

Our Ref: NA 215

15 December 1989

Branch Manager
Valuation New Zealand
P O Box 4135
HAMILTON

Dear Sir

**NOTICE OF DECISION PURSUANT TO SECTION 86 TOWN AND COUNTRY PLANNING ACT 1977:-
APPLICATION FOR PLANNING CONSENT: TASMAN VILLAGE**

At its meeting held on the 13 December 1989, the Matamata-Piako District Council resolved the following:-

"THAT PURSUANT TO SECTION 74 OF THE TOWN AND COUNTRY PLANNING ACT 1977 COUNCIL GRANTS CONSENT TO:-

- (I) TASMAN VILLAGE TO THE DEVELOPMENT OF UP TO A MAXIMUM OF 80 UNITS FOR THE ESTABLISHMENT OF A RETIREMENT VILLAGE ON THE PROPERTY SITUATED ON THE CORNER OF THAMES STREET AND SEALES ROAD MORRINSVILLE DESCRIBED AS LOT 2 OF THE SUBDIVISION OF LOT 21 DP 2465 BLOCK VI MAUNGAKAWA SURVEY DISTRICT, SUBJECT TO THE CONDITIONS LISTED BELOW.
- (II) THE SUBDIVISION OF LOT 21 DP 2465 BEING PART MOTUMAOHO NO 2 BLOCK, BLOCK VI MAUNGAKAWA SURVEY DISTRICT FOR THE CREATION OF A 5.67 HECTARE ALLOTMENT FOR THE ESTABLISHMENT OF THE TASMAN VILLAGE RETIREMENT CENTRE.

REASONS:

- A RETIREMENT VILLAGE PROVIDES FOR A PUBLIC NEED AND WILL NOT BE CONTRARY TO THE PUBLIC INTEREST.
- THE LOCATION OF THE SITE IS A LOGICAL EXTENSION TO THE EXISTING URBAN AREA AND WILL NOT CREATE AN UNECONOMIC DEMAND OF SERVICES.
- THE UNAVAILABILITY OF SUITABLE ALTERNATIVE SITES WITHIN THE URBAN AREA OF MORRINSVILLE.
- COUNCIL HAS PERCEIVED A NEED FOR THE EXTENSION OF THE URBAN AREA IN THE DIRECTION OF THIS APPLICATION.

CONDITIONS OF CONSENT

- (I) THAT A DEVELOPED SITE PLAN SHOWING THE GENERAL STAGES OF DEVELOPMENT BE SUBMITTED TO COUNCIL.

- (II) THAT A DEVELOPMENT PLAN INCORPORATING LANDSCAPING, STORMWATER INCLUSIVE OF A HOLDING RESERVOIR, SEWERAGE, ALL ROADING, ACCESSWAYS SERVICES AND THE FIRST STAGE OF UNIT DEVELOPMENT BE SUBMITTED TO COUNCIL FOR APPROVAL, AND FOR EACH SUBSEQUENT STAGE THEREAFTER.
- (III) THAT ALL UNITS BE DESIGNED AND CONSTRUCTED SO AS TO PROVIDE A HARMONIOUS DESIGN AND ARCHITECTURAL THEME.
- (IV) THAT A MAXIMUM OF TWO UNITS BE CONSTRUCTED WITHIN THE ONE BUILDING AND THAT GARAGES ARE TO BE INCORPORATED INTO THE DESIGN OF THE BUILDINGS.
- (V) NO BUILDING SHALL BE ERECTED CLOSER THAN FIVE METRES TO A PUBLIC ROAD OR CLOSER THAN THREE METRES TO ANY OTHER PROPERTY BOUNDARY.
- (VI) THE MAXIMUM SITE COVERAGE PERMITTED IS 35%.
- (VII) EACH UNIT SHALL BE PROVIDED WITH THE FOLLOWING:
- (A) AN OUTDOOR LIVING COURT TO LINK THE USE OF THE UNIT TO THE USE OF THE SITE AND TO PROVIDE VISUAL AMENITY TO THE SITE WHICH MEETS THE FOLLOWING REQUIREMENTS:
- MINIMUM AREA - 40M^2 .
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 - BE FOR THE EXCLUSIVE USE OF THE UNIT AND FREE OF ACCESS TO OTHER UNITS, DRIVEWAYS, MANOEUVRING AREAS, PARKING AND SERVICE COURTS.
 - EACH LIVING COURT SHALL ABUT THE MAIN LIVING AREA OF THE UNIT AND BE READILY ACCESSIBLE TO THE UNIT.
 - BE SCREENED BY THE DEVELOPER AT THE TIME THE UNITS ARE CONSTRUCTED TO A MINIMUM HEIGHT OF 1.5 METRES FOR NOT LESS THAN 50% OF ITS PERIMETER.
- (B) AN OUTDOOR SERVICE COURT FOR ACTIVITIES SUCH AS CLOTHES DRYING AND THE OUTDOOR STORAGE OF RUBBISH WHICH MEETS THE FOLLOWING REQUIREMENTS:
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- (IX) THAT ALL SERVICES, INTERNAL ROADING AND ACCESSWAYS FOR THE DEVELOPMENT OF THE VILLAGE SHALL COMPLY WITH NZS 4404 - 1981 OR ANY OTHER STANDARD REFERRED TO THEREIN, PLUS ANY ADDITIONAL CONDITIONS THAT MAY BE IMPOSED IN RELATION TO THE DEVELOPMENT PLAN.

- (X) A MANAGEMENT PLAN ON ALL SERVICES AND ROADING SHALL BE FORMULATED AND APPROVED BY COUNCIL TO ENSURE THAT MAINTENANCE AND SERVICEABILITY IS MAINTAINED.

COUNCIL ALSO RESOLVED THAT A SCHEME CHANGE BE PREPARED FOR A RETIREMENT ZONE."

Yours faithfully
R M Rankine
GENERAL MANAGER

PER

P J Rolfe
DISTRICT PLANNER

PJR/RS

Our ref: NA 215

15 December 1989

Dear Sir/Madam

APPLICATION FOR PLANNING CONSENT: TASMAN VILLAGE

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The following is the text of Council's resolution:-

THAT PURSUANT TO SECTION 74 OF THE TOWN AND COUNTRY PLANNING ACT 1977 COUNCIL GRANTS CONSENT TO:-

- (I) TASMAN VILLAGE TO THE DEVELOPMENT OF UP TO A MAXIMUM OF 80 UNITS FOR THE ESTABLISHMENT OF A RETIREMENT VILLAGE ON THE PROPERTY SITUATED ON THE CORNER OF THAMES STREET AND SEALES ROAD MORRINSVILLE DESCRIBED AS LOT 2 OF THE SUBDIVISION OF LOT 21 DP 2465 BLOCK VI MAUNGAKAWA SURVEY DISTRICT, SUBJECT TO THE CONDITIONS LISTED BELOW.
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REASONS:

- A RETIREMENT VILLAGE PROVIDES FOR A PUBLIC NEED AND WILL NOT BE CONTRARY TO THE PUBLIC INTEREST.
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- COUNCIL HAS PERCEIVED A NEED FOR THE EXTENSION OF THE URBAN AREA IN THE DIRECTION OF THIS APPLICATION.

CONDITIONS OF CONSENT

- (I) THAT A DEVELOPED SITE PLAN SHOWING THE GENERAL STAGES OF DEVELOPMENT BE SUBMITTED TO COUNCIL.

15 December 1989

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15 December 1989

- (X) A MANAGEMENT PLAN ON ALL SERVICES AND ROADING SHALL BE FORMULATED AND APPROVED BY COUNCIL TO ENSURE THAT MAINTENANCE AND SERVICEABILITY IS MAINTAINED.

COUNCIL ALSO RESOLVED THAT A SCHEME CHANGE BE PREPARED FOR A RETIREMENT ZONE."

It is brought to your attention that pursuant to Section 69 of the Town and Country Planning Act 1977, the applicant or any objector may, within one month after notification of Council's decision appeal to the Planning Tribunal against Council's decision or against any condition, restriction, or prohibition imposed in respect of that decision.

Yours faithfully
R M Rankine
GENERAL MANAGER

PER

P J Rolfe (Ms)
DISTRICT PLANNER

PJR:SMB

COPIES SENT TO:

J E Dawson & R M Clothier
5 Seales Road
MORRINSVILLE

Charles Cron
C/- Te Punga School
R D 4
MORRINSVILLE

Swarbrick Dixon
Bryant Trust Building
127 Alexandra Street
HAMILTON

R M Stewart
PO Box 136
TE AROHA

Our ref: NA 215

15 December 1989

Chief Executive
Waikato Regional Council
5 Hardley Street
PO Box 4010
HAMILTON EAST

Dear Sir/Madam

**NOTICE OF DECISION PURSUANT TO TOWN AND COUNTRY PLANNING REGULATIONS CLAUSE
38(4) - APPLICATION FOR PLANNING CONSENT: TASMAN VILLAGE**

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Yours faithfully
R M Rankine
GENERAL MANAGER

PER

P J Rolfe (Ms)
DISTRICT PLANNER

15 December 1989

Tony Winter, Treasury Clerk

Baula Rolfe, District Planner

TASMAN VILLAGE PLANNING APPLICATION

Please invoice: R M Stewart
P O Box 136
TE AROHA

Re: Tasman Village Planning Application

Costs for hearing the application and incidental
to the consideration of the application

\$1,000.00 (Incl. GST)

MATAMATA-PIAKO DISTRICT COUNCIL

MEMO FORM

DATE: 7 December 1989
TO: P Rolfe, District Planner
FROM: R Kirby, Design Engineer
COPIES TO:
SUBJECT: TASMAN VILLAGE - STORMWATER RUNOFF

We have calculated the runoffs which would occur under present conditions using a 1 in 10 year design rainfall. The creek flow of 2 cumecs would occur immediately downstream of the proposed Tasman Village property. After development the same design rainfall would increase the discharge by 0.3 cumecs (15 percent).

The runoff from the undeveloped property is 0.3 cumecs (included in the 2 cumecs stated earlier) and the development will double the peak runoff to 0.6 cumecs. In order to restrict the flow into the creek to 0.3 cumecs, a retention reservoir of 500m³ capacity will have to be constructed. This reservoir will absorb the peak runoff and discharge it at a rate of 0.3 cumecs maximum.

With a rainfall of 1 in 20 year return period, the holding reservoir will overflow 1 cumec for approximately 30 minutes, increasing the flow in the creek from 2.25 cumecs to 2.35 cumecs a mere 4%.

I therefore recommend that the holding reservoir be installed using the design capacities given.

MATAMATA-PIAKO DISTRICT COUNCIL

Regulatory & Planning Committee

A G E N D A for Meeting on 13 December 1989

Agenda Reference Number ~~PA~~ RPC 89/23

File Reference Number and Title ~~WD 215 - Tasman Village~~
Specified Departure
SPECIFIED DEPARTURE - Tasman Village

SUMMARY of Text Correspondence, or Matter for Consideration:

1.30 pm - Hearing on planning
application for consent to
establish a retirement village &
to create a rural-residential
lot of 1.2 hectares. D.P's
report attached pages - - -

NOTES: (To assist Consideration at Meeting)

Report Circulated to
Councillors.

See following page.

RECOMMENDATION: (Resolved) (/)

No per report.

ACTION TAKEN :

REPLY WRITTEN: _____

OTHER: _____

569/1

569/12

5324

Charles Cron

D. P. S.

5 2 3 6 0

John Dawson

2
9126

33.2
4.0
24.6
854
D.P.S.
39537
33.0
Rex
Clother

131 1093

25.6 23.9

D.P.S. 29 1764
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569/10

RD.

569/9

1.7998
D. P. 23869

569/7

SEALES

134.9

2
4948 35.3

D. P. S.

63.3
31476.

19.5 22.1
S. 4 008

51.1 49.8
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17.2 14.8 56
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D.P. 2465
2023
PT 21
30.1

1009
1
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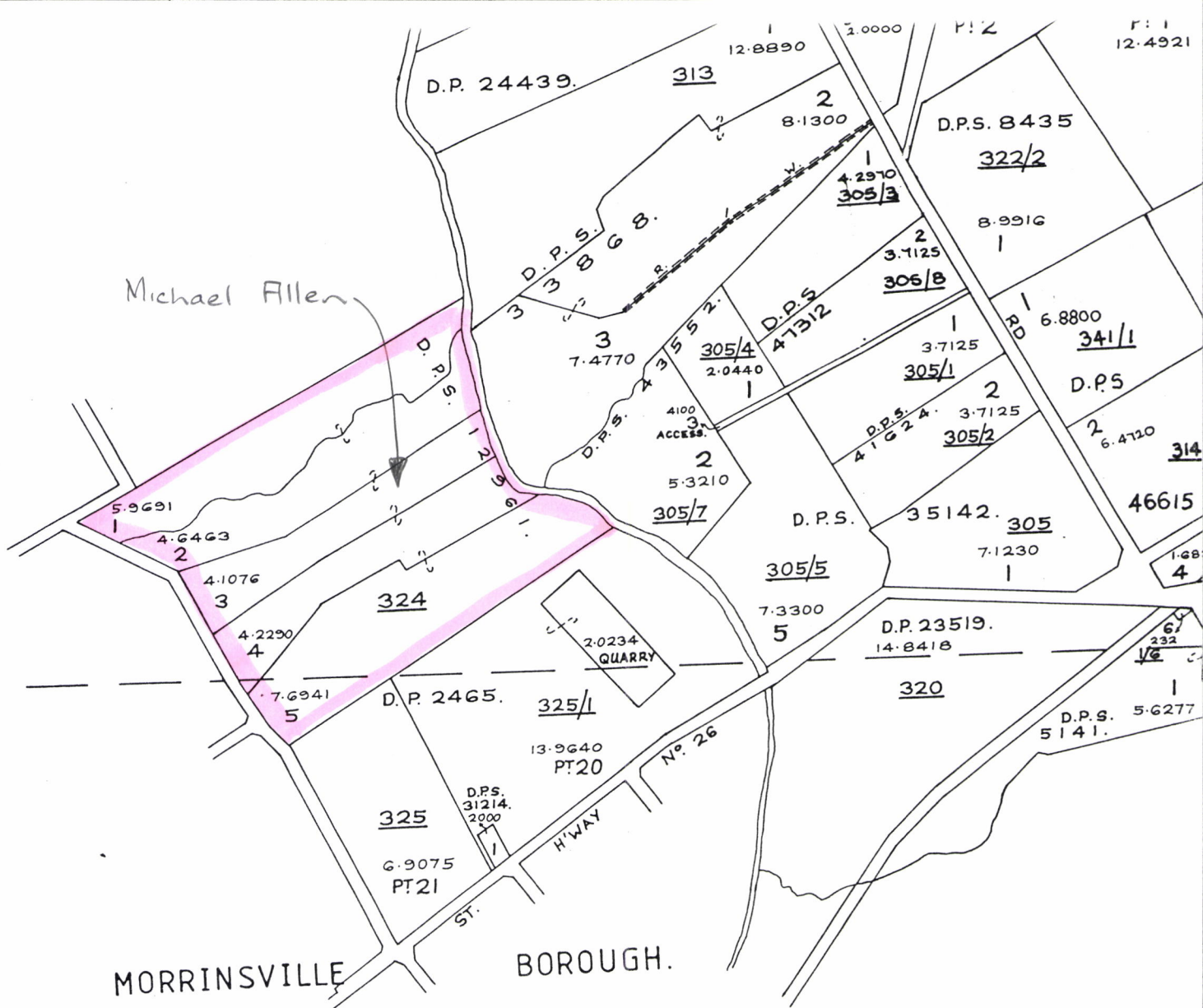
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MATAMATA-PIAKO DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1977

PLANNING APPLICATION FOR CONSENT UNDER SECTION 74

1. **APPLICANT:** Tasman Village
2. **OWNER:** I A & F G Findsen
3. **APPLICATION:** Consent to establish a retirement village and consent to create a rural-residential lot of 1.2 hectares.
4. **PROPERTY LOCATION:** The property is situated on the corner of Seales Road and Thames Street (S H 26), Morrinsville, the legal description being Part Lot 21 DP 2465 being Part Matumaoho No 2 Block.
5. **BACKGROUND:**

5.1

The property has a total area of 6.91 hectares. There is a substantial house and associated accessory buildings situated on the eastern corner of the property. Access to the house is via an oak-lined driveway with access onto Thames Street.

The southern portion of the property is generally elevated and it falls away towards the north with the northern most portion being intersected by two gully systems running in a generally north-south direction. A portion of the land in the southern corner also falls away from a higher ridge towards a lower flat area at the intersection of Thames Street and Seales Road.

The land is generally all in pasture except for an area of trees in a gully in the northern corner. The property is at present being used for intensive livestock grazing.

The New Zealand Soil Bureau Map describes the soil type on the property as Waihou being a soil of high actual or potential value for food production, and being a Class I soil.

5.2

Previous Applications:

In October 1988 the Piako County Council declined consent to subdivide this same property into two undersized horticultural lots for the following reasons:-

- (a) The effect of the departure will be contrary to the public interest in that it affects the integrity of the District Scheme.
- (b) The effect of the departure will have Town and Country Planning significance upon possible future land uses in the immediate vicinity.
- (c) The departure application is not based upon exception or abnormal circumstances and are no different from those applying to many other land owners.
- (d) The scheme could not remain without change.

However, in 1989 a scheme plan creating a rural-residential lot at the northern end of the property was approved but to date no survey plan has been lodged for approval.

6. THE PROPOSAL:

There are two aspects to this proposal.

6.1

Subdivisional Proposal

It is intended to subdivide the property into two lots, as shown on the scheme plan. Lot 1 will contain an area of 1.2 hectares and will have a 100 metre frontage to Thames Street.

This lot will include the existing house and outbuildings on the property and it is intended to be retained by the present owners as a rural-residential lot. There are numerous large trees contained within this lot, and the house and grounds are extremely well developed. The existing access onto Thames Street is considered adequate for the existing and any future use of the property.

Lot 2 will contain an area of 5.7 hectares, being the balance of the property. This lot will have a 95 metre frontage to Thames Street and a 360 metre frontage to Seales Road. The southern portion of this lot is generally elevated about Thames Street, and Seales Road, but does fall in a generally northerly direction and is dissected by two gully systems.

It is proposed that this lot be developed as a retirement village.

6.2

Retirement Village Proposal

INTRODUCTION

An incorporated society named Tasman Village has been formed by people interested in establishing a retirement village within the Morrinsville area. The society has investigated several potential sites, but this subject property on the corner of Thames Street and Seales Road is considered to be the only suitable site having regard to its proximity to the town centre, topography, and availability of services.

It is intended that the society be a non-profit organisation. The society members are being invited to advance money to the society on an interest-free basis to enable the land to be purchased as a first stage in the development. In return for advancing money, society members will secure a site within the development.

6.2.1

DEVELOPMENT PROPOSAL

A site development plan for the village has been prepared, of which a copy is attached in Appendix I. It is proposed that eventually the development will contain up to 80 units with associated internal access roading and it is also intended that 4000 square metres be set aside for a future care centre and recreation area to be developed as development of the village proceeds.

It is proposed that access to the village be off a double carriageway access from Seales Road sited approximately 115 metres from the corner of Thames Street. The only access onto Thames Street will be pedestrian access. It is intended that all internal access roads be kerbed, channelled and sealed to a width of 6.0 metres. Pedestrian access within the village will be constructed independently of the vehicular access.

It is proposed that the units will be constructed in blocks of two, separated by garages. There will be a mixture of one, two and three bedrooomed units and it is intended that they be orientated to face north. No detailed design has been carried out at this stage but it is intended that the units be of a brick and tile construction. Elevations of similar units constructed at Hamilton are attached in Appendix I.

It is anticipated that there will be up to 160 residents eventually living on the site, and it is also anticipated that on average there will be one car per unit, making a total of eighty cars owned by the residents. Until the care centre is established, there will be one staff member employed as a groundsman. This person will not be living on the site but it is intended that a small toolshed be erected on a secluded area of the site for storage of grounds maintenance machinery. The only staff parking required at this stage will be one carpark for the groundsman, and it is proposed that visitors parking be provided at the rate of one carpark per unit in the driveway of each unit.

The layout of the site has been planned so that the existing gullies can be maintained in their natural state, and it is intended that additional landscape planting be carried out within the gully areas.

It is intended that the units will be sold off to retired persons as they are completed and separate titles for the units be obtained under the Unit Titles Act 1972. This unit titles tenure system will involve the formation of a body corporate of which every unit holder will be a member, and the body corporate will own all the communal facilities including roading and services, and will be responsible for all maintenance and running expenses.

7. PUBLIC NOTICE AND OBJECTIONS:

The application was publicly advertised in the Piako Post on 11 October and objections closed on 3 November 1989. Three objections were received from the following.

Charles Cron
Michael Allen
J E Dawson & R M Clothier

The particular parts of the application objected to are:

- The re-zoning of the parcel of land that is at present Rural zoned and not part of the Borough.
- The whole application.
- The change of land use to residential from rural.

The reasons for the objections are:

- There has not been fair announcement of the re-zoning, nor has there been a fair submission to the public of what the development actually is.
- Location of residential housing estate on rural land.
- The principle of preserving prime agricultural land.

- Adverse effect of such a development on property values, outlook and locality.
- Lack of ancillary services, eg footpaths, lighting.
- Availability of suitable land in Borough.

A copy of the objections received are attached in Appendix II.

8. REPORTS OF OTHER DEPARTMENTS

8.1

Health/Building Inspector - No comments.

8.2

Design Engineer -

(i) Services

Advises that there is a 100mm diameter water main in both Thames Street and Seales Road suitable for connection.

A sewer line exists down Thames Street falling towards town, however, this is obsolete in terms of this proposal. A trunk sewer main traverses the northern portion of the property and can be utilised. There is a stormwater line down Seales Road from Thames Street.

The open drain along Thames Street frontage feeds into this stormwater line and it is recommended that all stormwater drainage be piped to existing reticulation or existing waterways.

(ii) Roading

Shall conform to NZS 4404; and access shall only be onto Seales Road.

(iii) General

All connections to urban services involving crossing sealed carriageways shall be thrust bored. Open trenching will not be accepted.

A management plan on all services and roading shall be formulated to ensure maintenance.

All engineering aspects of the subdivision shall comply with NZS 4404 1981, Code of Urban Subdivision.

9. DISTRICT SCHEME

9.1.

ZONING:

Under the operative district scheme, a 100 metre strip from the boundary adjoining Thames Street (S H 26) is zoned Rural C2 (Traffic Protection zone) and the remainder of the property is zoned Rural C1 (Urban Protection zone).

The Rural C1 zone is designed as an urban protection zone and provided it does not front onto a main traffic route horticultural units and associated produce stalls can be permitted as of right. Nuisance generating rural uses are however prohibited.

The Rural C2 zone is fronted by main traffic routes. It is therefore designed as a traffic protection zone and selling points may be restricted in numbers and siting to ensure traffic safety. Such points are therefore not permitted as of right.

9.2

The relevant parts of the district scheme in relation to this proposal are:

UNDER CHAPTER III - PLANNING STRATEGY

Clause S3105 states that:

"The scheme .. aims to preserve and enhance the potential productivity of County lands and to meet the purposes of the district scheme whilst providing for the matters of national interest defined in the Act by ensuring that:-

- Normal Urban development be located within the Boroughs of Morrinsville or Te Aroha rather than in the County Area.
- The farmlands of County continue to be used for agricultural production; and
- Rural development (including all subdivision ...) be encouraged and controlled in such a way as will ensure the optimum use of farmlands for agricultural production consistent with the need to preserve those qualities and conditions which contribute to the pleasantness, harmony and coherence of the environment, the economic wellbeing of the farmers tilling the soil and the people servicing their operations and to the better enjoyment of the rural areas by people generally whilst creating a minimum of demands for public works and services."

10. **TOWN AND COUNTRY PLANNING ACT 1977**

The application is a specified departure under Section 74 of the Act which is outlined below.

"(2) Subject to Section 3 of this Act, the Council may consent to such a specified departure only if

- (a) The effect of the departure will not be contrary to the public interest and will have little Town and Country Planning Significance beyond the immediate vicinity of the land concerned and the provisions of the scheme can remain without change or variation."

Those matters of national importance under Section 3 of the Act relevant to this application are:

- (d) the avoidance of encroachment of urban development on, and the protection of, land having a high actual or potential value for the production of food.

There is no doubt that most of this property has a high actual or potential value for the production of food.

However, relative to this is the question whether this property should be protected and kept available for that purpose, be it now or for the next 20 years or so.

Under the operative district scheme in force for the Morrinsville urban area no specific provision is made for "Retirement Villages". However, comprehensive developments of more than 4 home units on any site is a conditional use in the Residential B zone, but there are no sites within this zone anywhere near the size of what is required.

Within the Residential A zone the following policy is stated:

"To retain predominantly single family dwellings in the area while providing also for some variety in housing types through provisions for home units and restricted multiple home unit development."

Provision is made as a conditional use for 2 or more home units on rear sites or 3 or more on front or corner sites at a ratio of not less than 350 m² of site area for each unit.

