


From: [Sue Ross](#)
To: [Mailbox - District Planning](#)
Subject: Further Submission
Date: Thursday, 1 December 2022 5:10:30 pm
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[Introduction 340 Ngarara .pdf](#)

For office use only
Further Submission No:
S259.FS.1


To Kāpiti Coast District Council

Further Submission in Support of (or Opposition to) a Submission on Proposed Plan Change to the Operative Kāpiti Coast District Plan 2021

Plan Change Number: **PC 2**

Plan Change Name: **Proposed Plan Change 2 — Intensification**

Further submitter details

Full name of person making further submission: **Campbell and Susan Ross Trust**

Contact person (name and designation, if applicable): **(Dr) Harry Campbell Ross**

Postal address (or alternative method of service under section 352 of the RMA):
[REDACTED]

Telephone: **021 421 469**

Electronic address for service of person making further submission (i.e. email):

sueandcampbellross@gmail.com

I would like my address for service to be my email *[select box if applicable]*

Yes

I have selected email as my address for service, and I would also like my postal address withheld from being publicly available *[select box if applicable]*

Yes

State whether you are *[select appropriate box]*

a person representing a relevant aspect of the public interest. Yes

In this case, also please specify the grounds for saying that you come within this category

It will be clear from the supporting documents that our submissions are supportive of a much more sound (in terms of the character of available land for increased residential use, consistent with landforms, environmental factors, and urban marginal location considerations) is clearly of public interest.

a person who has an interest in the proposal that is greater than the interest the general public has Yes

In this case, also please explain the grounds for saying that you come within this category

The documentation should demonstrate a high degree of experience and thought in this field. Plus ownership in the area covered.

the local authority for the relevant area: KCDC

Scope of further submission

I support the submission of: *[select the appropriate wording]*

NB: Original Submitter's Name and Address for Service is not clear from References in Submissions List.

Landlink Ltd? Plus Refs 155 and 176.

Submission number of original submission: Ref 136 Landlink Ltd? (or "S136" Trow)

Particular parts of the submission I support are:

Clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the proposal. While it is not a requirement, it would be helpful if you could state the submission point number as listed in the summary of decisions requested document.

Continue on a separate sheet if necessary

See this detailing on separate pages. [Note that the "Ref" #s for submissions do not coincide with the "Sub" #s, eg, Landlink is "Ref" 136 but "Sub" S206.]

The reasons for my support (or opposition) are:

[give reasons]

Similarly, stated on separate pages.

Continue on a separate sheet if necessary

I seek that [select appropriate box]

The whole or part of the original submission be allowed disallowed

[describe precisely which part below]

Similarly, self-evident on other pages. In general, we are saying that our proposal for an Eco-Hamlet buffer zone of the type we describe in the 340A Ngarara Rd area will express the sorts of outcomes the referenced submitters are asking for (as highlighted in our summaries).

Continue on a separate sheet if necessary

Hearing Submissions [select appropriate box]

I wish to be heard in support of my further submission. **Yes**

If you wish to be heard, please tick one of the following

If others make a similar submission, I will consider presenting a joint case with them at a hearing. Yes

Signature of person making a further submission Date **1/12/22**

(or person authorised to sign on behalf of person making further submission)

This late submission is entered after a background of several years discussion with Council officers for a more residentially productive as well as careful use of economically unproductive and broken landscape on Northern Ngarara Rd, specifically the “Eco Hamlet” properties from c 306 to 340 A B and D Ngarara Rd, inclusive.

The submission is late only because Council officers had earlier advised, and the public documentation had indicated the same, that PC 2 was entirely focused on the Government’s MDRS policy. It is only by chance that we last Thursday discovered otherwise. Accordingly, we ask that this submission be considered, in part because the process may have been flawed (as above) but mainly for its civic merits.

In earnest of these points we supply copy of e-mail sent in the last few days to District Planning Manager, Jason Holland. His phoned advice was that the committee probably would accept a late submission if it did relate to specific “Further Submissions” and we moved quickly. Both are true. This submission is within 4 days of Jason Holland’s response; our case relates closely to the submission of Landlink Limited and several others.

Our Case in Brief + Relief Sought

NB: While we present this submission as an individual landowner, its substance, “Introduction”, is with the full knowledge and concurrence of the two other properties included in the detail, 340B and 340D Ngarara Rd. We also note that #s 306+ Ngarara Rd, the “Greenstone” development, has already been subdivided under Non Complying provisions but in a way we believe, and show, is far from optimum from a civic point of view — or “Growing Well”. The proposals we make for an Eco Hamlet with reduced lot sizes would fit comfortably over the changes already made.

In a nutshell, the Council’s published materials plus advice from Council officers, indicated that the PC 2 was to focus purely on applying MDRS to existing urban zones, as focused on the “centres” of those zones:

Even the summaries published in August gave this impression. For example, “enables increased levels of development in and around the District’s centres and around the train stations at Paekakariki, Paraparaumu and Waikanae.”

