

Under the Resource Management Act 1991
In the matter of submissions by VJ Limited and Waikanae
North Limited on the proposed Kāpiti Coast
District Plan 2012

Evidence of Ben Addington on behalf of VJ Limited
(representing in part the submission made by Waikanae North Limited)
Chapter 7 – Living Environment
Submitter numbers 227 and 286
Dated 27 April 2016

Introduction

- 1) My full name is Benjamin (Ben) Richard Francis Addington. I am a Senior Planner at Landlink Limited in Waikanae.
- 2) I hold a Bachelor of the Arts and Master of Resource and Environmental Planning, both from Massey University in Palmerston North.
- 3) I have a combined eight years of experience working at Landlink Limited preparing resource consent applications, making submissions on various plans and strategies and processing resource consents.
- 4) I have also worked for four years as a Strategic Environment and Regeneration Officer at the Royal Borough of Greenwich in London, the United Kingdom.
- 5) I am an intermediate member of the New Zealand Planning Institute.
- 6) I have been engaged by VJ Limited to present planning evidence on their behalf.
- 7) VJ Limited are developing five blocks of land within the Waikanae North Development Zone for residential housing.
- 8) Landlink Limited is the firm engaged by VJ Limited to provide the planning, surveying and engineering services for this development project.

Scope of Evidence

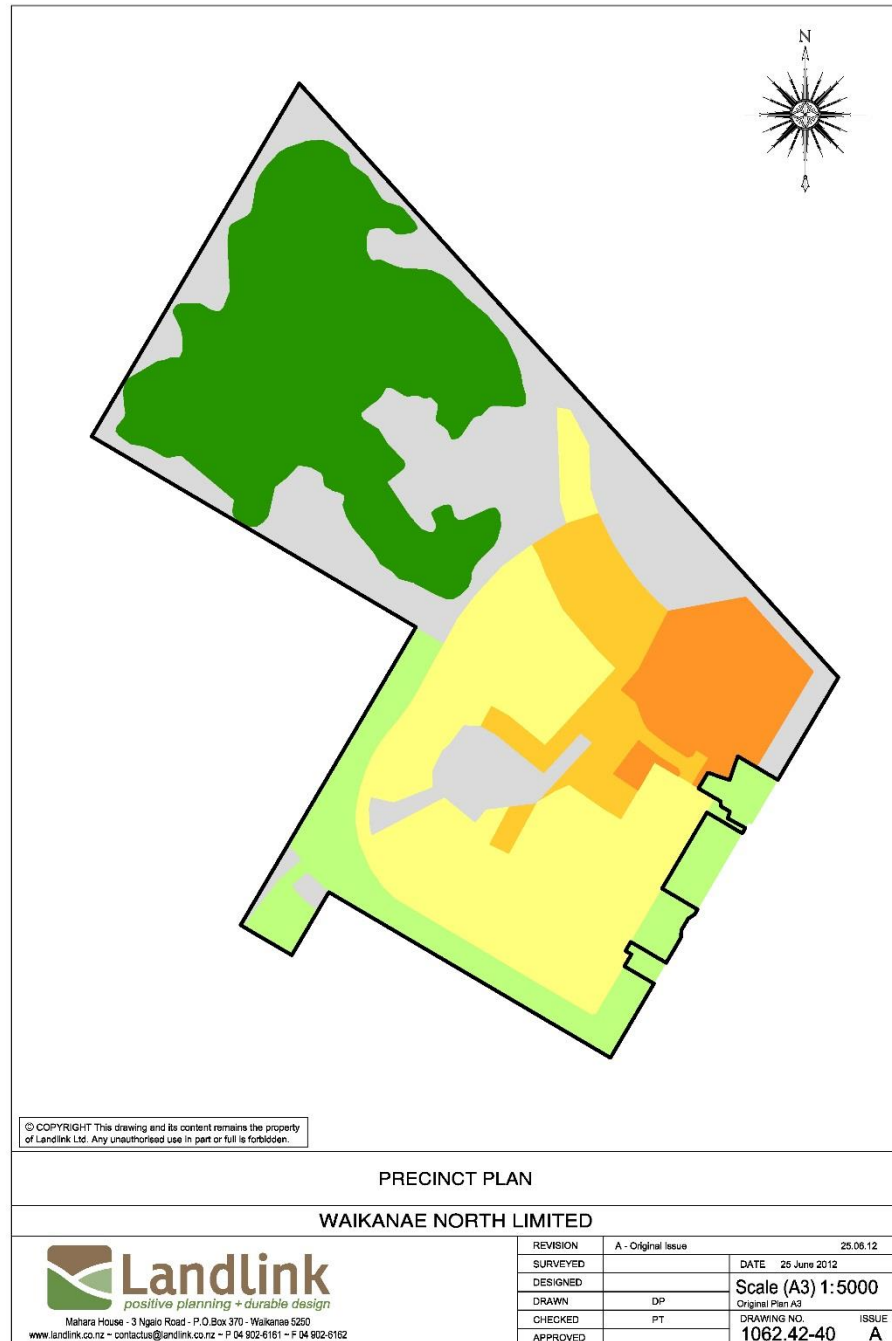
- 9) My evidence addresses the following specific matter:
 - a) Waikanae North Development Zone Precinct Plan
- 10) The first part of my evidence is the background to the situation and sets out the resource consent and proposed district plan submission history.
- 11) The second part of my evidence presents an amended precinct plan for the part of the Waikanae North Development Zone that is owned by VJ Limited.

