAY 2023 RESOURCE CONSENT 19 JULY 2017 PRELIMINARY	CONSULTANTS INCTE PLANNING ENVIRLINK TASMAN CONSULTING ENGINEERS VERRALL & PARTNERS TIM KELLY TRANSPORT PLANNING	TITLE OLIVE ESTATE LIFESTYLE VILLAGE	DRAWING TITLE SECTIONS B	NORTH	SCALE 1:100 @ A1	DRAWING NUMBER 1208 - 107	DATE MAY 2013		
---	---	---	------------------------------------	-------	----------------------------	-------------------------------------	-------------------------	--	--

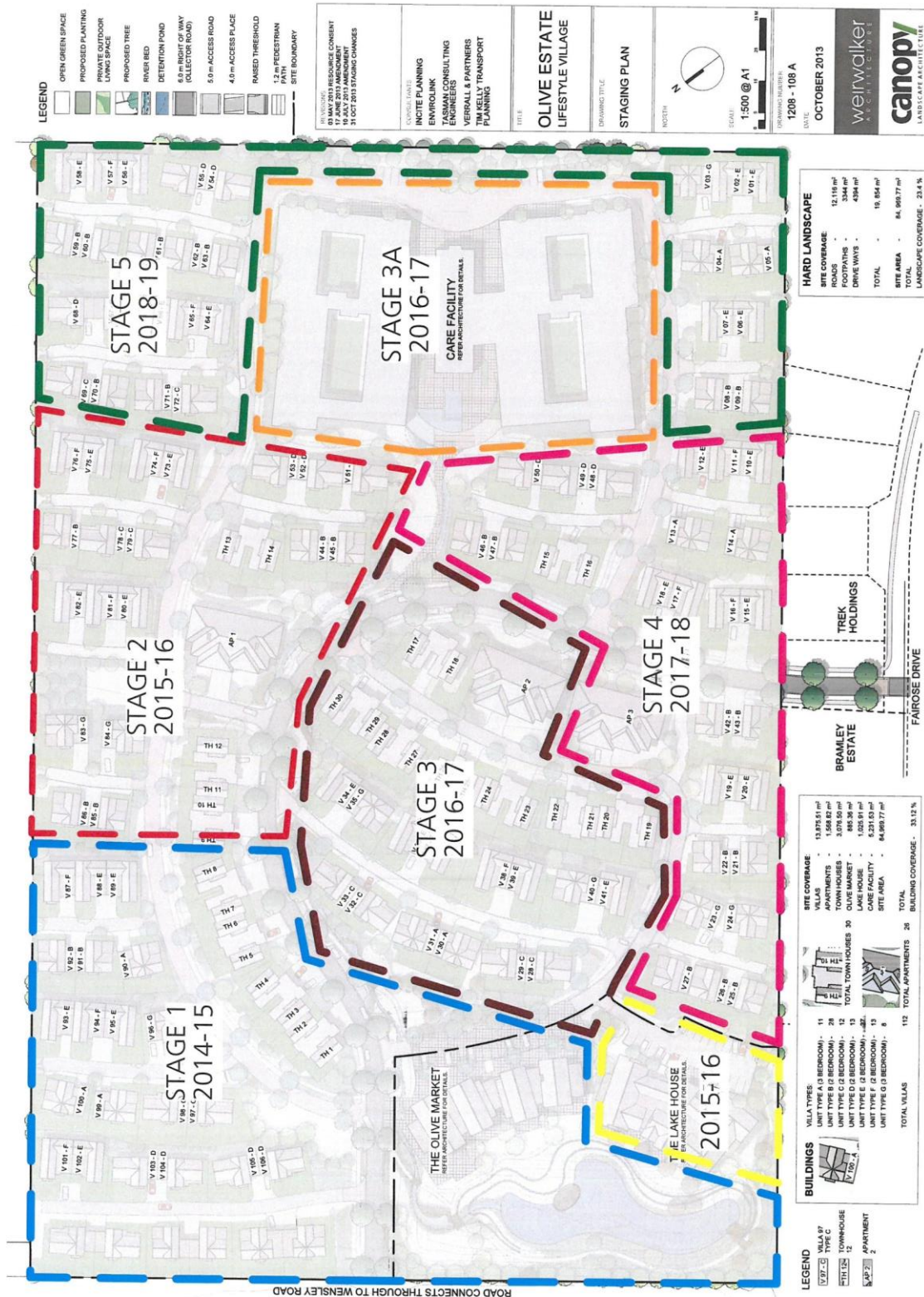


Boundary Adjustment Plan dated July 2017

(also being Plan A attached to subdivision consent RM130346V1).