As stated by the applicants, the site chosen is the only suitable site available, having regard to its proximity to the Morrinsville Town Centre, its location on a main road, the availability of services, and the site is the only site available with sufficient area to accommodate the development.

As there is limited land available in Morrinsville for residential development one could consider that this property would be a logical extension to the urban area due to its location, and the provision of services. I would suggest that whenever an extension to the urban area was made the issue of encroachment of urban areas onto land having a high actual or potential value for the production of food would arise.

Furthermore, it was recognised by the Morrinsville Borough Council at the time of a previous application that this property would eventually become part of urban development.

- (e) The prevention of sporadic subdivision and urban development in rural areas.

The proposal is not considered to be sporadic subdivision but a cohesive development on the boundary of an existing urban area.

- (f) The avoidance of unnecessary expansion of urban areas into rural areas if adjoining cities.

This paragraph relates to the issue of urban sprawl and the availability of urban zoned land.

As previously stated, the applicants state that there are no alternative sites available within Morrinsville. I also suggest that urban sprawl is not occurring in the sense that urban development exists opposite the property to the west and south.

In considering this application Council must also consider the criteria of Section 74 of the Act which has three aspects to it.

(i) The effect of the departure will not be contrary to the public interest

The primary matter of public interest is the "integrity" of the district scheme, that its general provisions are respected and given effect to.

An applicant for a departure must establish that his case is a true exception which necessarily falls outside, but does not offend, the general provisions of the scheme.

The need which must be shown for such a use or the benefit which will accrue from it must be a public (and not merely a private) need or benefit.

(ii) The effect of the departure will have little town and country planning significance beyond the immediate vicinity of the land concerned.

There are two aspects to this test:

- (a) The actual effect of the proposal on land uses in the immediate vicinity and beyond.

It is considered that the proposal will have no detrimental effect on the surrounding properties in the immediate vicinity.

- (b) Its consequences in relation to the general provisions of the scheme and the pattern of development laid down thereby.

If a departure application is not based upon exceptional or abnormal circumstances, and the circumstances are no different from those applying to many other land owners, in the immediate vicinity and beyond, then the consequences of approving the application are great.

The consequences of this application are considered not to be great as there will be no uneconomic extension of services required and the proposal is adjacent to an existing urban area.

Furthermore, it is considered that the proposal is an exceptional proposal in that the residential zone of the operative district scheme that relates to the property does not specifically provide for retirement villages nor would there be any residential zoned property that would be suited to the development.

The creation of the rural-residential lot is only 0.2ha greater in area than what is permitted under the district scheme within the Rural A1 zone and is considered so small in effect that it will not upset the pattern of development laid down in the district scheme. The creation of this lot is necessary if the proposal to establish the retirement village is consented to.

As to the third element - "the provisions of the scheme can remain without change."

If a public need has been demonstrated for a particular use to become established on that site; and if it is not appropriate that any other of the uses permitted in the zone in which that use is ordinarily found should become established on that site; and/or if it is desirable that the particular use should remain under specific planning control as a non-conforming use, then it can be said that the district scheme can remain without change.

11. EVALUATION OF DEVELOPMENT

It is noted that the first stage of the development is to secure the site for the development. Conditions pertaining to the overall development of the site should be put in place at this stage. For example: To require at least two water connections to the Morrinsville urban reticulation to be sited to spread the "load" as much as possible and that the connections are to be thrust bored. To require the open drain along Thames Street to be piped for the full length of Lot 2.

The proposed village will be a development as defined under Section 271 A of the Local Government Act 1974. In considering such a development plan it is considered as if it were a subdivision and conditions relating to services, roading, reserves and reserve contributions may be imposed at that time although it is prudent at this stage to impose conditions so as to identify certain standards.

It is difficult at this stage to assess the proposal in terms of bulk and location due to the small scale of the plan and no definitive plans of the units.

However, if this application is consented to conditions should be imposed so that the proposal can be assessed in compliance with accepted practice to ensure that the design and appearance of the development are in keeping with the following:

- (a) Creating an harmonious design or architectural theme within the development with attention to finishing materials and/or their relationship to the surrounding landscaped site.
- (b) The placement of units to provide both visual and aural privacy by screening, planting, and house orientation to avoid sight lines from living areas intruding into living areas of other units.
- (c) The provision of vehicle and separate pedestrian access in a functional and safe manner to both the public road and units within the development.
- (d) The provision of landscaping as part of the overall design theme that also provides for privacy and screening required as above, and communal open space and/or recreational facilities.
- (e) The provision of general services such as rubbish, milk, mail collection and delivery points which are convenient to the units and public road. Any such service facilities to be developed to be properly constructed and screened.

It may be such that these services will be provided to individual units like any other residential subdivision in which case turning areas of the private roads need to be suitably designed particularly for the service of rubbish collection.

No evaluation of the future care and recreation centre can be carried out until such time as a fuller description on the proposal is provided. For example, in terms of bed numbers for the care centre, staffing, the level of medical services, the recreation centre in terms of whether it will be open to the general community, design and appearance, parking. It is therefore required of the applicant to submit an additional application for this part of the complex in the future.

12. CONCLUSIONS

The proposal is a unique development within the district due to its nature and size. No specific provision is made under the operative district scheme for the concept of "Retirement Villages".

The applicants have stated that there are no alternative sites within the already zoned urban area of Morrinsville and should expand on this issue at the hearing.

The proposed site is a logical extension to the existing urban area and will not create an urban sprawl situation by leap-frogging into the rural area. Services are also available for the development, however additional information on the discharge of stormwater will be available at the hearing.

I consider the proposal to be in the public interest as the proposal will provide for a public need and not merely a private benefit. The demography of New Zealand is such that a need exists for this type of development now and for the future.

The proposal is likely to be a one-off development for Morrinsville and should not be detrimental to the "integrity" of the district scheme and affect other land owners who rely on the district scheme.

If Council is satisfied that there are no alternative sites suitable for the proposal and the disposal of stormwater can be adequately discharged into existing systems then the following recommendation should apply.

13. RECOMMENDATION

That pursuant to Section 74 of the Town and Country Planning Act 1977 Council grants consent to:-

- (i) Tasman Village to the development of up to a maximum of 80 units for the establishment of a Retirement Village on the property situated on the Corner of Thames Street and Seales Road Morrinsville described as Lot 2 of the subdivision of Lot 21 DP 2465 Block VI Maungakawa Survey District, subject to the conditions listed below.
- (ii) The subdivision of Lot 21 DP 2465 being part Matumaoho No 2 Block, Block VI Maungakawa Survey District for the creation of a 5.67 hectare allotment for the establishment of the Tasman Village Retirement Centre.

Reasons:

- A Retirement Village provides for a public need and will not be contrary to the public interest.
- The location of the site is a logical extension to the existing urban area and will not create an uneconomic demand of services.
- The unavailability of suitable alternative sites within the urban area of Morrinsville.

Conditions of Consent

- (i) That a developed site plan showing the general stages of development be submitted to Council.
- (ii) That a development plan incorporating all roading, accessways, services and the first stage of unit development be submitted to Council for approval, and for each subsequent stage thereafter.
- (iii) That all units be designed and constructed so as to provide a harmonious design and architectural theme.
- (iv) That a maximum of two units be constructed within the one building and that garages are to be incorporated into the design of the buildings.
- (v) No building shall be erected closer than 5 metres to a public road or closer than 3 metres to any other property boundary.
- (vi) The maximum site coverage permitted is 35%.
- (vii) Each unit shall be provided with the following:
 - (a) An outdoor living court to link the use of the unit to the use of the site and to provide visual amenity to the site which meets the following requirements:
 - minimum area - 40m^2
 - Capable of containing a circle 6m in diameter.
 - Be orientated east, north or west of the unit.
 - Be for the exclusive use of the unit and free of access to other units, driveways, manoeuvring areas, parking and service courts.
 - Each living court shall abut the main living area of the unit and be readily accessible to the unit.
 - Be screened by the developer at the time the units are constructed to a minimum height of 1.5m for not less than 50% of its perimeter.
 - (b) An outdoor service court for activities such as clothes drying and the outdoor storage of rubbish which meets the following requirements:
 - minimum area - 20m^2 with a minimum width of 3 metres.
 - Be for the exclusive use of the unit and free of access to other units, driveways, manoeuvring areas, parking and living courts.
 - Service courts must be screened from view of public places, recreation areas and pedestrian ways.
- (viii) That all buildings shall be a minimum of 3 metres apart and the main glazing of the main living area shall not penetrate directly into the main glazing of another unit unless separated by a distance of at least 6 metres.
- (ix) That all services, internal roading and accessways for the development of the village shall comply with NZS 4404 - 1981 or any other standard referred to therein, plus any additional conditions that may be imposed in relation to the development plan.

- (x) A management plan on all services and roading shall be formulated and approved by Council to ensure that maintenance and serviceability is maintained.

P J Rolfe
DISTRICT PLANNER

6 December 1989

PJR:CP

FORM A

Regs.20 (1), 37(1)

THE TOWN AND COUNTRY PLANNING ACT 1977
APPLICATION FOR PLANNING CONSENT

To the Piako County Council.

I/We, Tasman Village

hereby apply for consent to establish a retirement village on land zoned Rural C1 and Rural C2 and consent to create a rural residential lot of 1.2 ha. on land zoned Rural C1 and Rural C2 with less than 50% of the lot being within the Rural C1 zone.

The property in respect of which this application is made is situated at Thames Street (S.H.26) and Seales Road, Morrinsville

(Street/Road)

We are proposed purchasers
~~xxxx~~ the ~~Owner/lessee~~ of the property.

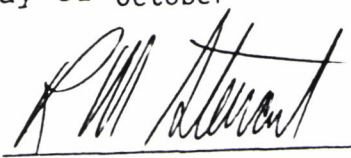
Name of Owner: I.A. and F.G. Findsen

Address: Thames Street, Morrinsville

Name of Occupier: As above

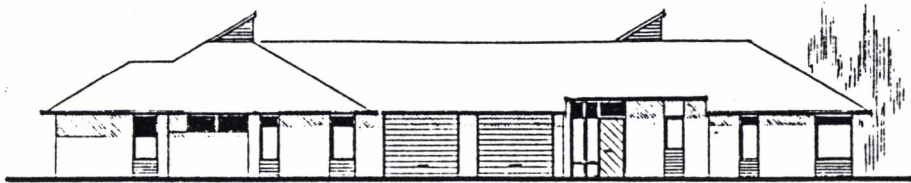
Address: _____

DATED at Te Aroha this ninth day of October 19 89.

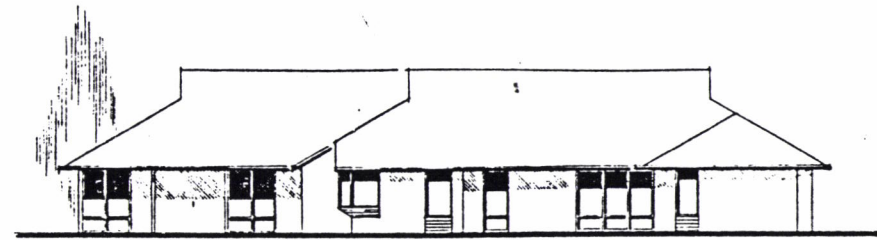
SIGNATURE: 

ADDRESS FOR SERVICE: Ross M. Stewart

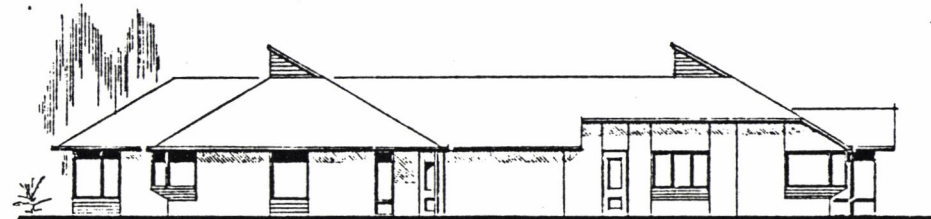
P.O. Box 136, Te Aroha



west



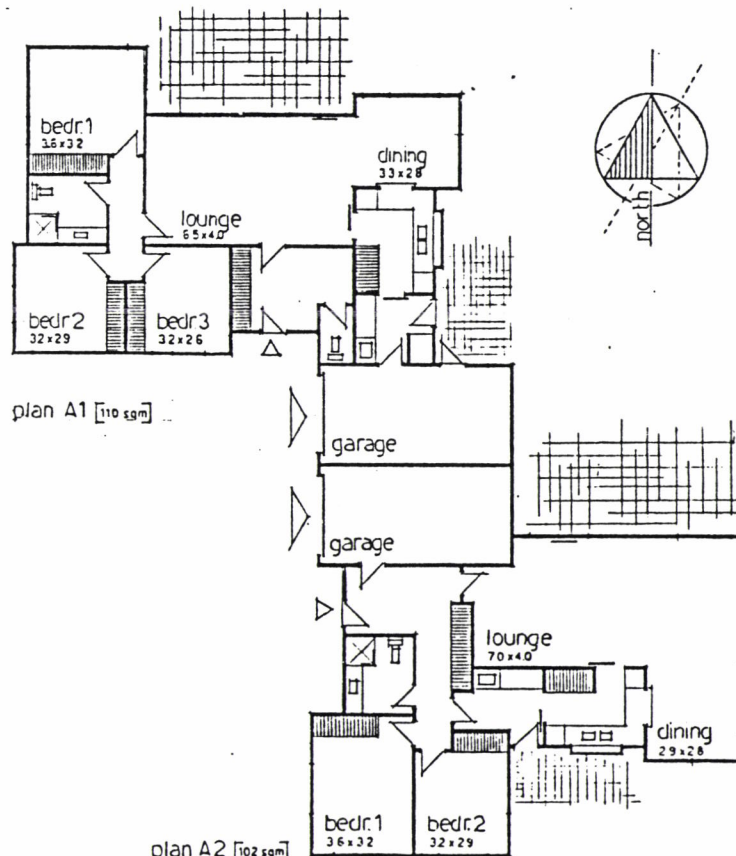
north



east

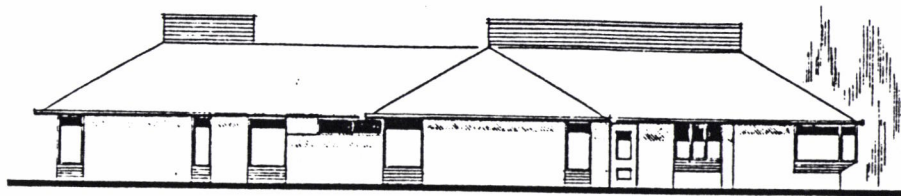


south

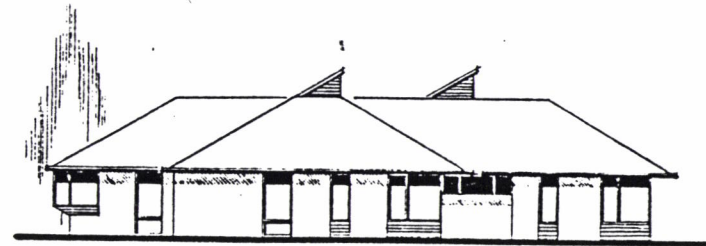


retirement village 'netherville'

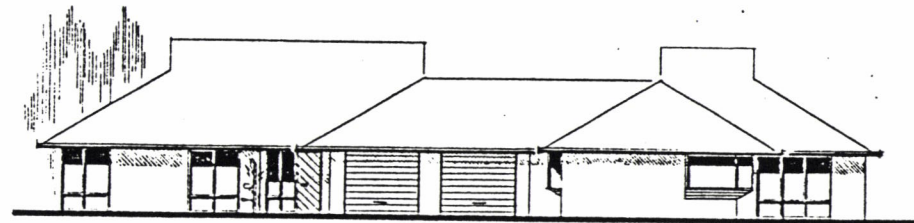
A1 & A2



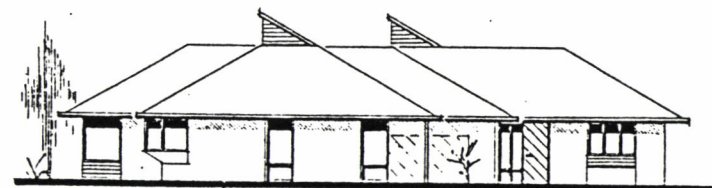
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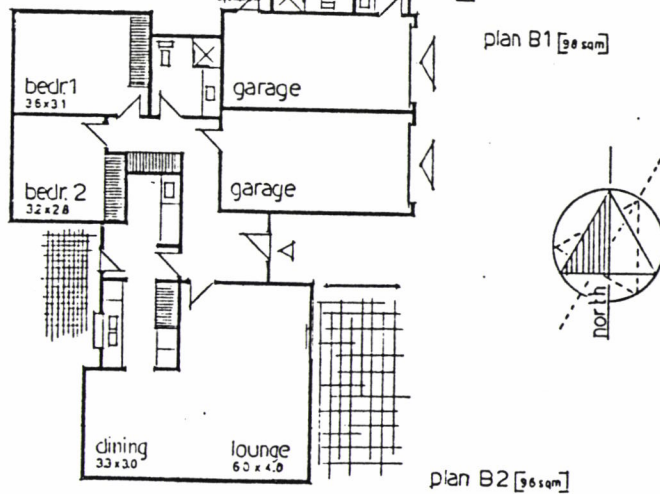
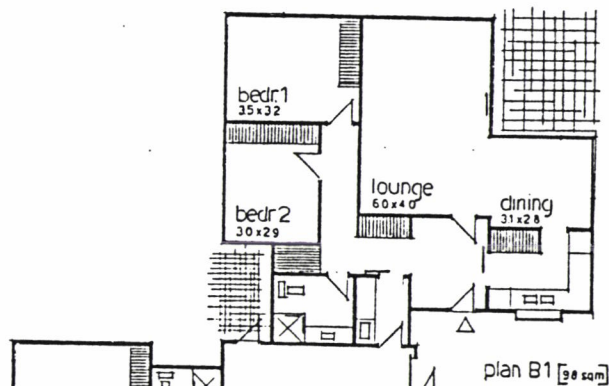
west



north

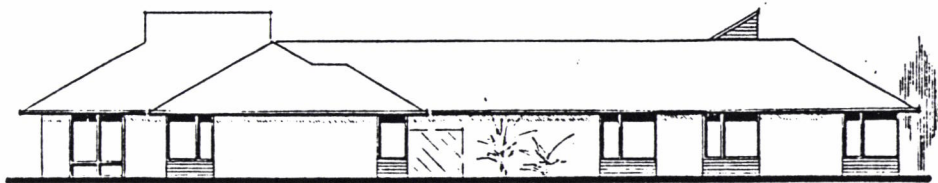


east

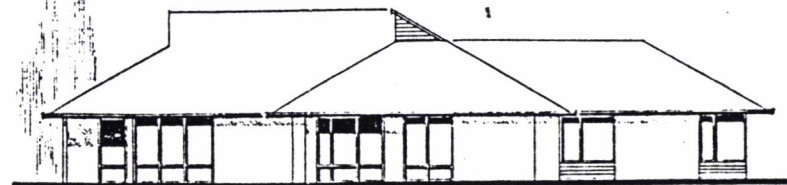


retirement village 'Rothersville'

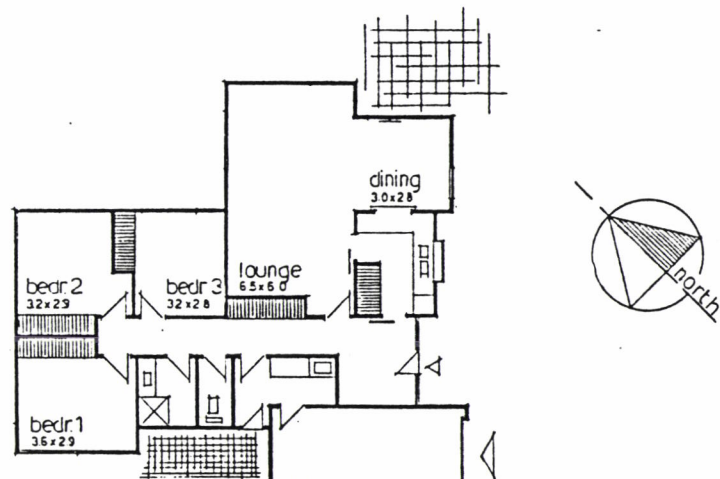
B1 & B2



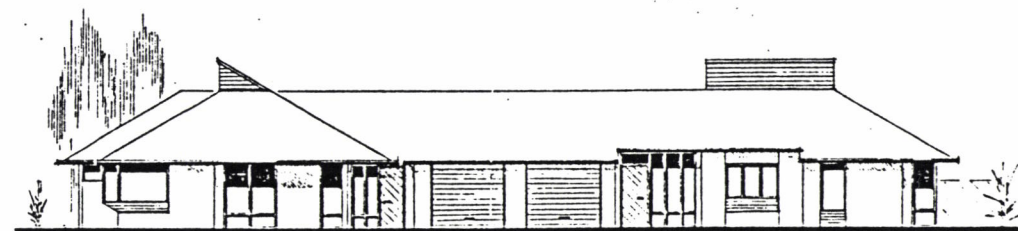
south west.



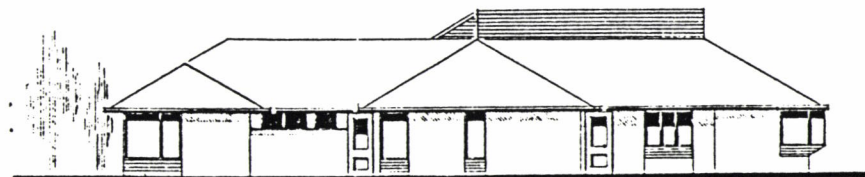
north west



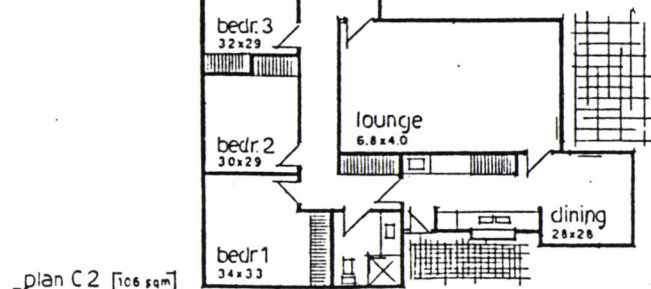
plan C1 [114 sqm]



north east



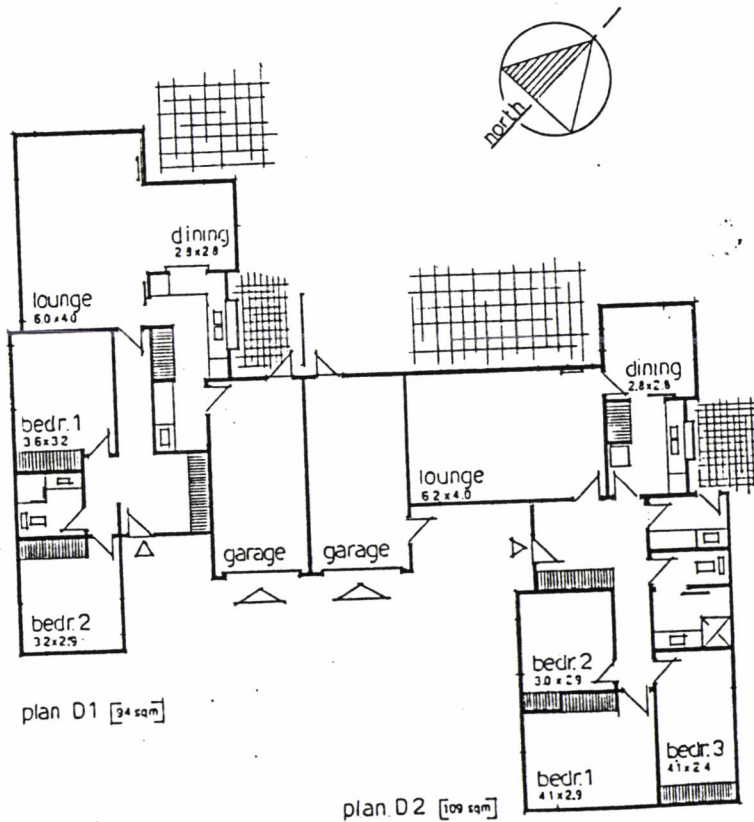
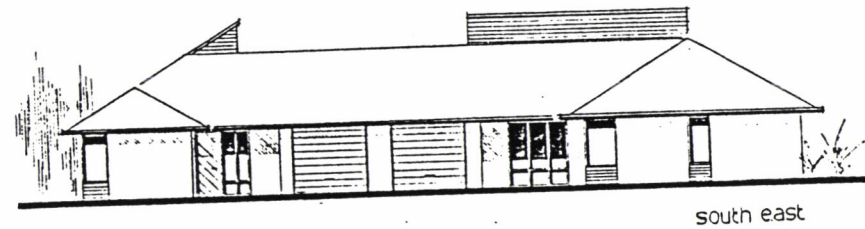
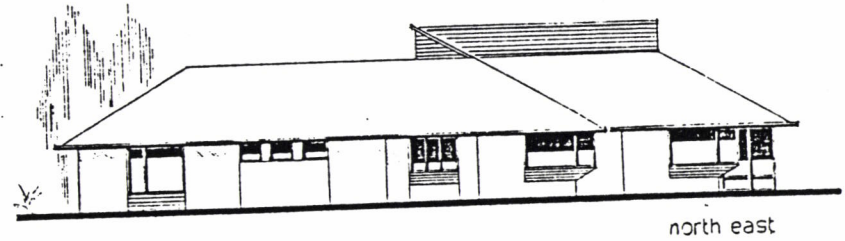
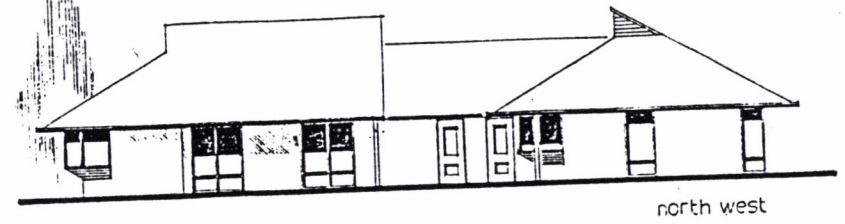
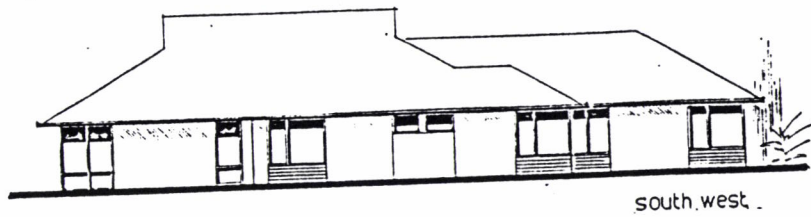
south east