Background

- 12) The Waikanae North Development Zone was created by Plan Change 69 in 2009 comprising three parcels of land all owned by Waikanae North Limited.
- 13) The entire zone was subdivided into five lots by Waikanae North Limited as a first stage under RM100229 as shown on DP 454080 (title plan attached).
- 14) Lot 2 DP 454080 was sold to Charles Fleming Retirement Village Limited (a company 100% owned by Ryman Healthcare Limited).
- 15) Lot 5 DP 454080 was sold to the Ministry of Education.

- 16) Lot 107 DP 454080 was transferred to the Kāpiti Coast District Council.
- 17) When the proposed district plan was notified in 2012 both Lots 3 and 108 DP 454080 were owned by Waikanae North Limited:
- 18) At that time both VJ Limited (submitter 227) and Waikanae North Limited (submitter number 286) made submissions on the proposed district plan. Waikanae North Limited also made a further submission.
- 19) I prepared the submission and further submission for Waikanae North Limited while Mr Chris Minty prepared the submission for VJ Limited.
- 20) Lot 3 DP 454080 was sold to VJ Limited in 2013 and developed into 35 lots under RM130101 and RM140222 as shown on DP 476550 and DP 492347 (both title plans attached).
- 21) Lot 108 DP 454080 was subdivided into a further six lots as a second stage under RM100229 by Waikanae North Limited as shown on DP 478686 (title plan attached).
- 22) VJ Limited purchased Lots 9, 15, 16 and 17 DP 478686 in 2015.
- 23) Lots 15 and 16 DP 478686 are currently being developed into 42 lots under RM140218 and RM140218A.
- 24) Lots 9 and 17 DP 478686 are currently undeveloped.
- 25) The progressive subdivision of the Waikanae North Development Zone in accordance with resource consent conditions has not been entirely consistent with the precinct plan in the Waikanae North Design Guide (Appendix 5.6 of the proposed district plan).
- 26) This started with the approval of RM100229 and has continued in subsequent resource consents as a result of:
 - Detailed infrastructure design standards
 - The retirement village plans
 - The Ministry of Education needs
 - Stormwater management and flood mitigation constraints
 - Reserves contribution negotiations
- 27) The result of this has been to create lots that could be subject to inappropriate precinct based rules and conditions. This increases uncertainty about the land uses acceptable on some lots and places an unnecessary administrative burden on applicants and the territorial authority for resource consents.
- 28) When the proposed district plan was notified in 2012 the precinct plan in the Waikane North Design Guide was identical to that approved in 2009 despite the partial implementation of RM100229 through DP 454080.