In fact the process has gone much further, both in Council’s bringing in “Future Urban” and other categories into Urban, and in the breadth of public submissions. Also for "consequential effects" which do apply to our location insofar as the extension of the general urban zone comes right up to our subject properties.

Apart from questions of proper process, as above, the effect in our Ngarara Road is to bring MDRS tightly against an Eco Hamlet regime which is itself wasteful of otherwise totally unproductive rural (the “Greenstone” Development at #s c 306 upward has regressed into scrub over recent years, is seriously rabbit degraded), making it the more important to refine the Eco Hamlet zone, as we have been proposing, so that it forms a far more convincing, stable, “buffer” zone, efficient (of available land), ecologically sound, provision for highly desirable Eco Hamlet properties for a ready market at reasonable prices, as we outline under “Introduction”.

Our proposed solution (for at least the area including c 306 - 340 A, B, D Ngarara Rd, incl) is implicitly comprehended in Landlink's Submission and others which we attach this submission to.

Ref #136 Landlink Ltd

- The modest rezoning of 13 small areas to residential does not give adequate effect ...
- There are several other areas which should be considered for rezoning which are

either within or on the peripherals or urban areas

- The proposed rezoning approach is narrow and unrealistic to deliver ... the quantities of housing ...
- The limited approach to rezoning (particularly the lack of greenfield) will inhibit efficient development.
- KCDC's ambitions for infill are unlikely to achieve the housing choice/different types of homes The significant focus on infill and intensification as a first point of enablement in isolation of enabling other types of development does not play to Kāpiti's strengths or the character of the district.
- A potential reliance on private plan changes to enable housing in other areas will be administratively cumbersome for all parties involved.
- Retaining minimum allotment sizes for subdivision given the proposed changes to permitted baseline for most sites given MDRS and associated changes does not appear pragmatic.
- Broaden to include other small pockets of remaining rural land (at the risk of leaving very small pockets of remaining rural land).

Other submissions to which ours directly responds:

- Ref #155. In opposing re-zoning of their Ngarara Rd property to General Residential, this submission gives two major reasons (the second and third) which would be entirely resolved in an Eco buffer zone such as we propose for our particular property. That is, Ref #155, indirectly supports our own case,
- Ref #176. Similarly, this opposition calls for the “ecological” and “character” protections that our own proposal would sustain.
- There are possibly others,

Our (340A Ngarara Rd) Relief Sought:

That Council actively pursue, whether within PC 2 or outside of it, a modification of the present Eco Hamlet Rules applying to c 306 to 340 A B C D **Ngarara Rd** and surrounding properties, along the lines outlined below, with a 0.4 ha (or open) minimum lot regime replacing the present (amorphous, inefficient, wasteful) regime.

See also “An Operational Statement of Our Case”, p 2 of “Introduction” following.

And “A Restatement...”, p 7.

Email to Jason Holland — explaining lateness of this submission:

Scope and Deadline Issue
25 November 2022

Hello Jason

(Please excuse an element of “garble” in what follows — written in a rush for reasons that will become apparent.)

You were very helpful earlier in the year when I shared with you a draft proposal for more appropriate subdivision parameters at our Northern end of Ngarara Rd, Waikanae (we are at 340 A, others are involved). We represent that much smaller lots should be permitted, allowing a more permanent (absolutely permanent given the broken land forms) and properly managed “rural garden” regime (say 0.5 ha). By contrast, the newly subdivided property adjoining us (now approx #s 306-336 incl, Ngarara Rd) is in fact highly unstable (lot-size speaking) and out of synch with the present push for more efficient land use, with additional building platforms offering on non-productive land but at present not zoned for small “rural garden” lots. Now I discover that there are apparently planning proposals re-zoning, into “General Residential Zone”, lands in fact abutting the recently subdivided lifestyle property which is our key example of what we say/show is a wasteful use of rural-residentially suited land.

You advised that Council was for the present focused purely on implementing the government’s new higher-density provisions for urban areas, our proposal falling outside that purview.

It was only today another party, also interested, pointed out to me that the scope of change seemed much wider than I had been assured. That is, it did include lands at present physically rural coming into general urban subdivision status, in fact within a couple of hundred metres of our own properties at 340 Ngarara Rd. Also that the deadline for submissions was today.

Very concerned in the light of my/our previous submissions (including a couple of years ago when Council staff actually conducted a Pre Application meeting towards a Resource Consent submission), I immediately rang KCDC for advice from the Planning Department and **waited all day for the return call, which didn’t come.** Had that come I had immediately available materials (which you have seen) which would have served as a last minute submission with very little editing. Given the

circumstances, I ask that those materials, though not so finely focused on the proposals you have published, be accepted as a very-slightly-late submission in order that the proposals my group are agreed on be given status and consideration in the next stages of your planning process. It would seem that the fresh proposals for re-zoning to urban, up to 289 Ngarara, greatly strengthen our case. We wish them to be heard in the current process so that there is a holistic approach.

Alternatively, could you treat those materials already sent to you, and which we discussed in some detail by phone, be treated as a de facto submission in the current round.

We look forward to your assistance.

Thanks.

