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## Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

*This form is for Ministers of the Crown to provide comments to the Minister for the Environment on the decision to refer projects to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.*

<b>Minister or agency providing comment</b>	Heritage New Zealand Pouhere Taonga
<b>Contact person</b> (if follow-up is required)	Jamie Jacobs
	Director/Kaiwhakahaere Matua Central Region/Te Takiwā o Te Pūtahi a Māui Heritage New Zealand Pouhere Taonga PO Box 2629 Wellington
	s 9(2)(a)
	s 9(2)(a)

**Comment form**

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<b>Project name</b>	Karori Comprehensive Care Retirement Village
<b>General comment</b>	<p>Heritage New Zealand Pouhere Taonga does not support this application being referred to the panel. Due to the heritage issues outlined below and the strong community interest in the site the public process under the Resource Management Act would provide a more appropriate pathway for ensuring all interests are heard and considered.</p> <p>The project has to date resulted in a significant loss of historic heritage and even the remaining buildings have been gutted. The applicant cannot claim to “promote the protection of historic heritage”, and from this point of view does not meet the requirements of the Act.</p>
<b>Heritage status</b>	The project is within the extent of a place entered on the New Zealand Heritage List/Rārangi Kōrero (the List) as a Category 1 historic place: Wellington Teachers’ Training College (Former) (List No.9797). The place is not scheduled on the Wellington City District Plan, and therefore the remaining heritage buildings are not protected by the plan heritage rules.
<b>Heritage information</b>	<p>The College was built in two stages between 1966 and 1977, and has outstanding architectural significance as one of New Zealand’s finest examples of Brutalist architecture, consisting of an integrated grouping of multi-storey buildings and landscape features.</p> <p>There are 12 buildings/structures identified within the extent of the Listing, as well as four landscaped/open spaces defined by the buildings, and connecting covered walkways. These elements are all integral to the heritage importance of the complex. However, to date this project has resulted in a significant loss of heritage value at the site through demolition of all but 2 ½ buildings and much of the associated campus landscape. The application indicates only two buildings will be retained in an altered form and another partially retained, without acceptably mitigating for the loss of heritage value.</p> <p>The demolitions are a total and permanent loss of outstanding heritage fabric that can never be recovered. Demolition of this scale fails to safeguard for future generations the lasting values that are present in the complex’s tangible fabric. This loss of heritage means the project will negatively affect the social and cultural well-being of current and future generations.</p>

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## Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

*This form is for local authorities to provide comments to the Minister for the Environment on the decision to refer projects to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.*

<b>Local authority providing comment</b>	Wellington City Council
<b>Contact person</b> (if follow-up is required)	Sebastian Barrett
	Senior Consent Planner
	s 9(2)(a)

### Comment form

Please use the table below to comment on the application.

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<b>Project name</b>	Karori Comprehensive Care Retirement Village
<b>General comment – potential benefits</b>	<p>The site is located between Campbell and Donald Streets, Karori, and is 3.05ha in area. The site is surrounded by residential properties to the south, west, and east, typically detached, single or double storey dwellings. There is also an early childcare centre (Karori Kids) that adjoins the site to the east. Wellington City Council's Karori Pool and the associated car parking area are adjoining the site to the north, Karori Normal School is located further beyond this, and the Karori shops are approximately 250 metres to the north-west.</p> <p>The proposal would see the following potential benefits:</p> <p>Localised retirement opportunity for persons who want to stay in the Karori area, potentially freeing up existing housing to the market.</p> <p>Providing housing and 24/7 care as required for an ageing population and for persons requiring specialised care.</p> <p>Economic and employment benefits both during construction and upon completion of the facility, including to the Karori town centre.</p> <p>-</p>
<b>General comment – significant issues</b>	<p>Effects on:</p> <ul style="list-style-type: none"> <li>- Residential amenity on adjacent property owners (shading, bulk and dominance, and privacy)</li> <li>- Urban design (including streetscape and character)</li> <li>- Landscape and vegetation</li> <li>- Heritage</li> <li>- Traffic</li> <li>- Contamination</li> <li>- Wind</li> <li>- Infrastructure (stormwater, sewerage, and water supply)</li> <li>- Construction effects (earthworks, noise, traffic management)</li> </ul>
<b>Is Fast-track appropriate?</b>	Fast-track is not inappropriate, provided that the above issues/effects that would be addressed through the RMA process are otherwise appropriately addressed through the fast-track process.
<b>Environmental compliance history</b>	We are not aware of any compliance issues with this site.
<b>Iwi and iwi authorities</b>	<p>The Council's mandated iwi partners are:</p> <ul style="list-style-type: none"> <li>• Te Rūnanga o To Rangatira, 2/4 Nohorua Street, Takapuwahia, Porirua 5022</li> <li>• Port Nicholson Block Trust, PO Box 12164, Thorndon, Wellington 6011</li> </ul> <p>The site is not identified as a site of significance to iwi and it is not a Statutory Acknowledgement Area.</p> <p>For a proposal of this nature we would generally recommend that consultation is undertaken prior to lodgement of the application. If the proposal was publicly notified we would serve notice on both iwi.</p>
<b>Relationship agreements under</b>	We have no specific relationship agreements under the RMA.