- 29) The submission made by Waikanae North Limited requested that the precinct plan be updated to reflect development that had been undertaken in the Waikanae North Development Zone and presented drawing 1062.42-40 issue A (reproduced below).



- 30) It is important to note that this plan was prepared before the implementation of the second stage of RM100229 and the location of future residential lots, legal road and infrastructure had not yet been designed.

- 31) The VJ Limited submission requested the following amendment to the precinct plan:
- ...Therefore it is appropriate that the Precinct Plan should be modified to reflect the proposed Domain Area, Ryman boundaries with areas outside the proposed Domain dimensions being zoned Village Precinct.*
- 32) To understand this request I note that 'Ryman' is Lot 2 DP 454080, the 'Domain Area' is Lot 107 DP 454080 and the 'areas outside the proposed Domain' are Lots 9 and 17 DP 478686.
- 33) It has been over three years since the proposed district plan was notified. Waikanae North Limited no longer own any land in the Waikanae North Development Zone and do not wish to continue representing their submission.
- 34) VJ Limited own or have developed and/or recently sold the following land:
- Lots 9 and 17 DP 478686 (currently undeveloped)
 - Lots 15 and 16 DP 478686 (being developed under RM140218 and RM140218A)
 - All lots within DP 476550 and DP 492347
- 35) It is this land that they are seeking to amend the precinct plan for. To enable this, they have sought and received confirmation from Waikanae North Limited that they can represent their submission.
- 36) This confirmation is set out in a letter from Mr Conor Collier, a former director of Waikanae North Limited (ceased 30 November 2015), to Mr Jim Speedy, director of VJ Limited dated 19 November 2015 (attached).
- 37) The s42A report dated 11 February 2016 recommends the following:
- That the precinct plan be amended in accordance with Figure 5 (reproduced below)
 - Amended precinct naming on the precinct plan to ensure consistency with rules
 - Updated district plan Map 07A to ensure consistency with the amended precinct plan
- 38) I support these changes as they are consistent with the Waikanae North Limited and VJ Limited submissions.