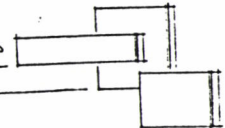


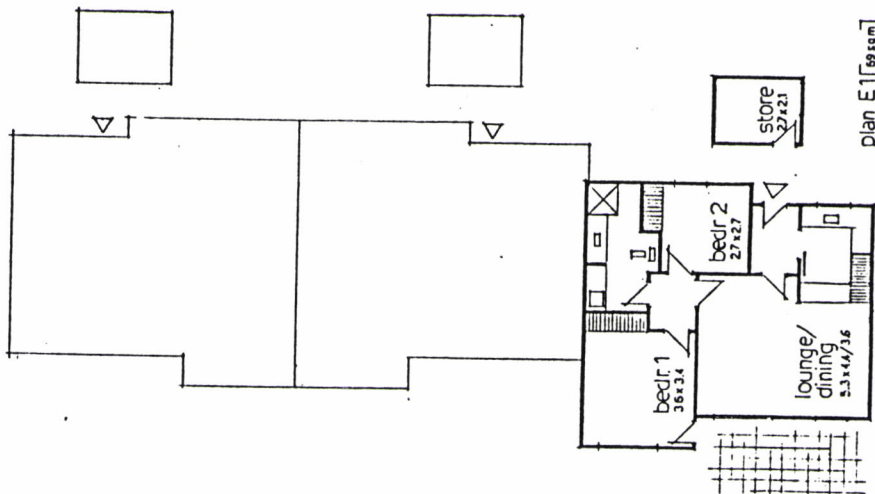
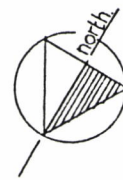
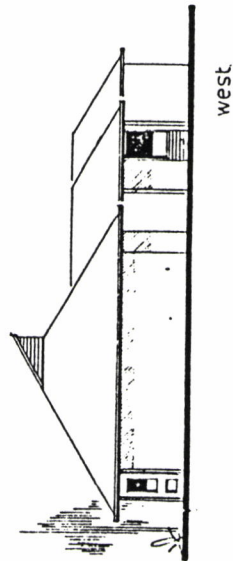
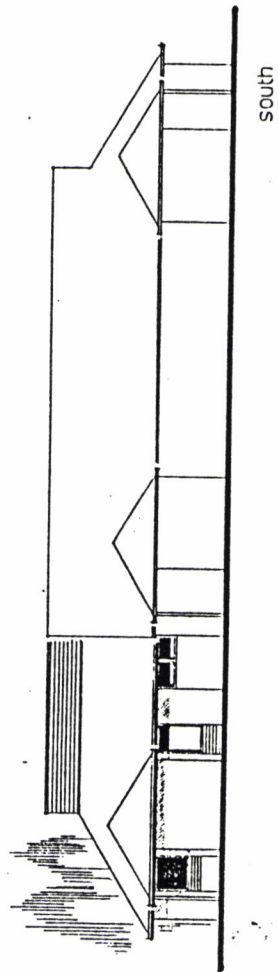
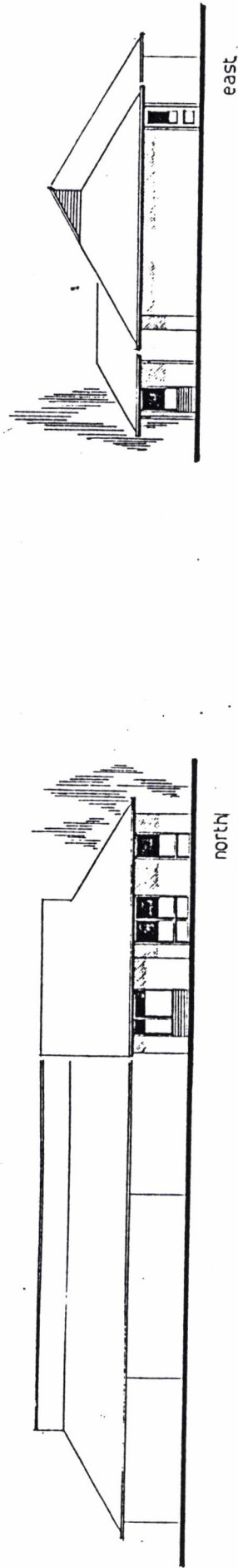
plan C2 [106 sqm]

retirement village 'Netherwille'

C1 & C2



retirement village 'Netheraville'  D1 & D2



retirement village 'netherville' E1 UNIT

plan E1 [59 sqm]

THE TOWN AND COUNTY PLANNING ACT NOTICE OF OBJECTION

To the County Planner,
Piako County Council,
PO Box 266,
TE AROHA

OR

To the Borough Planner,
Te Aroha Borough Council,
PO Box 4,
TE AROHA

NAME:JE Dawson & RM ClothierADDRESS:5 Seales Road
Morrinsville

I ~~support~~ or object to the application of: Tasman Village
(State name of Applicant)

To:

Apply for consent to establish a retirement village on land zoned
Rural C1 and rural C2 cnr S.H.26 and Seales Road.
(State proposal of applicant)

The particular parts of the application I ~~support~~ or object to are:

Changing of land use for residential from rural. No objection to
the creation of a rural residential lot of 1.2ha

The reasons for my ~~support~~ of objection are: ① The principle of preserving
prime agricultural land. ② Adverse effect of such a development
on property values, outlook and locality ③ Lack of ancillary services
eg footpaths, lighting ④ Availability of suitable land in Borough

My support or objection would be met by: Declining this
application

I do/~~do not~~ desire to be heard in support of my support or objection.

DATE: 27.10.89

SIGNATURE:

(for or on behalf of the
supporter or objector).

ADDRESS FOR SERVICE:5 Seales Road
Morrinsville

PLEASE NOTE: As soon as practicable after lodging this submission
with Council, the supporter or objector is required to
serve a copy of this submission on the applicant.

FORM "J"

THE TOWN AND COUNTRY PLANNING ACT 1977

NOTICE OF OBJECTION

To: ~~The Morrinsville Borough Council,~~ *Pike County Council*
~~P.O. Box 45,~~ *PO Box 266*
~~MORRINSVILLE.~~ *Te Anau*

NAME MICHAEL ALLEN
(FULL NAME - PLEASE PRINT)

ADDRESS R.D. 4 MORRINSVILLE

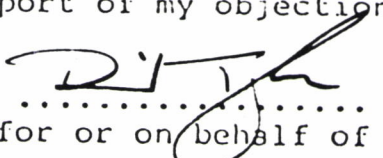
I object to the application of Tasman Village
(STATE NAME OF APPLICANT)
to consent to establish a retirement village on land zoned
(STATE PROPOSAL OF APPLICANT)

The particular parts of the application I oppose are the whole
application

The reasons for my objection are Location of residential housing
estate or rural land

My objection would be met by conditions regarding discharge of sewage
(STATE ACTION DESIRED)
to the Morrinsville system, discharge of stormwater to Morrinsville system or to
ground water but not to surface water and landscaping

I do/~~do not~~ desire to be heard in support of my objection.


(To be signed for or on behalf of objector)

30/10/89 Date

Address for service SWARBRICK DIXON - D.J. TAYLOR
Bryant Trust Building
127 Alexandra Street HAMILTON

THE TOWN AND COUNTY PLANNING ACT NOTICE OF OBJECTION

To the County Planner,
Piako County Council,
PO Box 266,
TE AROHA

OR

To the Borough Planner,
Te Aroha Borough Council,
PO Box 4,
TE AROHA

NAME: CHARLES CRON

ADDRESS: 1/2 Te Pungu School R.O.W. Morrinsville
Also owner in Sealee Road

I ~~support~~ or object to the application of: _____
(State name of Applicant)

To: The development of a 80 unit retirement village to be sited on
13 ha of land on the boundary of the Morrinsville Borough along Thomas Street and
(State proposal of applicant) Sealee Road.

The particular parts of the application I ~~support~~ or object to are:
The re-zoning of the land bounded by Thomas Street and
Sealee Road that is at present Rural zoned and not part of the Borough

The reasons for my ~~support~~ of objection are: There has not been fair
announcement of the re-zoning nor has there been a fair submission
to the public of what the development actually is.

My support or objection would be met by: _____

I do/do not desire to be heard in support of my support or objection.

DATE: _____

SIGNATURE: Charles Cron
(for or on behalf of the
supporter or objector).

ADDRESS FOR SERVICE: _____

PLEASE NOTE: As soon as practicable after lodging this submission
with Council, the supporter or objector is required to
serve a copy of this submission on the applicant.

Received 3.50 3/11/89
O Raymond

Our Ref: NA 215

6 December 1989

J E Dawson and R M Clothier
5 Seales Road
MORRINSVILLE

Dear Sir

HEARING OF PLANNING APPLICATION FOR TASMAN VILLAGE

Please find enclosed a copy of the Planner's report for the above hearing.

You are reminded that the hearing is to be held at 1.30 p.m. on the 13th day of December 1989 at the Council Chambers, Kenrick Street, Te Aroha.

Yours faithfully
R M Rankine
GENERAL MANAGER

Per

P J Rolfe
DISTRICT PLANNER

PJR:RS

Enc.

COPIES ALSO TO:

R M Stewart
P O Box 136
TE AROHA

Charles Cron
C/- Te Puinga School
R D 4
MORRINSVILLE

Swarbrick Dixon
Bryant Trust Building
127 Alexandra Street
HAMILTON

ATTENTION: D J Taylor

TASMAN VILLAGE

SUBMISSIONS - Town Planning Application

MORRINSVILLE COMMUNITY BOARD

The Morrinsville Community Board is generally in favour of the above application.

In considering the application, the Board would like the District Council to bear in mind the Community Boards opinion prior to reaching a decision and imposing conditions.

1. The Community Board is concerned about the density and appearance of the proposed dwelling units.
2. The recreation and medical facilities are considered to be a priority feature in this type of retirement village project.
3. As the proposed development is to be fully serviced by internal roading, the Board would like aesthetic landscaping in the Thames Street/Seales Road frontages.
4. The Board wishes to draw attention to a lack of footpaths, kerb & channel and street lighting in Thames Street and Seales Road and suggest completion as a prior condition of occupancy, or subdivision.

Evidence by John Dawson and others relating to an application by Tasman Village to establish a retirement village on a property in the Rural C1 and C2 zones adjoining Morrinsville.

1.0 DISTRICT SCHEME REQUIREMENTS

These are set out in Section 9 of the District Planner's report. I agree with that part of the report and there is no need for me to repeat those provisions. I also agree that the application is a specified departure on two counts. First, because it proposes a non complying subdivision in the rural zones, and second because a retirement village is not a permitted use in either the Rural C1 or Rural C2 zones of the Piako County District Scheme. The main concern of the objector is the retirement village proposal and this evidence concerntrates on that matter.

2.0 STATUTORY REQUIREMENTS

As a specified departure the application must satisfy all of the criteria in Section 74 of the Town and Country Planning Act. These too are contained in the District Planner's report and I will not therefore repeat them.

However, my interpretation of those provisions as they apply to the application is somewhat different to the District Planner's. In my opinion the application fails to meet these provisions and should therefore be declined by the Council. I say this for the following reasons.

3.0 THE PUBLIC INTEREST

- 3.1 To satisfy this test the applicants must establish that their case is a true exception. Any proposal for a departure which calls into question a general provision of the Scheme and could be seen to undermine its integrity will generally be contrary to the public interest. I believe this is true of the retirement village proposal.
- 3.2 One of the main planning aims of the County District Scheme is to ensure that *"the farmlands of the County continue to be used for agricultural production"* and that *"normal urban development (unless specified in this Scheme as being specially allowed in a particular area) be located within the Boroughs of Morrinsville or Te Aroha"* (Paragraphs 3105.1 and 3105.2).

- 3.3 In accordance with this aim, the ordinances for the Rural C1 and Rural C2 zones make no provision for urban development of any kind. This application is quite clearly contrary to the stated aims of the County District Scheme and challenges them in a fundamental way.
- 3.4 There is too, nothing exceptional about the application. In general planning terms I do not believe that a retirement village complex of up to 80 units and housing up to 160 people is any different from any other form of residential development which involves siting units or houses on a parcel or parcels of land. The practical effect of this proposal or any other form of residential development would quite simply be an ad hoc and unplanned extension of the urban area of Morrinsville into the rural zones of the County, and the subsequent loss of that land for productive purposes. I suggest that that would be the antithesis of good planning.
- 3.5 The appropriate place for this sort of development to occur is within the area of what was Morrinsville Borough. In this regard there is nothing in the information provided with the application or in the District Planner's report which points to there being no suitable land in Morrinsville for this sort of development. The onus is on the applicants to provide such evidence and should be based on a comprehensive analysis of vacant residential land in the Borough area. Problems of purchasing such land due to multiple ownership or owners not wanting to sell land are not matters which the Council should take into account when assessing this application. Those are problems for the applicant to deal with.
- 3.6 The fact that retirement villages are not provided for in the Morrinsville Scheme is also not justification for a departure to be granted in the area covered by the County Scheme. The appropriate way to deal with such a problem is to change the Borough Scheme to provide for retirement complexes in residential zones.
- 3.7 I accept that Morrinsville must grow in area, however this should be done in a planned way and not as the result of specified departure consents. I also accept that the area of land concerned in this case may be one which is suitable for such growth to occur on. However, this too should be done in the correct way and that is by Scheme Changes to both Schemes. Such changes should also only be contemplated following a comprehensive study of all of the alternative areas for the town to expand, taking into account such factors as ease of servicing, proximity to schools, shops, open space, and perhaps most importantly, the food producing capacity of the land concerned.

- 3.8 Taking the above matters into consideration, I believe the applicants' proposal challenges the integrity of the County District Scheme and is therefore contrary to the public interest.

4.0 PLANNING SIGNIFICANCE

- 4.1 There are two aspects to this test:

- (a) The actual affect of the proposal upon land uses in the locality; and
- (b) The affect of the proposal on the general provisions of the District Scheme and the pattern of development it lays down.

- 4.2 I will deal with these matters in turn:

- (a) At present existing residents on Seales Road enjoy what could be described as a semi rural environment, with pleasant views across the farmland to the east. This outlook and environment are important elements of amenity for residents. The affects of the proposed retirement village on this amenity would be considerable for two reasons. First, the rural outlook will be replaced with what will be effect be an urban one. Second, the proposed development would inevitably result in more traffic in the area, with resultant increases in noise. The existing amenity enjoyed by residents would thus be compromised.
- (b) This aspect of Section 74 has already been covered to some extent in paragraph 3.4 above, however I will reiterate that in general planning terms there is nothing unusual about this proposal, the practical effect of which would be an extension of the urban area of Morrinsville. To permit the proposal to proceed could well open the door for other unplanned urban developments on the edge of the old Morrinsville Borough into the surrounding rural area. A proliferation of such developments would have a significant affect on the pattern of development envisaged by both the Borough and the County Schemes. Again, the proper way to accommodate extension of the urban area into the County would be through changes to both Schemes.

5.0 SCHEME CAN REMAIN WITHOUT CHANGE

The final test of Section 74 is that the Scheme can remain without change or variation. The public is entitled to rely on the provisions of the District Scheme as recording the form of future development in the District. In this case those provisions (in the County Scheme) limit urban development to Morrinsville Borough and prohibit urban development in the County. Clearly, consent would require those provisions to be changed.

6.0 SECTION 3

- 6.1 Section 74 of the Act also requires that any decision on a specified departure be subject to the provisions of Section 3 of the Act. Those parts of Section 3 which apply in this case are listed below and I will deal with them in the order they are listed.

"(d) The avoidance of encroachment of urban development on, and the protection of, land having a high actual or potential value for the production of food:

(e) The prevention of sporadic subdivision and urban development in rural areas:

(f) The avoidance of unnecessary expansion of urban areas into rural areas in or adjoining cities:"

- 6.2 (d) In this case the land concerned does have a high actual value for food production. It could be argued that any extension of the urban area into rural land around Morrinsville would encroach onto high quality land, but this needs to be clearly established before any extension of the town is considered. There may be areas of poorer quality soils on the fringes of the town suitable for urban development. An overall study of urban growth options could investigate this matter.
- (e) As I have already mentioned, extension of the urban area as the result of a specified departure consent would be an unplanned development, and as such would constitute sporadic urban development.

- (f) Whether or not an extension of the urban area is necessary can only be satisfactorily determined as the result of a detailed study of the quantity of vacant residential land remaining in the Borough area.

7.0 CONCLUSION

For the reasons set out in the text above, I believe that this application does not meet the tests of Section 74. It should therefore be declined. Put bluntly, the development is just another form of urban growth, and as such is inappropriate in a rural zone given the County Scheme's present policies and ordinances.

Objections:

- 1) Changing of Rural C₁ and C₂ to Res. B/A cannot be done without going through correct procedures.
- 2) There is other available suitable land within Morningsville suitable for this development. It does not have to be as many as 80 dwellings. Suitable sites for a reduced number can be found in at least 2 locations.
- 3) Land outside the Borough, but next to it, can also be found on less desirable farm land which would be more suitable for development of this type.
- 4) We are told of stages of development with no given number to be completed in a stage nor a time frame in which each stage would be completed. By this we could have 5 dwellings completed each year for the next 16 years. This could be ^{an} unbearable hardship for those living close by.
- 5) I procured land on Seales Road with a Rural outlook for that reason. At the time I lodged my lotment no extension to the Borough had been indicated to me. It was only a matter of a few weeks from taking title that this development was reported in the paper.

Applications of this type should be put into operation in the correct manner.

B. Brown

13th December 1989.

NA 215

27 November 1989

J E Dawson and R M Clothier
5 Seales Road
MORRINSVILLE

Dear Sir/Madam

Re: HEARING OF PLANNING APPLICATION FOR THE TASMAN VILLAGE

Notice is hereby given in accordance with the Town and Country Planning Regulations 1978, that the Matamata-Piako District Council will hear submissions on the above planning application at the Council Chambers, Kenrick Street, Te Aroha on the 13 day of December 1989, commencing at 1.30 p.m.

You will have the opportunity to make submissions, if you wish, to Council either personally or through your advocate. If you wish to make written submissions, you should supply 12 copies for distribution at the hearing.

A copy of the Planners Report for this hearing will be forwarded in due course.

Yours faithfully
R M Rankine
GENERAL MANAGER

PER

P J Rolfe (Ms)
DISTRICT PLANNER

PJR:RS

COPIES TO:

R M Stewart
P O Box 136
TE AROHA

Charles Cron
C/- Te Puinga School
R D 4
MORRINSVILLE

Swarbrick Dixon
Bryant Trust Building
127 Alexandra Street
HAMILTON

ATTENTION: D J Taylor

MATAMATA-PIAKO DISTRICT COUNCIL

MEMO FORM

DATE: 10 November 1989
TO: Paula Rolfe, District Planner
FROM: Richard Kirby, Design Engineer
COPIES TO:
SUBJECT: NOTIFIED APPLICATION TASMAN VILLAGE, MORRINSVILLE

1. INTRODUCTION

Herewith is an engineering report on the proposed subdivision of Pt Lot 21 DP 2465 for the establishment of a retirement village.

2. SERVICES

2.1 Water

There are 100mm dia. water mains in both Thames Street and Seales Road. It is recommended that a ring reticulation be installed with at least two connections to the urban reticulation. These connections should be located to spread the "load" as much as possible. It should be noted that both 100mm dia. water mains are on the furthest side of the road to the subdivision and connections will have to be thrust bored.

2.2 Sewerage

There is a sewer line down Thames Street, falling towards town. Its minimal depth renders it obsolete in terms of this subdivision. A trunk sewer main traverses the northern portion of the property and can be utilised. It is necessary that connection(s) to this trunk main be;

(a) via approved manholes

and (b) the manholes be located within the "road reserves".

It is also imperative the buildings are not built within 2.5 metres either side of the trunkmain. The developer should check the trunk main location before the detailed design is completed.

2.3 Stormwater

There is a stormwater line down Seales Road from Thames Street. The open drain along the Thames Street frontage feeds into this stormwater line. It is recommended that stormwater reticulation involve the piping of this open drain for the full length of the property frontage. All stormwater drainage shall be piped to existing reticulation or existing waterways.

3. ROADING

All roading within the subdivision shall conform to NZS 4404;1981 and access shall only be onto Seales Road.

4. GENERAL

- 4.1 All connections to urban services involving crossing sealed carriageways shall be thrust bored. Open trenching will not be accepted.
- 4.2 A management plan on all services and roading shall be formulated to ensure that maintenance and serviceability is maintained.
- 4.3 All engineering aspects of the subdivision shall comply with NZS 4404; 1981 or an other standard referred to therein.

5. CONCLUSION

From an engineering point of view and provided the aspects in this report are covered and approved, I see no reason for ~~rejecting~~
declining this application.

THE TOWN AND COUNTY PLANNING ACT NOTICE OF OBJECTION

To the County Planner,
Piako County Council,
PO Box 266,
TE AROHA

OR

To the Borough Planner,
Te Aroha Borough Council,
PO Box 4,
TE AROHA

NAME:

CHARLES CRON

ADDRESS:

1/2 Te Punga School R.O. & MorrinsvilleAlso owned in Seales RoadI ~~support~~ or object to the application of:

(State name of Applicant)

To:

The development of a 80 unit retirement village to be sited on
13 ha of land on the boundary of the Morrinsville Borough along Thames Street and
(State proposal of applicant) Seales Road.

The particular parts of the application I ~~support~~ or object to are:

The re-zoning of the parcel of land bounded by Thames Street and
Seales Road that is at present Rural zoned and not part of the Borough

The reasons for my ~~support~~ of objection are:

There has not been fair
announcement of the re-zoning nor has there been a fair submission
to the public of what the development actually is.

My support or objection would be met by:

I do/do not desire to be heard in support of my support or objection.

DATE:

SIGNATURE:

[Signature]
(for or on behalf of the
supporter or objector).

ADDRESS FOR SERVICE:

PLEASE NOTE: As soon as practicable after lodging this submission
with Council, the supporter or objector is required to
serve a copy of this submission on the applicant.

Received 3.50 3/11/89
O'Raymond

Thames Valley United Council

(Comprising Representatives of Hauraki Plains, Ohinemuri and Piako Counties, Thames/Coromandel District Council,
and Boroughs of Morrinsville, Paeroa, Te Aroha and Waihi)

P.O. BOX 266
35 KENRICK STREET

TE AROHA

TELEPHONE (0819) 48-179
FAX (0819) 48-865

In reply quote reference..... 30/3/5/8

For enquiries ask for... Mr. W. A. Stace.....



31 October 1989

The County Planner
Piako County Council
PO Box 266
TE AROHA

Dear Madam

re: **APPLICATION(S) FOR PLANNING CONSENT UNDER THE TOWN AND COUNTRY PLANNING
ACT 1977**

I acknowledge receipt of the applications and public notices for town planning
consents as listed below and received by me during October 1989.

