



Internal Alterations – Ropata Lodge

Application to Hutt City Council for Resource Consent

Ropata Lodge Care Community Retirement Home
57 Ropata Crescent, Boulcott, Lower Hutt

(Unit 3 DP 67879 on Lot 1 DP 23411 Lots 23 & 24 DP1757 Lots 4 & 5 DP 32298)

Prepared for:



On behalf of:

Ropata Lodge Limited



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1. Introduction

This report has been prepared (pursuant to Section 88 of the Resource Management Act 1991, the Act) by Down to Earth Planning on behalf of **Ropata Lodge Limited** (the applicant) to describe a proposal for internal alterations to one of the residential units within the Ropata Lodge Care Community retirement home at 57 Ropata Crescent.

The proposal involves converting an existing two storey “matrons” residential unit within the Lodge into two independent residential units. The new units will be accessed from two separate levels. The existing connecting stairs, wingwall and kitchen facilities will be removed, and a new bathroom will be installed on the lower level. All work will be contained within the existing building envelope.

Details of the proposal are set out at Section 3. Section 4.0 assesses the proposal the proposal against the Relevant District Plan Rules as a Discretionary Activity overall.

Land Use Resource Consent is triggered because the existing Retirement Home and Medical Care/Health Centre Facilities on the site are listed in the District Plan as a Discretionary Activity in the General Residential Activity Area and because existing on-site parking does not meet the District Plan requirements for parking. The existing development has been approved with a shortfall of parking spaces, and therefore is considered acceptable. The proposal will not noticeably alter the existing demands for parking associated with the existing premises.

Sections 5 and 7 set out and respond to the requirements of Sections 104, 95A-E and Part 2 of the Act, and Section 6 makes a formal assessment of effects of the proposal.

The effects of the proposal are limited to the demand for parking and the potential effects of overspill demand on the on-road parking spaces in the vicinity of the site.

This report assesses the proposal and concludes that any potential adverse parking effects of the proposal on the environment will be less than minor, if not negligible.

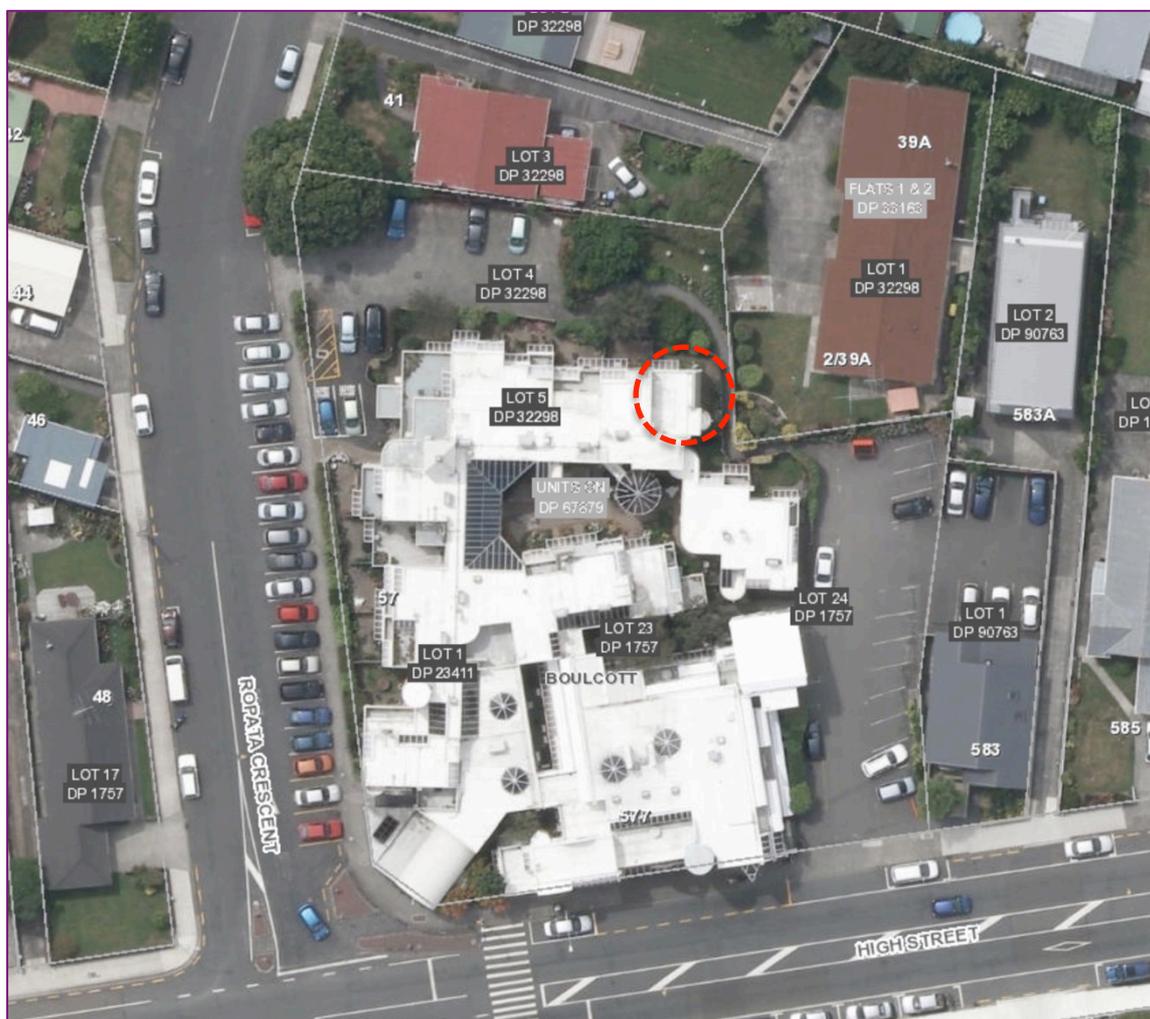
There are no parties likely to be adversely affected by the proposal.