Regards
Campbell Ross

*E-mail from Jason Holland
28 November 2022*

Hi Campbell

Thanks for your email.

Areas of greenfield rezoning have been a part of Plan Change 2 since it was first informally consulted on as a "draft" in April/May this year.

The areas included in Proposed Plan Change 2 when it was formally publicly notified for submissions (which were open from 18 August - 27 September) can be viewed here:

https://www.kapiticoast.govt.nz/media/33be5xmp/pc2_ipi.pdf

Some submissions on Proposed Plan Change 2 requested additional areas be rezoned as part of this plan change. We produced a map of additional submitter requested rezonings to assist people to make further submissions. This map is available at:

<https://www.kapiticoast.govt.nz/media/5uefat34/pc2-rezone-requests-map.pdf>

The further submission process (which was open between 10 - 24 November) was an opportunity to make submissions expressing support or opposition to the decisions requested by other submitters. There are specific requirements for the form and content of further submissions which are specified in the Resource Management Act. One important requirement is that further submissions cannot be used to raise new points about the plan change.

We provided guidance on further submissions on our website and in the public notices inviting further submissions. A Friend of the Submitter free service was also available to assist people to understand those requirements. Our main website with this information is here:

<https://www.kapiticoast.govt.nz/your-council/forms-documents/district-plan/closed-for-further-submissions/proposed-plan-change-2-intensification/>

While the deadline has passed for further submissions, I am still very happy to you on the telephone today. In fact if you happen to be available shortly, I am free now?

Kind regards

Jason Holland
District Planning Manager
Te Kaiwhakahaere Whakamahere Rohe

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The Detailed Case

Introduction

In exploring the best and stable futures for our three properties A, B and D at 340 Ngarara Rd, within the “General Rural, Waikanae North Eco Hamlet Precinct” (Sarah Banks, 10/2/22), we have discovered the present Rules for Eco Hamlets are not closely appropriate to the nature of our land with its potential to furnish city-fringe housing needs (the properties are within close proximity — approximately 330 metres — of the current urban boundary on unproductive, unfarmed, land) in a way that fittingly contributes to the Council’s desired “buffer” or “transition” margin between urban and full rural.

Our land is part of an unproductive sweep from our own titles all the way back virtually to Te Moana Rd. It has been abandoned from grazing (become heavily infested with gorse, blackberry, box thorn and other noxious weeds plus with widespread degradation by rabbits). It includes extensive wetland (eco) pockets also unsuitable for farming. Primary production has voted with its feet, gone.



Just how profound is the degradation of land set off by rabbit infestation can be seen in these shots (and others later) on the land already abandoned from farming (these examples from 304 Ngarara Rd). Collateral effects already will include erosion into and silting of the significant local wetlands. 4,000m² lots will be far more likely to restore conservation, ecological, and cultural values.

It is that unproductive and/or neglected land immediately outside the urban boundary that we believe should be dedicated into a rural Buffer zone: it is not urban and it does not belong within the same “set” as the vast bulk of the general rural zone. The heavily treed character of our properties, throughout our long configuration stretching “East” to “West” between Ngarara Rd and the Pharazyn Reserve, separating us from the more open country to the North, would well demark/serve-as the extent of a Buffer precinct between full rural and urban, as we outline below.

Not only as to **non** primary productivity, our particular land (and the neighbouring property on our urban side (304 Ngarara Rd, “Greenstone”, already consented into smaller lots) is highly suited by its natural landforms and eco variations to providing the smaller, 0.4 ha minimum, dwelling lots already permitted within the Eco Hamlet Rules but made up of titles too small to supply the required larger “balance” lots — in fact “should not” given the economically **un**productive nature of the land and its close, fringe, proximity to the urban zone, with a consequential Buffer role to play. In fact, the three properties, collectively, present exactly the reasons for allowing parcels of greater intensification (0.4 ha is the established and obvious minimum lot size for a stable regime in place of the present “limbo”) as envisaged in the foundational planning principles (see *Draft District Structure Plan (DDSP) 2012*, p 4).

It is important to recognise that the words “buffer” and “transition”, as used in present planning materials, mean at least two things (with some tension, needing a sensible balancing, between them).

- One is to **block** urban drift:
“... as a way of constraining urban expansion north of the Waikanae North Urban Edge. This will be achieved by clustering rural density housing around large open space areas north of the urban edge...” [that is exactly our area].
- The other is to **transition**, meaning there will be a progression with a greater density allowed closer to the urban boundary than farther out into the zone.

Both of these words “buffer” and “transition” (plus the principle of local intensifications where appropriate as projected in the founding materials (“... potential for higher density through careful and innovative design”, *DDSP, 2012*, p 4) describe the denser subdivision in the area we are speaking of, the North end of Ngarara Rd (where 304 Ngarara Rd, “Greenstone”, has recently subdivided into Eco Hamlet exemplars — see Subdivision Plan below).

