

26 August 2022



Hi Emma,

Please find below our response to your s92(1) request received 21 July 2022. For the sake of clarity, your questions have been transcribed across with our answers below. The memo is supported the following information:

- **Appendix A** – Updated elevations
- **Appendix B** – Transport response
- **Appendix C** – Arborist assessment
- **Appendix D** – Updated landscaping plan

Note: Updated scheme plans will be supplied in due course. It's expected these will be supplied to Council over the week commencing 29 August 2022.

Urban Design Assessment

- 1) *It would be helpful to see the elevations with the infringing height information separated from recession plane infringements.*
Reason: Elevations seem to show both infringements to height and recession planes in red, and this may have the effect of emphasising the extents of recession plane infringements.

The architect has updated the elevation plans (**Appendix A**) to better distinguish between height breaches and recession plane breaches.

- On sheet A07, the 3D compliance envelope has been updated to include both the recession plane tent (yellow) and the 8m maximum height (white).
- On sheets A08-A11, any area shaded red illustrates a recession plane breach, while the maximum height breaches are shown as a dimension relative to the 8m height limit.
- The dimensions of the relative height and recession plane breaches are now more clearly labelled, too.

Transportation

- 2) *Demonstrate how conflicts between pedestrians and vehicles will be managed at the site entrance given compliance with visibility splays is not able to be achieved with regards to the boundary fence. It is suggested you consider relocating the access to provide sufficient pedestrian visibility splay, and/or provision of a judder and signage to alert vehicles to the presence of pedestrians.*

In terms of sightlines, the fence to the western side of the main vehicle access is to be dropped to a height of no more than 1m for a length of no less than 2.5m from the front boundary to protect sightlines as shown on the landscaping plans (**Appendix C**). To the east of the access the only potential encroachment into the sightlines would be the existing Pohutukawa.

As per the attached assessment from Luke Benner (**Appendix B**), a speed bump will be installed to slow vehicles at the entry/exit into the site and the access has been slightly narrowed thereby encouraging slower traffic speeds. A condition of consent is proffered in respect to installation of the speed bump.



- 3) *Demonstrate how general loading / unloading will be carried out on-site for deliveries and tradespersons. It is strongly recommended you consider provision of a dedicated on-site loading bay suitable to accommodate a van.*

As per Luke Benner's assessment (**Appendix B**) a car park has been identified for a dedicated loading bay. This will replace one staff carpark, meaning the final allocation will be as follows:

- One staff park;
- Two dedicated visitor parks;
- One accessible car park;
- One dedicated EV car share park for residents;
- Eight resident parks; and
- One loading bay.

The proposed reallocation of parking does not undermine the conclusions of Mr Benner's original transport assessment or the initial AEE around parking effects. The applicant has advised that, while up to five staff may be on site at once, it is very rare that there is ever more than one staff member present at any time. This reflects that Ropata Village is an independent living facility, where staff are less frequently required onsite.

Other than the accessible park, loading bay, and EV park, it is not considered necessary to identify exactly which car parks will be allocated for which purpose. The ratio of car parks to each use will be as per the above list. A condition of consent is proffered that markings/signage is used to denote the purpose of the relevant car parks at the time of construction.

- 4) *Demonstrate how non-residents will enter and exit the site in a forward direction, with consideration of access controls at the site entrance and lack of a vehicle turning bay when all car parks are full.*

Please refer to Luke Benner's assessment (**Appendix B**).

- 5) *Given the footpaths and planting surrounding the carparks, illustrate on the plans where an EV charging unit could be placed without increasing trip hazards for pedestrians.*

It is proposed to include the EV charger at the end of car park 14. This will result in a slight change to the landscaping to allow for ease of access as shown in the attached landscaping plans (**Appendix C**).

General Planning

- 6) *Provide an arborist report prepared by a suitably qualified arborist that demonstrates that the Pohutukawa tree is in good health and can be maintained throughout construction. It is recommended that the arborist report specifically addresses AS 4970-2009 Protection of trees on development sites. If the report comes back that damage may occur to the tree or the dripline, please provide an amended assessment of environmental effects, including any mitigation for the loss of any part of the tree, and any associated plans.*

Reason: The Pohutukawa tree provides significant amenity to the wider environment and softens the bulk of the proposed development.