The proposal will also have positive effects for Lower Hutt by continuing to provide affordable residential space to meet the demands of the City’s aging community, with downstream social and economic benefits to service providers, retail outlets and others in the City.

2. Site Description

2.1 Address & Location

The application site at 57 Ropata Crescent, Lower Hutt is shown centrally in the annotated aerial photograph below, with the area of proposed alterations circled.



Annotated Aerial Photograph of Application Site (Source: HCC Online GIS System) – North is at top of page

The application site is located on the corner of High Street and Ropata Crescent. The Roger Walker designed building complex, supporting the retirement home “Ropata Lodge Community Care” (Ropata Lodge, 57 Ropata Crescent) and the Ropata Medical Centre (577 High Street), is located close to both road frontages.

Ropata Lodge extends along the western and northern sides of the site. The proposed alterations will occur at the north-eastern corner of the development, as notated on the above aerial image. This part of the retirement home is legally referred to as Unit 3, and is a two-storey residential apartment. The apartment was previously required for the live-in matron. This “live in” role is no longer a legal requirement of retirement homes, and Ropata Lodge is staffed on a 24-hour basis, allowing the room to be converted for use by retirement home residents. One and two bed rooms are available to cater for singles and couples, most of whom do not drive. Parking on site is largely provided for staff.

2.2 Legal Description

The application site is legally described as Unit 3 DP 67879 on Lot 1 DP 23411 Lots 23 & 24 DP1757 Lots 4 & 5 DP 32298. The overall land parcel has an approximate area of 3,331m². Unit 3 is held in Computer Freehold Register 35D/803.

2.3 Ownership

The applicant “Ropata Lodge Limited” is the registered owner of the application site.

2.4 Existing Environment & Background

The application site has been progressively developed since 1987 in accordance with resource consents and building consents, summarised as follows:

Date	Consent Reference	Summary Details
Pre-1987	No planning or resource consent information available.	Building consent documentation indicates use of the site for residential purposes, and alterations to dwellings.
2/12/1987	53392 Specified Departure – (SD) Approval	<p>To establish and operate an integrated residential village and medical centre, subject to key conditions that required the consent holder to:</p> <ol style="list-style-type: none"> 1. Amalgamate titles; 2. Remove existing buildings; 3. Seal driveways and parking areas; 4. Construct buildings in accordance with approved plans; 5. Pay a reserves contributions; 6. Landscape the site; 7. Notify Council upon completion of buildings and landscaping; 8. Obtain prior approval of signage from the Council. All signage to be non-flashing; 9. Ensure a resident matron resided on the site; 10. Ensure all works completed to satisfaction of Council before commencing use; 11. Provide separate rights of ownership for occupants of residential units and for common rights in respect of common land; 12. Limit the use of the dispensary to dispensing prescriptions and medical requirements; and 13. Provision of alternative power supply during emergencies.

Date	Consent Reference	Summary Details
		Note: The Decision Report refers to 39 off-street carparks being provided for the development, no reference is made to the number of residential units, occupants or staff associated with the development.
1987	Building Consent 54244	<p>Building Consent Plans for the development approved by SD53392 show:</p> <ul style="list-style-type: none"> • 16 car parks to the east of the building and 17 spaces in a “doctors capark” to the north of the building (total 33 spaces); • 31 residential units (20 studio, and 11 single units); • 1 residential unit for the resident matron; • Medical Centre facilities including 13 surgery rooms, 6 physiotherapy rooms, 3 dentist rooms, a staff and doctors room, a dispensary, a pharmacy “apartment”, an office area, and an area of “rentable space”.
1987- 1992	Variety of minor alterations approved – Building Consent Only.	Council letter dated 21/12/1992 advised the owner of the site that all work up to the presently submitted drawings was approved in terms of planning, but any further alterations would require consent because the complex is no longer in terms of the originally approved plans.
25/05/1993	RCNRN25051993 / RM20-08L	<p>Approved additions to Ropata Village, covering in the dining area courtyard, adding balconies and an entranceway. Written approvals provided from several adjoining properties.</p> <p>Conditions required additions to be finished in colours and materials in keeping with existing building.</p> <p>Approved plans, only show part of the site, and have 20 parking spaces shown on the illustrated area.</p>
21/12/1994	Notified consent RCNRN21121994 / RM20 01-H40-577- 581	Approved closing in of entranceway, and additions to dining room. No submissions.
25/07/1995	RCNRN25071995 / RM20 01-H40-577/581	<p>Approved amendment to Unit Title Plans, to reflect addition of two residential units created through internal reconfiguration. Total 33 Residential Units and 1 residential unit for resident matron.</p> <p>Further minor amendments were approved in May 1996 (RCNRN21051996).</p>