Practically, the twin principle is well expressed in the progression from:

- the intensive, urban, but self-serviced “Stetson” development at 206 Ngarara Rd
- to the now Eco Hamlet 304 Ngarara Rd / “Greenstone” (though that development has now also locked-in larger balance-land lots that would have been far better converted immediately into the smaller, 0.4 ha, Eco Hamlet dimensions more sensitively and more stably expressing the landforms; better to have been designed into its inevitable future (0.4 ha or similar) configurations, given its close proximity to the present urban boundary, than require major disruption and with awkward fits into greater density sometime in the future
- thence to our three properties on the 340 drive (physically adjoining 304/“Greenstone”) which offer exactly the good fit to their diverse landforms and eco features, with adequate open space, sensitive to (and formed around) the local ecology, its present local character maintained attractively and unobtrusively, and with a **stable future** — ideal for this near-urban locality.

This proposed “Buffer Zone”, or discretionary dispensations under Resource Consents, need only stretch across the sequence of properties (from the urban boundary) along Ngarara Rd, West side:

- the narrow Kawakahia reserve (already its own “Precinct”?)
- the 304 Ngarara Rd / “Greenstone” development (already under a wasteful (see below) version of Eco Hamlet)

- 338 Ngarara (a 2 ha property already applying for a logical splitting of its two knolls into one title each)
- our own 340 Ngarara Rd titles A B and D (C already fits the Eco Hamlet mould, with much of the property in grazed land highly susceptible to flooding (formally designated a Flood Extent Zone)).

This “Buffer” precinct would be of about one third kilometre length along Ngarara Rd but could/ should also incorporate the East side of Ngarara Rd, buffering the urban area more broadly. Such a Buffer precinct would not be out of place amongst the several other smaller precincts already characterising the locality, including the narrow Kawakahia strip.

The two appropriate and expeditious channels for adapting the Eco Hamlet concept to better fit these local realities, and to open more and affordable housing opportunities per the new national policies appear to be:

- to flexibly apply Discretionary and/or Non Complying discretions
- while formulating any needful local Plan Changes.

An Operational Statement of Our Case

Objectives:

- to satisfy the new national imperatives towards increasing the supply of affordable building land
- and to facilitate coastal retreat
- and to render the existing Eco Hamlet provisions practically workable in our area of broken landforms while still, and even more clearly, protecting Eco features (the latter being another foundational principle stated in the planning materials (cf “affordable housing”, *DDSP 2012*, p5)) and other characteristics
- and to establish a buffer/transition regime that is stable (ie, unlikely to require further change in the foreseeable future) in our area very close to the urban zone.

Measures:

- under Discretionary and/or Non Complying Consents and/or Planning Changes
- designate a “buffer/transition” sub-precinct (call “Buffer Precinct”?), determined by poorer soils, broken landforms, density of Eco features, proximity to urban boundary (each of 340 A B and C is within approximately 333 metres, as the crow flies, from its closest point to the urban boundary), and the buffer/transition role already identified in the planning materials
- affirm the present Eco Hamlet minimum residential lot size, 0.4 ha (4000 m2) for that buffer precinct
- jettison, for this buffer precinct, the balance-lot and 2 ha (or is it now 1 ha?) minimum/ averaged provisions, as wasteful of cheaper building land, highly susceptible to subdivisional manipulation distorting proper fit to natural landforms (ie, the balance land will often be **neither** landform nor Eco sensitive, as also illustrated on Greenstone — see more detail below), and likely to create regimes of short duration. Even then become of

increased difficulty in converting optimally into smaller lots — inappropriate access and service configurations, land covenants, awkward boundaries, owner objections, etc

- rely instead on the natural landforms within and adjoining the Eco Hamlet precinct (water courses, wetlands, ponds, flood extent zones, stormwater detention zones, the vast Harakeke wetlands adjoining to the West, gullies, steep faces in abundance), all unbuildable, in order to preserve the “open space” and Eco Values intended to be protected by the current regime. Note that **none** of the above specified features can be built upon — their eco protection is self-creating (in conjunction with appropriate Rules).
- that is, include any permanent open space beyond, outside, a parent-title as a valid way of meeting the “open space” principle of the District Plan, Rural (though bear in mind that 340 A, B and D are already not internally “open space” properties in any case — little or none is lost, no issue)
- and moderating land costs (ie, the “affordable housing” of the foundational planning materials, *DDSP 2012*, p5, and recent Governmental directions) by the consequently increased supply.

Matters of Particular Notice

- Open Space

The “open space” element, in the provisions for Eco Hamlets, at present requires keeping the **majority** of the Eco Hamlet precinct in “open space” (ie, frozen, per Land Covenants, in the “balance” areas which require that for every residence there be at least 2 ha (unless 1 ha in our recently-changed zone?) of unbuilt land on **average, internal** to the parent title, the bulk of it in the usually far larger balance lot). This device is seriously problematic:

- The requirement that open space be found entirely within the parent-title has no obvious justification where properties (like 340A Ngarara Rd) border upon vast permanent open areas (as in wetlands, reserve, open coast), as well as containing domestic lawns, orchards, small paddocks, planted steep slopes, etc. Permanent open space is permanent open space, no matter where legal ownership vests.
- That other major element desired for Eco Hamlets, Eco qualities — which clearly encourages extensive vegetation — militates against “open space” in any case. Which duality is already true of 340 B and D where extensive plantings already create high levels of Eco value but, also, necessarily close-off some “views” or “openness”. Nor is 340A an exclusively open-space property, internally (it is heavily established in woodlands), and nor will our proposal obstruct the open space of others in any new way. The whole is a delightful landscape, to be applauded from an Eco-perspective. Our proposed further subdivision will neither change these qualities nor change the landscape as seen from surrounding properties (cf “Effects Upon Others”, below).
- Open space, especially as under primary production is not necessarily consistent with that other desideratum, Eco qualities. The two are still often in conflict, despite much progress, in rural areas and others. Smaller, domestic, titles on naturally broken and poorer land but with many Eco features are more likely to be Eco protected than will be open space under primary production, even setting aside emissions and effluents. (This is not to dispute that primary production on an **economic scale** is vital to our nation, nor that there are major “Eco” advances in farming practices.) There is no primary production on an economic scale either across our three properties, nor between us and the Urban zone.

- Local Character

- The above observations point to ways in which our proposed subdivision will exactly preserve the present local “character” which foundational planning materials also set out to protect: “Ensure that subdivision and development in the Waikanae North Eco Hamlet Precinct is designed to reflect local character.” *DDSP 2012*, p 9.
- This local character includes the extensive plantings already bounding the three properties and elsewhere. And includes the housing patterns in the immediate area: the loose cluster of our own houses (two existing plus a cottage, plus the already designated building platform on Lot D), the dwelling on 340C, another at 338 Ngarara Rd on a knoll above 340C, another across the drain and flood-plain on 2 (? Fraser) Smithfield Rd, another slightly farther up Ngarara Rd (accessed at 225 Smithfield Rd). Such loose “clustering” is already the “character” of our locality, a part of the established pattern, as are the three dwellings on knolls in close proximity: 338 Ngarara Rd, 2 (Fraser) Smithfield Rd, 307 Ngarara Rd (additionally, almost the entire Stetson development also occupies a knoll top, plus many other examples along the rural sections of Ngarara Rd).
- A further aspect of this local character is that 340 A B and D are not essentially open-space rural properties, internally. They do have fine outlooks but they already do not correspond to the rural-productive, open-space, norm which the District Plan in good part sets out to protect.
- Similarly, there are dwellings adjoining to the East, themselves so enclosed (one by multiple sheds, two by the hollows they are built in and by heavy surrounding plantings in large trees, shrubs) that there is no open-space towards our properties needing to be “protected”.
- All of which is to say that the “open space” imperative for balance lots on and around our properties has no validity, is the colloquial “gone-burger”. Further demonstrating ways in which our locality is not standard primary-productive rural open country, is of a different nature, highly suitable for a formal Buffer margin.
- Our central point is that the “open space” “ideals” of the District Plan are not necessarily the realities of existing local character. And that our existing local character has its own validity, as the planning materials do acknowledge.

- Effects Upon Others

- For the various reasons stated above, there will be very little effect on neighbours outside our present 340 neighbourhood (see attached “Landforms” Plan/map):
 - Along neither of the two long boundaries containing 340 A, B and D (except for the already designated building platform on 340D East end, D2) do any properties “look in”; not the Greenstone development along the South Western side, not the handful of dwellings along the North Eastern.
 - None of the rural neighbours along Ngarara Rd overlook 340A, ie, there are none from which any neighbours might “defend” in their views towards new lots on 340A (cf landowners would “defend the retention of their outlook over balance lot areas”, *DDSP, 2012*).
 - The related question of 340A’s visibility from the coastal housing ridge (West of 340A) is dealt with, thoroughly and with pictures, elsewhere. But for the purposes of preserving “open space”, the open wetlands East from that coastal ridge and West from 340A provide a massive separation, approximately one kilometre. Two new, recessive/

obscured, dwellings within 340A's heavy vegetation as seen over such a distance cannot reasonably be regarded as of negative effect.

- Those two new dwellings, in any case, will be dwarfed as to “Effects” by comparison with the three new dwellings now permitted on the equivalent but totally exposed Western flank of 304/“Greenstone” adjoining. And by that overwhelming telecoms tower atop the Harakeke peak within the “Greenstone” enclave.
 - Similarly (see Draft “Site Map”, below) apart from 340D East end, D2 (which already has its designated building platform approved), the proposed 340D3 offers no present “open space” to neighbouring houses; it is hidden by trees. And the D1 land is not visible from any present neighbouring dwelling.
 - 340B land **is** looked out upon by the dwelling on 340C **and vice versa**. BUT between those properties is the permanent flood extent zone, farmed in several 340C paddocks, providing substantial and permanent open space between 340B and 340C. The one new dwelling which would be added, viewable by 340C, could readily be required to mask with trees, blending in with the ubiquitous tree lines already limiting the views from 340C in addition to the plantings already in front of the 340C house.
 - 338 Ngarara Road with its house to the East of 340C, has the same outlook as 340C but is even more distant from 340B and already is just as much in view as the reciprocal. Plus the same mitigation would resolve. Further, 338 itself is seeking a further Hamlet title, which would place its own new dwelling in the view of 340B — “swings and roundabouts”, reciprocal accommodations, no issue.
- Land Covenants Against Further Subdivision
 - Such encumbrances attempt to second-guess the future, instead of allowing future circumstances to be treated on their merits. A dubious measure.
 - And can have unintended, repressive, consequences as in the case of the Eco Hamlet balance-lot encumbrances described elsewhere (as on 304/“Greenstone” Ngarara Rd, adjoining 340, good eco-residential land now locked up against optimal sizes, see below) and/or where land is of poor quality, in both cases locking land into the worst of both worlds — not economically productive, not releasing sought-after dwelling land.
 - Covenants may or may not make better sense where larger tracts of primary-productive land are concerned.
 - But they do not in the Ngarara buffer/transition situation we are centrally concerned with.