Staging Plan

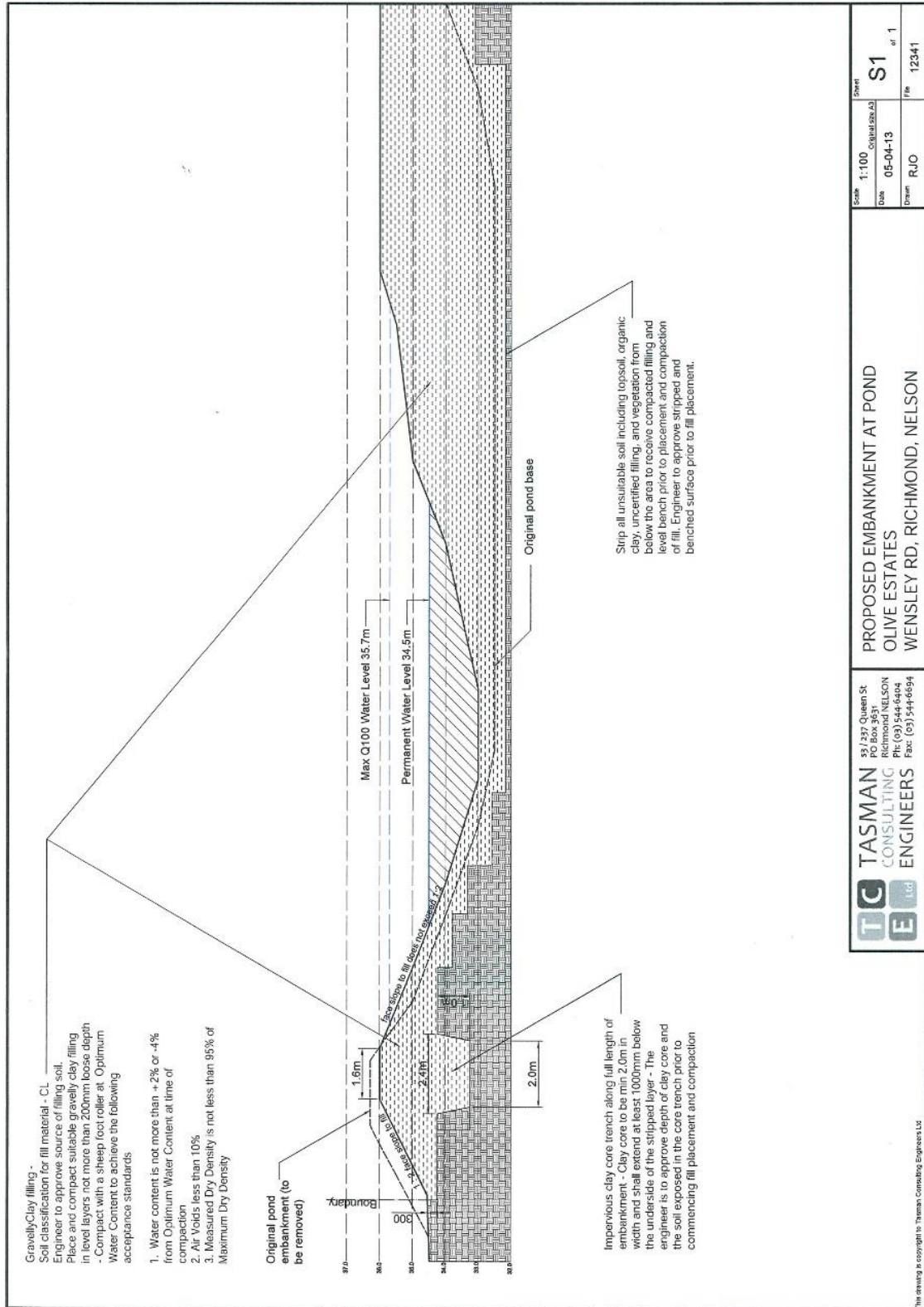


Indicative Main Services Layout

PDF Created with deskPDF PDF Writer - Trial :: http://www.docudesk.com



Pond Embankment Plan

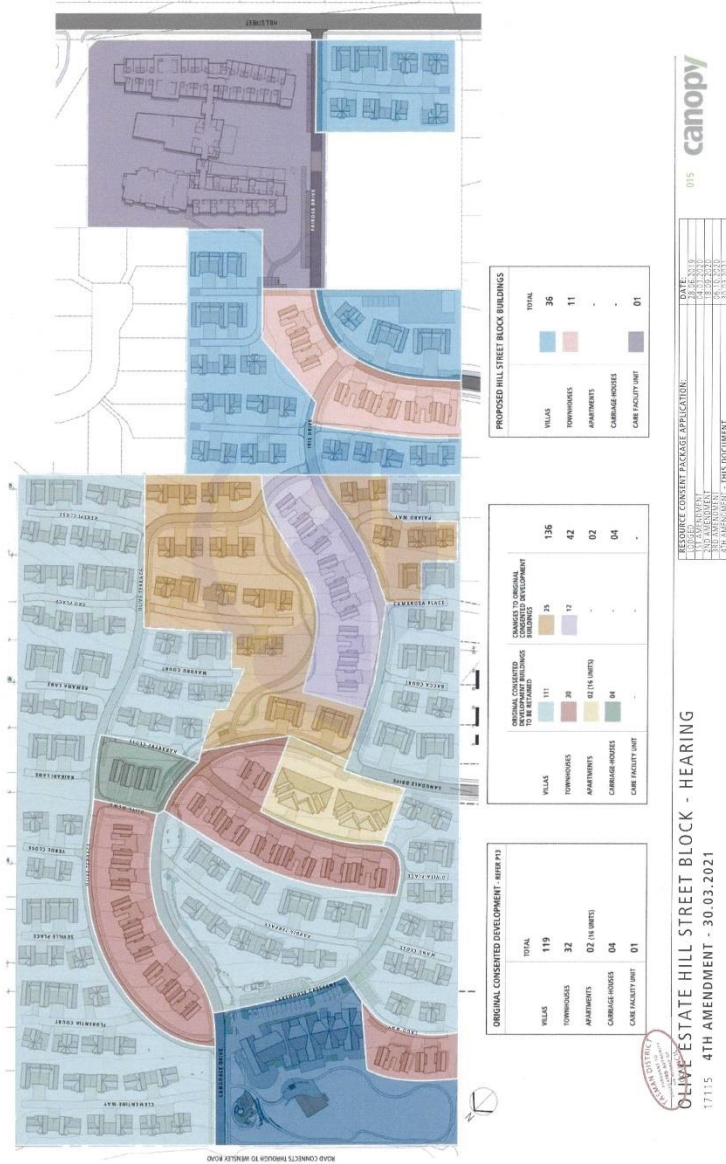


Appendix One to RM120928V2 conditions (page 2 of 4)

As per condition 1, copies of plans RM190790 A1 to A4 as approved, for reference.