Date	Consent Reference	Summary Details
26/01/1996	Notified Consent RCNRN26011996 / RM20-01-H40-577/581	Approved use of existing dwelling at 583 High Street for Staff Room and Medical Practitioner's Common Room in association with Ropata Medical Centre. Six parking spaces to be provided on site.
18/08/1999	Notified Consent RCNRN26011996 / RM20-01-H40-577/581	Approved establishment and operation of a health care centre at 583 High Street (replacing previous approved use). Conditions limited proposal to two specialist medical practitioners, 7 parking spaces to be provided on site with landscaping.
20/10/1999	RM990656 / RM20/H40/577-583A	Approved subdivision of 583 High Street into two Lots.
18/02/2002	RMA22005 / RM20-H40- 577-583A	Approved additions to pharmacy at Ropata Medical Centre that did not comply with District Plan setback, recession plane, and site coverage standards.
Note:	The above information was compiled from a report prepared by Sarah Akers, Resource Management Planner, Cuttriss Consultants Limited (11 April 2016).	

The Website for Ropata Lodge (<http://www.ropatalodge.co.nz>) refers as follows, to 34 residential units on the retirement facility premises:

“Ropata Lodge is a retirement village based in Lower Hutt, Wellington. Ropata Lodge Care Community is a purpose-built, ‘assisted living’ complex for the twilight years. Within this iconic Roger Walker designed building you’ll find a warm, caring and secure environment for all residents and for when total independence is no longer an option.

Despite being boutique, with just 34 apartments, Ropata Lodge Care Community offers a full range of services, plus the peace of mind of having 24-hour care giving support and Hutt Hospital just minutes away. With fewer residents than many other retirement villages, each resident is well known to our wonderful staff, creating a friendly, family atmosphere.

The unique difference at Ropata Lodge Care Community is that you rent your apartment, doing away with the cost and worry of ownership. Your rental fee is an all-inclusive cost with no surprises. Your capital is yours to use as you wish!”.

The current proposal will increase this number to 35 residential units.

Parking for 35 vehicles is provided on the application site to the north, north-west, and east of the overall building complex. Five parallel spaces are grouped to the west of the north-western corner of the Ropata Lodge, and 10 x 90 degree angle spaces are grouped to the north of the Ropata Lodge along the northern boundary of the land-holding. 17 spaces are provided as a mix of parallel and angled spaces to the east of the medical centre. The access to these parks continues into the property to the east (583 High Street), which is linked with the Medical Centre. Additional parking for 7 to 8 vehicles is available on that site. The images on the following pages show views of the Medical Centre and Retirement Home complex, with arrows approximately marking the location of Unit 3 the subject of this application.



Google Street View Image of Application Site from Ropata Crescent looking north east.



Google Street View Image of Application Site from Ropata Crescent looking east (above) and north (below).





Google Street View Images of Site from Ropata Crescent looking north east (above), and looking west from High Street. The Unit 3 alteration area is shielded by the Ropata complex in foreground.



3. The Proposal

The applicant proposes to convert the existing two storey residential unit (Unit 3) at the north eastern corner of Ropata Lodge into two independent residential units that will be accessed from two separate levels. The proposal is shown on the attached plans prepared by Design Network Architecture Limited.

The existing connecting stairs and wingwalls will be removed from both levels, and the kitchen on the lower level will be removed and replaced with a new ensuite bathroom. All work will be contained within the existing building envelope. Each room will have dimensions of approximately six metres by five metres (30m²), with a single bed, built in wardrobe and storage, and a living/relaxing space. The ensuite bathrooms for each unit offer shower, toilet and hand basin / vanity facilities, with ventilation.

4. Relevant Planning Provisions

4.1 Operative District Plan

The application site is within the Medium Density Overlay part of the General Residential Activity Area of the Operative City of Lower Hutt District Plan (which became operative on 1 November 1999).

The application site is shown centrally within the District Plan extract below, outlined in red.



Annotated Extract from City of Lower Hutt Operative District Plan – Source Online GIS Mapping Information.

The effects of activities and buildings within the Zone are managed through the use of rules and standards. Where a proposal is unable to comply with one of these, a resource consent is required. It is noted that once the need for a resource consent is triggered, rules and activity standards act as guidelines only.

4.2 Reasons for Resource Consent

4.2.1 Land Use Activities

General Residential Activity Area Rule 4A 2.4 states that the following, among other things, are Discretionary Activities:

- (a) *Except where stated in the General Rules, any Permitted, Controlled or Restricted Discretionary Activity, which fails to comply with any of the relevant Permitted Activity Conditions, or relevant requirements of Chapter 14 - General Rules. ...*
- (h) *Health care services with more than 4 practitioners*
- (j) *Residential facility accommodating 11 or more persons”.*

“Health Care Services”, “Housing for the Elderly” and “Residential Facility” are defined in Chapter 3 of the District Plan as follows:

Health Care Services: *any activity which provides services relating to physical and mental health and welfare and includes acupuncturists, chiropodists, chiropractors, dentists, dietitians, homeopathy practitioners, medical practitioners, medical radiographers, medical social workers and counsellors, naturopathy practitioners, nurses, occupational therapists, opticians, optometrists, osteopaths, pediatricians, pharmacists, physiotherapists, podiatrists, psychotherapists, and psychologists”.*

“Housing for the Elderly: a building or part of a building used as a home under the Old People’s Homes Regulations 1987 or any Regulation in substitution thereof. It includes old people’s homes, rest homes, pensioner housing developments, retirement villages and associated ancillary facilities such as medical, recreational and other communal facilities which offer an exclusive service to the residents of the Home for the Elderly”.