Proposals re Covenants:

- Abandon covenants in such areas.
- If covenants remain policy:
 - in areas where 0.4 ha minimums are deemed to be acceptable under criteria such as those listed earlier in Eco Hamlet Zones and especially as for buffer zones (poorer land, eco features, very close to urban):
 - apply encumbrances only to lots between 0.0 ha and 0.75 ha (ie, restricting any further subdivision where another full 0.4 ha is not available from that title)
 - do not apply encumbrances to remnant lots 0.76 ha or over, allowing those lands (where held back at the owner's discretion where a subdividing land owner may have any number of legitimate reasons not to subdivide all in one go) to be treated on their merits in any future prevailing circumstances
 - a 0.4 ha minimum, averaged, would take care of the rest.

A Major Eco Hamlet Problem, Possibly an Unintended Consequence As Illustrated by the 304 Ngarara Rd/Greenstone Development (see Subdivision Plan below)

[NB: The following details need checking — the new Structure Plan is not clear (in fact it provides no specific material on subdivision sizes for our precinct — an omission?) re subdivision dimensions in the Ngarara Eco Hamlet Precinct. Possibly they are now 0.4 ha minimum, 1 ha average, as in the Rural Lifestyle Zone.]

- Under the District Plan, the “Greenstone” owners were required, in order to create 3 prime sea-view properties (of no less than 0.4 ha each), to balance them with much larger lots on the land more lucrative for sales.
- In fact the Plan says that for every 4 ha of parent land, you can have only two replacement titles (one down to 0.4 ha), leaving an average of 2 ha.
- This means there can be a balance of poor land reserved of up to 3.6 ha in the 0.4 ha residential lot example.
- Which balance land can never, under the also required Land Covenant, be further subdivided (now being less than the 4 ha required for any new 2 ha average subdivision) .
- In the Greenstone case, the apparently balance lots are of:

3.05 ha
1.99 ha

occupying land otherwise very suitable for minimum 0.4 ha lots at more affordable prices, but which apparently can never now be made available to the more “affordable” market, although “affordability” has from the beginning been an objective from the foundational planning documents, 2012, and is reinforced in principle by the new Governmental imperatives.

- Those “remnant” lots on Greenstone total 5.04 ha of land highly suitable for 0.4 ha titles on a nicely varied landscape without important “Eco” features except those easily protected within smaller lots. So that in place of the 2 “balance” lots, there could have been up to c 12 lots on almost entirely poor (often very steep and rabbit infested, ungrazed) ground (dry consolidated dunes) and without Eco features except those easily protected.
- Perfect for the lower-priced sector of coastal retreat.
- All this on land not suited for intensive urban (much is steep) but ideal for Buffer/transition purposes.

While in many ways an attractive subdivision, Greenstone stands as a sharp example of how balance provisions applied very close to the city might check development but only **in the most wasteful way**, denying the more affordable market. **The buffer concept can be better achieved as we have outlined:**

- **supplying the more affordable market instead of having suitable land locked up**
- **providing a buffer transition zone better for its greater stability in preserving the urban edge**
- **eliminating the inefficiency and disturbance of inevitable later retro-conversions into smaller lots.**

In the case of 340 Ngarara Rd, by contrast to Greenstone, we propose to supply the mixed market (with ideal, permanent, access) for a stable long-term solution in a way highly compatible with Eco and other qualities, not requiring future reconfiguring as will eventually need to be the case with Greenstone.

NB: None of the above is a criticism of the “Greenstone” developers and their planners. What they have done is what the then District Plan has pointed them to do.

A Restatement of Our Case, Bringing Together the Above Material

Our attempts to fully understand the current Eco Hamlet principles and rules have led us toward a more focused and better-fitting model by which to achieve more clearly and practically the same basic objectives as the District Plan intends in our locality (and possibly some others).

