

Pre-Hearing Meeting Report

Housing New Zealand Limited application to undertake a two lot residential subdivision that does not meet the shape factor, minimum and average lot sizes, requires consent for contaminants in soil and land use consent for the construction of two dwellings prior to the certification of the subdivision that do not meet the permitted activity standards for car parking, water demand management and accessory buildings encroaching the require yard setbacks at 35 Kaitawa Crescent, Paraparaumu

26th June 2020 – 10.30am

At the Kapiti Coast District Council Rata and Kohekohe Meeting Rooms

Meeting Chair: Yolanda Morgan

1. BACKGROUND

The Kāpiti Coast District Council has limited notified the above application and has received three submissions.

I was asked by the Council to Chair a Pre-hearing with the applicant and submitters.

The meeting was convened on 26th June 2020 in the Rata and Kohekohe Meeting Rooms at 10.30a.m.

Parties in attendance were asked to sign an attendance register (attached as Appendix A). I note that the following were in attendance:

For the Applicant:

- Mark Lash – Kainga Ora
- Lesa Davidson – Kainga Ora
- Sonia Dolan – Kainga Ora
- Tim Strong – WSP (Consultant to Kainga Ora)
- Mat Marois – WSP (Consultant to Kainga Ora)

Submitters:

- Stevenie and Richard Peterson – 7 Kaitawa Crescent
- Paul Marlow – 33 Kaitawa Crescent
- Mavis and Robert Young – 37 Kaitawa Crescent

Council:

- Marnie Rydon – Reporting Planner
- Sean Man – Development Engineer

The meeting was conducted in an orderly and constructive atmosphere without undue formality. An agenda was pre-prepared and circulated as attached at Appendix B. In particular, I noted that when speaking, any points raised would be on a without prejudice basis.

Whilst present, the reporting planner made detailed notes on the discussion, a copy of which is attached as Appendix C. I have reviewed those notes and believe that they are an accurate reflection of the matters covered in the course of the meeting.

2. SECTION 99(5)(B) MATTERS

Section 99(5)(b) requires that I provide a report that sets out:

- the issues that were agreed on; and
- the issues that are outstanding.

Rather than agreeing on any issues that could be resolved at the pre-hearing the applicant and the submitters discussed areas of concern for the submitters, as outlined in the meeting notes, and the applicant gave an undertaking to look into ways in which some of the matters raised might be addressed.

Issues that were agreed upon:

1. The Applicant has given an undertaken to address the current stormwater issue at number 7 Kaitawa Crescent.
2. The applicant has agreed to pay costs of fencing and will work with neighbours on what they would like to be erected.

Issues that the applicant has undertaken to further address:

3. The applicant will look into the proposed deck on the boundary with 7 Kaitawa Crescent and will develop a landscaping plan to potentially mitigate the effects of this on 7 Kaitawa Crescent. They will provide this plan to the owners of 7 Kaitawa Crescent for comment.
4. The applicant will look at designs for a restraint system for the water tanks on the boundary with 7 Kaitawa Crescent to ensure that they are secure in an earthquake.
5. The applicant will confirm the height of the dwelling proposed for the rear of the subject site, and confirm if they foundations need to be at a higher elevation that the Plans currently show.
6. The applicant will prepare draft conditions that they will offer as part of the consent process.

3. CONCLUDING REMARKS

At the conclusion of the meeting those present were advised of the likely way forward for the application and the process should there be a hearing

I then closed the meeting.

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Appendix A – Attendance Register

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Appendix B – Agenda

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Pre-Hearing Meeting

AGENDA

Housing New Zealand Limited application to undertake a two lot residential subdivision that does not meet the shape factor, minimum and average lot sizes, requires consent for contaminants in soil and land use consent for the construction of two dwellings prior to the certification of the subdivision that do not meet the permitted activity standards for car parking, water demand management and accessory buildings encroaching the require yard setbacks at 35 Kaitawa Crescent, Paraparaumu

26th June 2020 – 10.30am

At the Kapiti Coast District Council Rata and Kohekohe Meeting Rooms

Meeting Chair: Yolanda Morgan

1. Welcome and introductions
2. Summary of proposal by the applicant
3. Issues raised in submissions
4. Points of agreement and further actions
5. Next steps

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Appendix C – Meeting Notes

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Pre-Hearing Meeting

NOTES

Housing New Zealand Limited application to undertake a two lot residential subdivision that does not meet the shape factor, minimum and average lot sizes, requires consent for contaminants in soil and land use consent for the construction of two dwellings prior to the certification of the subdivision that do not meet the permitted activity standards for car parking, water demand management and accessory buildings encroaching the require yard setbacks at 35 Kaitawa Crescent, Paraparaumu

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At the Kapiti Coast District Council Rata and Kohekohe Meeting Rooms

Meeting Chair: Yolanda Morgan

Meeting commenced

Introductions from attendees

Chairperson overview of process, meeting held without prejudice

Mark Lash (ML): Development Manager charged with undertaking new developments. Kainga Ora has historically had a certain model of development style which no longer meets the needs of tenant, gaining population, live for longer, single people etc. New Land is not opening up and lots of three bedroom developments are being replaced with multiunit developments. Perceived intensification of land use. Increase in density doesn't mean the area is a worse place to live. In this case, two-bedroom dwelling at front of site, single level on the higher part of the site in aim to have the least impact on the street. Four bedroom to the rear of the site, setback from road so there's no difference in character.