“Residential Facility: a building or buildings and activities providing:

- (a) residential support/care;
- (b) respite care; and
- (c) therapeutic/rehabilitation services;

but which excludes:

- (a) dwelling house (including residential facilities for up to and including seven people);
- (b) detention facilities;
- (c) visitor accommodation;
- (d) health care service; and
- (e) boarding houses”.

The Ropata Lodge retirement home falls under the definitions of Housing For the Elderly and Residential Facility. Ropata Lodge currently advertises that it caters for 34 residents. Unit 3 (being the original matron’s live-in studio) is counted among these. Alterations Unit 3 will increase the total number of residential units on the site to 35.

Ropata Medical Centre has more than 4 practitioners working from the premises on site.

The proposed alteration to Unit 3 at Ropata Lodge requires land use resource consent because of the combined use of the site for “Housing for the Elderly” with more than 11 persons and for “Health Care Services” with more than four practitioners.

Both activities are listed as Discretionary Activities in the General Residential Activity Area (Rules D4A 2.4(h) and (j)). The proposal is not specifically listed under any other activity category.

An assessment of compliance with any relevant Permitted Activity Conditions is required under Assessment Matters for Discretionary Activities 4A 2.4.1(b). The relevant Permitted Activity Condition is Rule 4A 2.1.1(n), which requires “*Compliance with all matters in the General Rules*” in Chapter 14 of the District Plan.

Of these, Chapter 14A – Transport is relevant, as it sets the parking requirements for activities in the City.

Chapter 14 Appendix Transport 3 sets out the minimum parking standards for “Housing for the Elderly” as 1 space / staff member, and 0.8 spaces / residents 18 years and over. Medical centres and health care services are required to provide 3 spaces per staff member.

A proposal is a Discretionary Activity under Rule 14A(iii)2.2(a) “*Where a Permitted Activity proposes to provide less than the required number of parking spaces*”.

The existing approved development does not provide the number of parking spaces required by the District Plan. The proposed increase of one residential unit to the overall development in this situation, without any additional on-site parking being provided, means the proposal must also be considered as a Discretionary Activity.

5. Statutory Assessments

5.1 Section 104 Requirements

Section 104 of the Resource Management Act (the Act) sets out the matters that must be had regard to when assessing the merits of a consent application. The relevant parts of Section 104 in respect of the proposal are set out below:

- (1) *When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to—*
 - (a) *any actual and potential effects on the environment of allowing the activity; and*
 - (b) *any relevant provisions of—*
 - (i) *a national environmental standard;*
 - (ii) *other regulations;*
 - (iii) *a national policy statement;*
 - (iv) *a New Zealand coastal policy statement;*
 - (v) *a regional policy statement or proposed regional policy statement;*
 - (vi) *a plan or proposed plan; and*
 - (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.*
- (2) *When forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect. ...*
- (3) *A consent authority must not,—*
 - (a) *when considering an application, have regard to—*
 - (i) *trade competition or the effects of trade competition; or*
 - (ii) *any effect on a person who has given written approval to the application:*

The assessments required to be made under Sections 104(1)(a) and (b) are included in the following sections of this report:

- Matters contained in Part 2 of the Act – Section 7;
- Effects of the proposal on the environment – Section 6;
- National Environmental Standards – Section 7;
- National Policy Statements – Section 7;
- Regional Policy Statements and Plans – Section 7;
- District Plan Objectives and Policies – Section 7; and
- District Plan Rules – Section 4.

In respect of Section 104(1)(c), there are no “other matters” considered relevant.

In respect of Section 104(2), an assessment of the Permitted Baseline is included at Section 6, and.

In respect of Section 104(3) there are no trade competition matters, and details of written approvals sought in respect of this application are included at Section 5.3.3.

5.2 Determination of Applications

Sections 104A-104D of the Act set out particular restrictions on determining applications for controlled, restricted discretionary, discretionary, or non-complying activities. The relevant provision in respect of the proposal is **Section 104B**, which provides that:

Determination of applications for discretionary or non-complying activities After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority –

- (a) may grant or refuse application; and
- (b) if it grants the application, may impose conditions under section 108.

5.3 Notification Assessment

5.3.1 Sections 95A to 95E

Section 95A sets an assessment framework for the decision maker, and provides that any decision to publicly notify an application is at Council’s discretion. However, Council must not publicly notify an application if a relevant rule precludes public notification, or if the adverse effects are no more than minor and the applicant does not seek public notification.

Section 95A(4) allows the consent authority to notify an application if it decides that special circumstances exist in relation to the application.

In making these decisions, a consent authority may disregard adverse effects that are within the “permitted baseline”. The authority must also disregard any effects on those persons who have given written approval to the proposal.

As part of the notification decision making process, under Section 95B, a consent authority must decide under Sections 95E and 95F if there are any persons affected by an application, based on a decision as to whether the adverse effects of the proposal are minor or more than minor (but not less than minor).

Under Section 95E to avoid any form of notification, an applicant must demonstrate that the effects of the proposal are less than minor. Therefore the range of effects between *de minimis* and minor are considered “not to affect” any party.