Approved plan A2

3.0 MASTERPLAN 3.3 OVERALL SITE BUILDING TYPE NUMBERS



Resource consent RM190790. Dated 24 June 2021.

Resource consent RM120928V2. Granted 24 Jun 2021.

Document added under s 133A - 21 Jul 2021

Apartment Building Plans RM120928V3 (6 sheets)



PROJECT NO: 12,689 - SK1.1
 DATE: 10/10/2023
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

OLIVE ESTATE LIFESTYLE VILLAGE
APARTMENT BUILDING
 109 WENSLEY ROAD, RICHMOND





OLIVE ESTATE LIFESTYLE VILLAGE
 APARTMENT BUILDING
 109 WENSLEY ROAD, RICHMOND



Drawing: Ground Floor Plan
 Date: 13/08/21
 Scale: 1:100
 Project: OLIVE ESTATE LIFESTYLE VILLAGE APARTMENT BUILDING
 Client: RESIDENTIAL DEVELOPMENT
 Location: 109 WENSLEY ROAD, RICHMOND
 Project No: SK1.2
 Revision: 1



ALL MEASUREMENTS IN METERS
 DATE: 12/08/2023
 PROJECT: OLIVE ESTATE LIFESTYLE VILLAGE
 DRAWING NO.: SKI.3
 DRAWING TITLE: APARTMENT BUILDING
 DRAWING TYPE: ARCHITECTURE
 DRAWING SCALE: 1:100
 DRAWING DATE: 12/08/2023
 DRAWING TIME: 12:00:00
 DRAWING USER: [Name]
 DRAWING CHECKER: [Name]
 DRAWING APPROVER: [Name]

OLIVE ESTATE LIFESTYLE VILLAGE
APARTMENT BUILDING
 109 WENSLEY ROAD, RICHMOND

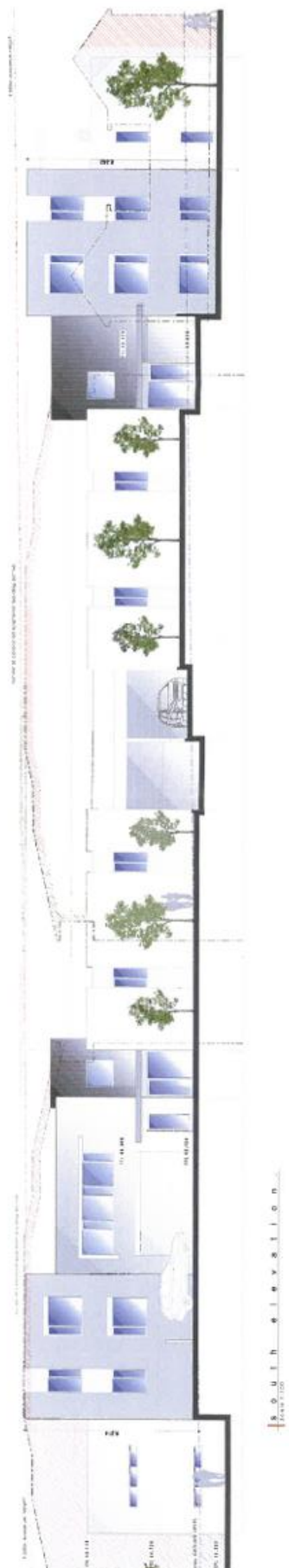
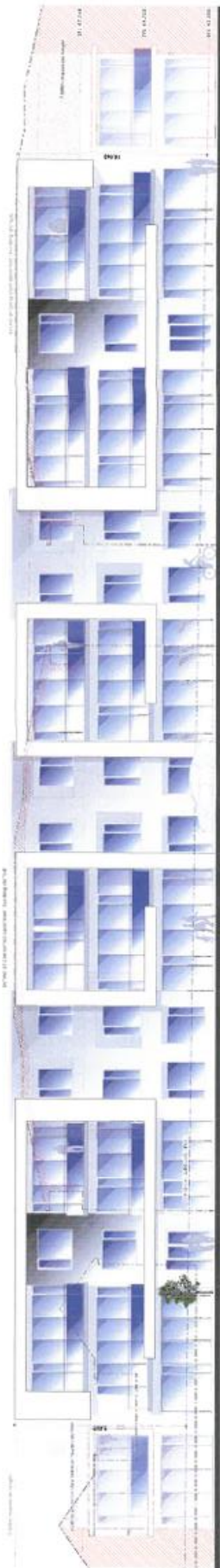




Project Name: **Perthshire Lane**
 Project No: **12489 SK1.4**
 Date: **12/08/2024**
 Drawn by: **Andrew Cleland**
 Checked by: **Andrew Cleland**
 Scale: **AS SHOWN ON THE PLANS**