1. The present, Operative, District Plan does allow intensive clusters amongst productive rural lands.
2. But the Plan seems not to provide sufficiently varied criteria for localities, within the General Rural Zone, as do not fit the standard broad-fields primary-productive template. For example where there is:
 - relatively unproductive ground
 - in broken landforms, especially where they contain multiple eco features in consequence of that broken character
 - in close proximity to urban areas where buffer margins are intended
 - and where coastal retreat and national governmental policies require more available building land.
3. Further, under the present Eco Hamlet provisions, the “balance land” device assumes that all present titles contain productive land (and without many special eco features) as would be worth preserving into balance lots, assumptions that are plainly not true in some areas (our own locality is one).
4. So that Eco Hamlet subdivisions on smaller properties can lock up “strips” of non-productive land (ie, to supply the required balance lots) where that non-productive land would have been better devoted to small lot rural titles (0.4 ha, for example). “Greenstone” on Ngarara Road is a clear example of this flaw.
5. There are also aesthetic consequences. Whereas the Hamlets of Europe (whence the term “Hamlet” derives) are typically in clusters surrounded by uninterrupted fields or grove and grazing slopes, the present Kapiti District Hamlet provisions are far more likely to result (especially from smaller parent properties) in artificial, “geometric strip”, configurations — see the artificially elongated “Greenstone” lots 3 and 4, as clear examples — than the organically formed Hamlet/Countryside patterns, highly attractive, from which they take their name. Our proposals for 340 Ngarara Rd are more consistent with the latter.

Conclusion:

- jettison balance lots in certain, especially small parent-title, localities (including buffer/ transition zones) like ours
 - instead judge subdivision plans within these localities on their specific merits
 - economically productive or not
 - broken (highly varied) landforms or not
 - eco features or not
 - of urban buffer value or not
 - etc
 - allowing purely 0.4 ha (minimum) subdivisions where these conditions are met.
-

A Footnote on Hills and Hollows:

There is a further tension in the District planning materials between, on the one hand, seeking to protect the richer hollows (eg, between dunes) for agriculture and, on the other, encouraging building in hollows, not on hills. Both of these conflicting objectives have been stated in the planning materials over time.

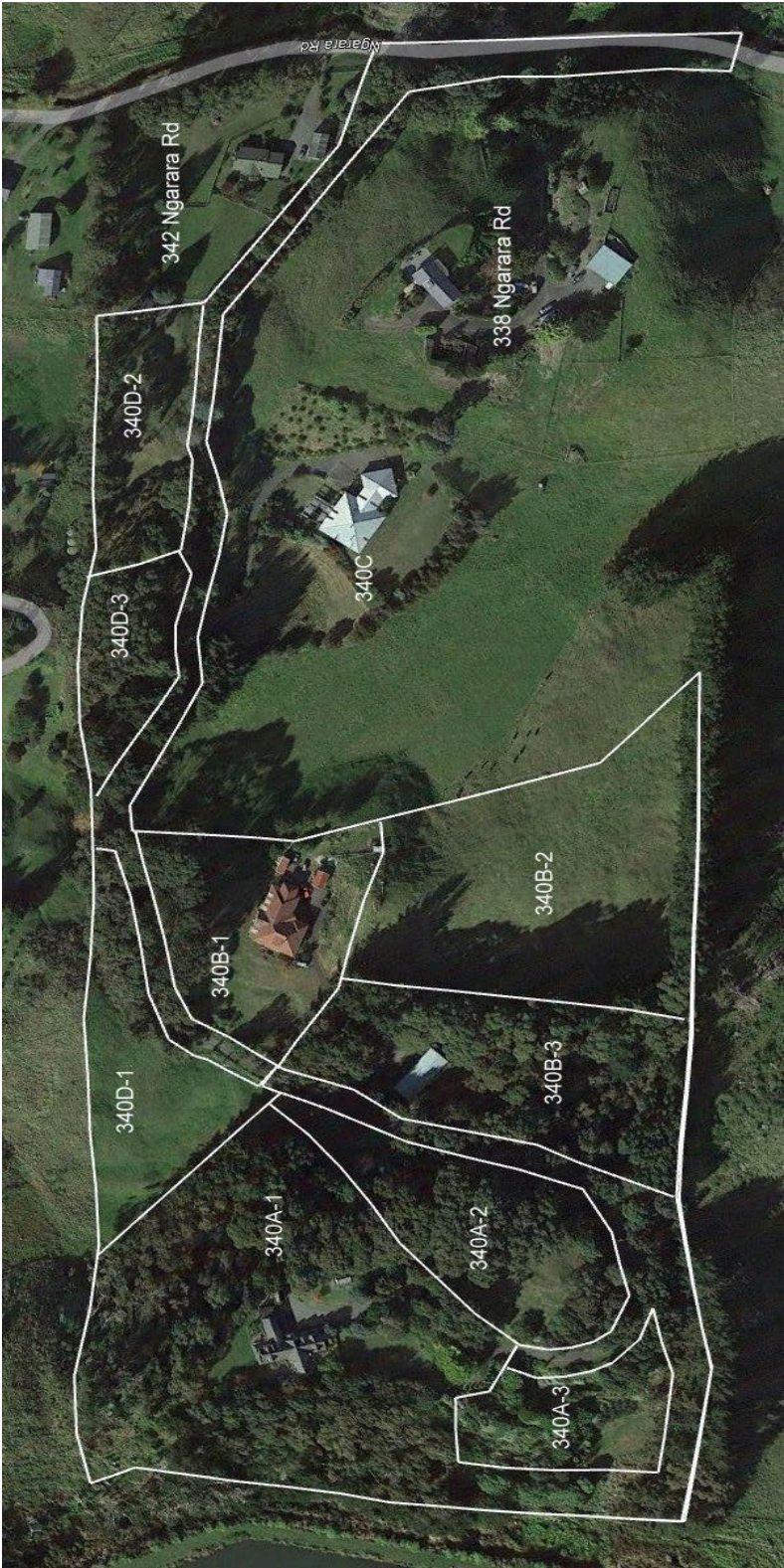
Our own situation offers the “fair”, sensible, outcome. Our only peaty bottom land is on 340C (not participating in our present proposal). 340C does graze that land, intensively in small paddocks. It is classed as a flood extent zone and cannot be built on. And of course all present buildings are on higher ground, through all of A B and D.