5.3.2 Assessment of Affected Parties

The following is an assessment of the effects of the proposal on adjoining properties and other properties nearby intended to identify whether there are any parties likely to be affected by the proposal.

The assessment is based on the breaches of the Permitted Activity Standards in terms of the potential traffic/parking effects that could result from the breaches of the standards.

Parking/Traffic Effects

All development is required to cater for parking demand. Under the District Plan, Housing for the Elderly is required to provide 1 parking space per staff member, and 0.8 spaces for

residents aged 18 years and over. Medical centres, clinics, and health care services are required to provide 3 spaces per staff member. The required parking must be provided on site in locations that ensure efficient on-site manoeuvring with no overspill effects that would impact on the efficiency and safety of the road or shared accessways. However, dispensations from the required standards can be granted for proposals that demonstrate adverse effects will be less than minor.

In the case of the proposed alterations that will add one residential unit to the retirement home, the breaches of the permitted activity standards for parking have limited adverse effects. Any effects will be largely contained within the site, as they are at present, and will be less than minor when experienced beyond the site boundaries. This is because the proposal relies on an existing lawfully established building and on-site parking and access arrangements.

The overall medical centre and retirement home site has previously been approved to accommodate existing staff, residents, and patients. The existing on-site parking and access by implication are therefore considered sufficient to meet the existing demands of existing staff, residents, and visitors to the site.

The majority of parking is to cater for the staff working at the premises. Residents are typically not drivers and do not own vehicles. The addition of a single residential unit within the existing retirement home complex will result in little or no noticeable increase in demand for parking on the site or within road-side parks in the vicinity of the site on High Street or Ropata Crescent. If there are any additional parking demands, they can be met within the available roadside spaces without impacting on the parking resource relied upon by others.

The existing access and parking layout has been confirmed as being fully compliant with the relevant standards or approved as acceptable by a resource consent or building consent process. This ensures that on-site manoeuvring and parking, including visitor parking, will continue to be able to occur without adverse effects on the safe, efficient, and effective operation of the surrounding road network.

Therefore any adverse parking and traffic effects beyond the site boundaries will be negligible or less than minor, and there are no parties considered likely to be adversely affected by the shortfall of parking spaces on the site.

Other Effects

For completeness, it is noted that as no new external structures or changes to the existing site buildings or parking and access layout are proposed, the appearance of the approved building will not be altered. It will remain consistent with the visual character of the surrounding area and therefore there will be no noticeable adverse visual effects as a result of the proposed alterations.

5.3.3 Consultation

Section 36A of the Act confirms that an applicant for a resource consent does not have a duty to consult in respect of any resource consent application. This is confirmed again at

Clause 1A of the Fourth Schedule to the Act. However Clause 1(h) of the Fourth Schedule requires the following information to be included in an AEE:

Identification of the persons affected by the proposal, the consultation undertaken, if any, and any response to the views of any person consulted:

Consultation has not been undertaken with any parties, other than pre-application discussions between the applicant's representatives at Design Network Architecture Limited and Council officer Tim Johnstone when developing the application plans. These confirmed that a resource consent would be required.

5.3.4 Notification Conclusion

It is considered unnecessary to publicly notify this proposal or serve notice of the application on any party because:

- (a) The relevant effects of the proposal on potentially affected parties have been considered at Section 5.3.2 and it was concluded that the effects of the proposal beyond the site boundaries will be less than minor, because:
 - (i) The proposal relies on an existing, lawfully established building and parking area, and all parking spaces, manoeuvring and access areas comply with the relevant standards or have been lawfully established;
 - (ii) The additional parking demand for road-side spaces from one extra single-bed residential unit will be negligible and, if any, can be accommodated within the local area. Potential adverse parking effects will be contained within the boundaries of the site and therefore less than minor and acceptable within the existing environment;
 - (iii) The potential and parking, pedestrian and vehicle safety and efficiency effects of the proposal are either permitted, lawfully established, or less than minor, and so minimal that no parties have been identified as potentially affected; and
 - (iv) There will be no noticeable adverse visual effects as a result of the proposed alterations.
- (b) Because of its small scale and being fully internal to the existing building, the proposal does not result in new or increased effects on the environment beyond those effects considered relevant in previous applications for resource consent. Therefore there is no reason to consider any submitters to the applications approved to date would be adversely affected by the proposal.
- (c) The wider public will not be disadvantaged in any way by non-notification of the proposal (certainly in terms of relevant matters to be addressed under the Resource Management Act).

Therefore, it can be concluded that this proposal can be assessed via a non-notified process and written approval is not required to be obtained from any other party.

6. Assessment of Effects on the Environment

This Assessment of Effects on the Environment (AEE) has been prepared in a detail that corresponds with the scale and significance of the effects that the proposal may have on the environment, and is in accordance with Section 88(2)(b) of the Resource Management Act 1991 (the Act) and Clause 1(d) of Schedule 4 to the Act.

The AEE below takes into account the mitigation measures offered in the application and makes a comparison with relevant aspects of the existing environment.

6.1 Assessment Criteria

As the proposal is a Discretionary Activity, any matter can be considered for the assessment of the environmental effects of the proposal.

In respect of Sections 104 and 104B of the Act, the relevant objectives and policies of the District Plan for General Residential Activity Area, and for Transportation (Parking), provide guidance for assessing the relevant effects of the proposal.