Applicants:

- * R Ellis : NA 216
- * Tasman Village : NA 215

Yours faithfully

W A Stace
REGIONAL PLANNER

WAS:SMB

NOTE : In the future please send all correspondence and notices of
applications to:

Waikato Regional Council
PO Box 4010
HAMILTON EAST

Phone : (071) 67-184
Fax : (071) 68-089



Swarbrick Dixon

BARRISTERS & SOLICITORS

Partners:

*Deryck Lockhart Walter, LL.B.
Robert Wilson, B.A., LL.M.
Michael Fraser Dixon, LL.B.
David James Taylor, LL.B.
Philip Munro Lang, LL.B.*

*Bryant Trust Building,
127 Alexandra Street,
Hamilton, N.Z.
P.O. Box 19010.
DX HN 4026.
Fax (071) 393-439
Phone (071) 395-166*

30th October 1989

The County Planner
Piako County Council
P.O. Box 266
TE AROHA



Dear Sirs,

RE : PLANNING APPLICATION - TASMAN VILLAGE

We enclose Notice of Objection on behalf of Mr Michael Allen. A copy of the objection has been served on Mr Ross Stuart for the applicant.

Yours faithfully
SWARBRICK DIXON

per:

D.J. TAYLOR
sp:ld/4

Enc.

FORM "J"

THE TOWN AND COUNTRY PLANNING ACT 1977

NOTICE OF OBJECTION

To: ~~The Morrinsville Borough Council,~~
~~P.O. Box 45,~~
~~MORRINSVILLE.~~

Piako County Council
PO Box 266
Te Aroha

NAME .. MICHAEL .. ALLEN ..
(FULL NAME - PLEASE PRINT)

ADDRESS .. R.D. 4 MORRINSVILLE ..
.....

I object to the application of .. Tasman Village ..
(STATE NAME OF APPLICANT)
to .. consent to establish a retirement village on land zoned ..
(STATE PROPOSAL OF APPLICANT)
.....
.....

The particular parts of the application I oppose are .. the whole ..
application ..
.....
.....

The reasons for my objection are .. Location of residential housing ..
estate or rural land ..
.....
.....

My objection would be met by .. conditions regarding discharge of sewage ..
(STATE ACTION DESIRED)
to the Morrinsville system, discharge of stormwater to Morrinsville system or to ..
ground water but not to surface water and landscaping ..
.....

I do/~~do not~~ desire to be heard in support of my objection.

..... Signature
(To be signed for or on behalf of objector)

30/10/89 .. Date

Address for service .. SWARBRICK DIXON .. - D.J. TAYLOR ..
Bryant Trust Building ..
.....
127 Alexandra Street HAMILTON ..
.....

THE TOWN AND COUNTY PLANNING ACT NOTICE OF OBJECTION

To the County Planner,
Piako County Council,
PO Box 266,
TE AROHA

OR

To the Borough Planner,
Te Aroha Borough Council,
PO Box 4,
TE AROHA

NAME:

JE Dawson & Rm Clothier

ADDRESS:

5 Seales Road
MorrinsvilleI ~~support or~~ object to the application of:

Tasman Village

(State name of Applicant)

To:

Apply for consent to establish a retirement village on land zoned
Rural C1 and rural C2 cnr S.H.26 and Seales Road.

(State proposal of applicant)

The particular parts of the application I ~~support or~~ object to are:Changing of land use for residential from rural. No objection to
the creation of a rural residential lot of 1.2ha

The reasons for my ~~support or~~ objection are: ① The principle of preserving
prime agricultural land. ② Adverse effect of such a development
on property values, outlook and locality ③ Lack of ancillary services
eg footpaths, lighting ④ Availability of suitable land in Borough

My support or objection would be met by:

Declining this

application

I do/~~do not~~ desire to be heard in support of my support or objection.

DATE:

27.10.89

SIGNATURE:

(for or on behalf of the
supporter or objector).

ADDRESS FOR SERVICE:

5 Seales Road
Morrinsville

PLEASE NOTE: As soon as practicable after lodging this submission
with Council, the supporter or objector is required to
serve a copy of this submission on the applicant.

M.J. Leslie

26 October 1989

40/73/17

The County Clerk
Piako County Council
PO Box 266
TE AROHA

**TOWN AND COUNTRY PLANNING ACT 1977
APPLICATION FOR PLANNING CONSENT
TASMAN VILLAGE**

I refer to your letter NA/215 of 10 October 1989 enclosing the above application.

I have no submission to make regarding this proposal.

Yours faithfully

M.J. Leslie

M.J. Leslie
for District Roding Engineer
ML1



Hamilton Office

Clayton House 109 Anglesea Street PO Box 973 Hamilton New Zealand
Phone: (071) 383-575 Fax: (071) 393-461

P J Rolfe

10 October 1989

R M Stewart
P O Box 136
TE AROHA

Dear Sir/Madam

RE: APPLICATION FOR PLANNING CONSENT: TASMAN VILLAGE

I refer to your application dated 20 September 1989 requesting Council to consent to subdivide within the Rural C1 and C2 zones and to establish a retirement village.

Your application will be advertised in the Piako Post on the 11 October 1989 and objections close at 4 pm on the 3 November 1989. It will be heard by Council not less than 14 days after the date on which objections close. You will be advised later of the time and place of the hearing.

Please find enclosed a receipt for the Notified Application fee of \$192.50.

Notice of your application has been served (in accordance) with regulation 37 (3) on:

The Planner, Thames Valley United Council, P O Box 266, Te Aroha.
Planning Manger, Works Consultancy Services, Private Bag, Hamilton.
J E and A M Dawson, 5 Seales Road, Morrinsville.
Morrinsville Borough Council, P O Box 45, Morrinsville.
E V Smith, 381 Thames Street, Morrinsville.
Regional Manager, Ministry for the Environment, P O Box 8270, Symonds Street, Auckland.
Hauraki Catchment Board, P O Box 246, Te Aroha.
Transit (NZ) Limited, P O Box 973, Hamilton.
The Church of Jesus Christ of Latter Day Saints, P O Box 33342, Takapuna.
R M and A A Clothier, 11 Seales Road, Morrinsville.
R D and D M Thomasen, 102 North Street, Morrinsville.
S M Hart, P O Box 54, Morrinsville.
R E Van Grootel, 464A Thames Street, Morrinsville.
M E Blomfield, 464B Thames Street, Morrinsville.
R L Grose, 466 Thames Street, Morrinsville.
H B and A M Kiekebosh, 468 Thames Street, Morrinsville.
O S and D W Caird, 470 Thames Street, Morrinsville.
P R Bodd and L G Reading, 472 Thames Street, Morrinsville.

N P Van De Pa, 474 Thames Street, Morrinsville.
R S Parker, 476 Thames Street, Morrinsville.
G H and F J Yarrall, 478 Thames Street, Morrinsville.
R U and I Veale, 480 Thames Street, Morrinsville.
I L and Y J Jones, 482 Thames Street, Morrinsville.
P E Rasmussen and K H Pratt, 484 Thames Street, Morrinsville.
M L and P R Allen, R D 4, Morrinsville.
I A and E G Findsen, 483 Thames Street, Morrinsville.
H W and B J Smith, Wilton Road, R D 4, Morrinsville.
W F and W D Smith, Thames Street, Morrinsville.

Yours faithfully
D J McLeod
COUNTY ENGINEER

Per

P J Rolfe
COUNTY PLANNER

PJR:RS

NA/215

Ms P J Rolfe

10 October 1989

Dear Sir/Madam

Re: THE TOWN AND COUNTRY PLANNING ACT 1977 NOTICE OF APPLICATION FOR
PLANNING CONSENT: TASMAN VILLAGE

The attached application for planning consent has been received by the Piako County Council. You have been notified of this application as you are considered by Council to have a greater interest than the public generally.

Additional plans or other information are held in Council's Office and may be inspected there during normal office hours.

The application is being advertised and objections will be received by the Council until 4.00 pm on the 3rd day of November 1989.

Any objection shall be in writing in Form J prescribed in the First Schedule to the Town and Country Planning Regulations 1978 or to the like effect and should be addressed to the Piako County Council, P O Box 266, Te Aroha.

A copy of every objection must also be sent to the applicant as soon as possible.

Yours faithfully
D J McLeod
COUNTY ENGINEER

PER

P J Rolfe (Ms)
COUNTY PLANNER

PJR:SMB
enc.

J E & A M Dawson
5 Seales Road
MORRINSVILLE

S M Hart
PO Box 54
MORRINSVILLE

I L & Y J Jones
482 Thames Street
MORRINSVILLE

x Morrinsville Borough Council
PO Box 45
MORRINSVILLE

R E Van Grootel
464A Thames Street
MORRINSVILLE

P E Rasmussen & K H Pratt
484 Thames Street
MORRINSVILLE

E V Smith
381 Thames Street
MORRINSVILLE

M E Blomfield
464B Thames Street
MORRINSVILLE

M L & P R Allen
R D 4
MORRINSVILLE

x ✓ The Planner
Thames Valley United Council
PO Box 266
TE AROHA

R L Grose
466 Thames Street
MORRINSVILLE

I A & E G Findsen
483 Thames Street
MORRINSVILLE

y Regional Manager
Ministry for the Environment
PO Box 8270
Symonds Street
AUCKLAND

H B & A M Kiekebosh
468 Thames Street
MORRINSVILLE

H W & B J Smith
Wilton Road
R D 4
MORRINSVILLE

x Hauraki Catchment Board
PO Box 246
TE AROHA

O S & D W Caird
470 Thames Street
MORRINSVILLE

W F & W D Smith
Thames Street
MORRINSVILLE

x Planning Manager
Works Consultancy Services
Private Bag
HAMILTON

P R Bodd & L G Reading
472 Thames Street
MORRINSVILLE

y Transit (NZ) Limited
PO Box 973
HAMILTON

N P Van De Pa
474 Thames Street
MORRINSVILLE

The Church of Jesus Christ
of Latter Day Saints
PO Box 33342
TAKAPUNA

R S Parker
476 Thames Street
MORRINSVILLE

R M & A A Clothier
11 Seales Road
MORRINSVILLE

G H & F J Yarrall
478 Thames Street
MORRINSVILLE

R D & D M Thomasen
102 North Street
MORRINSVILLE

R U & I Veale
480 Thames Street
MORRINSVILLE



Piako County Council

PHONE (0819) 48-179 — P.O. BOX 266, — FAX (0819) 48-865
35 KENRICK STREET, TE AROHA

ENQUIRIES TO

YOUR REF:

OUR REF:

DATE: 9 October 1989

TIME: 2:38 p.m.

TO: Piako Post

ATTENTION: Advertising Manager

FAX NO: 6572

NO OF PAGES: 3

(Including Heading Page)

COMMENTS:
.....
.....
.....
.....

FROM: Ms P J Rolfe



Piako County Council

PHONE (0819) 48-179 — P.O. BOX 266, — FAX (0819) 48-865
35 KENRICK STREET, TE AROHA

ENQUIRIES TO

P J Rolfe

YOUR REF:

OUR REF: NA 215, NA 216

9 October 1989

The Advertising Manager
Piako Post
P O Box 125
MORRINSVILLE

Dear Sir/Madam

Could you please place the enclosed advertisement in the Public Notices Column of the Piako Post on Wednesday the 11th day of October 1989.

Thanking you.

Yours faithfully
D J McLeod
COUNTY ENGINEER

Per

P J Rolfe (ms)
COUNTY PLANNER

Enc.
PJR:RS

NA 215, NA 216

P J Rolfe

9 October 1989

The Advertising Manager
Piako Post
P O Box 125
MORRINSVILLE

Dear Sir/Madam

Could you please place the enclosed advertisement in the Public Notices Column of the Piako Post on Wednesday the 11th day of October 1989.

Thanking you.

Yours faithfully
D J McLeod
COUNTY ENGINEER

Per

P J Rolfe (ms)
COUNTY PLANNER

Enc.
PJR:RS

THE TOWN AND COUNTY PLANNING ACT 1977

PIAKO COUNTY DISTRICT SCHEME

PUBLIC NOTIFICATION OF APPLICATIONS FOR PLANNING CONSENT

Details of the applications for planning consent listed below may be examined in the office of the Piako County Council during normal office hours. Submissions or objections can be made by notice in writing in Form J prescribed in the First Schedule to the Town and Country Planning Regulations 1978 or to the like effect and should be addressed to the County Planner, Piako County Council, P O Box 266, Te Aroha by 4 p.m. on the 3rd day of November 1989.

A copy of any objection must also be sent to the applicant.

Address of Property to which application relates:-	Nature of Application	Applicant
Tahuna Garage Tahuna-Ohinewai Road Tahuna	Consent to establish Milkbar/Dairy on land zoned Residential	R. Ellis
Corner Seales Road & Thames Street Morrinsville	Consent to subdivide within Rural C1 and Rural C2 zone and to establish a retirement village	Tasman Village

Date: 11 September 1989

Signed by D.J. McLeod
pursuant to a delegation
given to me by the Piako
County Council.

9 October 1989

R M Stewart
P O Box 136
TE AROHA

Dear Sir

Re: PLANNING APPLICATION - TASMAN VILLAGE RETIREMENT CENTRE

With regard to the application submitted for the above, could you please forward the following:

An application on Form A as required under the Town and Country Planning Regulations. It should be made clear that you are applying for the retirement village in total including 80 residential units, the care centre and recreation centre. If this is so, we require a further description of the care centre in terms of bed numbers, staffing and level of medical services, and the recreation centre in terms of whether it will be open to the general community.

If the applicant does not have the details to this part of the complex, then it should be made clear that under the current rules, an additional application would be necessary in the future.

Details on the following is required.

- the number of people anticipated to be residents
- their car ownership rate
- the number of staff and scale/type of staff quarters
- are any staff and visitor parking areas proposed.

How will the Unit Titles tenure system operate where communal facilities exist?

Could you please identify the zone boundaries on the site plan and subdivision plan.

Finally the Council has the ability to consider whether other sites exist and the applicant should prove that they have investigated all other sites, particularly those residential zoned sites within Morrinsville Borough.

I consider that a statement from the applicants is required on this matter, prior to the closing of objections.

If you have any queries, please do not hesitate to contact me.

Yours faithfully
D J McLeod
COUNTY ENGINEER

Per

P J Rolfe
COUNTY PLANNER



9 October 1989

The County Engineer
Piako County Council
P.O. Box 266
TE AROHA

ATTENTION MS PJ. ROLFE

Dear Madam,

RE: PLANNING APPLICATION - TASMAN VILLAGE RETIREMENT CENTRE

Your letter of 9 October refers. An application on Form A is enclosed as requested. I am unable to provide a further description of the care centre in terms of bed numbers, staffing and the level of medical services, therefore the application is restricted to the eighty retirement units and any development of the care centre and recreation area would be subject to a further application.

It is anticipated that there will be up to 160 residents eventually living on the site, and it is also anticipated that on average there will be one car per unit making a total of eighty cars owned by the residents. Until the care centre is established, there will be one staff member employed as a groundsman. This person will not be living on the site but it is intended that a small toolshed be erected on a secluded area of the site for storage of grounds maintenance machinery. The only staff parking required at this stage will be one carpark for the groundsman, and it is proposed that visitor parking be provided at the rate of one carpark per unit in the driveway of each unit.

The unit titles tenure system will involve the formation of a body corporate of which every unit holder will be a member, and the body corporate will own all the communal facilities including roading and services, and will be responsible for all maintenance and running expenses.

A statement from the Tasman Village Society is also attached setting out the steps they have taken to investigate all other suitable sites, particularly those residentially zoned sites within the Morrinsville Borough.

I trust this additional information is adequate to enable the application to be advertised. The zone boundaries will be identified on the site plan and subdivisional plan and forwarded to you as soon as possible.

Yours faithfully,

ROSS M. STEWART



9 October 1989

The County Engineer
Piako County Council
P.O. Box 266
TE AROHA

ATTENTION MS P.J. ROLFE

Dear Ms Rolfe,

RE: TASMAN RETIREMENT VILLAGE

In response to your request for further information on our investigation for sites for the development, I can report as follows:

Members of the Tasman Village Committee have investigated every possible site, particularly within Morrinsville Borough. This investigation has been carried out in conjunction with Morrinsville Borough Council staff and local real estate agents. The site chosen is the only suitable site available, having regard to its proximity to the Morrinsville town centre, its location on a main road and therefore on a bus route, and the availability of services i.e. sewerage disposal, stormwater, water supply and gas. In addition this subject site is the only site available with sufficient area to accommodate the proposed 80 unit development.

I also attach a copy of a letter received from the Morrinsville Borough Council advising that it is feasible for the Borough Council to provide the services requested and stating that the Council is desirous of seeing the development proceed.

I trust this is the information you require.

Yours faithfully,



A.F. VAN HELLEMOND
President - Tasman
Village Society

Beca Carter Hollings & Ferner Ltd.



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Telephone: (075) 80-896 780-896
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Our Ref:

3601013

- 5 OCT 1989

4 October 1989

County Planner
Piako County Council
PO Box 266
TE AROHA

Dear Ms Rolfe

re: PLANNING APPLICATION - RETIREMENT VILLAGE

Thank you for your letter dated 2 October and your request that we provide planning services on an as required basis until you gain your new staff. Yes, this will continue at the \$55.00/hour rate.

We have read the information supplied with the Tasman Village application and advise that the following information could be requested by Council prior to advertising.

1. The identification of zone boundaries on the site plan and subdivision plan. We are not too clear how the 200 metre standard from intersections is applied. *Y. not properly defined in many examples are plan. Submit in 100m intervals, would be more in compliance.*
2. What provisions are there for retirement villages within the Morrinsville Borough District Scheme? Is there any land 'available' within those appropriate zones? The Council has the ability to consider whether other sites exist and the applicant should prove that they have investigated all other sites.
3. It should be clarified as to whether they are applying for the retirement village in total including 80 residential units, the care centre and recreation centre. If this is so we need a fuller description of the care centre in terms of bed numbers, staffing, and level of medical services, and the recreation centre in terms of whether it will be open to the general community.

If the applicant does not have the details to this part of the complex then it should be made clear that under the current rules, an additional application would be necessary in the future.

.../2



2.

4. We need more descriptive detail concerning:

the number of people anticipated to be residents
their car ownership rate
the number of staff and scale/type of staff quarters
visitor and staff parking areas.

5. Amenities to each unit must be identified, i.e. each unit's private open space adjacent to the living area of the unit and orientated to the sun (at least 40m²/unit); laundry, clothesline and rubbish bin areas (if communal).
6. The proposed rubbish disposal, milk and mail delivery service should be described, i.e. will the service vehicles move through the site as per a normal street?
7. The overall landscape plan (including species) incorporating the treatment of the private open space of item 5 above, and the provision of signs and driveway lighting.
8. Identification of the separation distance between each unit. A minimum of 3 metres may be acceptable to Council where the living areas of units do not look into each other (i.e. two side yards).
9. Statements outlining the need for a retirement village, what existing housing is available for the elderly in the general district.
10. Considering the above, how will the Unit Titles tenure system operate where communal facilities exist?

With regard to your comment of a possible scheme change, we consider that ideally a residential zoning would be applicable. It is not advisable to make provision for retirement villages in the rural zone.

In this case, we need to know whether the Morrinsville Borough's Scheme has made provision for such a land use and whether there is suitably zoned and vacant land available. To initiate a Scheme Change, one requires proof that there is a need to extend the residential zone, particularly when it is on such good quality land, and therefore challenging the provisions of Section 3 of the Planning Act.

At this early stage, we are mindful of the political pressure for this proposal to succeed, and the obvious social benefit that can accrue.

On the other hand, Council requires proof of special circumstances that warrant specified departure approval on land that is clearly of high value for food production and subject to possible sporadic and unnecessary urban expansion. This will be a tough one for the planners!

We shall await the public notification process and your instruction to prepare Council's Hearing report.

Yours sincerely
BECA CARTER HOLLINGS & FERNER LTD

C Ralph (Mrs)
Senior Planner

FORM A

Regs.20 (1), 37(1)

THE TOWN AND COUNTRY PLANNING ACT 1977

APPLICATION FOR PLANNING CONSENT

To the Piako County Council.

I/We, Tasman Village

hereby apply for consent to establish a retirement village on land zoned Rural C1 and Rural C2 and consent to create a rural residential lot of 1.2 ha. on land zoned Rural C1 and Rural C2 with less than 50% of the lot being within the Rural C1 zone.

The property in respect of which this application is made is situated at Thames Street (S.H.26) and Seales Road, Morrinsville

(Street/Road)

We are proposed purchasers
~~I am the owner/lessee~~ of the property.

Name of Owner: I.A. and E.G. Findsen

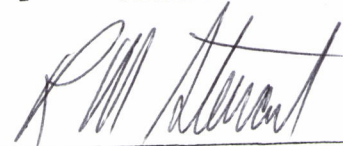
Address: Thames Street, Morrinsville

Name of Occupier: As above

Address:

DATED at Te Aroha this ninth day of October 19 89.

SIGNATURE:



ADDRESS FOR SERVICE: Ross M. Stewart

P.O. Box 136, Te Aroha

BOROUGH OF MORRINSVILLE

48-50 Canada Street, P.O. Box 45, Morrinsville

Please address all
correspondence to
the Town Clerk.

Telephone 7032

Reference:

3 October 1989,

Ross M. Stewart,
P.O. Box 136,
TE AROHA.

Dear Sir,

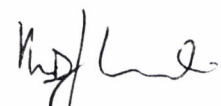
RE: TASMAN VILLAGE

Your letter of 20 September 1989 refers.

I would advise that following an initial perusal of the plans submitted it will certainly be feasible for the Borough Council to provide water, sewage and some storm water services to the proposed development.

Council is desirous of seeing the development proceed, however I am unable to provide you with the costs of the proposed connections at this time, as more accurate plans of the development will be required.

Yours faithfully,



M.D. Te Wiata,
GENERAL MANAGER



20 September 1989

The County Engineer
Piako County Council
P.O. Box 266
TE AROHA

ATTENTION PLANNING OFFICER

Dear Madam,

RE: PROPOSED SUBDIVISION OF PT LOT 21 DP2465, AND APPLICATION FOR PLANNING
CONSENT FOR ESTABLISHMENT OF A RETIREMENT VILLAGE

Applicants: Tasman Village

Location: Corner Thames Street (State Highway 26) and Seales Road,
Morrinsville

Introduction

Please find enclosed copies of a scheme plan of subdivision for the above-mentioned property at Morrinsville, together with a site development plan for a retirement village which is intended to be established on the proposed Lot 2 of the subdivision. As both the proposed subdivision and retirement village do not comply with the requirements of the Operative District Scheme, an application for planning consent is also attached, together with a cheque for \$192.50 for Council's application fee.

Property Description

The property has a total area of 6.91 hectares and has frontage to both Thames Street (State Highway No: 26) and Seales Road. There is a substantial house and associated outbuildings situated on the eastern corner of the property. Access to the house is via an oak tree-lined driveway with access onto Thames Street. The southern portion of the property is generally elevated and it falls away towards the north, with the northern-most portion being intersected by two gully systems running in a generally north-south direction. A portion of the land in the southern corner also falls away from a higher ridge towards a lower flat area at the intersection of Thames Street and Seales Road. The land is generally all in pasture except for an area of trees in a gully in the northern corner. The property is at present being used for intensive livestock grazing.

The New Zealand Soils Bureau map of the Piako County (A.D. Wilson) describes the soil type on the property as Waihou being a soil of high actual or potential value for food production, and being a Class I soil.

Zoning

Under the Piako County Operative District Scheme, a 100 metre strip from the boundary adjoining State Highway No: 26 is zoned Rural C2 (Traffic Protection zone), and the balance of the property is zoned Rural C1 (Urban Protection zone).

Services

Water -

Town water is supplied to the property by the Morrinsville Borough Council, and it is understood that there are 100 mm water mains in both Thames Street and Seales Road.

Sewerage -

The existing house on the property is connected to a septic tank system for effluent disposal, but the Morrinsville Borough trunk sewer main passes through the northern portion of the property.

Stormwater -

Stormwater is at present discharged into the existing gully systems within the property.

Gas -

There is existing natural gas reticulation in North Street, near the western corner of the property, and this reticulation could be extended to include the subject property.

Subdivisional Proposal

It is intended to subdivide the property into two lots, as shown on the scheme plan. Lot 1 will contain an area of 1.2 hectares and will have a 100 metre frontage to Thames Street. This lot will include the existing house and out-buildings on the property and it is intended to be retained by the present owners as a rural-residential lot. There are numerous large trees contained within this lot, and the house and grounds are extremely well developed. The existing access onto Thames Street is considered adequate for the existing and any future use of the property.

Lot 2 will contain an area of 5.7 hectares, being the balance of the property. This lot will have a 95 metre frontage to Thames Street and a 360 metre frontage to Seales Road. As mentioned previously, the southern portion of this lot is generally elevated above Thames Street, and Seales Road, but does fall in a generally northerly direction and is dissected by two gully systems.

It is proposed that this lot be developed as a retirement village.

RETIREMENT VILLAGE PROPOSAL

Introduction

An incorporated society named Tasman Village has been formed by people interested in establishing a retirement village within the Morrinsville area. The society has investigated several potential sites, but this subject property on the corner of Thames Street and Seales Road is considered to be the only suitable site having regard to its proximity to the town centre, topography, and availability of services.

It is intended that the society be a non-profit organisation. The society members are being invited to advance money to the society on an interest-free basis to enable the land to be purchased as a first stage in the development. In return for advancing money, society members will secure a site within the development.