OLIVE ESTATE LIFESTYLE VILLAGE
APARTMENT BUILDING
 109 WENSLEY ROAD, RICHMOND





**OLIVE ESTATE LIFESTYLE VILLAGE
APARTMENT BUILDING**
100 WENSLEY ROAD, RICHMOND

Project Name: Olive Estate Lifestyle Village Apartment Building
 Project No: 12689 SK1.5
 Date: 12/08/21
 Author: [Name]
 Checked: [Name]
 Approved: [Name]
 Scale: 1:100
 Revision: 1

REASONS FOR DECISION – CHANGE OF CONDITIONS OF LAND USE CONSENT RM120928V3

Site Description and Consent History

The applicant (The Integrity Care Group) was first granted resource consents for a ‘lifestyle village’ (Olive Estate) on the site at Langdale Drive in Richmond in 2014. Changes to the lifestyle village have been made since then, including the replacement of the ‘Olive Market building’ with a smaller Lakehouse building and additional residential units. Resource consents have also been granted to relocate the care facility onto the adjoining Hill Street Block and add additional villas and terraced housing in the original location for the care facility building (and to alter the internal road layout).

Proposal

The applicant is now seeking further changes (pursuant to s127 of the Act) to:

- replace the currently authorised two 4-storey apartment buildings and two 2-storey terrace houses between Lakehouse Crescent and Langdale Drive with a new 3-storey apartment building; and
- enable construction traffic to use Fairrose Drive; and
- allow administrative changes to be made to certain conditions to replace references to the consented apartment buildings and to remove references to the care facility building (which is to be relocated onto another part of the expanded site, as noted above).

The changes sought by the applicant are outlined below. Additions are underlined and deletions are ~~struck through~~.

(a) RM120928V3 Condition 1 - General

Note: This condition has been amended to reflect the subject application, and to restore the references to the original application plans that were incorrectly deleted for variation RM120928V2 which approved amended development plans for a only portion of the site to which this consent applies.

- 1 The construction and operation of the lifestyle village for people aged 55 years and over shall be in general accordance with the information provided in the original application and the information submitted as part of the variation applications RM120928V1, RM120928V2 and RM120928V3, and in general accordance with the following plans prepared by Weir Walker Architecture, Canopy Landscape Architecture and Verrall & Partners Ltd, attached to this consent:
 - Development Master Plan, C-01 dated 28 August 2017;
 - Setbacks and Private Space, C-02 dated 28 August 2017;
 - Open Spaces and Linkages, 1208 - 103, Revision 3 May 2013;
 - Street Trees, 1208-104, Revision 3 May 2013;

- Park trees, 1208 - 105, Revision 3 May 2013;
- Sections B, 1208 - 107, Revision 3 May 2013;
- Conceptual Road Calming Treatment Plan, 1208 - 114, Revision November 2013; and
- Proposed Boundary Adjustment 109 Wensley Road, Richmond being Lots 2, 3, and Pt 4 Deeds 1763 and Lot 2 DP 489806 NL 56/85 and 705790, Plan dated July 2017. [amended 9 October 2017]

In addition, the construction and operation of the lifestyle village shall be in general accordance with the following plans prepared by Weir Walker Architecture, Canopy Landscape Architecture and Verrall & Partners Ltd, attached to this consent:

- Staging Plan, 1208 - 108A, Revision October 2013; and
- Indicative Mains Services Layout 109 Wensley Road, Richmond being Lots 2, 3, and Pt 4 Deeds 1763 comprised in CTs 56/85 and 56/87

With the above plans being subject to the amendments approved by variation RM120928V2 (bundled with consents RM190790 and others) Plans labelled A1 – A4 Masterplans 3.2 to 3.5 (014 to 017) 17115, 4th Amendment dated 30 March 2021 attached to this consent;

And as further amended by variation RM120928V3 Plans labelled ‘Olive Estate Lifestyle Village Apartment Building’, referenced 12.689, dated September 2021 attached to this consent.

Where there are any discrepancies or apparent conflict between the information provided with the application and any conditions of this consent, the conditions shall prevail.

(b) RM120928V3 Condition 6 - Maximum Height

This condition is changed to reflect the change in height of the apartment block.

6. The proposed new buildings shall not exceed the following specified heights measured from ground level:

The Lake House Building	7.6 metres
Carriage House	10.2 metres
The Apartment Blocks (AP1-2)	<u>9 metres The building shall not exceed the heights shown on the cross section plans prepared by Weir Architecture, referenced 12.689 Sk. 1.5 an dated September 2021</u>

Advice Note:

For the avoidance of doubt, ground level is defined in the Tasman Resource Management Plan as follows: means the natural ground level, or where that has been altered by subdivision, means the actual finished ground level when all works associated with the subdivision of the land are completed, and excludes any excavation or filling associated with the building activity.

(c) RM120928V3 Condition 20 – Outdoor Living Areas

This condition is changed to remove the reference to the care facility building, which has now been relocated onto another part of the site as authorised by RM190790 and others.

20. Each villa, terraced house, townhouse, carriage house and apartment shall be provided with an outdoor living area to which its occupants have exclusive rights of use in general accordance with the attached plan entitled Setbacks and Private Space, C-02 dated 28 August 2017.