So why is there any policy disposition against building on hill/knoll/rise tops? That is in fact where humans historically have tended to build, Maori not least. And except where there are very cold winters or places of high winds, that is where the hamlets of Europe have tended to be. And are greatly admired for their beauty — the fabled hill towns of Italy, France, Germany, etc, etc. And are where Maori have typically built Pas unless closer to lower areas of kaimoana, etc. And are where the good citizens of Waikanae have chosen wherever available (the slopes of Hemi Matenga, the Estuary area, the coastal ridge dunes). AND where the settlers of rural Ngarara Road have built where given choice and a free hand — examples of dwellings on knolls show all along the rural sections of Ngarara Road. A human historical preference that might have begun as a defensive measure and/or for military advantage is now in our emotional and aesthetic genes. Plus it is exactly on the higher ex dunes of our own locality that the ground is least productive.

A reasonable planning conclusion is to allow building platforms according as the specifics of each property indicate best (and as consistent with other particular desiderata as set in the Rules):

- in the case we describe the land is overwhelmingly of marginal or uneconomic primary-productive value, in fact has been abandoned from farming, is degrading under noxious weeds and rabbit destabilisation
 - but which would be better placed under medium density residential to enhance eco values (the already adopted Eco Hamlet principle of the Ngarara Eco Hamlet Precinct)
 - the wide open-spaces assumed in the general rural planning materials already do not exist in the area under focus
 - the locale is ideal for coastal “retreat”. Coastal “alternatives” might be a better term: higher and safely back from absolute sea-front, gradually replacing the absolute coastal settlement, not by physically moving, “retreating”, housing stock, but by new-builds (and some physical removals) onto safer ground with still the advantage of excellent sea views in many cases and more attractive where there are not sea views than their equivalent non-seaview properties in the lower coastal hollows.
 - the proposed zone/precinct offers a wide expanse of this favoured residential land, straightforward to develop and of sufficient magnitude to meet supply needs sufficient to moderate pricing
 - all the while protecting and enhancing Eco values where they actually exist not only by specific rules but accepting the majority of Eco features — wetlands, ponds, flood plains, reserves, highway run-off, steep faces, etc, etc — cannot be built upon. Instead they will be enhanced as key elements of “grown” landscapes.
-

Site Map Showing Preliminary Indicative Subdivision Lot boundaries



Map Showing Landform Separations



From: [Sue Ross](#)
To: [Mailbox - District Planning](#)
Subject: Re: PC 2 / Further Submission
Date: Friday, 2 December 2022 4:18:59 pm

To ensure clarity re our PC 2 Submission of yesterday, prepared as it was in great urgency, we summarise as follows:

- we support the submission “Ref” 136, Landlink
- insofar as it proposes measures that would/should enable our own proposals for our section of Ngarara Rd
- which are for a "buffer zone" between urban and rural, in which 0.4 ha lots would be possible. The great merit of this approach is that, given the broken and “eco” nature of the land (precluding urban-intensity, serviced, development at any foreseeable date) that “precinct” could settle into a very stable regime, providing the best use of the land consistent with best land yield for housing.

We ask that you attach this statement to our submission as an “opener”.

Thanks.

Regards
Campbell Ross

On 2/12/2022, at 1:36 PM, Mailbox - District Planning
<District.Planning@kapiticoast.govt.nz> wrote:

Hi Campbell

Thank you for the further submission on Proposed Plan Change 2: Intensification on behalf of Campbell & Susan Ross Trust. Acknowledging that the further submission has been received. Please note it will be recorded as a late further submission.

Kind regards,

Abbey Morris
Planning Technical Support Officer
Te Āpiha Tautoko Take Whakamahere

Kāpiti Coast District Council
Tel 04 296 4725
Mobile 027 3037 312

www.kapiticoast.govt.nz

From: Sue Ross <sueandcampbellross@gmail.com>
Sent: Thursday, 1 December 2022 5:07 pm
To: Mailbox - District Planning <District.Planning@kapiticoast.govt.nz>
Subject: Further Submission

To Kāpiti Coast District Council