Development Proposal

A site development plan for the village has been prepared, and a copy is attached to the application. It is proposed that eventually the development will contain up to 80 units with associated internal access roading and it is also intended that 4000 square metres be set aside for a future care centre and recreation area to be developed as development of the village proceeds.

It is intended that access to the village be off a double carriageway access from Seales Road. The only access onto Thames Street will be pedestrian access. It is intended that all internal access roads be kerbed, channelled and sealed to a width of 6.0 metres. Pedestrian access within the village will be constructed independently of the vehicular access.

It is proposed that the units will be constructed in blocks of two, separated by garages. The units will be a mixture of one, two and three bedroomed units and they will all be orientated to face north. The units will all be brick and tile construction. No detailed design has been carried out at this stage, but elevations of similar units constructed at Hamilton are attached.

The layout of the site has been planned so that the existing gullies can be maintained in their natural state, and it is intended that additional landscape planting be carried out within the gully areas.

If planning consent for the proposal is obtained, it is intended that construction will commence within twelve months and the development will proceed in stages.

Tenure

It is intended that the units will be sold off to retired persons as they are completed, and separate titles for the units will be obtained under the Unit Titles Act 1972.

The Provisions of the Local Government Act

It is acknowledged that this village proposal will be a development in terms of Section 293 of the Local Government Act and may require the submission of a development plan before work is commenced. It is intended that detailed design of the development will commence after planning consent is obtained. I trust that the information supplied is adequate to enable consideration of the proposal for planning consent.

PLANNING CONSIDERATIONS

In considering this application, Council must consider the relevant matters of national importance under Section 3 of the Town and Country Planning Act, and the criteria under Section 74 of the Act.

Those relevant matters of national importance under Section 3 of the Act are -

"(b) The wise use and management of New Zealand resources."

This paragraph is aimed at ensuring in a planning sense that an opportunity is afforded to make use of resources. It is submitted that this application is a logical extension of the residential area of Morrinsville Borough and will not result in an uneconomic extension of services.

"(d) The avoidance of encroachment of urban development on, and the protection of, land having a high actual or potential value for the production of food:

(e) The prevention of sporadic subdivision and urban development in rural areas:"

While it is acknowledged that portion of the property has a high actual or potential value for the production of food, and is recognized as a Class I soil type, it is submitted that the undulating nature of the property and the fact that it is dissected by gully systems makes it well suited to the proposed form of residential development. It is further submitted that the Morrinsville Borough Council recognizes the land will eventually become part of an urban development, which was stated by the Council in an objection to a previous subdivisional application for the property. Therefore the proposal is not a sporadic development or an unnecessary expansion into the rural area.

In considering this application, Council must also consider the criteria under Section 74 of the Act which has three aspects to it.

"The effect of the departure will not be contrary to the public interest and will have little town and country planning significance beyond the immediate vicinity of the land concerned and provisions of the scheme can remain without change or variation."

The effect of the departure will not be contrary to the public interest -

The primary matter of public interest is the integrity of the District Scheme and that its general provisions are respected and given effect to.

It is submitted that this application is a true exception which falls outside but does not offend the general provisions of the scheme. As mentioned previously, the applicants have searched extensively for suitable land for the proposed development. The subject property is adjacent to the existing residential area of the Morrinsville Borough and will not require the uneconomic extension of services, and is in accordance with the general planning aims as set out in Paragraph S3105 of the Scheme Statement.

The effect of the departure will have little town and country planning significance beyond the immediate vicinity of the land concerned -

There are two aspects to this test - (a) the actual effect of the proposal on land uses in the immediate vicinity and beyond, and (b) its consequences in relation to the general provisions of the Scheme and the pattern of development laid down thereby.

It is submitted that this proposal will have no detrimental effect on the surrounding properties in the area.

Because of the subject property's proximity to the residentially zoned area of Morrinsville Borough, it is submitted that this area is a logical extension for the residential area of the Borough. In view of this, it could be said that this departure application is based upon exceptional and abnormal circumstances. The trunk sewer line for Morrinsville Borough passes through the property, and water supply and gas reticulation are in place adjacent to the property, therefore the consequences of approving the application are not great.

The provisions of the Scheme can remain without change or variation -

If a public need has been demonstrated for a particular use to become established on the site, and if it is appropriate that any of the uses permitted in the zone in which that use is ordinarily found should become established on the site, or if it is desirable that the particular use should remain under specific planning control as a non-conforming use, then it can be said that the District Scheme can remain without change or variation.

It is clear that a public need exists for a retirement village within the Morrinsville area and the developers have been unable to find a suitable site within Morrinsville Borough. It is also appropriate that rural-residential use should continue on Lot 1. It is also submitted that because of the special nature of a retirement village with its specific development requirements, the development should remain under specific planning control.

It is submitted therefore that if Council were to approve this application, the provisions of the Scheme could remain without change or variation.

CONCLUSION

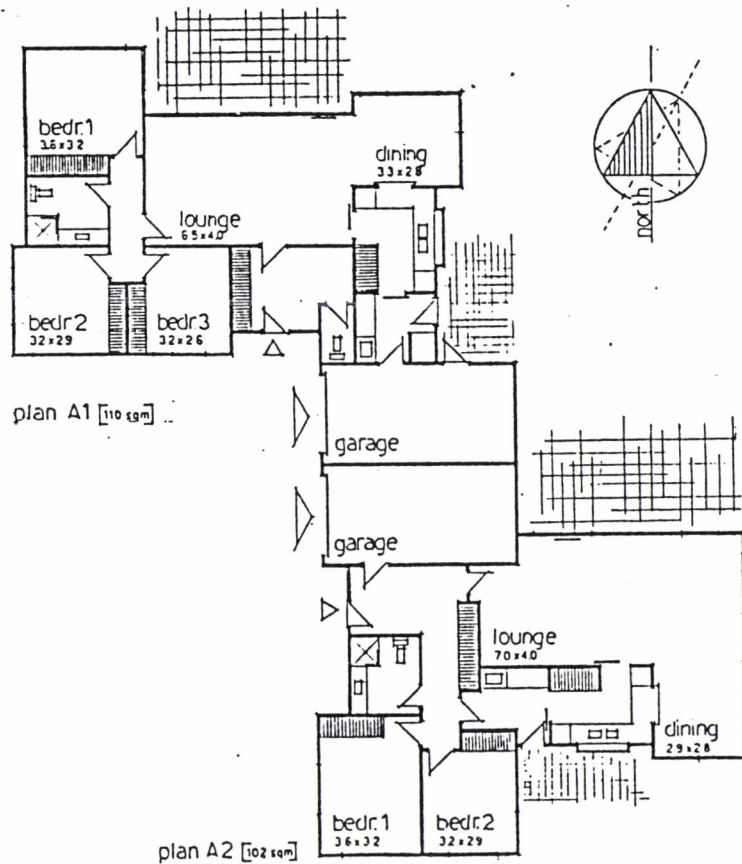
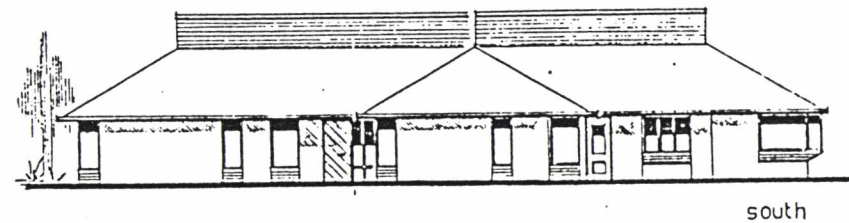
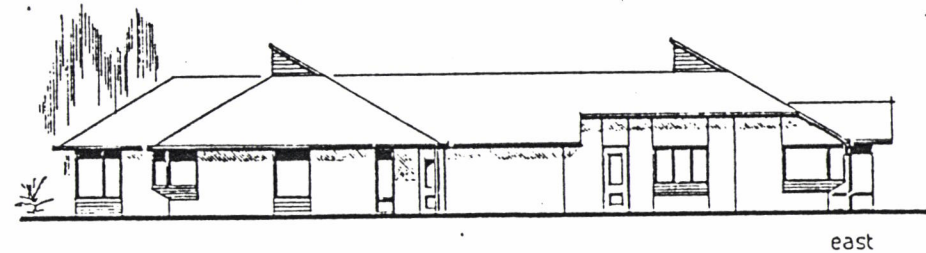
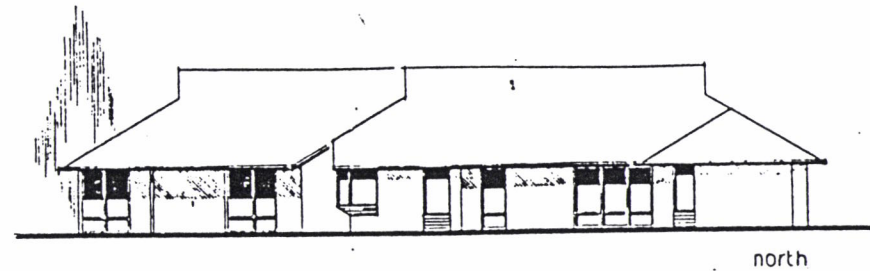
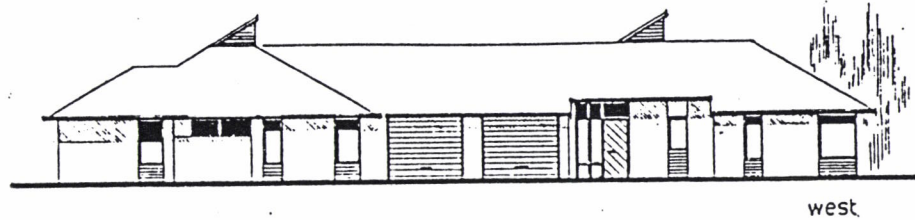
For the reasons set out above, it is submitted that this application does meet the tests imposed by Section 3, and Section 74 of the Town and Country Planning Act. The developers are anxious that this application proceed as quickly as possible and any expediency that could be afforded in processing the application would be appreciated.

I await your advice of a date for the hearing in due course.

Yours faithfully,

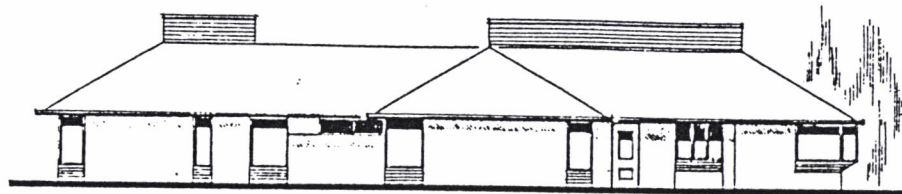
A handwritten signature in dark ink, appearing to read 'R M Stewart', with a long horizontal flourish extending to the right.

ROSS M. STEWART

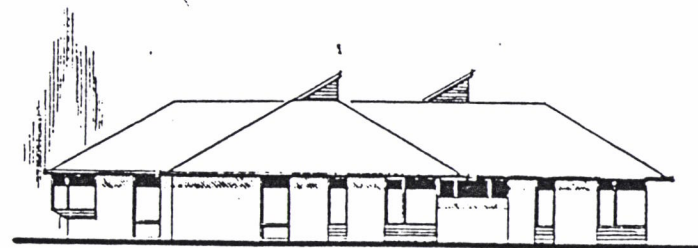


retirement village 'netherhill'

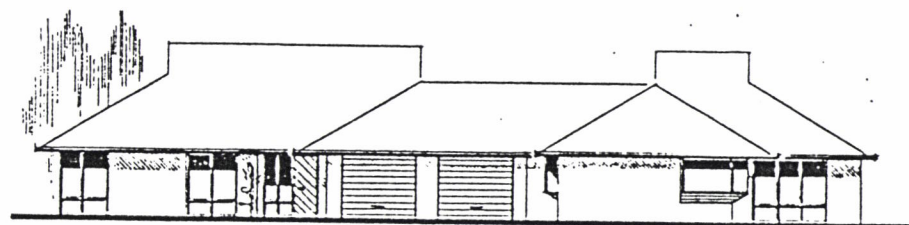
A1 & A2



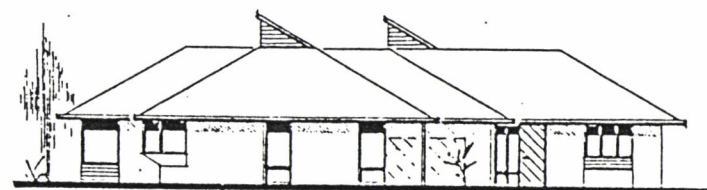
south



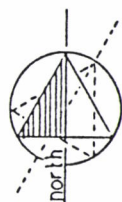
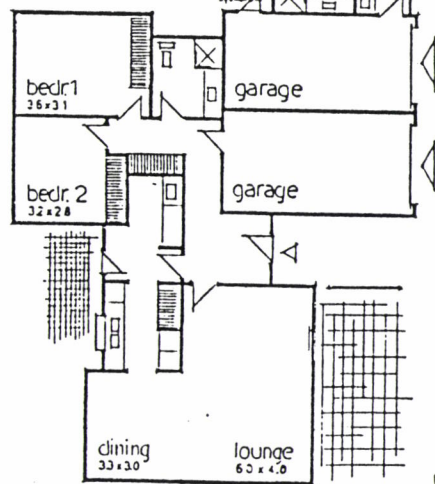
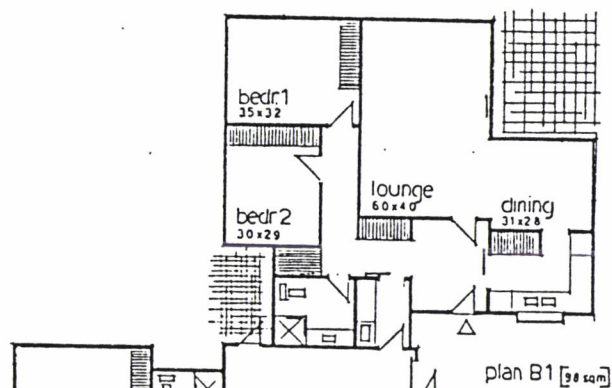
west



north

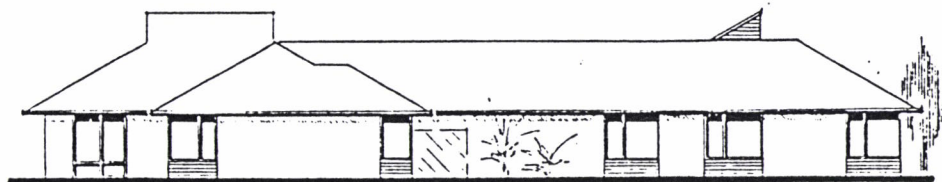


east

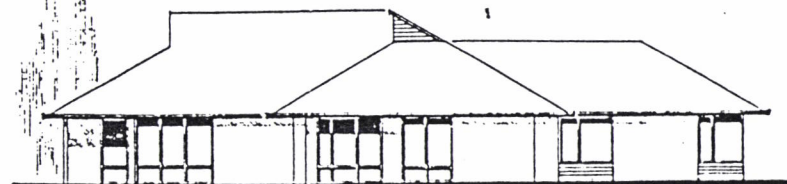


retirement village 'asthewilla'

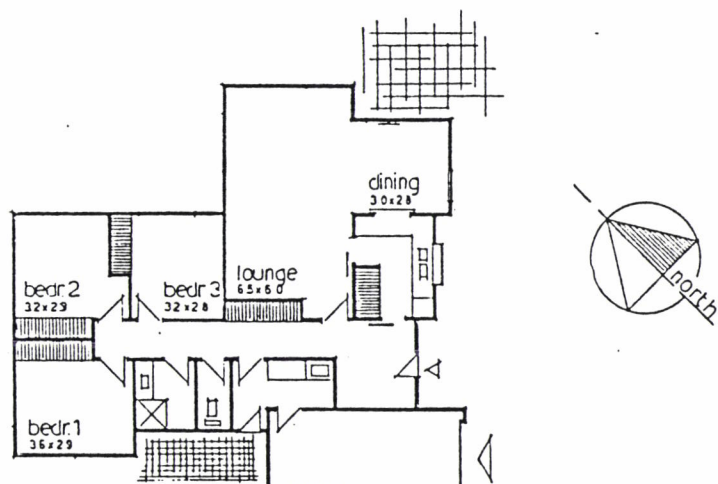
B1 & B2



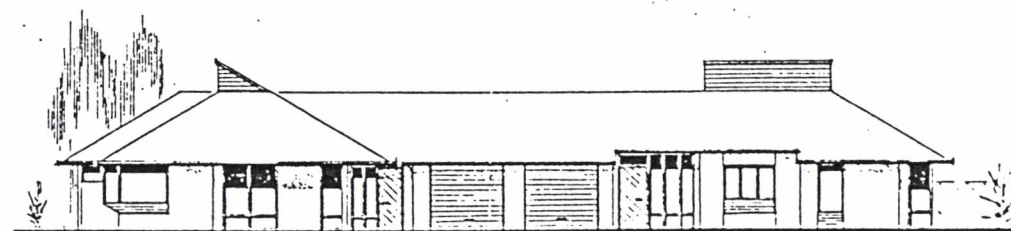
south west.



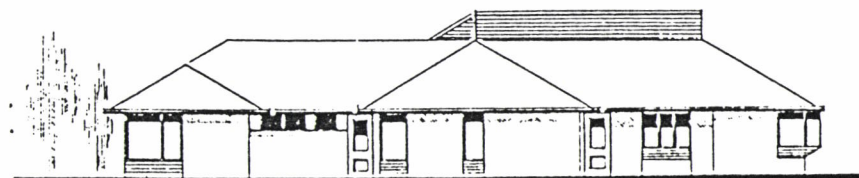
north west



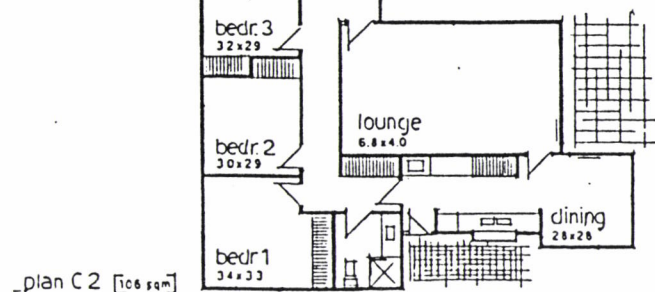
plan C1 [114 sqm]



north east



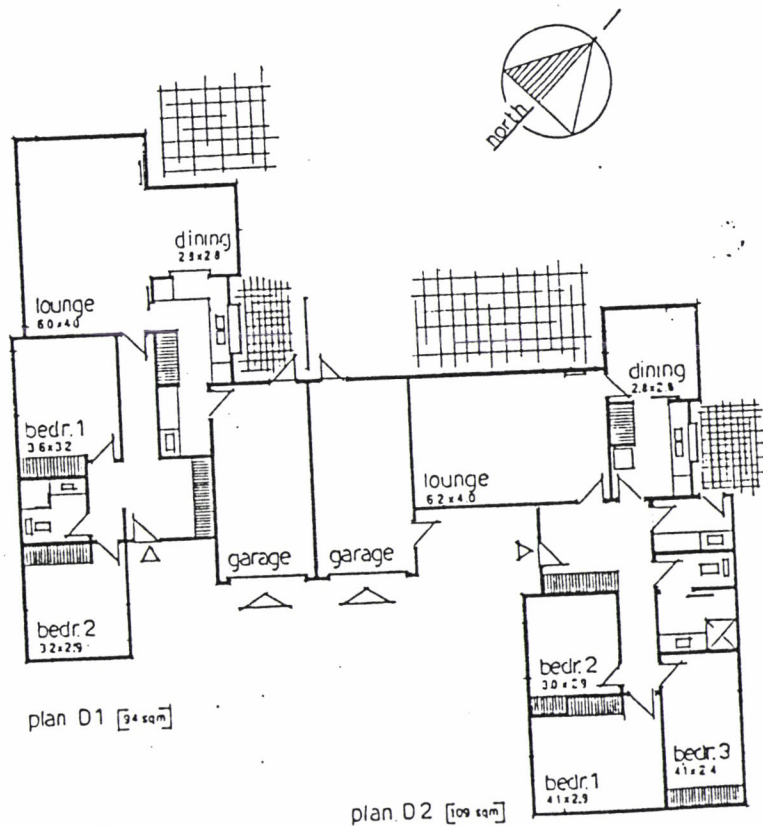
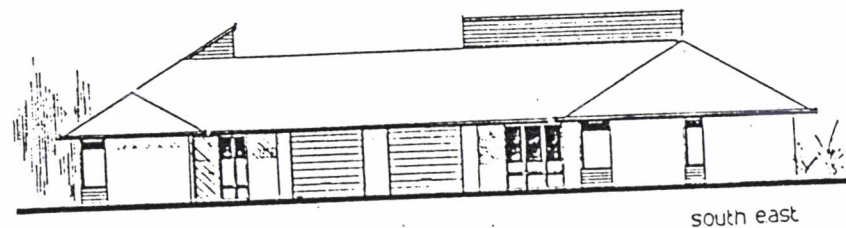
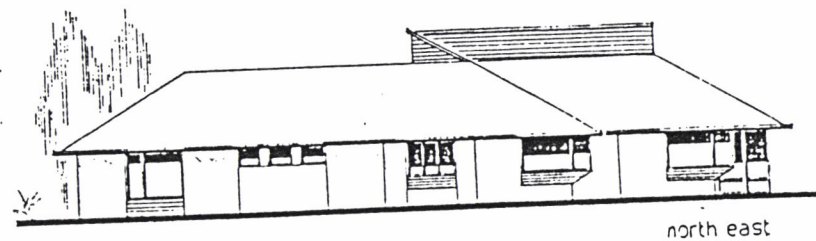
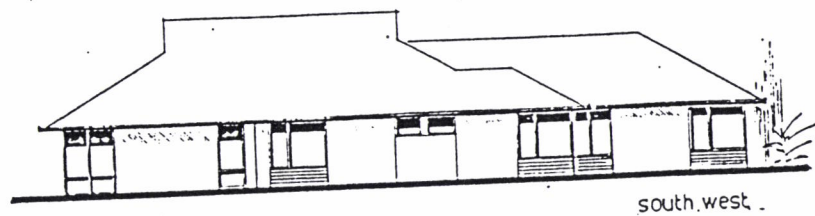
south east

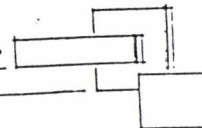


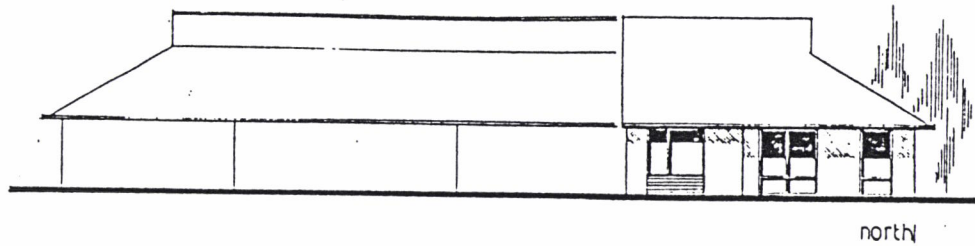
plan C2 [108 sqm]

retirement village 'netheraville'

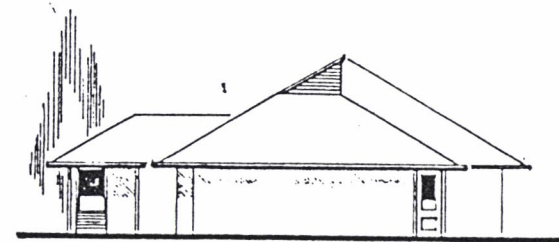
C1 & C2



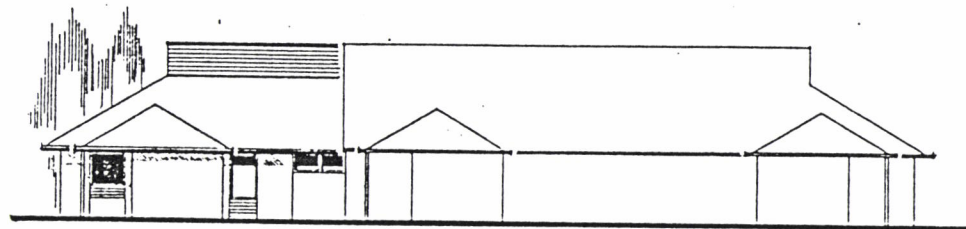
retirement village 'Methaville'  D1 & D2



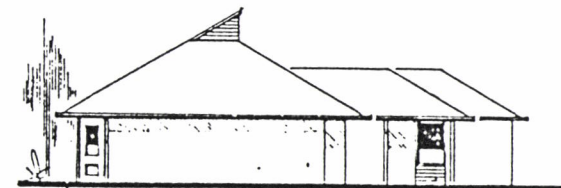
north



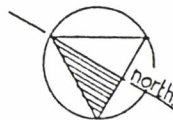
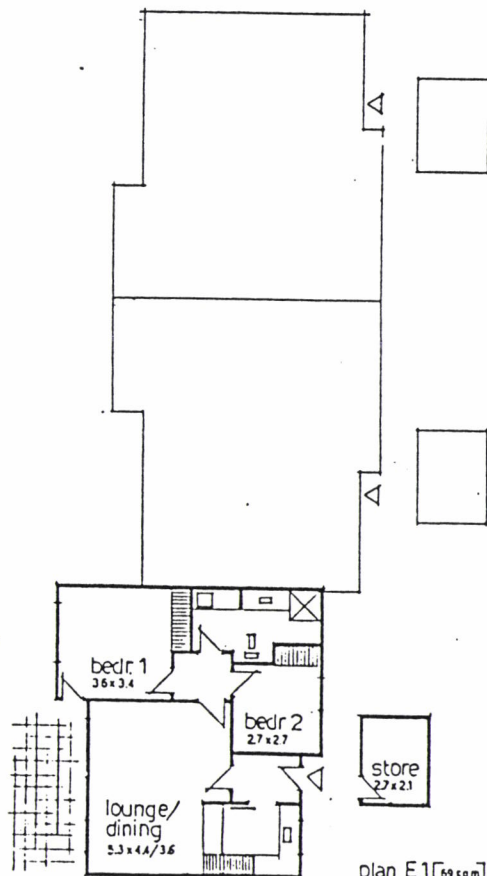
east



south



west



retirement village: 'netherxville'

E1 [UNIT]

THE TOWN AND COUNTY PLANNING ACT 1977

PIAKO COUNTY DISTRICT SCHEME

PUBLIC NOTIFICATION OF APPLICATIONS FOR PLANNING CONSENT

Details of the applications for planning consent listed below may be examined in the office of the Piako County Council during normal office hours. Submissions or objections can be made by notice in writing in Form J prescribed in the First Schedule to the Town and Country Planning Regulations 1978 or to the like effect and should be addressed to the County Planner, Piako County Council, P O Box 266, Te Aroha by 4 p.m. on the 3rd day of November 1989.