Advice Note:

It is noted that the apartment blocks and care facility apartments will contain balconies providing outdoor living spaces above ground level.

(d) RM120928V3 Condition 29 – Service Buildings

This condition is changed to remove the reference to the care facility building, which has now been relocated onto another part of the site as authorised by RM190790 and others.

29. All delivery and service vehicles entering and exiting the site for the purposes of the operation of the care facility and commercial and community activities within the proposed lake house building shall be restricted to 7.00 am to 9.00 pm.

(e) RM120928V3 Condition 32 – Noise

This condition is changed to remove the reference to the care facility building, which has been relocated onto another part of the site as authorised by RM190790 and others.

32. The operation of the care facility, and activities in the commercial and facilities precinct and associated activities shall not exceed the noise limits in the Tasman Resource Management Plan for the Residential Zone, at the boundary of the site unless a subsequent resource consent is obtained that authorises the exceedance of the noise limits:

Noise generated by the activity measured at or within the boundary of any site within the zone, other than the site from which the noise is generated, does not exceed:

	Day	Night
Leq	55dBA	40dBA
Lmax		70dBA

Where Day = 7.00 am to 9.00 pm Monday to Friday inclusive and 7.00 am to 6.00 pm Saturday (but excluding public holidays);

Night = All other times plus public holidays.

(f) RM120928V3 Condition 35 – Construction Traffic Management Plan

This condition is changed to enable long articulated trucks to use a section of Fairrose Drive during the construction of the apartment block when necessary.

35. A detailed Construction Traffic Management Plan must be prepared by a suitably qualified and experienced person and submitted to the Council's Co-ordinator Compliance Monitoring for certification at least 20 working days prior to the commencement of work on site.

The Construction Traffic Management Plan will establish acceptable performance standards regarding public safety and amenity protection during the construction process of this development. Such standards shall include but not be limited to the following:

- hours at which construction vehicle movements may take place;
- defining the routes which construction vehicles will take to and from the site;

- the exclusion of the section of Fairrose Drive between Langdale Drive and Hart Road, from use for any construction traffic, except that section of Fairrose Drive may be used during the construction of the apartment block only by long articulated trucks on those occasions where alternative routes cannot be practically used;
- temporary traffic management on Wensley Road;
- identifying potential impacts on pedestrians and cycle movements within the vicinity and how these will be addressed;
- measures to ensure dirt, mud or debris is not left on the road, and does not enter the Council's stormwater system;
- staff parking areas; and
- communication and complaint procedures.

The Council's Co-ordinator Compliance Monitoring will certify the Construction Management Plan in a timely fashion following consultation with appropriate officers within the Tasman District Council.

(g) RM120928V3 Condition 38 – Engineering Plans

This condition is changed to ensure details of the excavations which are proposed at the corner of the apartment block (closest to Langdale Drive) are provided to the Council for certification (prior to construction) and to ensure Langdale Drive is appropriately retained.

38. Engineering plans showing the details of all works required, including details of how the cut at the eastern corner of the apartment block (at its closest point to Langdale Drive) will be retained, detailing all services, roading, footpaths and access, right turn bay and pedestrian refuge on Wensley Road, and including works for stormwater control, sediment control during earthworks for each stage or phase of construction work (see Condition 4 of RM130347) shall be submitted to Council's Engineering Manager for approval prior to any works on that phase or stage being carried out. The plans will be approved by the Engineering Manager if the works are designed to comply with the conditions of consent, and they are in accordance with the Engineering Standards & Policies 2013 or, where the latter is not complied with, they are to the satisfaction of Council's Engineering Manager.

(h) RM120928V3 Condition 45 – Traffic and Connecting Road

This condition is changed to remove reference to the care facility building which has been relocated onto another part of the site as authorised by RM190790 (and others), and to include an advice note which clarifies the Council does not accept the road to vest plan provided with RM120928V3. The approved road to vest plan is attached to RM130346V1 and is also attached to this decision (for ease of reference).

45. When a phase of development is undertaken that will result in the total developed area of the site reaching or exceeding 65% of the site, the Consent Holder shall as part of that phase entirely form the collector road within Lot 4 through to the boundary with Lot 1 DP 411576 (or the replacement title) and shall vest Lot 4 as road to the Council.

~~Notwithstanding the above, any phase of work that includes construction of the care facility shall also trigger the completion of the collector road and vesting as set out above.~~

In any event, after 10 years has elapsed from the date that this consent is first given effect to the Consent Holder shall complete the road and vest Lot 4 in its entirety.

Advice Note:

The connector road link to the boundary is an important strategic linkage for the development of this area. This condition ensures that connection is made to the boundary in a timely fashion in step with the development of this site.

The Council only accepts a narrower road width along that portion of Langdale Drive that is closest to the apartment block. However, it does not accept the entirety of the road to vest plan dated July 2022 (and received by the Council on 16 September 2022). The consented road boundaries are shown on Verall & Partners Ltd Plan 12039-2a (dated December 2013) attached to the original bundled consents – including land use RM120928 and subdivision RM130346, with a subsequent version Plan 12039 - 4 (dated July 2017), being attached to RM130346V1 in October 2017 and attached in Appendix One to this resource consent.

(i) RM120928V3 Conditions 46-48 – Servicing

Conditions 46-48 are changed to remove reference to the care facility building which has been relocated onto another part of the site as authorised by RM190790 (and others).