the RMA

Insert responses to other specific requests in the Minister's letter (if applicable)

1. Are there any reasons that you consider it more appropriate for the project, or part of the project, to continue to proceed through existing RMA consenting processes rather than the processes in the Act?

We note there is a high level of community interest in this proposal and if it were to go through the RMA process it is likely that it would be, at least, limited notified. Furthermore, we note that there would be a large number of adjacent persons who would be directly affected by this proposal due to the scale of what is proposed. We note that under this legislation these people would potentially have limited legal rights of participation. This proposal is challenging Wellington City District Plan (District Plan) provisions due to the scale and nature of what is proposed.

2. The status of the applicant's RMA consent applications (e.g. whether a notification decision has been made), and any significant issues you are aware of.

The proposal would need consent under the following District Plan rules:

- Rule 5.3.1: Residential Activities (non-compliant site access and a shortfall of car parks)
- Rules 5.3.4 and 5.5: Residential buildings and structures (non-compliant ground level open space, site coverage, maximum height, building recession planes)
- Rule 5.3.7: Multi-unit development
- Rule 5.3.10.A: Construction or alteration or addition to buildings and structures within the Educational Precinct
- Rule 5.3.11: Signage
- Rule 30.2.2: Earthworks in the Residential Area
- Rule 32.2.1: Use of a potentially contaminated site.

Conditions 5.3.4.15, 5.3.4.16, 5.3.4.19 under Rule 5.3.4 are not met as the total site coverage exceeds 42%, the maximum height is exceeded by more than 20%, and building recession planes exceeded by more than 3 metres. Accordingly, the proposal would be assessed as a Non-Complying Activity under the District Plan.

Resource consent is also required under the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

For a proposal of this nature the Council typically requires:

- An assessment against the District Plan objectives and policies
- An urban design report including an assessment against the Residential Design Guide
- A landscape/visual effects report including information to be able to assess bulk and dominance on adjacent properties
- A shading assessment

	<ul style="list-style-type: none"> <li>- Landscape and arboriculture report</li> <li>- A heritage report</li> <li>- A traffic report</li> <li>- A wind tunnel report based on a wind tunnel test</li> <li>- A site contamination report (PSI or DSI)</li> <li>- A geotechnical report and earthworks management plan</li> <li>- A report for stormwater, wastewater, water supply</li> <li>- A traffic assessment, prepared by a traffic engineer</li> <li>- Evidence of any consultation with iwi and Heritage New Zealand Pouhere Tāonga</li> <li>- Conditions to be offered by the applicant to address effects in relation to the above</li> </ul> <p>3. Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your region?</p> <p>The Council is not aware of any compliance issues relating to Ryman in Wellington City.</p>
<p><b>Other considerations</b></p>	

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## Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

<b>Local authority providing comment</b>	Greater Wellington Regional Council
<b>Contact person</b> (if follow-up is required)	Kirsty Van Reenen
	Team Leader, Environmental Regulation
	s 9(2)(a)

### Comment form

Please use the table below to comment on the application.