Collectively, these provisions place emphasis on managing the effects of activities to ensure the residential amenity values and character are maintained and enhanced, while protecting the safety of local areas and ensuring that the roading network within the area remains efficient and effective.

The relevant matters can be grouped under the following headings:

- Visual and other amenity effects;
- Safety, health, and convenience effects;
- Traffic, access, and parking effects; and
- Effects on the natural environment.

The following sections cover these matters and assess them in the context of the proposal.

6.2 Permitted Baseline

Case law and the provisions of Section 104(2) of the Resource Management Act have established the “Permitted Baseline”. When assessing effects and identifying affected parties the Consent Authority has the discretion to disregard adverse effects on the environment of activities that are permitted by a National Environmental Standard or a rule in a plan, or that have been granted a resource consent.

The Permitted Baseline includes:

- Activities in lawful existence on the site;
- Non-fanciful activities that could be conducted on the site as of right (i.e. without requiring a resource consent); and
- Activities which could be carried out under a granted, but as yet unexercised, resource consent.

The District Plan permits a mix of activities to establish and operate within the General Residential Activity Area subject to complying with permitted activity standards. The existing activities on the site are specifically listed as Discretionary Activities, so there is no Permitted Baseline relevant to the proposed activity. The parking standard is the only standard that the current proposal cannot meet, but the permitted baseline for parking set in the District Plan is not helpful for comparison with likely demand for parking by 1 extra residential unit in a retirement care facility. However, the existing environment is relevant.

The existing consents approved the establishment of medical care and aged care activities on the site based on a parking rate that was much less than the District Plan requirement. The proposal only increases the approved number of residential units by one single- bed unit, which will have no additional demand on the parking provided on site. The parking on the site is required for staff in any case, as approved by existing consents. Visitors to the retirement home are expected to park in the available on-street car parks.

6.3 Amenity

The Resource Management Act 1991 definition treats amenity values as a number of interrelated factors, namely:

“those natural and physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes

Land form, structures, vegetation cover, access to sunlight, shading, lighting levels, background noise, traffic movements, and the experience of seeing and hearing people and activities on a site are all components of amenity. Combined, these features contribute to the character and amenity values experienced within a neighbourhood and the enjoyment of a site and its surroundings.

The relevant component effects of amenity in respect of the application site and the proposal are addressed in the following sections 6.3.1 and 6.3.2. These relate to visual and other effects, safety, and health and convenience effects.

6.3.1 Visual and other Amenity Effects

The site has been developed with Roger Walker architecturally designed buildings and landscape planting that help to enhance its appearance within the General Residential Activity Area. While the site is zoned General Residential (medium density), the surrounding environment is semi-commercial in character due to the presence of the medical centre and associated signage. The proposal will not alter the appearance of the approved buildings on the site (involving purely internal alterations), and is therefore similarly consistent with the visual character of the surrounding area.

The proposal relies on the existing, lawfully established building and parking areas. No new external structures or changes to the existing site layout are proposed. There will be no noticeable adverse visual effects.

Being an extra retirement home dwelling unit, the proposal will not result in adverse effects on amenity values through noise or odour emissions.

Therefore, any adverse effects on visual or other amenity values will be consistent with the effects of the permitted / lawfully established activities on the site, or less than minor.

Approval of the proposal will help to make better utilisation of the retirement home facilities and assist with the improved economic efficiency of the facility so it can continue to offer affordable home environments and residential care for the City's aging residents.

6.3.2 Safety, Health, & Convenience Effects

The proposed additional single bed unit is not expected to noticeably increase the use of the existing car parks or vehicle manoeuvring activity on the site from the existing use arrangement. The existing site layout has been approved as acceptable for safely and efficiently accommodating the people/vehicles and associated traffic movements, without adverse effect on the safety and convenience of pedestrians and motorists accessing the site, or other areas in the vicinity of the site.

Being a residential activity associated with a retirement home, the proposal will not result in adverse health effects through such things as noise or odour emissions.

Therefore, any adverse effects on safety, health, and convenience will be consistent with the effects of the existing permitted / lawfully established activities on the site, or less than minor.

6.4 Traffic, Access and Parking Effects

The provision of a purpose-built complex offering both medical and retirement home services on site offers positive economic and social benefits to service providers and retailers, as well as patients and residents of the complex. However, insufficient provision for on-site parking could have the potential to result in parking overspill onto the adjoining road and/or reverse manoeuvring or delays in exit and entry to the site that could present a hazard or impediment to the safe and efficient operation of High Street or Ropata Crescent.

Parking

The parking spaces on the site are all of sufficient dimensions to ensure provision of on-site parking that complies with the District Plan requirements for the existing activities (or meets the relevant requirements as approved by resource and building consents for the existing development on site).

The parking provision to cater for the demands of the proposed and existing activities on the site relies on an existing approved on-site parking and access area. This ensures vehicle-manoevring activities will occur on the site and not result in adverse efficiency or safety effects on the roading network, including pedestrian areas.

The High Street and Ropata Crescent carriageways offer sufficient unused spaces for parking in the vicinity of the site to meet existing demands, and one more single-bed residential unit will not alter this.