46. Full separate servicing shall be provided for the residential dwellings, carriage houses, apartments and the proposed lake houses ~~and care facility buildings~~ in general accordance with the attached plan entitled Indicative Services Plan prepared by Verrall & Partners Limited and dated July 2013.

Advice Note: Connection fees will be payable to Council at the time building consent is issued.

47. Prior to the residential dwellings, carriage houses, apartments and the proposed lake house ~~and care facility buildings~~ being occupied, a separate water connection shall be provided to the buildings in accordance with the Tasman District Council Engineering Standards & Policies 2013.

Advice Note:

Connection fees will be payable to Council for each residential dwelling, apartment, carriage houses and the proposed lake house ~~and care facility buildings~~ at the time building consent is issued.

48. The servicing provided shall include:

(a) Water Supply

Water reticulation shall be provided to the residential dwellings, apartments, carriage houses and the proposed lake house ~~and care facility buildings~~, complete with all mains, valves, fire hydrants and other necessary fittings. The final layout of water reticulation and location of water meters shall be confirmed at the engineering plan stage.

(b) Sewer

Full sewer reticulation discharging to Council's approved system shall be installed complete with any necessary manholes and connection to the residential dwellings, apartments, carriage houses and proposed lake house ~~and care facility buildings~~. Wastewater services provided through the site shall contain connections for Lot 2 DP 7794 (the Nicoll Block) in general accordance with the Indicative Services Plan 12039-1a attached to this consent.

(c) Stormwater

Full stormwater reticulation discharging to Council's approved system shall be installed. The reticulated network will involve a detention pond on-site designed to control flows up to a 100 year return period 15 minute duration rainfall event, as required by Council's current Engineering Standards & Policies 2013. The stormwater will discharge from the pond at a maximum rate of 400 litres per second via a pipe connected to a new outfall to Hart Stream. The new pipe outlet from the detention pond will operate over a range of events and have a controlled graduated release of stormwater to Hart Stream.

Stormwater (including secondary flow paths) services provided through the site shall contain connections for Lot 2 DP 7794 (the Nicoll Block) in general accordance with the Indicative Services Plan 12039-1a attached to this consent.

(d) Electricity and Telephone

Live telephone and electric power connections shall be provided to each dwelling and all wiring to all dwellings shall be run underground.

Advice Note:

Services connection fees will be payable for each residential dwelling, apartment building, carriage houses, lake house and ~~care facility buildings~~ to Council in accordance with Council's Long-Term Plan at the time building consent is issued.

(j) RM120928V3 Conditions 51 and 52 – Firefighting Water Supply

Conditions 51 and 52 are changed to remove reference to the care facility building which has been relocated onto another part of the site as authorised by RM190790 (and others).

51. The carriage houses, apartments, commercial and facilities building ~~and care facility~~ shall be provided with a firefighting water supply in accordance with the SNZ PAS 4509:2008.

52. Notwithstanding the above, the carriage houses, apartments, commercial and facilities building ~~and care facility~~ shall be provided with a sprinkler system in accordance with the relevant requirements of the Building Code.

Principal Issues (Actual and Potential Effects on the Environment)

The principal issues associated the activity involve the actual and potential effects on the environment associated with the change to conditions. For this application they are considered to be effects on:

- (a) Design / Appearance of Apartment Building
- (b) Shading
- (e) Vehicle Access and Parking
- (f) Provision of Services
- (g) Construction Traffic Using Fairrose Drive

It is considered that the adverse effects on the environment as a result of the activity will be no more than minor for the following reasons:

- (a) The application includes an Architectural Design Statement from Weir Architecture

which considers the proposed design changes to the apartment buildings. It states the exterior of the building will feature a modern contemporary design and a palette of materials. Including composite aluminium cladding, plaster rendered and textured precast concrete panels finished in a variety of contrasting colours that will provide relief and texture. The north facing terraces will create a sense of human scale and a direction connection to the street below.

The streetscape will be enhanced with quality landscaping similar to that seen elsewhere within the development. This advice is accepted. In my opinion the proposed changes to the design of the apartment building are compatible and in-keeping with the character of this development. The proposed materials will be compatible with the materials used elsewhere within the lifestyle village and the scale and height of the proposed apartment building will be comparable with some of the other buildings within the village (namely the care facility building and the lakehouse).

The consented apartment buildings were larger (in that they were four-storey) whereas the proposed apartment building is only three storeys. However, the proposed apartment building may appear larger in terms of mass (because a comparable number of residential units and communal spaces will be located in a single building as opposed to three separate buildings - the proposed change increases the total number of residential units in this part of the development from 18 to 19). Further, the proposed apartment building is taller (10.06m above original ground level at its tallest point), whereas the maximum height of the consented apartment buildings is 9m. However, the effects of these changes are mitigated as the proposed apartment building is located relatively centrally within the site.

As such, any adverse effects associated with having a single apartment building (as opposed to three separate buildings) are mostly limited to those persons that choose to live in the lifestyle village. The exception to this is in respect of the users of Langdale Drive (which is to vest with Council as road). The effects of the proposed changes to those users on Langdale Drive are mitigated by the proposed design (which includes modulation, a variety of materials, variations to the façade and landscaping).

The effects of the larger building mass are also mitigated by a reduction in the number of storeys and the proposed flatter roof profile. Further, the visual effects of the building are limited to those persons that are passing on Langdale Drive. The building is not located close to any other public space (where the public might spend prolonged periods of time and where the height and scale of the building might otherwise be more apparent). A height comparison plan is included with the application and the effects of the proposed increase in height are considered negligible in the context of the wider development (including that which has previously been considered and approved).