A copy of any objection must also be sent to the applicant.

Address of Property to which application relates:-	Nature of Application	Applicant
Tahuna Garage Tahuna-Ohinewai Road Tahuna	Consent to establish Milkbar/Dairy on land zoned Residential	R. Ellis
Corner Seales Road & Thames Street Morrinsville	Consent to subdivide within Rural C1 and Rural C2 zone and to establish a retirement village	Tasman Village

Date: 11 September 1989

Signed by D.J. McLeod
pursuant to a delegation
given to me by the Piako
County Council.

FORM

DATE: 9/9/89

Memo to: Senior Health/Building Inspector

NOTIFIED APPLICATION TASMAN VILLAGE

The above Planning Application has been received by Council on 21/9/89
Objections to this application close on 3/11/89.

Could you please inform the Planning Officer of any Health/Building comments your Department would like to make by 3 NOV 89 in order that full assessment of this application can be made by Council.

COMMENTS

- (1) Report/Memorandum attached ✓ (Tick)
(2) No comments to make ✓ (Tick)

C. No comment provided connection is made to M.B.C. sewerage system. Negative comments are not appropriate for such a large development. J. H. H. 16/11/89

FILE COPY

Memo to: Staff Engineer

NOTIFIED APPLICATION TASMAN VILLAGE

Request for comments on above Planning Application sent to Staff Engineer
on 10/9/89.

Comments to be received by: 3 Nov 89.

Comments received: _____

FILE COPY

Memo to: Senior Health/Building Inspector

NOTIFIED APPLICATION

TASMAN VILLAGE

Request for comments on above Planning Application sent to Chief Health/
Building Inspector on 10/9/89.

Comments to be received by: 3 NOV 89

Comments received: _____

1 October 1989

The County Engineer
Piako County Council
P.O. Box 266
TE AROHA

ATTENTION MS P.J. ROLFE

Dear Ms Rolfe,

RE: TASMAN RETIREMENT VILLAGE

In response to your request for further information on our investigation for sites for the development, I can report as follows:

Members of the Tasman Village Committee have investigated every possible site, particularly within Morrinsville Borough. This investigation has been carried out in conjunction with Morrinsville Borough Council staff and local real estate agents. The site chosen is the only suitable site available, having regard to its proximity to the Morrinsville town centre, its location on a main road and therefore on a bus route, and the availability of services i.e. sewerage disposal, stormwater, water supply and gas. In addition this subject site is the only site available with sufficient area to accommodate the proposed 80 unit development.

I also attach a copy of a letter received from the Morrinsville Borough Council advising that it is feasible for the Borough Council to provide the services requested and stating that the Council is desirous of seeing the development proceed.

I trust this is the information you require.

Yours faithfully,



A.F. VAN HELLEMOND
President - Tasman
Village Society

Urgency study.

Some two years ago a number of residents of the Piako area, mainly people of Dutch extraction started thinking about their future as senior citizens.

The concept of a retirement village developed and was discussed with leading citizens in the Piako area.

The need for such a venture was generally recognized.

Over these two years the concept has grown to such a level that a Society to promote such a venture was formed in Morrinsville in August of this year.

The membership of this Society is in excess of 70 couples at present. At least 15 couples have been waiting for the development of this village for some time and would be ready to take up residence. Quite a number of members have expressed their desire to move into this village at a later date to secure their future in the same manner and have expressed their intentions by subscribing to the three year interest free loans to the Society for the purchase for the proposed block of land.

Apart from our findings within our Society of the growing need for a retirement village with care facilities for the elderly research in the demographical predictions for the Piako area including Te Aroha and Morrinsville indicate an approx. 25 % increase in the population of over 65 year olds between 1986 and 1996.

Scale of development.

To accommodate the above needs the Society has taken the initiative to develop a village complex of 80 units for independent living.

This scale of development would make the residential care home required for the frail elderly a viable proposition.

Availability of suitable land.

Over the two years from the initial concept members of the future Society have investigated the availability of suitable sites in the Morrinsville area.

We would like to expend verbally on this if required.

225/1

S.M. Hart.
P.O. Box 54, Marr.

R.E. Van Grootel
464 A Thames St, Marr.

M.E. Blomfield.
464 B Thames St, Marr.

R.L. Crose
466 Thames St, Marr.

~~A.T. & B. Jeffrey
2 Elm St.
Marr.~~

H.B. & A.M. Kiekerboosh
468 Thames St, Marr

O.S. & D.W. Caird.
470 Thames St.

Budel
P.R. ~~L.G.~~ & L.G. Reading
472 Thames St.

N.P. & Van De Pa
474 Thames St.

R.S. Parker
476 Thames St.

G.H. & F.J. Yarrall
478 Thames St.

R.U. & I. Veale.
480 Thames St

I.L. & Y.S. Jones
482 Thames St.

Rasmussen & K.H. Pratt
~~P.E. & K.H.~~
484 Thames St.

LISTING OF ALL ELECTORS

LINE	NAME IN FULL. POSTAL ADDRESS	RESIDENTIAL ADDRESS.	OCCUPATION	NO.	MESHBLOCK	PCC	HB	HC	PB1	PB2	PB3
4083	READING, RAEWYN KATHLEEN R.D.3, MORRINSVILLE	TAHUNA MORRINSVILLE ROAD, MORRINSVILLE	CIVIL SRVNT	4083	010922000	MORRINSVILLE	X	X	-	X	-
4084	REASON, WILLIAM GARTH PO BOX 92, TE AROHA	7 BOSSON ROAD, TE AROHA	HORTICULTRST	4084	011066001	WAIHOU	X	X	-	-	X
4085	REAY, MAVIS WINIFRED	STATE HIGHWAY 26, WAITOA	MARRIED	4085	010968000	WAITOA	X	X	X	-	-
4086	REAY, ROBERT MAXWELL CLARK	STATE HIGHWAY 26, WAITOA	RETIRED	4086	010969000	WAITOA	X	X	X	-	-
4087	REDSHAW, FLORENCE GEORGINA R.D.1, WALTON	PIAKOITI ROAD, RICHMOND DOWNS	FARMER	4087	010998000	WALTON	X	X	X	-	-
4088	REDSHAW, JACK EDWARD PO BOX 242, TE AROHA	SHAFTESBURY ROAD, MANAWARU	RETIRED	4088	011096000	MANAWARU	X	X	-	-	X
4089	REDSHAW, WARREN LOUIS R.D.1, WALTON	PIAKOITI ROAD, RICHMOND DOWNS	FARMER	4089	010998000	WALTON	X	X	X	-	-
4090	REED, BRIAN R.D.3, MORRINSVILLE	STATE HIGHWAY 27, PATETONGA	FARMER	4090	010940000	TAHUNA	X	X	X	-	-
4091	REED, DONNA CARLIE R.D.4, MORRINSVILLE	NO 8 ROAD, WAITOA	BANK OFFICER	4091	010962200	WAITOA	X	X	X	-	-
4092	REED, JILLIAN PATRICIA R.D.3, MORRINSVILLE	STATE HIGHWAY 27, PATETONGA	FARMER	4092	010940000	TAHUNA	X	X	X	-	-
4093	REED, WAYNE IAN C/- P.O.BOX 166, MORRINSVILLE	PIAKO ROAD, MORRINSVILLE	DAIRY FARMER	4093	010906000	MORRINSVILLE	X	X	-	X	-
4094	REEVE, ALLAN GORDON R.D.4, OHINEWAI	TAHUNA OHINEWAI ROAD, HOE-O-TAINUI	FARMER	4094	010931000	TAHUNA	X	-	X	-	-
4095	REEVE, BEVERLEY MARGARET	MAUNGAKAWA ROAD, MORRINSVILLE	MARRIED	4095	010974000	WAITOA	X	X	X	-	-
4096	REEVE, COLIN ALAN R.D.4, OHINEWAI	TAHUNA OHINEWAI ROAD, HOE-O-TAINUI	FARMER	4096	010931000	TAHUNA	X	-	X	-	-
4097	REEVE, JEAN BOND R.D.4, OHINEWAI	TAHUNA OHINEWAI ROAD, HOE-O-TAINUI	MARRIED	4097	010931000	TAHUNA	X	-	X	-	-
4098	REEVE, JENNIFER MARY	PIAKOITI ROAD, WALTON	MARRIED	4098	010999000	WALTON	X	X	X	-	-
4099	REEVE, NORMAN JOHN	PIAKOITI ROAD, WALTON	FARMER	4099	010999000	WALTON	X	X	X	-	-
4100	REEVE, ROBERT CHARLES RD4, MORRINSVILLE	MAUNGAKAWA ROAD, NGARUA	FARMER	4100	010974000	WAITOA	X	X	X	-	-
4101	REEVE, ROBERT JOHN R.D.4, MORRINSVILLE	MAUNGAKAWA ROAD, NGARUA	FARM WORKER	4101	010974000	WAITOA	X	X	X	-	-
4102	REICHMUTH, CHRISTINA AGNES R.D.4, MORRINSVILLE	STATE HIGHWAY 26, TATUANUI	HOUSEWIFE	4102	010927000	MORRINSVILLE	X	X	-	X	-
4103	REICHMUTH, DEBORAH ANN R.D.4, MORRINSVILLE	STATE HIGHWAY 26, TATUANUI	REG/NURSE	4103	010927000	MORRINSVILLE	X	X	-	X	-
4104	REICHMUTH, OSKAR JOSEF R.D.4, MORRINSVILLE	STATE HIGHWAY 26, TATUANUI	FARMER	4104	010927000	MORRINSVILLE	X	X	-	X	-
4105	REICHMUTH, PETER R.D.4, MORRINSVILLE	STATE HIGHWAY 26, TATUANUI	SHAREMILKER	4105	010927000	MORRINSVILLE	X	X	-	X	-
4106	REID, ALAN CONWAY R.D.4, MORRINSVILLE	STATE HIGHWAY 27, TATUANUI	FARMER	4106	010972000	WAITOA	X	X	X	-	-
4107	REID, GRACE JEAN R.D.5, MORRINSVILLE	TAUHEI ROAD, TAUHEI	MARRIED	4107	010921000	MORRINSVILLE	X	X	-	X	-
4108	REID, HELEN MARY R.D.1, TE AROHA	TE AROHA GORDON ROAD, TE AROHA WEST	MARRIED	4108	011112000	-	X	X	-	-	X

5150/

569/6 - 569/10.

- E.O. Smith.
381 Thames St. ✓
Marr.

M-BC. ✓

- The Church of Jesus Christ
of Latter Day Saints.
11 Huron St,
P.O. Box 33342 ✓
Takapuna.

→ J.E. & A.M. Dawson
5 Seales Rd
Marr. (1.44 ha.) ✓

R.M. & A.A. Clothier.
11 Seales Rd., Marr.

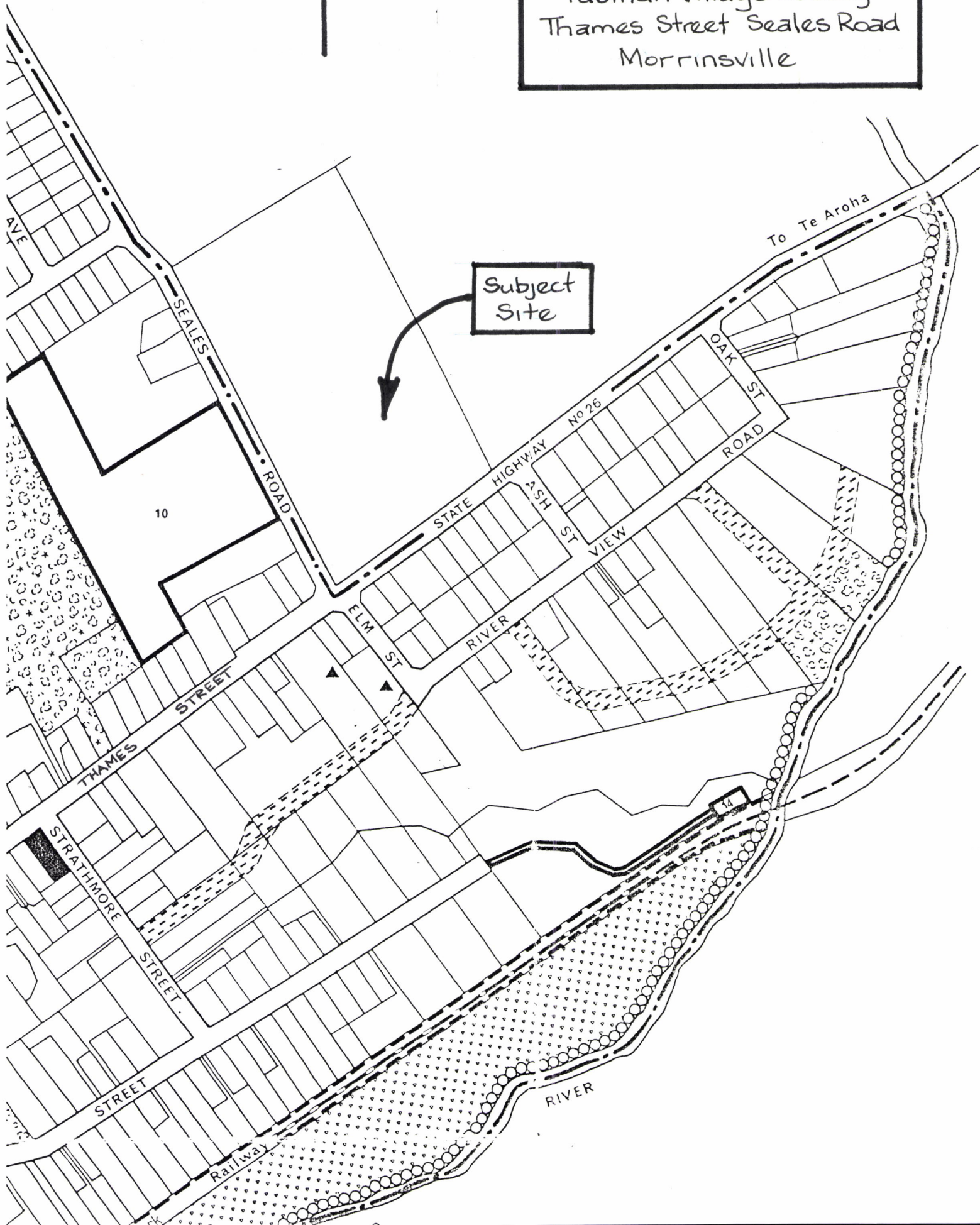
724/32.

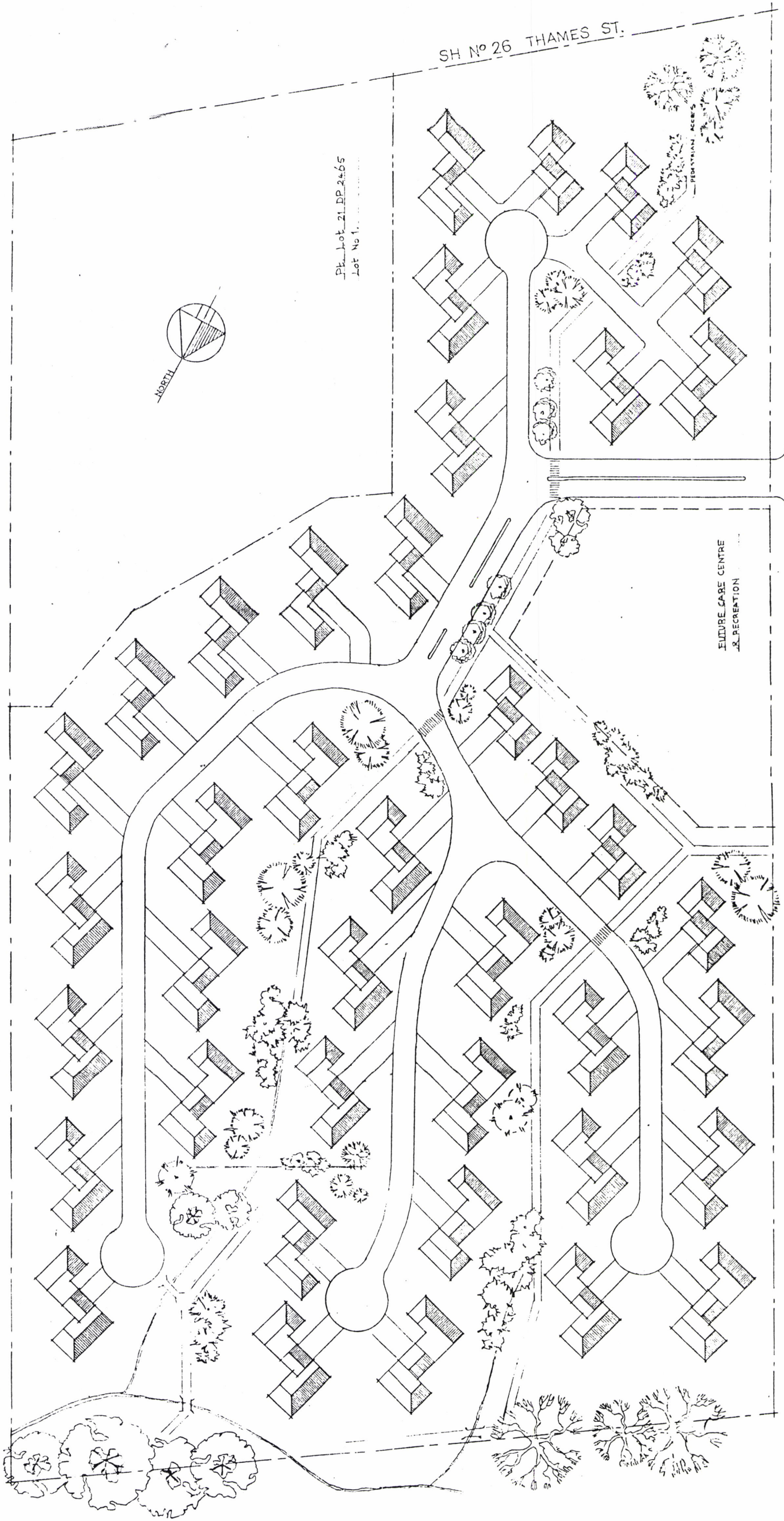
R.D. & D.M. Thomason
102 North St, Marr.

LISTING OF ALL ELECTORS

LINE	NAME IN FULL. POSTAL ADDRESS	RESIDENTIAL ADDRESS.	OCCUPATION	NO.	MESHBLOCK	PCC	HB	HC	PB1	PB2	PB3
4109	REID, JOHN RUSSELL R D 1 MORRINSVILLE	WATERWORKS ROAD, KIWITAH	SHAREMILKER	4109	011013000	KIWITAH	X	X	-	X	-
4110	REID, LYNDIA JOAN R.D.4, MORRINSVILLE	STATE HIGHWAY 27, TATUANUI	FARMER	4110	010972000	WAITOA	X	X	X	-	-
4111	REID, MARK DOUGLAS R.D.1, MORRINSVILLE	WATERWORKS ROAD, KIWITAH	FITTER/WELDR	4111	011013000	KIWITAH	X	X	-	X	-
4112	REID, ROBIN DAVID R.D.1, TE AROHA	TE AROHA GORDON ROAD, GORDON	FARMER	4112	011110000	-	X	X	-	-	X
4113	REID, VALMAI DAWN R D 1 MORRINSVILLE	WATERWORKS ROAD, KIWITAH	SHAREMILKER	4113	011013000	KIWITAH	X	X	-	X	-
4114	REIDY, KIRIVERA EDWARD R.D.5, MORRINSVILLE	MANGATEPARU LOOP ROAD, MANGATEPARU	PANEL BTR	4114	010919000	MORRINSVILLE	X	X	-	X	-
4115	REIDY, MAUREEN ALICE R.D.5, MORRINSVILLE	MANGATEPARU LOOP ROAD, MANGATEPARU	MARRIED	4115	010919000	MORRINSVILLE	X	X	-	X	-
4116	REITH, JACQUALINE DAWN R.D.1, MORRINSVILLE	MANGATEPARU LOOP ROAD, MANGATEPARU	H/WIFE	4116	011004900	KIWITAH	X	X	-	X	-
4117	REITH, JOHN ALLAN R.D.1, MORRINSVILLE	KEREONE ROAD, MORRINSVILLE	HRSE TRAINER	4117	011004900	KIWITAH	X	X	-	X	-
4118	RENDALL, SELINA RUTH R.D.2, MORRINSVILLE	KEREONE ROAD, MORRINSVILLE	FARMER	4118	010911000	MORRINSVILLE	X	X	-	X	-
4119	RENDLE, MARGARET JOAN H R.D.4, MORRINSVILLE	KURANUI ROAD, MORRINSVILLE	COY DIRECTOR	4119	010950000	WAITOA	X	X	X	-	-
4120	RENDLE, REX MALIFA R.D.4, MORRINSVILLE	STATE HIGHWAY 27, TE PUNINGA	COY DIRECTOR	4120	010950000	WAITOA	X	X	X	-	-
4121	REVELL, AILSA JEAN R.D.4, MORRINSVILLE	STATE HIGHWAY 27, TE PUNINGA	MARRIED	4121	010919000	MORRINSVILLE	X	X	-	X	-
4122	REVELL, GARY WILLIAM R.D.2, TE AROHA	MANGATEPARU LOOP ROAD, MANGATEPARU	FARMER	4122	011057000	WAIHOU	X	X	-	-	X
4123	REVELL, JACQUELINE R.D.2, TE AROHA	BOWLER ROAD, TE AROHA	HAIRDRESSER	4123	011057000	WAIHOU	X	X	-	-	X
4124	REVELL, JANET R.D.2, TE AROHA	BOWLER ROAD, ELSTOV	FARMER	4124	011057000	WAIHOU	X	X	-	-	X
4125	REVELL, JOHN STANLEY R.D.5, MORRINSVILLE	BOWLER ROAD, TE AROHA	SHAREMILKER	4125	010919000	MORRINSVILLE	X	X	-	X	-
4126	REVELL, ROSEMARY OLWEN R.D.5, MORRINSVILLE	MANGATEPARU LOOP ROAD, MANGATEPARU	LAB ASST	4126	010923000	MORRINSVILLE	X	X	-	X	-
4127	REVELL, WAYNE DONALD R.D.5, MORRINSVILLE	MANGATEPARU LOOP ROAD, MORRINSVILLE	FARMER	4127	010923000	MORRINSVILLE	X	X	-	X	-
4128	REVELL, GARY NEEL C/O P.O. BOX 105, MORRINSVILLE	MANGATEPARU LOOP ROAD, MORRINSVILLE	FITTER/WLDR	4128	011005000	KIWITAH	X	X	-	X	-
4129	REVILL, SHARYN LOUISE P.O. BOX 105, MORRINSVILLE	MORRINSVILLE WALTON ROAD, MORRINSVILLE	HAIRDRESSER	4129	011005000	KIWITAH	X	X	-	X	-
4130	REYNOLDS, ALLEN GEORGE R.D.2, MORRINSVILLE	MORRINSVILLE WALTON ROAD, MORRINSVILLE	RETIRED	4130	010915000	MORRINSVILLE	X	X	-	X	-
4131	REYNOLDS, BRUCE ALLEN R.D.2, MORRINSVILLE	SCOTT ROAD, MORRINSVILLE	FARMER	4131	010915000	MORRINSVILLE	X	X	-	X	-
4132	REYNOLDS, ELLEN RUTH R.D.2, MORRINSVILLE	SCOTT ROAD, MORRINSVILLE	MARRIED	4132	010915000	MORRINSVILLE	X	X	-	X	-
4133	REYNOLDS, LORNA ISOBELLE R.D.2, MORRINSVILLE	SCOTT ROAD, MORRINSVILLE	MARRIED	4133	010915000	MORRINSVILLE	X	X	-	X	-
4134	RICHARDS, CRAIG STEWART R.D.2, MORRINSVILLE	SCOTT ROAD, MORRINSVILLE	AUTO ENGINR	4134	010916000	MORRINSVILLE	X	X	-	X	-

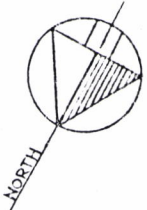
Locality Map
Tasman Village Society
Thames Street Seales Road
Morrinsville





SH N° 26 THAMES ST.