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<b>Project name</b>	<b>Karori Comprehensive Care Retirement Village, Wellington</b>
<b>General comment – potential benefits</b>	GWRC has not quantified the benefits of the Karori retirement village for the district / region.
<b>General comment – significant issues</b>	GWRC does not see this project having any significant environmental effects from a regional planning perspective. From a regional resource consenting perspective, this would be a relatively straightforward application for GWRC to assess and determine. Similar applications have been processed on a non-notified basis by GWRC.
<b>Is Fast-track appropriate?</b>	Yes
<b>Environmental compliance history</b>	Rymans hold a number of regional council consents. A summary of these consents and non-compliance with consent conditions is set out here: <ul style="list-style-type: none"> <li>• WGN140241 water permit and discharge permit to undertake dewatering activities during the construction of a retirement village in Lower Hutt. Rymans received a compliance rating of 'environmental non-compliance' in 2015 during construction works as the abstraction rate exceeded that specified in the consent conditions and the discharge quality did not comply with water quality limits in the consent conditions.</li> <li>• WGN170002 to construct and maintain a bore for irrigation</li> <li>• WGN170342 to take and use water for irrigation purposes</li> <li>• WGN120211 to construct geotechnical bores</li> <li>• WGN130322 to construct geotechnical bores</li> <li>• WGN140345 to construct and maintain bores for water quality monitoring purposes</li> </ul>
<b>Iwi and iwi authorities</b>	Te Rūnanga o Toa Rangatira Inc Port Nicholson Block Settlement Trust
	As above
<b>Relationship agreements under the RMA</b>	None

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<p><b>Insert responses to other specific requests in the Minister's letter (if applicable)</b></p>	<p><b>1. Any reasons that you consider the project, or part of the project, would be more appropriate to go through standard RMA consenting processes?</b></p> <p>No</p> <p><b>2. The status of the applicant's RMA consent application (e.g. whether a notification decision has been made), and any significant issues you are aware of.</b></p> <p>The application that has been lodged with GWRC (WGN200271) is currently on hold under s92(1) RMA for further information and s91 RMA for additional resource consents. A copy of the letter requesting further information and details of the additional resource consents required is attached. Additional resource consents are required for taking and discharging water associated with dewatering and for operational stormwater discharges from the site (once works are complete).</p> <p>The application was sent to Te Runanga o Toa Rangatira Inc and Port Nicholson Block Settlement Trust by GWRC in accordance with our agreement with the iwi authorities. No comments on the application have been received by either iwi.</p> <p>A notification decision has not yet been made on the application. This would be made once the further information and additional resource consent applications had been assessed by GWRC.</p> <p>GWRC is likely to consider Wellington Water Limited (WWL on behalf of WCC) an affected person to the application for the following reasons:</p> <ul style="list-style-type: none"> <li>• If dewatered water is proposed to be discharged to the stormwater network WWL will need to assess whether the network has capacity to accept the additional water and any water quality limits proposed by the applicant.</li> <li>• WWL have a global stormwater consent for discharges from their network. The proposal requires consent for the discharge of ongoing operational stormwater from the site once works are complete. WWL have a global stormwater consent for end of pipe stormwater discharges and therefore this discharge potentially affects their consent.</li> </ul> <p><b>3. Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your region?</b></p> <p>Yes – compliance history described above</p>
<p><b>Other considerations</b></p>	<p>N/A</p>

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.



File No: WGN200271 [36797] [36798] [36799] [36803]  
Thursday 16 April 2020

Matthew Brown  
Ryman Healthcare Limited  
C/- Mitchell Daysh Limited  
Via email: [REDACTED] s 9(2)(a)

**For: Phil Mitchell**

Dear Phil

**Further information request under sections 92(1) and 91 of the Resource Management Act 1991**

Thank you for your application for resource consents associated with the development of a retirement village complex at 26 Donald Street and 37 Campbell Street, Karori, Wellington 6012. We received your application on 27 March 2020.