- (b) The application includes shading diagrams which show how the apartment building will only partially shade a relatively short portion of Langdale drive (where it passes the southern side of the building), after 10am-on the shortest day of the year. At this time, it is expected that any frost would have already dissipated. The shading effects are therefore considered to be minor.
- (c) TRMP Rule 17.1.3.1(q)) requires buildings to be set back at least 4.5m from road boundaries to provide for vehicle access and parking, amenity effects arising from the proximity of neighbouring buildings, drainage, and the provision of services. In terms of vehicle access, the proposed vehicle entrances to the apartment building are located further along the south-western elevation of the building, where the building is set back more than 4.5m from the proposed road boundary.

The Council's roading engineers have not raised any concerns in respect of vehicular or pedestrian safety on Langdale Drive. On-street parking spaces are also provided. The applicant has provided an assessment from Traffic Concepts, which considers the proposed change to the apartment building. In summary it concludes:

- There will be a low number of vehicle movements associated with the apartment complex.
- The driveways measure 3m in width which complies with AS/NZS 2890.1.2004.
- All vehicles are able to enter and exit in forward direction.
- There will be no material effect on the safety and operation of parking areas.
- There are excellent sight lines on each parking level.
- The driveway ramps are 1 in 8 for 2 metres at each end with a 1 in 5.5 central ramp. The ramp grade for the back of the footpath does not meet the NTLDM requirements of 6% for the first 6 metres. However, there are excellent sight lines for vehicles exiting the car park.
- Overall, the new apartment building can provide a safe and efficient parking and access arrangement with any effects on other road users being less than minor.

This advice is accepted.

- (d) The only other potentially adverse effects relate to the provision of services. The NTLDM requires the layout of all roads to accommodate infrastructural services and provide convenient access for the maintenance of those services.

The proposed change to the apartment building has resulted in the building being located closer to the consented boundary with Langdale Drive (noting that Langdale Drive has not yet vested with Council as Road - but it needs to - Condition 45 of RM120928V2 requires the collector road within Lot 4 to vest as road once 65% of the site has been developed). The consented road boundaries are shown on Verrall & Partners Ltd Plan 12039-2a (dated Dec 2013) attached to the original bundled consents – including land use RM120928 and subdivision RM130346, with a subsequent version Plan 12039-4 (dated July 2017) being attached to consent variation RM130346V1 in October 2017.

The legal width of what is now Langdale Drive is generally shown to approximately 13 metres changing to 15 metres (scaled widths) where parking bays are provided along the road, and no changes were made to those widths in RM130346V1. Also in October 2017, Council's Engineering Manager approved the Engineering Plans for Stage 4 of the Olive Estate development, which includes the section of Langdale Drive that the proposed apartment building will adjoin on the north side of the road. There are some variations among these plans in the detail of the parking bays, however the width of road to vest is shown as 13 metres, widening to 15 metres where parking bays are provided.

The Stage 4 cross-section shows service berms being provided on both sides of the road, but no dimensions for them. The approved road area width of 13 metres would restrict these berms to a combined width of 1.2 metres. Plans provided with the current application now show a proposed road to vest width reduced to 12 metres (where no parking bays provided) – refer Verall & Partners Ltd plans dated July 2022, received with Duncan Cotterill letter dated 16 September 2022.

The applicant has also provided a services plan which shows where in the road area the services will be located (i.e., underneath the carriageway) and a plan which shows the proximity of the proposed apartment building to the applicants proposed road boundary at its closest point, being one of the two corners at the south-eastern

end of the building (see the proposed site layout on page 3 above), which will be set back 830mm from the proposed road boundary, approximately 2.5m below existing ground level. The footpath will be only 200mm from the proposed road boundary, leaving no room for a services berm.

The relevant conditions 38-45 in consent RM120928 require compliance with Council's 2013 Engineering Standards & Policies (unless conditions of consent or Council's Engineering Manager authorise otherwise). The 2013 requirement for 1.5m wide service berms has been carried through into the 2020 NTLDM standards (refer Table 4- of the NTLDM). Deletion of the service berms is not supported by Council's Transportation Manager and Development Engineer. In summary, they are of the view that Langdale Drive must vest with the boundaries set back 1.5m from the footpath (or at least 1m with appropriate justification) to provide a services berm in accordance with the standards of the NTLDM.

The applicant and Council staff have met to discuss these concerns and the applicant has provided reasons why it will not alter the road width or provide a services berm (including because the applicant wants to retain its 'design philosophy' which is a development with narrower roads as a measure to reduce speeds and because most of the road including parking bays, verges and footpaths, has already been built).

The applicant's road to vest plans show a road that will not comply with the NTLDM standards (in terms of width, formation and the provision of a services berm). The plans show the services being located under the carriageway which could restrict the Council's ability to access these services in the future. The letter from Duncan Cotterill of 16 September 2022 states (at paragraph 9) that no change is being sought to any of the roading consent conditions, so they are not matters that are within the purview of the current application: and also (at paragraph 12) that "engineering plans for earlier stages have been approved delineating the same, and no more or less is sought' with respect to the proposed apartments.