A report has been prepared in response to the above, with a copy attached at **Appendix C**. The report has been prepared by a suitably qualified arborist, and the applicant proposes to undertake the development in accordance with the recommendations therein, including the following:

- Employment of a Site Arborist throughout the demolition and construction phases of the development who shall be responsible for the works detailed below, and for ensuring that contractors and construction workers onsite are suitably informed of the need for, and means to protect, the Pōhutukawa tree.



- Creation of a Tree Protection zone (TPZ), including restricted access, protective mulching, and associated signage. Any works within the TPZ shall be agreed with, and supervised by, the site arborist.
- Low hanging branch(es) identified by the arborist shall be pruned off prior to the commencement of works to avoid the risk of conflict with trucks and machines. This work shall be completed by an appropriately qualified arborist, in accordance with industry standards.
- The driveway shall be shifted south by 600mm, limiting intrusion into the structural root zone. The driveway shall be designed and constructed in such a way as to crown over the structural root zone, in accordance with the arborist recommendations.
- Air excavation and redirection of structural roots shall be done if absolutely necessary, with any exposed roots kept moist and backfilled/mulched as soon as possible.
- Trimming of branches in the tree canopy shall be completed by an appropriately qualified arborist, in accordance with industry standards where there is risk of conflict between branches and the completed building.
- At the conclusion of works the arborist will assess whether any remedial works are required such as further minor pruning or aerating compacted soils.

The arborist report focuses primarily on protecting the root health of the Pōhutukawa. While some slight trimming of the crown will be required (as detailed above and in the arborist report; **Appendix C**), the arborist has confirmed that there are no concerns around conflict between the crown of the tree and the bin store. Some minor pruning may be required to avoid conflict with the proposed new units. However this will be completed by an arborist in accordance with industry standard to ensure the long term health of the tree is not affected. On this basis, the crown form and health of the tree will be maintained by the proposed development.

In respect of the above recommendations, it should be noted that the ability to crown the driveway past the Pōhutukawa has been agreed with Phil Read – Urban Development Lead at Awa, part of the advising engineering team for the project.

Relocation of the road further south and a slight narrowing to 5.5m width has been discussed and agreed with the applicant's advising traffic engineer (Luke Benner) and landscape architect (Andrea Reid). The proposal is considered to be acceptable as:

- The relocated driveway will not compromise pedestrian or vehicular safety and does not alter the substantive assessment or conclusions reached by Mr Benner in regards to the ability for vehicles to manoeuvre safely within the site. This is confirmed in his latest memo, attached at **Appendix B**. Two vehicles will still be able to pass within the narrowed road carriageway, while the narrower width may encourage slower vehicle speeds.
- Ms Reid confirmed that, on balance removal of a thin section of garden along the southern boundary of the site to allow for a greater level of protection to the Pōhutukawa is a better outcome. The Pōhutukawa is a protected tree (as per the consent notice) and makes a more notable contribution to the streetscape and amenity values of the area than would a narrow strip of low planting.

The road has been relocated and this is shown on the updated architectural and landscape drawings in **Appendices A** and **D** respectively.

Based on the above, it is not considered necessary to proffer mitigation for works around, or impacting upon, the Pōhutukawa. The tree will be preserved in its current location, and its health and longevity will not be compromised by the proposal.

- 7) *Demonstrate how the café component does not have the appearance of being accessible to the public and use will be restricted to residents and visitors only and how any restrictions are able to be enforced. It is strongly recommended your design be amended so that the café has no direct access or visual commercial presence (i.e. frontage) when viewed from High Street. It is also recommend you consider*