Traffic and Access

The main parking area for the Retirement Home is accessed via Ropata Crescent, while the parking for the Ropata Medical Centre is accessed from High Street. The carriageways of both roads are sufficiently wide to safely and efficiently accommodate traffic movements to and from the various parking areas on the site. Therefore there is little risk of the proposal undermining the efficiency and safety of the roading network.

Pedestrian accesses to the site are located on Ropata Crescent and High Street and positioned to encourage safe and efficient pedestrian flow between parking areas and the facilities on the premises.

The proposed increase of one residential unit is expected to have similar transportation effects to those approved under existing resource and building consents. These were assessed as being able to be accommodated on the surrounding local road network without compromise to the safety and operational efficiency of the existing road environment.

Therefore there are no potential adverse traffic, access, or transportation effects likely to result from the proposal.

Overall

Overall it is concluded that any adverse traffic, access, and parking effects of the proposal will be contained within the site boundaries and/or be less than minor.

6.5 Effects on the Natural Environment

No physical disturbance of land is proposed, no inappropriate building materials have been used for the existing premises, and all existing servicing of the site has been installed to meet the relevant standards. Any new servicing will also meet the relevant requirements.

Accordingly there is no risk of contamination by silt or oxidised building materials in stormwater released from the site that could harm any downstream waters and the coastal environment. Being a residential activity, there is no risk of air-discharges or other forms of discharge to the natural environment from activities occurring on the site.

6.6 Summary of Effects

The District Plan includes methods for managing adverse environmental effects on local “amenity” while protecting the efficiency and safety of roads and pedestrian areas, and maintaining and enhancing the economic and social wellbeing of the community. These methods include minimum acceptable standards for the bulk and location of buildings, parking and access. By requiring consents to be obtained for activities that cannot meet

one or more of these standards, the Council is able to assess the effects on the environment, and may also impose conditions or other methods of control to ensure the intentions of the District Plan for the “zone” are met.

As assessed above, the proposed breach of the permitted activity standards for parking has limited adverse effects and these will be largely contained within the site, or less than minor when experienced from beyond the site boundaries.

This is because the parking demand predicted for the proposal can be met by the on-site car-parking spaces, and any overspill can be accommodated within unused spaces on the road-side with little or no risk of unacceptable pressure on the available parking resource.

On the basis of the above assessment it can be concluded that any adverse effects of the proposal will be less than minor, or can be managed to an acceptable level through the use of suitably worded consent conditions.

7. Other Section 104 Assessments

This section sets out the remaining assessments required under Section 104(1)(a) and (b) of the Act.

7.1 National Environmental Standards

There are National Environmental Standards (NES) in place for Air Quality, Sources of Drinking Water, Telecommunication Facilities, Electricity Transmission Activities and Assessing and Managing Contaminants in Soil to Protect Human Health.

The site is not identified as a Potentially Contaminated Site on the District Council’s online GIS Mapping System.

None of the NES are applicable to the proposal and the application site.

7.2 National Policy Statements

In addition to the New Zealand Coastal Policy Statement, there are National Policy Statements (NPS) in place for Freshwater Management, Renewable Electricity Generation, and Electricity Transmission.

None of these NPS are applicable to the proposal and the application.

7.3 Regional Policy Statements and Plans

7.3.1 Regional Policy Statement

The most relevant part of Greater Wellington Regional Council’s Regional Policy Statement (Operative 24 April 2013, (Regional Policy Statement) in respect of the proposal are the objectives and policy that relate to urban design and amenity and water quality. The relevant provisions are commented on in the following paragraphs.

Policy 42 – Minimising contamination in stormwater from development

This policy lists a range of measures that can be undertaken to assist in the reduction of adverse stormwater effects. One measure is to avoid or mitigate the effects of contamination from zinc or copper roofing materials. The existing building does not use such roofing and cladding materials. No new building or earthworks are proposed, and there will be no increase in impermeable areas as a result of the proposed alterations.

Any stormwater effects can therefore be managed so as to be less than minor, and therefore consistent with this policy.

Policy 57 – Integrating landuse and transportation

This policy seeks to achieve a comprehensive set of transportation outcomes within the Wellington Regional Land Transport Strategy. Traffic likely to be generated by proposed extra residential unit will be negligible, and the existing vehicle movements are consistent with the level of development expected in the area and can be accommodated within the existing transport network without adverse impacts on its safe and efficient operation. The proposal meets the intentions of this provision.

Policy 58 – Co-ordinating landuse with development and operation of infrastructure

This policy seeks to make efficient and safe use of existing infrastructure and is co-ordinated with new infrastructure. It is considered that the existing infrastructure network can accommodate the additional demand (if any) associated with the proposed additional residential unit. The proposal is therefore consistent with this provision.

7.3.2 Regional Plans

The proposal has been assessed against the Operative Regional Plans for the Greater Wellington Region and the proposed Natural Resources Plan and there are no triggers for resource consents required to be obtained under these Regional Council plans.

7.4 District Plan Objectives and Policies

The relevant objectives and policies of the District Plan are set out in Chapter 4A for General Residential Activity Area and Chapter 14A for Transportation. These provisions provide guidance for assessing the relevant effects of the proposal.

Collectively, they place emphasis on managing the effects of activities to ensure the residential amenity values and character are maintained and enhanced, while protecting the safety of local areas and ensuring that the roading network within the area remains efficient and effective.