However, the plans supplied with the variation do show a reduced road width (about 1m), compared to what was approved in October 2017 (engineering plans). Granting the variation applied for will result in a narrower road area adjacent to the eastern end of the apartment building for a short distance of 10+ metres, which is a consequential change to the consented activities. There is no basis though, to accept the applicant's July 2022 Road to Vest plan by way of this variation, as a substitute for the consented plans (2013 and 2017) for the road to vest – refer Plan A RM130346V1.

The proposed apartment building will be closer to the proposed road boundary than the consented apartment buildings (and terraced houses). However, the proposed change to the apartment building will not result in any change to the location or accessibility of services. In respect of the proposed cut adjacent to the road boundary (which is needed to accommodate the larger apartment building footprint), the applicants engineer will recommend what works are required to support the edge of the road, having regard to the bearing capacity of the soils. This will be dealt with by the building consent process.

However, the applicant has addressed this matter by explaining how sheet piling may be required to secure the edge of the road. Further, the applicant has volunteered a condition that prior to construction commencing, detailed engineering drawings will be prepared confirming the engineering design required to ensure the safety of the road. It is also worth noting that the closest parts of the proposed apartment building to the road boundary are the two corners at the eastern end of the building. The separation distance between the remainder of the building increases in both directions along Langdale Drive.

In other words, there is only the 'pinch-point' at the southeast end of the building where it will be set back only 830mm from the proposed road boundary, resulting in the need for a narrower road area for that short 10+ metre section of Langdale Road only. For these reasons, it is considered that any adverse effects of the proposed change to an apartment building will be no more than minor.

- (e) The applicant also seeks to change condition 35 of RM120928V2 and remove the limitations on the way construction traffic access the site. It will be difficult to construct the apartment building and in particular transport the tilt panels and long steel that is needed to construct the apartment building without using Fairrose Drive.

The tilt panels and steel that will be needed to construct the apartment building will need to be delivered on longer articulated trucks that will not be able to make turn (shown in blue / construction traffic route 1). The applicant therefore seeks to change condition 35 to allow these longer construction vehicles to access the site from Fairrose Drive. All other construction vehicles will continue to use alternative routes.

This proposed change is limited to certain vehicle types, over a construction period of approximately 18 months, to a maximum of 10 trucks per day, and on average not more than 1 truck per week. In the context of the wider development, these effects are considered to be temporary and minor. It is also worth noting that the resource consent was initially granted without restrictions imposed on construction traffic routes. It was not a matter raised by submitters, Council staff or the Commissioner. For the above reasons it is concluded that the effects of the change on the environment are no more than minor.

Relevant Statutory Provisions

The application is deemed to be a discretionary activity in accordance with Section 127(3)(a) of the Act.

In considering this application, I had regard to the matters outlined in Section 104 of the Act. In particular, I had regard to the relevant provisions of the following planning documents:

- (a) the Tasman Regional Policy Statement (TRPS); and
- (b) the Tasman Resource Management Plan (TRMP).

Most of the objectives and policies contained within the TRPS are mirrored in the TRMP. The proposed change of conditions is considered to be consistent with the relevant objectives and policies contained in Chapters 5 (Site Amenity Effects), 6 (Urban Environmental Effects) and 11 (Land Transport Effects).

Part II Matters

I have taken into account the relevant principles outlined in Sections 6, 7 and 8 of the Act and it is considered that granting this resource consent achieves the purpose of the Act as presented in Section 5.

Notification and Affected Parties

The original application, and the suite of applications submitted with RM120928V2 were publicly notified resource consent applications. However, those persons that made submissions on those applications are not considered to be adversely affected by this application, because the effects of the proposed apartment building are mostly limited to the occupants of Olive Estate, and to those persons that are passing on Langdale Drive.

The effects of the change on the occupants of Olive Estate are considered to be less than minor because the proposed apartment building is similar in height and occupies a comparable footprint to the consented apartment buildings. The adverse shading effects associated with the proposed apartment building are limited to a portion of Langdale Drive and the two closest residential units on the south-western side of the apartment building. However, the shading effects will be limited to the shortest days of the year. Further, the proposed apartment building will be set back further from these neighbouring residential units than the consented apartment building would be. Any adverse privacy or visual effects are also considered to be less than minor. Both the consented apartment buildings and the proposed apartment building contain extensive glazing and outdoor terraces which are mostly orientated towards the views to the north and west. The other dwellings in this dwelling are also generally orientated in the same direction.

In respect of the dwellings on Langdale Drive and Makaruru Court to the south / south-east of the apartment building, the proposed apartment building will change the outlook from these dwellings. Three separate buildings are to be replaced with one larger residential apartment building which will also be located closer to these dwellings. However, these dwellings are set back a sufficient distance from the proposed apartment building, and on the opposite of the road (with landscaping in between) to help mitigate the height and bulk of the building. Further, the proposed apartment building is only three storeys in profile (as opposed to four storeys as consented) and it is located at a slightly lower elevation than these neighbouring properties which will mitigate any adverse dominance and visual effects.

The Council's Principal Planner Resource Consents has, under the authority delegated to them, decided that the provisions of Section 95 of the Act have been met and therefore the application to change consent conditions has been processed without notification.

Recommendation

I recommend that the application to change conditions of consent RM120928V2 including consequential changes be granted as set out above.



Jennifer Rose - Consultant Planner

Decision

The recommendation is accepted, and this consent variation is granted on 4 May 2023 under delegated authority from the Tasman District Council by:



Paul Gibson
Acting Team Leader – Land Use Consents