Richard Peterson (RP): Rear deck looking into site.

Paul Marlow (PM): Resource consent (RC) application says no effects on neighbours, lucky Council considered that there are.

ML: Mat, take through matters need RC for.

Mat Marois (MM): yards for water tanks and garden sheds, minimum and average lot sizes (450m² and 600m²), as part of further information request response, applied to construct dwellings prior to completing subdivision, car parking, smaller water storage tanks.

PM: Why subdivide tax payer land?

ML: Financial reason to subdivide. Worth less than houses on one section. Portfolio requires subdivision. The sites are not expected to be sold. Government embargo on state housing sales.

PM: Kainga Ora taking a developer role rather than providing for people/land.

ML: Won't be able to find common ground doing away with the subdivision, accountants won't allow it.

Chairperson: Anything else to add about proposal?

ML: Asked if everyone has seen plans of the development?

PM: The plans lack information.

ML: Plans approved by Ministry of Business, Innovation and Employment (MBIE), cookie cutter approach.

PM: Plans lack detail and don't meet code.

ML: Asked if everyone has seen plans of the development?

PM: Finished ground levels, raised will end up encroaching height envelope, who pays if roof is on and it is wrong?

RP: Site has been scrapped and water running directly from site onto my property (7 Kaitawa Crescent) when it rains.

ML: Will get contractors onto the site to get it sorted out. When built, this shouldn't be an issue, stormwater will be controlled onsite.

Stevenie Petersen (SP): Deck be built 3m off boundary.

RP: If it doesn't meet the requirements what happens?

ML: Let us know and it will be fixed.

PM: Elevation of building, 1.5m height of fence.

SP: Height means can see directly into our backyard, daughter playing etc.

PM: Noise from raised timber deck increased with number of people living there.

ML: Noise it not a standard that we have applied to not comply with.

PM: Issues with shadows, noise, visual (water tanks), pumps, costs – who pays when there are issues – our money.

ML: Let's go through items one by one.

PM: Nothing wrong with getting people into houses but what proposing will devalue our properties.

ML: No devaluation of properties. Let's talk about privacy.

SP: Was a site visit undertaking before deciding to lodge RC with current proposal?

ML: Yes, a site visit was undertaken. Rear accessible room downstairs, topography has dictated height of foundations and why a timber foundation was chosen.

PM: Expensive option.

ML: Was based on geotechnical investigations and recommendations.

PM: Building code requirements are not being met.

ML: Building Act requirements will be met and if not, then will be fixed.

PM: To fix would need to be lifted and then wouldn't comply with height envelope.

ML: What can we do for privacy concerns?

SP: Remove deck.

PM: No deck.

ML: Not keen on changing the design at this stage, dwelling has been designed for accessibility. We could look at other options for the outdoor area, fence trellis, landscaping.

SP: Landscaping has previously been discussed.

ML: We will look at fencing/landscaping.

SP and RP: Open to suggestions.

No further issues raised on privacy.

Mavis Young (MY): Noise from pumps for the water tanks.

ML: no, pumps in ground, electric, really quiet.

PM: Submersible?

Tim Strang (TS): pumps will be in tank, no noise rating, difficult to measure noise levels. They are not noisy enough to be annoying because they run quite a bit, they've been design to be submersible.

MY: What are the height of the tanks?

TS: slightly higher than fence, will be visible.

PM: Corrugated or plastic tanks?

TS: Corrugated steel, one pump per house and water tank. If there's a problem with pump it is obvious – toilet won't flush.

ML: There is a house maintenance programme and the pumps will be serviced.

SP: Who does general section maintenance?

ML: Lawns be done by tenant if they are able, if not then someone comes and does them.

RP: What if there is a problem with the tenant?

ML: Call local office or 0800 number.

PM: Water tanks on boundary, how held in situ if there's an earthquake?

TS: Hasn't been considered in lots of detail. Tanks come with restraint system, structural design.

PM: Tanks are against the Young's garage, noise from two water pumps and two heat pumps.

TS: Kainga Ora agree to design appropriate restraint system for water tanks.