I have reviewed your application and the supporting information. However, I need further information to better understand the effects of your proposal to construct a bore, its effects on the environment, and how any adverse effects on the environment might be mitigated. In addition, you may need to apply for further consents to enable you to undertake the activities proposed.

**Information requested and further consents required**

Earthworks

1. Please provide a draft Erosion and Sediment Control plan for our review. This will allow us to ensure that effects relating to sedimentation can be avoided, remedied or mitigated.

Bore and water take

2. Confirm whether the results from test bore BH04 represent the alluvium or the completely-to highly-weathered (CW/HW) greywacke hydrostratigraphic level. The bore was screened over both levels, but we need to understand which level this test bore represents.
3. We have placed your water permit to take and use groundwater on hold until we receive the results of a pump test for the groundwater bore. We will continue processing the other consents in the meantime. Once the bore is constructed, please send through the results of a constant rate aquifer test, so that we can determine whether the proposed maximum abstraction rate of 4L/s is sustainable.

### Dewatering

4. From the information provided, it appears that dewatering of some excavations may be required (potentially associated with excavations for buildings foundations, basements and lift pits, as well as trenches for services).

Please clarify the extent of any proposed dewatering and provide an assessment against the relevant permitted rules in the Proposed Natural Resource Plan (Rule 140) and Regional Freshwater Plan (Rules 7 and 9B).

If the proposed dewatering cannot meet the requirements of the relevant permitted rules, please make the relevant applications under section 91 of the Resource Management Act. Note that any application will need to contain a full assessment of environmental effects (such as land settlement effects induced by groundwater drawdown) and methods employed to ensure adverse effects are avoided remedied or mitigated (such as the use of sheet piling).

### Operational Stormwater

5. The new development is associated with earthworks exceeding a total area of 3,000m<sup>2</sup> per property in a 12 month period. As such consent is required for the ongoing discharge (i.e. operational) of stormwater from the new development under Rule R52A. Please make the relevant applications under section 91 of the Resource Management Act, including a full assessment of environmental effects and how adverse effects will be avoided, remedied or mitigated. Please note that the application must include measures to minimise the adverse effects of stormwater discharges in accordance with Policy P73 and measures to manage runoff volumes and peak flows in accordance with Policy P79.

### **Date information required**

Please provide the above information to me by Thursday 7 April 2020. If you are not able to supply the information requested<sup>1</sup> by this date, you must let us know in writing within this timeframe, either that you require additional time (at which time we will set a reasonable timeframe for you to provide the information) or that you refuse to provide the requested information.

### **Public notification of application if further information not provided**

If you refuse to provide the information requested, or if you do not supply all the information by the due date of Thursday 7 April, we are required to publicly notify your application<sup>2</sup> and to continue processing without the information requested<sup>3</sup>. All costs associated with the notification and processing of your application will be on-charged to you<sup>4</sup>.

<sup>1</sup> Under section 92A of the Resource Management Act 1991.

<sup>2</sup> Under section 95C(1) of the Resource Management Act 1991. An application fee of \$8,800 (Excl. GST) is required in order to process a notified application. The statutory clock will remain stopped until this additional fee is paid.

<sup>3</sup> Under section 92A(3) of the Resource Management Act 1991

<sup>4</sup> Under section 36 of the Resource Management Act 1991

## Processing of your application

Your application has been placed on hold, and the statutory ‘clock’ stopped<sup>5</sup>, until such a time that either I receive the all of the above information, receive written notice that you refuse to provide it, or the time period for providing the requested information has expired. As soon as one of these occurs, the statutory ‘clock’ will restart and I will continue processing your application. Please note that because additional information is required, your application may take more time to process. If this is the case, you will be charged an additional fee once we make a decision on your application.

Please feel free to contact me on 021-355-349 if you have any questions or concerns.

## Charging policy reviews

The Resource Management Charging Policy is reviewed on an annual basis. As a result, the charges associated with processing your consent may alter – you will be informed if this is the case.

Yours sincerely



**Emily McDowall**  
Resource Advisor, Environmental Regulation

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<sup>5</sup> Under section 88C of the Resource Management Act 1991  
WGN200271 - SECTION 92 REQUEST FOR FURTHER INFORMATION