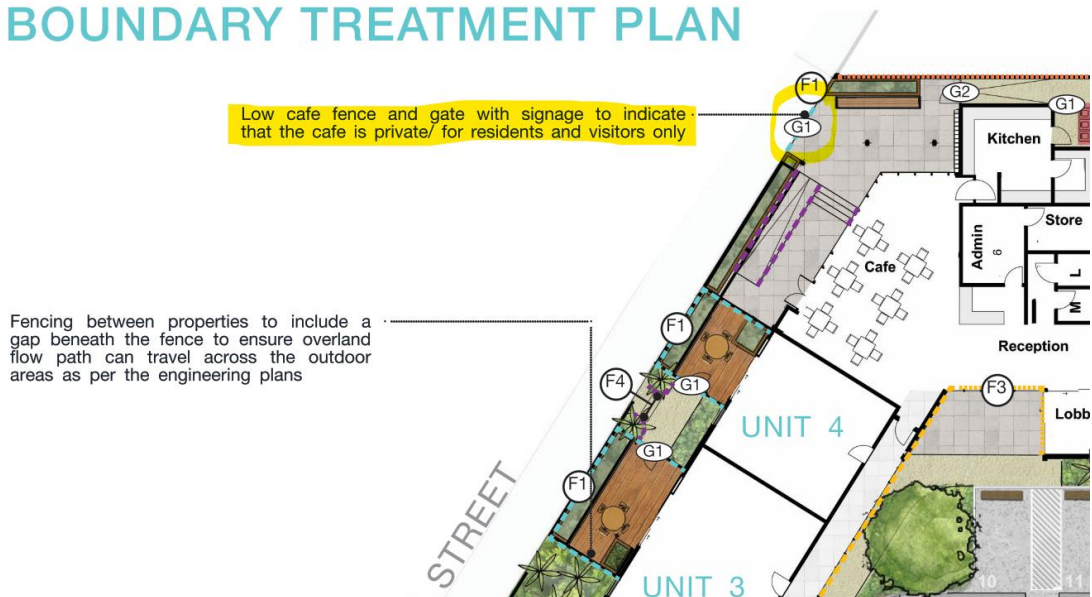
nominating conditions that restrict use to residents and visitors similar to how club liquor licencing operates which require signing in for club members and their visitors (<https://resources.alcohol.org.nz/alcohol-management-laws/administering-alcohol-law/club-licence-licensing-manual/>). If the ultimate intent is to allow public access, provide an amended AEE that addresses the non-residential activity as a non-complying activity, and provide an economic assessment demonstrating the need for the café and how it won't detract from the economic vitality of existing commercially zoned land.

The above query runs counter to the pre-application urban design advice which highlighted the benefit of having an active street frontage. The café forms part of the common facilities onsite, which also includes the lounge and activity room, and, by virtue of being a commonly used facility, provides benefits of passive surveillance and activation at the street frontage.

As stated in the AEE, the café will be for residents and their guests only. There will be no signage specific to the café; the signage at this end of the building will denote the 'Ropata Village' branding only.

Furthermore, the applicant is proffering a condition that a low fence and entry gate be constructed along the boundary adjacent the café (see highlighted area in the image below) to better delineate that this is a private space. The fence and gate will be 1.2m high, semi-permeable fencing to match style F1 and G1 as per the landscaping plans. Should Council consider it necessary, a small sign could be attached to the gate stating 'Private – Residents and Guests only'. This has been included on the updated landscaping plans in **Appendix D**.

BOUNDARY TREATMENT PLAN



- 8) *Demonstrate how the café component will be economically viable and not result in vacant space when viewed from the street. Servicing only 48 units, it is difficult to see how a café of this nature is economically viable where only servicing residents and their visitors on-site.*

The café is a service that is provided by the Ropata Village operator. It will not be owned or operated independently of the wider village, and therefore does not need to be a separately profitable component of the development; it will be an operational cost associated with Ropata Village, much like general maintenance, cleaners, and gardening. Irrespective, economic viability is not a matter controlled by the District Plan.



- 9) *Page 4 of the AEE states that no regional consents are required. However, given the area of earthworks exceeds 3,000m² please advise if a consent is being sought concurrently from the Greater Wellington Regional Council for bulk earthworks.*

The applicant has signed with Urban Edge Planning for preparation and submission of the necessary consent application to Greater Wellington Regional Council. This is currently in our work programme and will be sought concurrently to the HCC application.

Thanks,



Kerry Wynne
Senior Planner