PM: Or could the tanks be submersed?

TS: Design has already been looked at.

ML: Other tanks have been looked at and used previously and there have been lots of issues so type of tanks won't be changing. We will however look at a restraint system and getting PS1 from engineers.

PM: The tanks need to be kept stable.

ML: Had experience with, will notice, condition of RC.

RP: Acoustic flooring.

ML: Dwelling has to have homestar six rating, green design, insulated floor which will mitigate noise. Heat pumps are common in residential areas, not asking for permission to do anything different. Can't suggest different heating system because of the need for the homestar six rating.

RP: What about radiators?

ML: High cost of maintenance.

PM: When all non-compliances and issues raised are rolled together, it is a lot.

MY: Is the fence the same height all the way along the boundary?

ML: front boundary for about 5m, 1.2m in height then goes up to 1.8m. This provides passive surveillance of the road, good urban design. If low height is a concern, this can be looked at.

MY: Privacy and noise concerns.

PM: What happens if the fence is broken?

ML: Fence will definitely be constructed, job number one keep neighbours happy and health and safety. Kainga Ora will pick up the cost of the fencing.

PM: Are tenants allowed pets?

SP: Trees, fence, water connection.

RP: Fence design, do we get to be involved, don't want to see the ugly side of the fence.

Lesa Davidson (LD): You will get the good side of the fence.

ML: Design will be worked on together.

SP: What about trees if removed for sewer connection in our property?

LD: Anything done on the site will be fixed, if trees are removed which we will try not to do, then they will be replaced.

SP: If trees are planted, prefer semi-mature ones so we don't have to wait so long for them to provide appropriate screening.

ML: Privacy has been covered, can come up with a plan. Noise?

PM: Stacked parking, if car in front needs to be used, then two vehicles are moving onto the road and causing clogging. Material for pavers for water retention in driveway won't serve purpose, require lots of maintenance. Water use in a four-bedroom home. Calculations for water storage vs. water use.

ML: Water use?

PM: Water tanks. Calculation uses three bedroom and applied to the four bedroom house.

ML: Not civil engineering.

PM: Was in email.

TS: Council use an occupancy rate, three people, purpose to top up town supply, steps are being sued to reduce water use, size of property/people, not bedrooms. No impact on water use from rainwater tank use.

PM: I have to comply with size of water tank standard if I was doing something.

Marnie Rydon (MR): Kainga Ora have done the right thing, permitted activity standard don't want to comply with so have applied to not comply and meet the restricted discretionary activity standards.

Stormwater disposal standards are also met. This has been checked by Council's Development Engineer.

TS: Explained discharge to road, means water won't be going through 7 Kaitawa Crescent, less than before. Paving – valid concern re. maintenance.

PM: Testing on the paving was undertaken in Auckland on a flat site, different topography to subject site.

TS: Runoff and rest retained. Soak hole is final link of defence.

PM: Kerb and channel full in current rainfall events. Floods just down the road from site so why is this being added to by the additional density, won't that cause an issue?

TS: The pumps can handle this situation.

ML: Any other concerns? Purpose of meeting discuss if we could fix any of the concerns. Would you be happy to go ahead with conditions or still unhappy and want to go to a hearing? What conditions could fix concerns?

YM: Do the submitters have any other concerns to raised?

RP: Dwelling at rear being two storey.

YM: Don't have to agree to anything today, can go away and think about it. Actions for Kainga Ora raised.

ML: Can contact individually to discuss concerns.

PM: Will lose morning and afternoon sunlight due to being two storey.

MM: Have had shading analysis one (provided copies for PM to view and will email to MR afterwards). These show existing shading and shading from what is proposed. One period of the year where there is extra shading on #33, otherwise no difference.

ML: We will go away and come up with draft conditions, do extra work to try and resolve concerns.

SP: Yes, will consider proposed conditions.

YM: Conditions be offered to MR/Council.

ML: Would like to find common ground.

PM and RP: Yes.

YM: Reviewed list of action for Kainga Ora again. Nothing formally decided here today.

MR: Explained process of going to hearing, reports/evidence due, another meeting could be held to discuss options/conditions Kainga Ora come up with to try and resolve issues. If all submissions withdrawn, then no hearing. Kainga Ora could request application put on hold to discuss conditions with submitters which means clock will stop.

PM: Still have concerns with daylighting and foundations.

RP: Who will be contractors?

ML: Probably Jennian who then use a local builder. Tawa Street in Waikanae is nearing completion, another eight on Makarini Street and two at 104 Leinster Street – one is two storey.

MR: Makarini Street is within the focused infill precinct so smaller lot sizes = more dwellings are anticipated.

ML: Could organise a visit to the Leinster Ave property is wanted. Thanked everybody for coming.

Meeting closed.