Pt. Lot 21 DP 2465
Lot No 1.



FUTURE CARE CENTRE
& RECREATION

SEALES ROAD

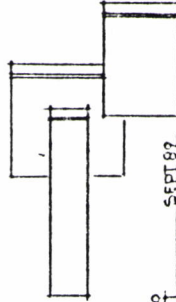
0 10 20 30 40
METRES

site development plan

tasman village - morrinville

G. van empel

bl. (arch + tp) architect ANZIA
hamilton ph 553-132



Proposed subdivision of Pt Lot 21 DP 2465 being

Pt Motumaoho No 2 Block.

Angakawa S.D. CI483/105. IA&EG.Findsen.

**Pt 20
DP 2465**

Scale 1:1000

I, Ross Melvin Stewart, Registered Surveyor, do hereby certify that this scheme plan has been prepared by me in accordance with the provisions of Sec. 275 of the Local Government Act 1974.

R.M. Stewart
18/8/88
Registered Surveyor
(No 2453)
Amended 9/3/89. Amended 30/8/89

5

Approved by the Piako County Council under Sec. 279 of the Local Government Act 1974 at a meeting held on the _____ day of _____ 19____

County Clerk

**Lot 2
5.67ha**

Piako County

SEALES ROAD

Motinsville Borough

Note: in Total Area = 6.91 ha.
in Final areas & dimensions
are subject to survey

S. H. No 26

(THAMES STREET)

**Lot 1
1.24ha**

Pt 21 DP 2465

Public Road - Sealed (20/12 m2)

AERIAL SURVEYS LTD. NELSON

ASH ST

ELM ST

CODE OF ORDINANCES

Waipa CC
Warding prior to latest review
which left out large parts

Delete Ordinance 2.1.7.17 on page 88 and substitute the following:

"2.1.7.17PERRIN PARK RETIREMENT CENTREPOLICIES

Perrin Park Community Centre situated on Lot 1 DPS 24845 is recognised as being an appropriate site for a comprehensively designed and developed settlement for elderly and/or retired persons. The settlement will include separate dwellinghouses and units, residential blocks, community centre and hall including indoor recreational facilities, outdoor recreational grounds, halls, chapel, directors residence and ancillary buildings and facilities.

STANDARDSGeneral

About the periphery of the site the same standards for controlling development shall apply as for residential developments in the Residential A zone. However within the site the normal standards dealing with parking, internal yards, open space, access and subdivision may not be applied but alternatives proffered by the developer will be considered on their merits.

Provided that

- (a) The Perry Foundation shall submit to Council building plans (in principle), building location plans of the proposed development, and
- (b) The required plans shall be prepared by a person who, in the opinion of Council, is qualified and competent to ensure an adequate standard of design aesthetically and in the provision of light, privacy, space about buildings and satisfactory pedestrian and vehicular circulation.
- (c) Approval will not be given unless in the opinion of the Council the alternatives will provide an environment as good or better than that which would otherwise be achieved by compliance with specified standards.
- (d) Developments be subject to:
 - i) Density - 1 unit for each 500m² net site area
 - ii) Minimum site area of 500 m² per housing unit, (excluding private roads, recreational & community facilities)
 - iii) No building to contain more than 3 household units.
 - iii) Maximum site coverage of 35 per cent.
- (e) Car Parking - 1 covered attached car space for each dwelling unit unless otherwise approved by Council."

inserted
in objector

Earlier change

Objection 4 - Perry Foundation:

Zoning of the Foundations's property at Te Kowhai as Rural D.

Resolved that the objection be allowed by -

1.) Listing 'Perrin Park Retirement Centre' as a predominant use in the Rural D Zone.

2.) Including policies and standards relating thereto as follows: -

Perrin Park Retirement Centre.

Policies.

Lot 1 DPS 24845 is recognised as being an appropriate site for a comprehensively designed and developed settlement for retired persons including separate dwelling units, residential blocks, community centre, recreation grounds, hall and such ancilliary functions as library and nursing care. The same standards relating to appearance, daylighting, private open space, parking and access shall apply as for the Residential zones and the level of density for the Residential units shall be as permitted for dwelling houses in sewered areas.

Standards.

As for dwelling houses in sewered areas in Residential A Zones.

IN THE MATTER of an Objection by
PERRY FOUNDATION..
to District Scheme
Review No.2.

EVIDENCE OF RICHARD DOUGLAS HEWISON

1. MY name is RICHARD DOUGLAS HEWISON and I am a.....
Registered Surveyor in practice in Hamilton. I have...
been in private practice for about 15 years. I have...
been a Registered Surveyor for a total of 20 years. ..
For some years I have been personally involved in.....
surveying and allied work for the Brian Perry Group of
Companies and in particular, work involved in the.....
PERRINPARK CENTRE at Te Kowhai. On instructions from..
the Foundation I prepared the Notice of Objection.....
filed in this matter.

2. I have a working knowledge of the developments at..
Perrinpark and I have read the terms of the Planning...
Approval given by your Council in August 1977. There..
has been substantial development since that time. At..
present there is already established and in operation..
the major Community Centre and 14 residential units. ..
All the necessary roading for those developments has...
been completed and progress has been made towards the..
concepts of landscaping, beautification and provision..
of outdoor recreational facilities. In particular the..
bowling green was commenced sometime ago and is now....
substantially operational to the great delight, I know,
of many of the residents.

3. THE prime purpose of the present Objection is to...
establish PERRINPARK on a permanent zoning basis, as...
distinct from the Foundation relying on its.....
conditional and existing use rights. The original.....
grant of approval by the Council, of course, foresaw a..
very substantial development over a long period of.....
years. There is a total of over 16 hectares involved..
altogether, and only a small part has yet been.....
thoroughly developed. Development is, of course, tak -
ing place all the time, but as was said in the initial.

application, once the primary scheme had been put into operation the future development from then on would, of necessity, be based on the law of supply and demand. . Hamilton is, of course, still growing. More of its.... citizens and citizens from the surrounding area are.... retiring and getting older each year, and there is..... still every right to expect that the development will.. continue to grow at least the rate that it has, and.... perhaps even at an accelerated rate as the news gets... around from residents and friends of residents. It is. possible, however, that due to recessions or other..... causes there could be periods from time to time where.. developments slows down, but it is still important for. the Foundation and, I believe, in the public interest.. for the development rights to be clearly and publicly.. settled and known by a proper special zoning of the.... whole area.

4. THE Foundation's policy in establishing Perrinpark has been to set up community and recreational..... facilities ahead of the residential development. This. is shown by the establishment of the Community Centre.. and more recently by the bowling green. This clearly.. shows the Perry Foundation is keen that its own..... development will complement the Te Kowhai township as a whole. Having made a substantial investment to date... the Foundation is keen to ensure that the concept of... Perrinpark can be developed as it was originally..... envisaged. The majority of Councillors present today.. were involved in the Foundation's original planning.... application. Since then there has been a rapport built up between the Foundation, Council and Council staff. . However over the years Councillors, and Council staff.. do change and it is quite possible that within the..... planning period pressure could be brought to bear upon. Council to restrict the completion of the development... - of Perrinpark.

5. THE District Scheme Review introduced a new zone.. for Waipa County which is called Rural D. The 16..... hectares owned by the Perry Foundation has been placed within this zone. It is the policies and controls..... relating to this zone which concern the Foundation. .. Rural D is a special zone encompassing the most..... versatile soils in the County which are most favourably located for intensive production. In this zone..... opportunity is given for diversification and intensification of farming activity, and unrelated residential and non agricultural based activities is excluded. ... One other policy relating to rural zones in general is. "to prevent the intrusion into rural areas of land uses which are incompatible with or would prejudice the..... proper functioning of farming activities by disallowing residential or industrial development except where this is clearly required for the proper development of the.. rural areas." The township of Te Kowhai is discussed.. in the Scheme statement and the following paragraph is relevant to the Foundation's development. "The..... retirement centre at Te Kowhai is another matter. It.. is self contained in terms of its servicing and the.... lifestyle of its residents. Nevertheless this..... development makes Te Kowhai a considerably larger..... community and will generate some additional traffic.... along the Te Kowhai-Te Rapa Road. It is not..... interpreted as the beginning of a new phase of..... development in this area." The policy statement for... the Te Kowhai Township is "to accommodate any further.. growth at Te Kowhai generally within the areas of..... existing urban zoning." The Code of Ordinances for.... Rural D states in part, "the purpose of the zone is to preserve this land by promoting intensive cultivation.. and restricting the range of uses permitted to those... which produce food or will not prevent the future..... utilization of the land for food production. Proximity to Hamilton requires that they are carefully protected from encroachment by residential and non agricultura... based activities." These statements are of real.....

concern to the Foundation and to the continued.....
development of Perrinpark.

6. THE Foundation wishes to place on record its.....
thanks to Council and Council staff for the.....
assistance they have been since the granting of.....
conditional use rights. The development to date has...
been assisted by the co-operation shown the Foundation.
by Council and Council staff. I know the Foundation...
and I presume Council would want to ensure that the....
development that has taken place can be continued with.
certainty during the long-term planning period. It is.
with this aim in mind that the Objection requests that.
Council introduce a special zone in respect of the 16..
hectares of land owned by the Foundation at Te Kowhai..
In the appendix attached there is set out a new zone to
be known as "Perrinpark Community Centre". The.....
proposed statement and objectives relating to this new.
zone are presented to Council as responsible suggest-..
ions. It will, of course, be for your Council to.....
determine the precise terms if it concludes that a new.
zone is required.

APPENDIX TO EVIDENCE OF RICHARD DOUGLAS HEWISON

NEW ZONE

PERRINPARK COMMUNITY CENTRE

STATEMENT

The establishment of a Centre for the provision of housing and facilities and organisation of outlets for recreation and creative activities in..... conjunction with residential accommodation and.... care facilities for established and elderly..... people.

PREDOMINANT USES

Dwellinghouses
Residential Units
Multi-Unit dwellings
Comprehensive developments
Housing for elderly people
Community buildings, including library, reading...
room, card room, billiard room, hall, first aid.
room.
Recreational facilities, bowling greens; croquet..
greens.
Directors' residences
Accessory buildings.

CONDITIONAL USES

Residential units - removal and resiting
Residential care motels
Churches and chapels
Local dairy-grocery-butcher shop
Farming and grazing
Servicing Buildings

POLICY

The development of each residential unit shall be.. controlled in such a way that each occupier of the unit, and the occupiers of adjoining and neighbouring units, shall enjoy a satisfactory level of.... physical amenity.

DENSITY

One unit per 450 square metres net site area.....
(excluding private roads, recreational and.....
community centre facilities).

APPEARANCE

Single storeyed dwelling units are in general.....
envisaged, enhanced by landscaping and live.....
planting in the yard spaces. The maximum height..
shall be 8 metres for residential units and 12....
metres for all other buildings. Yard spaces shall
be as for Residential A Zone.

VEHICLE PARKING

Adequate vehicle access shall be provided to all..
units in a manner that is safe and convenient to..
the occupants of the unit and to pedestrian and...
vehicular traffic using any public or private road
or place and in a manner that does not detract....
from the amenities of the neighbourhood. One.....
off-street parking space shall be provided for....
each new dwelling unit. Yards may be utilised for
this purpose, but not outdoor living courts or....
service areas.

DAYLIGHTING

Shall be in accordance with the ordinances for....
Residential Zones.

PRIVATE OPEN SPACE

Shall be in accordance with the ordinances for....
Residential Zones.

OBJECTION RELATING TO ZONING OF PERRIN PARK

REPORT BY PLANNING CONSULTANTS

PERRY FOUNDATION

This objection seeks a special zone for Perrin Park in which the various activities of the retirement centre would be pre-dominant uses and the standards applying to dwellings and multi-unit dwellings would apply as for the residential zones, but that all development would still require consent of the Council but not as a notified application.

The objector is correct in that the zoning of Rural D would severely restrict further development of the property as no specific provision is made for it in the zone. It would seem desirable in view of the substantial nature of the existing development that recognition be given it in the scheme and unnecessary impediments to its proper development removed. Rather than developing a separate zone with all the related policies and ordinances it is suggested that the use be simply acknowledged as being a predominant use in the Rural D zone on the property as specified.

Recommendation

That the objection be allowed by

- 1) listing Perrin Park Retirement Centre as a predominant use in the Rural D zone and
- 2) including policies and standards relating thereto as follows:

Perrin Park Retirement Centre

Policies

Lot 1 DPs 24845 is recognised as being an appropriate site for a comprehensively designed and developed settlement for retired persons including separate dwelling units, residential blocks, community centre, recreation grounds, hall and such ancillary functions as library and nursing care. The same standards relating to appearance, daylighting, private open space, parking and access shall apply as for the residential zones.

Standards

As for the Residential zones.

A
Also Reserve Contribution under Multi-Unit Dwellings.
Private Rec Area will be and is being provided
in the Development

24th July, 1981.

The County Clerk,
Waipa County Council,
P. O. Box 12,
TE AWAMUTU.

Dear Sir,

re: District Scheme Review No. 2 - and Perry Foundation

We enclose herewith our client's objection to the zoning of their land at Te Kowhai as shown in the District Scheme Review. As briefly traversed in the objection our client's objection lies in the fact that the Rural D zoning is not consistent with the type of development which has been carried out on the property and which our clients intend to continue with. Our clients are concerned not with the development to date which now has achieved existing use rights but with their rights to continue with the Retirement Centre as and when demand occurs.

It is for this reason that our clients have proposed a special zoning for their Te Kowhai property the policy for which would be to continue the development of the retirement centre together with all the necessary ancillary functions. The controls relating to yard areas, daylighting, building size, building spacing would be similar to those for the Residential zones and each stage of the development would be the subject of a non notified planning application to Council. Subdivision of the property would not be allowed except upon approval of Council after a planning hearing.

The objection by our clients involves the introduction into the District Scheme Review of a new Zone and we believe that the procedure of objection and cross objection in this particular case may not comply with the requirements of the Town and Country Planning Act. We suggest therefore that Council may wish to hear our clients submissions in respect of this objection and if in agreement with the principles of the proposal initiate a change or variation to the Review. This change or variation would be advertised and be subject to objection and cross objection in the same manner as the Review has been.

Would you please advise if your Council or its advisers agrees with our contention that a change or variation should be initiated.

Yours faithfully,
THOMSON & FARRER

Encls:

Per:

WAIPA COUNTY DISTRICT SCHEME

CHANGE NO.1 TO OPERATIVE DISTRICT SCHEME

OBJECTION BY THE BRIAN PERRY FOUNDATION

RE PERRINPARK RETIREMENT VILLAGE, TE KOWHAI

REPORT BY A.L. GABITES, TOWN PLANNING CONSULTANT, WELLINGTON.

1. The purpose of this Change is to give greater opportunity for flexibility in the design and layout of dwelling units within the site. Some dispensation can be allowed from normal residential standards provided that the Council is satisfied that good standard of design is maintained throughout the development.
2. The first part of this objection seeks clarification of the density requirements laid down. Re-wording suggested is in line with the intention of the ordinance and could well be adopted by Council.
3. The second part of the objection raises objection to the requirement for carparking in the ordinance which states:

"/ covered attached car space for each dwelling unit unless otherwise approved by Council."

It is appreciated that all units may not initially require a covered car space and that finance may not always be available to include this provision when the units are first built. At the same time, if no provision is made to integrate carports or garages at the initial design stage, later additions can prove impracticable or unsightly.

But there is no reason why fully attached carports or garages should not be added later, provided that provision is made in the plan.

The objection recognises this but also suggests "Council may approve the provision of free-standing covered car spaces as an alternative".

In my opinion this approach should be avoided as it could lead to unsuitably sited separate garages and car-ports being fitted in afterwards to the detriment of the whole development.

Recommendations

That the objection be allowed in part relating to the permissible density of units, but disallowed in respect of free-standing covered car spaces.

RICHARD DOUGLAS HEWISON, M.N.Z.I.S.
CHRISTOPHER SPENCER IRVINE, M.N.Z.I.S.

OUR REF. 1005

THE TOWN & COUNTRY PLANNING ACT 1977 - WAIPA COUNTY
DISTRICT SCHEME CHANGE No. 1

SUBMISSIONS IN RESPECT OF THE PROPOSED ORDINANCE FOR PERRIN PARK,
RETIREMENT CENTRE, 2.1.7.17.

Your Council, in conjunction with my client's, the Brian Perry Foundation, promoted the change to the Operative District Scheme to incorporate within the scheme, policies and standards relating to the Perrin Park Retirement Centre at Te Kowhai.

The objection that we lodged on behalf of the Brian Perry Foundation relates to two relatively small parts of the standards namely the wording in subsection (d)(1) and the requirement of subsection (e).

With respect to subsection (d) (1) we contend that the wording that Council proposed can be interpreted that each of the housing units must be contained within a minimum site area of 500 m². This interpretation introduces the concept of a subdivisional type scheme plan showing that each of the housing units complies with this particular ordinance i.e. single units are located in an area of 500 m² - double units in an area of 1000 m² - and triple units in an area of 1500 m². The concept that the Perry Foundation is trying to establish at Te Kowhai is that the location of the units rests upon other criteria than that set out above so long as the normal residential A requirements relating to internal yards, open space, access and parking are complied with. However, our clients do agree that an overall density figure is required for the development of the block and are prepared to accept a figure of 500 m² per unit for each of the stage developments that will be undertaken within the Retirement Village. In practice this means that the net site area of stages II and III is arrived at after deducting the area occupied by the private roads, recreational and community facilities within these stages. This area has been divided by 500 and a figure giving the total number of units able to be built within the stage, this figure of total number of units can then be divided between the single, double and triple unit requirements.

Carparking. The Ordinance as it stands at present can be read that our clients have two alternatives. Firstly a covered attached car space for each dwelling unit or secondly a detached car space for each unit. The proposal that we now submit to Council for consideration, is that each unit excluding the subsidised rental units, shall be provided with a covered attached car space unless Council as an alternative approves the provision of free standing covered car spaces. With regard to the subsidised rental units the Housing Corporation which provides the majority of finance for these units has an upper limit at present of \$28,000.00. Where the cost of the unit exceeds this figure then the sponsoring organisation has to meet all additional costs relating to the particular unit. It is certain from all the information that I have concerning the Housing Corporation and the financing of subsidised pensioner housing that they are not interested in providing covered car parking spaces in respect of this type of development. Whilst we, our clients, and your Council may not agree with this policy it is one that our clients have to contend with and the only alternative they have at present is to provide this out of their own funds with no

realistic means of recovering this expenditure. The proposal that our clients submit in respect of the subsidised rental units is that the design be such that the future provision of covered attached or free standing car spaces is feasible.

It can be contended that these two objections lodged on behalf of our clients are to a large degree a matter of semantics concerning the actual wording of the clauses but our clients are concerned that the ordinances as finally incorporated in the District Scheme are capable of being clearly interpreted.

This submission is presented by Richard Douglas Hewison, Registered Surveyor of Hamilton and a partner in the firm of Thomson and Farrer.

18th June, 1981

The Brian Perry Foundation,
P. O. Box 10068,
HAMILTON.

Dear Sir,

re: Perrin Park, Te Kowhai

In accordance with your telephone request of 29th May, 1981, we have investigated the Waipa County Council's District Scheme Review No. 2 and report as follows in respect of the Perrin Park development.

The property is zoned Rural D and adjoining areas are zoned for the Public Primary School, Telephone Exchange and Residential A the only change in zoning between the existing scheme and the reviews being from Rural A to Rural D for Perrin Park.

The District Scheme Review scheme statement in dealing with Urban Development says that the aim is to "Promote urban consolidation by avoiding unnecessary expansion of urban areas in or adjoining existing settlements and also to prevent sporadic urban subdivision and development in rural areas". Further on in the same statement the policies for Rural Zones and in particular Rural D zones are enumerated - Policy 1 in referring to the Rural D zone has this to say - "Special zone encompassing the most versatile soils in the County which are most favourably located for intensive production - - - - unrelated residential and non agricultural based activity is excluded", and Policy 2 states its aim is "To prevent intrusion into rural area - disallowing residential - - - - development except where this is clearly required for the proper development of the rural areas".

Te Kowhai Township is discussed as one of a number of small semi-urban areas and concern is expressed over the doubling in size of the township since the first review was prepared in 1973 and the fact that this growth has been of the ribbon type. Concern is also expressed that demand for services will arise if this rate of development continues. Comment on Perrin Park on page 23 of the scheme statement could be interpreted as meaning that Council sees the development as being completed or as it being an entity entirely separate from the Township. The comment is "The retirement centre at Te Kowhai is another matter. It is self contained in terms of its servicing and the lifestyle of its residents. Nevertheless this development makes Te Kowhai a considerably larger community and will generate some additional traffic along the Te Kowhai-Te Rapa Road. It is not interpreted as the beginning of a new phase of development in this area".

The discussion on Te Kowhai is completed by the Policy Statement "To accomodate any further growth at Te Kowhai generally within the area of existing urban zoning."

The Code of Ordinances reinforces the Scheme Statements and in 2.1.5 Rural D zone the elite soils will be carefully protected from encroachment by residential and non-agricultural based activities and intensive cultivation will be promoted, and in 2.1.7.5 Dwelling states that houses which are not required for the proper farming of land or which are not essential for the operation of any other permitted use will not be permitted.

It is quite clear from the Review that the Waipa County Council in adopting a Rural D zoning has taken cognisance of Section 3 of the Town and Country Planning Act 1977 sub section (d), "The avoidance of encroachment of urban development on and the protection of land having a high actual or potential value for the production of food."

We are uncertain as to the extent that the Specified Departure granted by the Waipa County Council covers future development of the Perrin Park complex. The Town and Country Planning Act clearly includes the present use of the land and buildings within the scope of the specified departure as an existing use and provides for the protection of and construction of that use. However buildings are supposed to be erected and come into use, or substantial progress made, within a two year period of the granting of the Specified Departure. This limiting period has serious consequences regarding the long term development of the retirement complex requiring as we see it, a fresh notified application every two years. Taken in conjunction with the national aim and local aim to protect soils of high productivity from residential development it would be unwise to assume that any future application would be granted. This is reinforced by the Town and Country Planning Act stating that a specified departure should only be granted if the effect of the departure will not be contrary to the public interest and will have little Town and Country Planning significance beyond the immediate vicinity of the land concerned. Although it can be argued that any increase in the size of the retirement home complex will not have any significance beyond the immediate vicinity of the land concerned, the complex must affect the adjoining township, its shops and churches, the traffic using the Te Kowhai-Te Rapa Road and the balance of the Foundation's property which must have a decreasing farming return.

There is one other major factor within the District Scheme Review No. 2 which needs to be taken account of and this is the depth of the yards surrounding residential buildings in the Rural D zone. A front yard has to be 15m, a rear yard 8m and a side yard 3m. For non residential buildings the respective yards are 15m, 15m, and 12m. The height of buildings in Rural D zones shall not exceed 12m.

We would suggest that an objection to the requirement of the District Scheme Review No. 2 Rural D zoning in respect of the Perrin Park development be lodged with the Waipa County Council with the aim of creating a special zone which could be called the Perrin Park Retirement Centre. The policy for this zone would be to aim for a comprehensively designed and developed settlement for retired persons including separate dwelling units, residential blocks, community centre, sports grounds (bowling and croquet) and a hall and such ancillary functions as nursing care etc. The Centre should function as a single entity and subdivision may be granted after the hearing of a notified application. The same standards for appearance, daylighting, private open space, parking and access shall generally apply as for dwelling houses and multi-unit dwellings.

The Retirement Centre would be a predominant use on the Foundation's land. The same standards as for residential dwellings and multi-unit dwellings as the case may be shall apply but applications for dispensations from these may be made without notice. This would permit the Foundation to continue planning with the assurance that the proposals would go ahead. Each unit, cluster or group of units proposed to be constructed would be preceded by an application to Council setting out the proposed location of the units, access, yard spaces, lighting, daylighting etc. and after receiving Council approval construction could proceed. We would envisage that the yard spaces would be those applying in the Residential A zone i.e. front yard 4.5m, rear yard 8m, and side yard 4m with a maximum building height of 8m. The size of each site, although these would not necessarily be subdivided, could conform to Council's Residential A requirements for sewered sites of 450 m² minimum with at least half the sites exceeding 600 m² and the upper half of these exceeding 750 m². Each site would contain a circle with a circumference of 18m. to provide an adequately sized building area.