7.4.1 General Residential Activity Area Objectives and Policies

The proposed increase of residential units enables more efficient use of the building space on the existing site within the approved retirement home building envelope. The alterations will not be visible when viewed from outside the building.

The additional residential unit will also enable Ropata Lodge to continue to offer positive economic and social benefits to the service providers in the City.

The assessment of effects of the proposal at Section 6 of this application concludes that the adverse environmental effects of the proposal will be less than minor, and can be avoided or mitigated.

The proposal is therefore consistent with the relevant objectives and policies for the General Residential Activity Area.

7.4.2 Transport Objectives and Policies

The Transport Objectives and Policies seek to ensure the locations of activities and vehicle crossings avoid conflicts and that sufficient provision for on-site manoeuvring and parking is made. They also seek to maintain amenity values, for example through adequate landscape planting. A safe and efficient roading network is encouraged.

The parking spaces on the site are all of sufficient dimensions to ensure provision of on-site parking that complies with resource consent conditions for the existing development.

The parking provision to cater for the demands of the proposed and existing activities on the site relies on an existing approved on-site parking and access area. This ensures vehicle-manoevring activities will occur on the site and not result in adverse efficiency or safety effects on the roading network, including pedestrian areas.

The carriageways of High Street and Ropata Crescent are sufficiently wide and parking on or in the vicinity of the site presents little risk of undermining the efficiency and safety of the roading network.

The proposal is therefore consistent with the relevant Transport Objectives and Policies.

7.4.3 Summary of Objective and Policies Assessment

The above assessment confirms that the proposed alterations to the existing retirement home, adding one residential unit, is consistent with the relevant Objectives and Policies of the City of Lower Hutt Operative District Plan for the General Residential Activity Area, and Transport.

The proposal will offer better and more economic use of the retirement home premises while maintaining the level of amenity anticipated by the District Plan for the General Residential Activity Area, and the applicant will continue to provide adequate on site parking. An increase in one residential unit will not have adverse effects on the efficiency and safety of the surrounding road network.

7.5 Part 2 Assessment

Part 2 sets out the Purpose and Principles of the Act.

Section 5 sets out the Purpose of the Act, to “*promote the sustainable management of natural and physical resources*”.

“managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment”.*

Paraphrased, the Act seeks to achieve an appropriate balance between enabling people and communities to provide for their wellbeing and their reasonable needs now and in the future and the adverse effects of activities on natural and physical resources.

The principles set out in Section 6, 7 and 8 at Part 2 of the Act provide guidance for determining whether the purpose of the Act (to achieve sustainable management) is being met. They also define the matters a consent authority shall consider when exercising their functions under the Act, as follows:

- Recognise and provide for Matters of National Importance at Section 6;*
- Have particular regard to Other Matters at Section 7; and*
- Take into account the Principles of the Treaty of Waitangi at Section 8.*

There are no Section 6 “Matters of National Importance” applicable to the proposal.

In respect of Section 7, the relevant clauses are:

- (b) the efficient use and development of natural and physical resources;*
- (c) the maintenance and enhancement of amenity values;*
- (f) the maintenance and enhancement of the quality of the environment.*

Section 8 of the Act requires:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The relevant matters referred to in Section 7 of the Act are covered as part of the assessment of effects at Section 6 (AEE), which assessed the effects of the proposal on local amenity and character and the quality of the environment as being acceptable and less than minor.

In respect of Section 8, the site is highly modified, there is are no known sites of cultural or spiritual significant to Māori on the application site, and the proposal will rely on the existing developed site facilities. The proposal is not inconsistent with any of the principles of the Treaty of Waitangi.

On the basis of the above comments, and the AEE made at Section 6 of this application, it can be concluded that the proposal is consistent with the relevant intentions of the District Plan for the General Residential Activity Area and in respect of Transport (Parking). By implication, therefore it can also be concluded that the proposal is consistent with the Purpose and Principles of the Act (i.e. Part 2).

8. Summary & Conclusions

This document describes the proposal by **Ropata Lodge Care Community** to undertake internal alterations within the existing retirement home premises at 57 Ropata Crescent, to increase the residential rooms by one single-bed unit.

The proposal will rely on existing on-site parking spaces. The existing parking is provided at a rate less than the District Plan requirement, but had been approved as acceptable for meeting the predicted demand on-site, with an acceptable overspill onto the local streets. An increase of one residential unit will have a negligible effect on parking demands.

The reasons why a resource consent is required are set out, with the likely environmental effects and the mitigation available.

In summary, the proposal:

- Requires resource consent for land use as a Discretionary Activity;
- Incorporates adequate mitigation measures to ensure that the actual and potential adverse effects of the parking shortfall on the environment will be appropriately avoided, remedied or mitigated so as to be less than minor; and
- Is consistent with (and not contrary to) the relevant Objectives and Policies of the Regional Policy Statement; the Operative District Plan, the Purpose and Principles of the Resource Management Act 1991; and the matters contained within Part II of the Act;

There are no other parties that are likely to be adversely affected by the proposal.

The proposed conversion of one two-storey residential unit into two single-storey residential units makes good use of the existing space within the retirement home. The development will continue to fit well into the local area and be a compatible neighbour.

It is therefore concluded that the Council's processing planner can, following non-notified assessment of the proposal, be comfortable issuing a favourable recommendation.



Jenny Grimmett for Down to Earth Planning Limited on behalf of the Applicant
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Dated: 29 November 2016

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