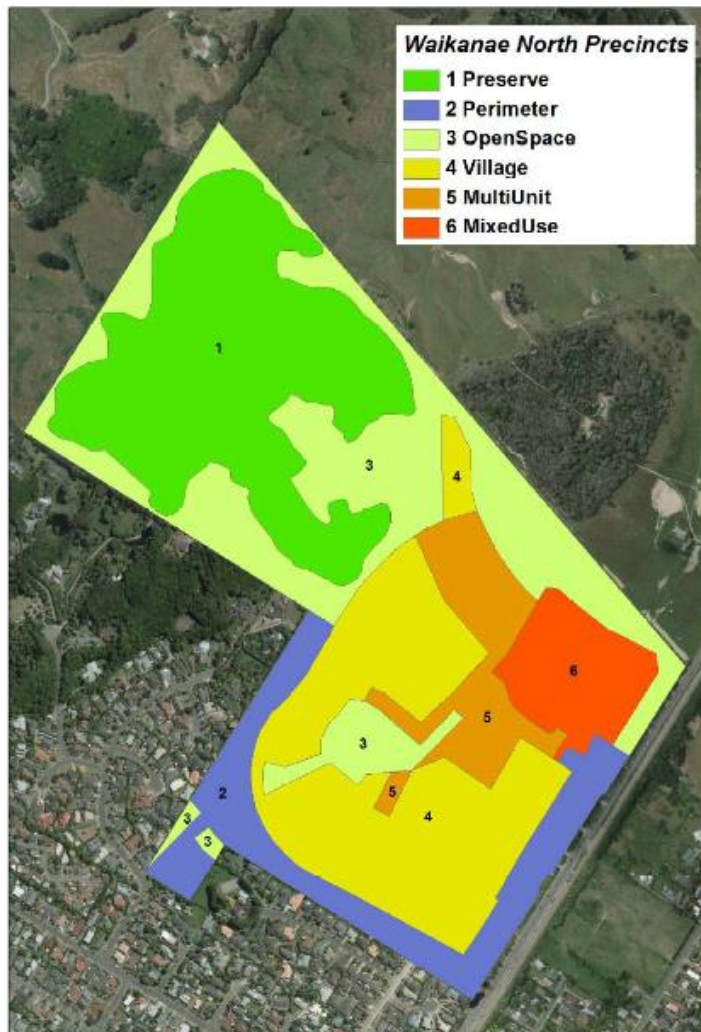


Figure 5: Recommended amendments to the Waikanae North Precinct Plan

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Amended Precinct Plan

- 39) While I agree with the changes recommended in the s42A report there are further amendments that I would like to recommend on behalf of VJ Limited to further improve the precinct plan.
- 40) Drawing 1650-P2-001 issue D shows the existing precinct boundaries and lots either created or approved by recent resource

consents. This drawing highlights those lots in more than one precinct.

- 41) Drawing 1650-P2-002 issue C shows recommended precinct boundaries for each of those lots affected.
- 42) Lot 9 DP 478686. The removal of Precinct 3 – Open Space is as recommended in the s42A report.
- 43) Lot 17 DP 478686. The removal of Precinct 3 – Open Space is as recommended in the s42A report. I also consider that the removal of Precinct 5 – Multi Unit is appropriate.
- 44) The original intention articulated in the concept masterplan has been eroded by the final location of council land, the Charles Fleming Retirement Village, legal road and the Ministry of Education school site such that an isolated strip of Precinct 5 – Multi Unit of approximately 4,480m² will remain on Lot 17 DP 478686.
- 45) The removal of this 4,480m² of Precinct 5 – Multi Unit will have an effect on the original intention of Plan Change 69 by further altering the density that could have been achieved.
- 46) In the Waikanae North Design Guide Precinct 5 – Multi Unit is intended to comprise row houses, walk-ups, corner walk-ups and apartments. Precinct 4 – Village is to be a less dense environment but can include row house development.
- 47) The change of part of Lot 17 DP 478686 from Precinct 5 – Multi Unit to Precinct 4 – Village is justified by:
 - The existing land use pattern now established
 - The erosion of developable adjacent Precinct 5 – Multi Unit land
 - The fact that row house development is contemplated within Precinct 4 – Village
- 48) Lot 23 RM140218. Precinct 3 – Open Space is relatively restrictive in terms of the activities that are permitted. I consider that it is appropriate for all of Lot 23 to be within Precinct 2 – Perimeter. This will ensure that the landowner is clear about what activities are permitted on their property and that these activities are consistent with the purpose for which the lot was created (i.e. residential habitation).
- 49) Lots 6 to 16, 18, 28 and 29 to 42 RM140218 and RM140218A. I consider that the removal of Precinct 4 – Village from the frontages of these lots is appropriate.
- 50) When Plan Change 69 was approved it was the intention that the edges of the Waikanae North Development Zone would be Precinct 2 – Perimeter to avoid, remedy and mitigate adverse effects on the existing neighbouring properties. It is appropriate to ensure that all of these lots are within Precinct 2 – Perimeter.

- 51) Lots 5 to 12 DP 492347. I consider that these lots are best developed in accordance with the rules and standards for Precinct 2 – Perimeter.
- 52) Bringing Precinct 2 – Perimeter to the edge of Mahia Lane will create the intended edge around the outside of the Waikanae North Development Zone.
- 53) Development within Precinct 4 – Village presumes a built form that requires a rear lane which these lots do not have.

Summary

- 54) VJ Limited have an interest in part of the land within the Waikanae North Development Zone.
- 55) VJ Limited have received confirmation from Waikanae North Limited (submitter 286) that they can represent their submission in part.
- 56) The precinct boundaries shown on the precinct plan in the Waikanae North Design Guide are not consistent with the lots that have been and will be created by approved resource consents in the Waikanae North Development Zone.
- 57) Drawing 1650-P2-001 issue D shows the precinct boundary discrepancies that VJ Limited would like rectified.
- 58) Drawing 1650-P2-002 issue C shows the amended precinct boundaries requested by VJ Limited.