WAIPA COUNTY COUNCIL

COUNTY OFFICE AND COUNCIL CHAMBERS

BANK STREET TE AWAMUTU

POST OFFICE BOX 340

TELEPHONE (082) 7133

10/5/365.

18th November, 1987.

Mr. R. & Mrs. M. Kennerley,
24 Deseret Road,
TEMPLE VIEW.

Dear Mr. & Mrs. Kennerley,

RE: APPLICATION FOR CONDITIONAL USE.

I have to inform you that the application submitted by you for consent to a Conditional Use was granted, subject to conditions, by my Council at its meeting held 16 November, 1987.

The following is a copy of Council's resolution:

That the application submitted by Rex Stanley Kennerley and Myrle Doreeen Kennerley for consent to a conditional use to permit the development of a residential retirement village with rest home and separate residential units for the elderly on property situated at Deseret Road, Temple View and described as 4.1354 ha. being Lot 3 D.P.S. 15358 be Granted subject to the conditions listed below, for the following reasons:

In terms of Section 72 of the Town and Country Planning Act, 1977 -

- A. The use conforms with the uses permitted in a Rural A. zone under the Council's District Scheme.
- B. The establishment of a residential retirement village on the said land is not likely to affect the health safety convenience or the economic cultural social and general welfare of the people of the district.

Conditions of Consent.

1. The applicant shall connect all sewage disposal outlets from the retirement complex to the Temple View public sewerage system.
2. Before any building permits are issued for any of the proposed development the applicants shall:
 - a) Provide and have approved detailed engineer designed plans and specifications of the sewerage disposal system to the satisfaction of Council: and
 - b) Install the sewerage system in accordance with the approved plans and specifications from the boundary of the applicants site known as Lot 3 D.P.S. 15358 to the Fosters Road sewage pumping station: and
 - c) Provide and have approved detailed engineer designed plans and specifications of stormwater disposal to the satisfaction of Council based on a 100 year flood design criteria; and

(Assume \$300,000)

277000.00

- d) Install the stormwater detention area including as directed stormwater pipes and mains required to prevent stormwater flooding in accordance with the approved plans and specifications.
3. The applicants shall obtain any water rights required by the Waikato Valley Authority.
4. The entrance to the property shall be formed to the satisfaction of the County Engineer.
5. All internal roading and parking areas shall be formed and sealed with a permanent hard surface such as tarseal, concrete or cobblestones to the satisfaction of Council.
6. The rest home shall be used as a residential rest home for not more than 30 persons.
7. The applicants shall comply with the provisions of Clause 2.2.2.7 of Council's District Scheme relating to the rest home.
8. The applicants shall comply with the provisions of Clause 2.2.2.3 of Council's District Scheme relating to the multi-unit development.
9. No signs shall be displayed on the property other than a sign showing the name of the rest home and the proprietor's name, of not more than 1.2m² in area, visible in any one direction with a maximum of 2.4m² in total.
10. Landscaping as designed shall be carried out to the satisfaction of Council within two years of the use being commenced.
11. A potable water supply shall be provided to the satisfaction of the County Health Inspector.
12. A license pursuant to the Old People's Homes Regulations, 1980 shall be obtained from the Department of Health.
13. The premises shall comply with N.Z.S.S. 1900 Model Building Bylaw Chapter 5 pertaining to Fire Resisting Construction and Means of Egress.
14. Payment of Costs:

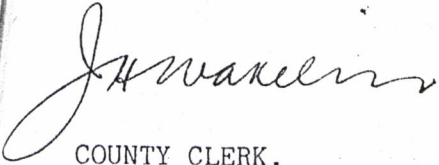
a) of public notification	\$72-38
b) Incidental to hearing.	\$200-00

The reasons for the conditions imposed are:

1. to ensure that the sewage disposal for the development is properly laid and connected to a public sewerage system.
2. to ensure that the stormwater disposal system is designed and constructed in accordance with the current design criteria for other residential areas in Temple View.
3. otherwise to ensure a standard of development necessary to maintain the objectives of Section 72 of the Act.

That the retirement village complex to be sited at Deseret Road, Temple View be rated for sewerage disposal and incorporated in the appropriate special rating area.

Yours faithfully,

A handwritten signature in cursive script, appearing to read "J. H. Maxwell".

COUNTY CLERK.

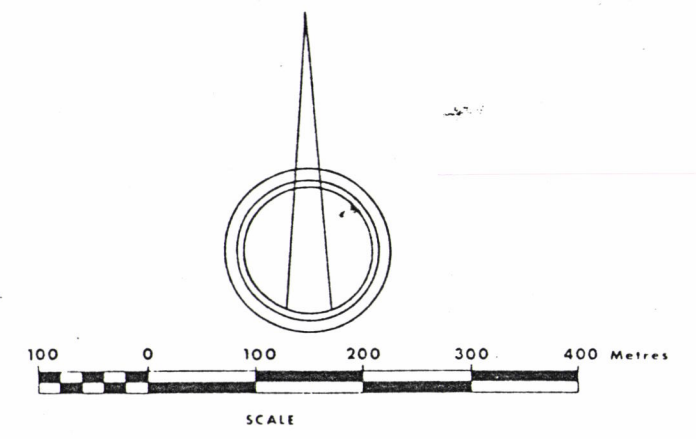
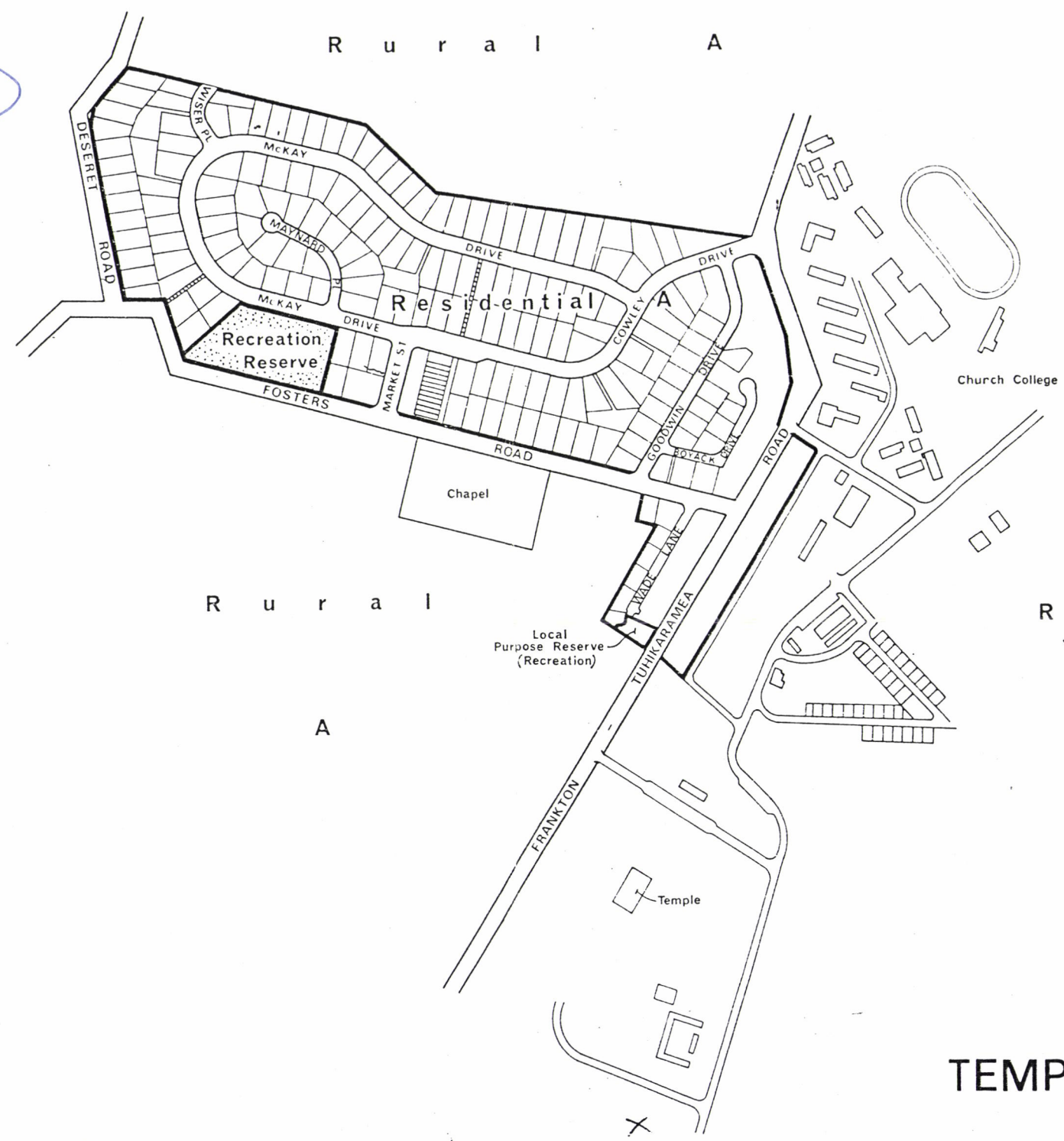
Rural A
Summary of Permitted Uses

2.1.1.1

PREDOMINANT USES	Page	CONDITIONAL USES	Page
Farming (General, Horticulture, Orchards)	62	Forestry (on land comprising Land Classes I-V)	63
Forestry (on land comprising Land Classes VI & VII)	63	Factory Farming including poultry and boarding kennels	89
Vineyards	65	Rural Industry	69
Pig Keeping	66	Country stores, petrol service stations and commercial garages	73
Pig Farming	66	Packing sheds for farm or garden produce	77
Poultry Keeping	89	Private sports grounds, agricultural showgrounds, racecourses	78
Accessory Buildings	57	Vehicle oriented outdoor recreation and gun clubs	79
Dwellings	67	Quarrying and sand-winning	80
- Accessory to predominant uses	67	Places of Assembly, Educational and Health Establishments, Churches and places of public and private worship, community halls and institutions, clubrooms, hospitals; intended to serve the local community	81
- Replacement	68	Camping grounds	84
- Additional Dwelling for a Dependent Relative	68	Stockyards, saleyards and holding paddocks	87
Honey Processing	69	Storage of stock transporting crates and materials	88
Home Occupations (See Ordinance 1.5.16)	49	Dwellings	
Temporary Buildings (See Ordinance 1.5.14)	48	- Accessory to conditional uses	67
Veterinary Services	62	- For persons employed permanently in locality	67
		- For specified retired persons	67
		Building removal and resiting	86
		Horse Training	89

NOTE: For policies regarding specific uses and special requirements and standards, see page referred to above.

SITE

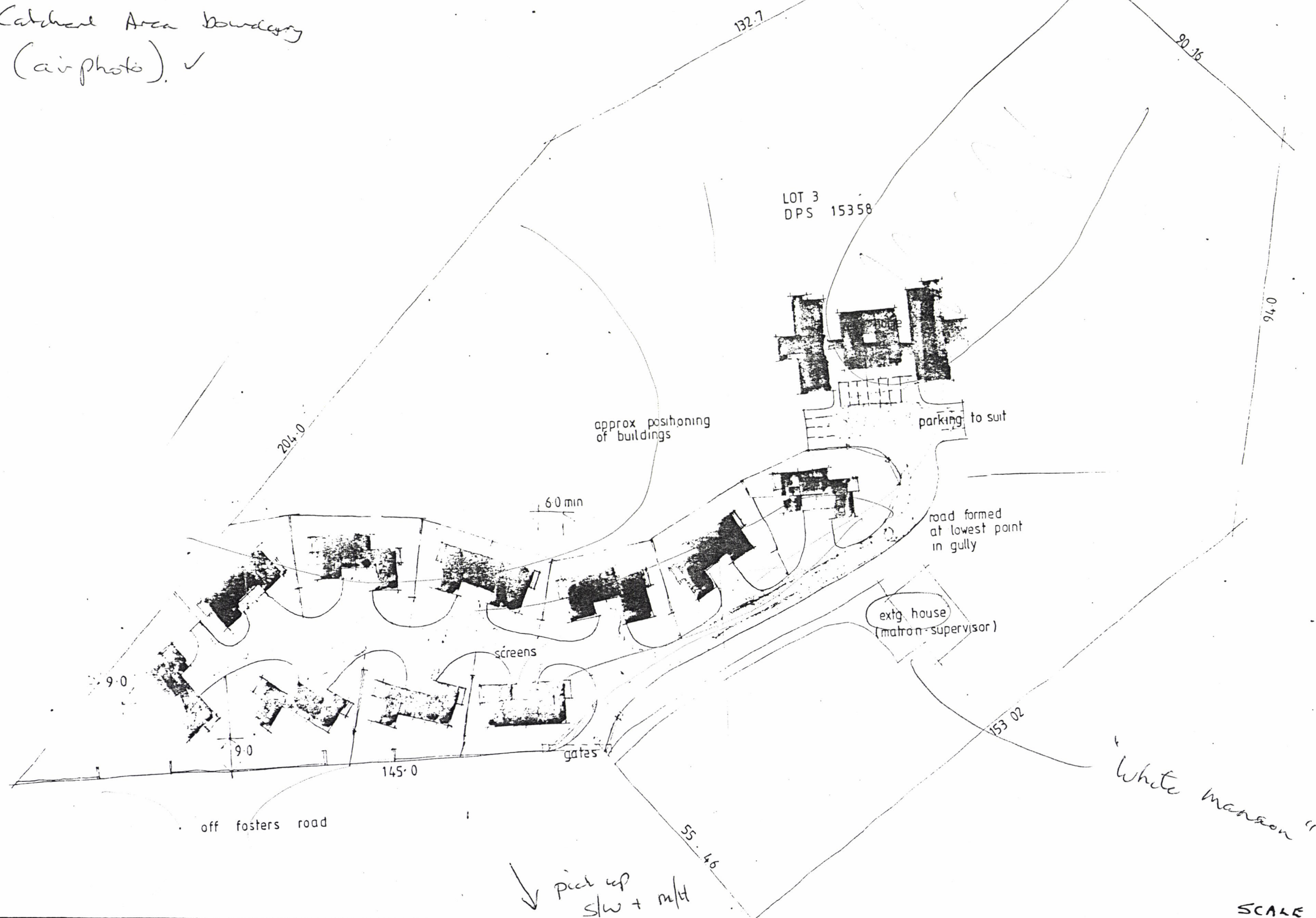


TEMPLE VIEW

DISTRICT PLANNING MAP
WAIPA COUNTY DISTRICT SCHEME

Topo

+ Catchment Area Boundary
(air photo) ✓



SCALE 1:1000



Mark T Mitchell
Consulting Geotechnical Engineer

73 Seddon Road • P.O. Box 9123 • Hamilton

REVOR HOLDINGS

PROPOSED REST HOME & RETIREMENT VILLAGE
- TEMPLE VIEW - HAMILTON

SITE PLAN

DRAWING No. 1920-01
DATE A
ISSUE

WAIPA COUNTY COUNCIL

ORIGINAL
APPROVAL

County Office,
P.O. Box 12,
Te Awamutu, N.Z.

18th August, 1977.

Messrs Tanner, Fitzgerald & Co.,
Barristers & Solicitors,
P.O. Box 95,
HAMILTON.

For attention Mr. K.W. Tanner.

Dear Sirs,

RE: APPLICATION FOR CONDITIONAL USE.

BRIAN PERRY FOUNDATION.

I have to inform you that the application submitted by you on behalf of the Brian Perry Foundation for consent to a Conditional Use was granted subject to conditions, by my Council at its meeting held 15 August, 1977.

The following is a copy of Council's resolution:

"That the application submitted by the Brian Perry Foundation for consent to a conditional use to establish a retirement centre on property situated at Te Kowhai-Te Rapa Road, Te Kowhai and described as 16.1874 hectares more or less being a subdivision of part Allotments 86 and 87 of the Parish of Horotiu as shown on the plan attached to the application lodged with the Waipa County Council and being part of the land in Certificate of Title Volume 15D Folio 1140 (South Auckland Land Registry) be Granted subject to the following conditions:

1. Applicants shall submit a developed site plan showing the following information:

- (a) General stages of development.
- (b) In the first stage, details showing:
 - (1) Disposition of all buildings on site.
 - (2) Types of residential unit.
 - (3) Provision for private outdoor living space related to each unit, e.g. verandah or terrace.
 - (4) Provision for clothes drying and rubbish collection
 - (5) Provision for parking of occupants' vehicles clear of driveways.
 - (6) Provision for parking of visiting vehicles.
 - (7) Provision for access for fire fighting and appliances.
 - (8) Layout and widths of carriageways, driveways, footpaths and details of kerbs and stormwater disposal.

- (9) Proposals for landscaping common areas.
(10) Building materials to be used externally.
- (c). Existing trees worthy of preservation shall be retained as far as possible and incorporated into the landscaping plan.
2. Once the site plan has been approved, no significant departure from it shall be permitted without the approval of the Council.
 3. Ancillary buildings, sports facilities and services such as clubrooms, shop or canteen shall be provided concurrently with residential units.
 4. Existing farm buildings shall be removed as they become redundant.
 5. Entrance to village from highway shall be at least 15 metres in width.
 6. The fence on the road frontage of the allotment to be removed to the true boundary line.
 7. Water supply, including provision for fire-fighting, and waste water disposal system to be provided to the satisfaction of the County Engineer."

Consent to the subdivision of part Allotments 86 and 87 will be confirmed when the Land Transfer Plan is submitted to Council for approval.

Yours faithfully,


COUNTY CLERK.

RECEIVED

15 JUL 1977

WAIPA COUNTY COUNCIL

50 Tarawera Terrace,
St Heliers Bay,
AUCKLAND 5.

13 July 1977

The Chief Inspector/Planning Officer
Waipa County Council
P.O. Box 12
TE AWAMUTU.

Dear Sir,

re: APPLICATION FOR CONDITIONAL USE - TE KOWHAI
BRIAN PERRY FOUNDATION.

Further to our letter of 20 June 1977 and the information supplied with your letter of 6 July 1977, we now have the following additional comments regarding the application :

1. There are two aspects of the proposal to be considered, i.e. the appropriateness of the proposed use on the site indicated, and the appropriateness of the sub-division of land which is required if the proposal is to proceed.

In view of the scale of the proposal, both of these aspects have significant planning implications which council should be aware of at both the local level and in terms of wider regional considerations.

2. The plans submitted with the proposal show that an existing title of 38.3 ha. (94.6 acres) will require to be subdivided into two blocks, one comprising 16.2 ha. (40 acres) on which the proposal is intended to be developed, and a balance area of 22.1 ha. (54.6 acres) which presumably will remain in farming use. It is understood that the area is presently in pasture and operated as a mixed dairy and pig farm. Council should ascertain whether or not the balance area of 22.1 ha. not required for the proposal can continue to be efficiently utilised for farming purposes, or whether in effect the entire 38.3 ha. block will become largely unproductive.

3. In this respect it is worthy of note that apart from a gully traversing part of the property, the entire area belongs to landuse capability

class II. This is considered to be good quality farmland.

4. The justification for taking out of production the substantial area of 40 acres of good farmland must be clearly shown. In this respect we note that apart from the proposed residential use, approximately half of the site development is to be devoted to a golf course. The need for such a facility in this area should be proved in view of its extensive land coverage and the presence of other existing courses at Ngaruawahia and Whatawhata.

N/O

+ quality
analysis

5. Two stages of residential development are proposed to take place after the initial construction of a community hall and recreational facilities. The proposal suggests that the first phase of residential development could take up to 5 years and the schematic layout indicates 34 residential units in this stage. The area set aside for further residential development could accommodate a similar additional number of units at the same density. This represents a total of some 70 units. There is no indication of whether these will be single or 2-person units but a mix of both could be expected so that approximately 100 persons might be accommodated on the completed development.

This prospect should be verified with the applicant as it represents a substantial addition to the existing population of the Te Kowhai township. Significant implications in terms of servicing (water, sewer, stormwater, roading etc) should be fully considered before any consent is given.

OK

6. The appropriateness of this location for a development of this type and scale should also be considered. The site is some distance from Hamilton or any other centre able to provide shopping, medical and other facilities which might be required. The residential area is located immediately adjacent to the Te Kowhai primary school which might add a noise factor but more significant is the possibility of heavy truck movements from potential sand/gravel sites in the vicinity.

B/T

Summary

7. It is considered significant that the proposed development is located in an area indicated in the proposed Hamilton Regional Planning Scheme as a mineral resource policy area which is likely to contain sands and gravels and considered regionally appropriate for such development.

Considered at
Prop. Scheme

8. We consider that all of these aspects should be given full consideration before any firm decision is made regarding this proposal and that insufficient material is as yet available to assess its appropriateness in the detail required by a development of this scale.

Yours faithfully,

David A. Alington

GABITES ALINGTON & EDMONDSON.

BRIAN PERRY FOUNDATION

Go over with 1/1
Founder: B. R. PERRY (1976)

Secretary: D. M. Taylor

P.O. BOX 1185
HAMILTON
Phone 82-289

5 July 1977

The Chairman & Engineer,
Waipa County Council,
P.O. Box 12,
TE AWAMUTU.

32 3e

Dear Sirs,

Brian Perry Foundation : Proposed Te Kowhai Retirement Centre

Enclosed is a draft proposal to give an indication of the type of development envisaged on the 40 acre property, subject to all the necessary approvals being granted. It is provided for your assistance in appraising the Foundation's project and we would like to think that it will be considered in that light.

The Property:

The site is on the southern side of the Te Rapa/Te Kowhai Road and adjacent to the Te Kowhai School. It is currently in pasture and operated as a mixed dairy and pig farm by the existing owners, Mr. S. and Mrs. G Hutton.

Zoning:

The land is currently zoned "Rural A", and part of this submission is an application for Consent to Conditional Use : Charitable Institution and Homes for the Aged being listed as Conditional Usage in the Waipa County under this zoning.

Legal Description:

Proposed subdivision is shown on the preliminary Scheme Plan previously submitted, and is comprised in Part Certificate of Title, Volume 15D, Folio 1140. It is part Allotments 67 and 86 & 87 68, Parish of Horotiu, Block XV, Newcastle Survey District.

Topography:

The land is traversed by a central gully, some 6 to 8 metres deep, running east-west, and with heavy willow growth. Two small tributaries divide the property into three plateaus

...

which are virtually flat.

The gully area would be approximately 9 acres.

Soil Type:

The majority of the property comprises free draining sand, with overlaying white silty clays varying from 0.2m to 2m.

Services:

a) Telephone:

The Te Kowhai PABX Exchange is situated on the road frontage of the property and it is believed there will be no trouble receiving telephone connections.

b) Power:

H.T. power traverses the property and L.T. supply is available at the existing road frontage.

c) Water:

It is envisaged that a bore within the site will supply the necessary quantity of water, and the Te Kowhai School which adjoins the western boundary of the property is supplied by a 20 metre bore. A sample of this bore has been taken and analysed by the National Dairy Laboratory and a copy of this report is attached.

Advice has been sought from a local welldrilling contractor who has installed numerous water supply systems in the district, and it is evident that sufficient water of good quality will be available from a similar installation on the property to that currently supplying the Te Kowhai school.

d) Stormwater:

Any major buildings and road lines would be reticulated and it is expected that final discharge will be made into the major stream previously referred to which traverses the entire property and discharges into the Waipa River - a water discharge right will be necessary and preliminary enquiries indicate there will be no difficulty in this regard.

e) Sewer:

A reticulated sewage system is not available in the Te Kowhai area. Since the soil type is typical of the area, namely a mixture of fine and coarse sands and some gravel, it is anticipated that the Health Department would approve individual septic tanks with effluent being disposed of in the normal manner.

Once Conditional Use approval has been obtained, percolation tests will be carried out in accordance with NZSS CP44 : 1961, Recommended Practice for the Disposal of Effluents from Septic Tanks.

...

Development and Staging:

It is proposed that Stage 1 comprise the tidying up, planting and access as shown on the enclosed plan under "A". Included also would be the construction of the community hall and some recreational facilities. The existing home will be upgraded and will be occupied by the Foundation's Director.

Stage 2 would commence with the construction of a limited number of residences as shown on the enclosed plan under "B". It is envisaged that to complete construction of all residences shown under "B" could take up to five years.

In conclusion, I can only remark that as far as we know, this is a new concept for the care of retired people in New Zealand, and it is difficult to foresee the full extent of the proposed development. Suffice to say that I am certain that not only will our proposal add to the community's amenities, but will establish the way of life for senior citizens that may well be a forerunner to future communities.

Enclosed also for your interest is a Synoptic Philosophy prepared by Mr. Barry Thompson, Director of the Foundation, which should be read in conjunction with my own preliminary resume presented to the County on 7 June 1977.

Yours faithfully,
BRIAN PERRY FOUNDATION

B.R. PERRY
FOUNDER

Encls.
BRP:PAM