

SUBMISSION ON A RESOURCE CONSENT APPLICATION THAT IS SUBJECT TO PUBLIC NOTIFICATION BY THE KAPITI COAST DISTRICT COUNCIL

Pursuant to section 96 of the Resource Management Act 1991

Application Number:	RM210147
Applicant:	M R Mansell, R P Mansell & A J Mansell
Proposal:	Undertake earthworks that do not meet the permitted activity standards for a 49-lot rural residential subdivision, construction of a new road, reserves to vest with Council and land use consent for a reduction in yard setbacks and modification of indigenous vegetation and the surrender of easements
Legal Description(s):	Lots 1 & 3 DP 303764, Lot 6 DP 53191 and Lots 2, 3 & 4 DP 84524

DUE AT COUNCIL OFFICE NO LATER THAN 5:00PM ON WEDNESDAY 10 NOVEMBER 2021

This is a submission on an application from M R Mansell, R P Mansell & A J Mansell to undertake earthworks that do not meet the permitted activity standards for a 49-lot rural residential subdivision, construction of a new road, reserves to vest with Council and land use consent for a reduction in yard setbacks and modification of indigenous vegetation and the surrender of easements. It is located in the Rural Residential zone. It is a Non-Complying Activity.

Please note: This form is only a guideline. If you don't wish to use this form please make sure your submission includes all the following details (see Resource Management (Forms, Fees, and Procedure) Regulations 2003, Form 13 for official submission content requirements):

Please send your Submission to:

To:	Or:
The Chief Executive Officer	Email: submissions@kapiticoast.govt.nz
Kāpiti Coast District Council	
Private Bag 60 601	
Paraparaumu 5254	

Note: You are required to send a copy of your submission to the applicant as soon as reasonably practicable after you have served your submission on the Kāpiti Coast District Council.

Please serve a copy of your submission to M R Mansell, R P Mansell & A J Mansell (the Applicant) as below:

M R Mansell, R P Mansell & A J Mansell
220 Ross Road
RD 7
Whakamarama 3179

Or email: chris@rmaexpert.co.nz

Attention: Chris Hansen

Submitter/s Details:

Title:	<input checked="" type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr Other:		
My/Our Full Name(s):	GERARD EARL AND ELIZABETH EARL		
Address for service:	50 HOLLIS ROAD, PARAPARAUMU BEACH	Post Code:	5032
Physical Address:	AS ABOVE	Post Code:	
Home Ph:		Work Ph:	
Home Fax:		Work Fax:	
Cell:	021 405 077	Email:	GERARD.EARL@STRIDEPROPERTY.CO.NZ

Note: Correspondence will be via email unless otherwise requested.

Submitter/s Position:

Trade Competition

- I am a trade competitor for the purposes of section 308B of the Resource Management Act 1991.
 I am not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

Please use a clear tick in the appropriate box below (✓) to show whether you support the application in full or in part, or oppose the application in full or in part, or are neutral.

<input type="checkbox"/> I / We support the application in full	<input checked="" type="checkbox"/> I / We support part of the application *
<input type="checkbox"/> I / We oppose the application in full	<input checked="" type="checkbox"/> I / We oppose part of the application *
<input type="checkbox"/> I / We are neutral on all aspects of the application	<input type="checkbox"/> I / We are neutral on part of the application *

* If you indicate you support, oppose or are neutral for part of the application, please clearly set out the part(s) of the application you are submitting on (including reasons) in the 'My Submission Is' section of this form below.

Reasons for Submission:

The specific parts of the application that my submission relates to are:

Give details:

ENVIRONMENTAL

VISUAL AMENITY

TRAFFIC MOVEMENTS

INTERSECTION/ACCESS SAFETY AND SHARED USE PATH

CONSTRUCTION TRAFFIC

LOT 104

Please use additional pages if required.

My Submission Is:

Include further detail on whether you support, oppose or are neutral on the application or specific parts of it, and the reasons for your views:

Please note that the date on this form as final date for submission is incorrect, it is publicised on the KCDC website and confirmed by the planner responsible for this consent as 11 November 2021

Please refer to supplementary pages in respect of our submission.

Please use additional pages if required.

Decision Sought:

I / we seek the following decision from the Kāpiti Coast District Council (provide precise details including the general nature of any conditions or changes sought):

Please refer to additional pages in respect of decisions sought on individual matters.

Please use additional pages if required.

Wish to Speak at Hearing:

Please indicate below whether you would like to speak at the hearing for the application (if a hearing is required). Use a clear tick in the appropriate box below (✓).

I / we do not wish to be heard and hereby make my / our submission in writing only.
(This means that you will not be advised of the date of the hearing and cannot speak at the hearing)

OR

I / we wish to be heard in respect of my / our submission (to speak at the public hearing)
(This means you can speak at the hearing. If at a later date you decide you no longer wish to speak at the hearing you can withdraw from being heard)

If others make a similar submission, I / we will consider presenting a joint case with them at the hearing.
(This is only for parties wanting to be heard)

I / we intend to call expert witness(es). Please indicate the disciplines of expected expert witnesses.
(If you do not tick this box, you can change your mind later and decide to call experts to give evidence in relation to your submission, provided you do so in time to meet any procedural direction the Hearing Panel might make)

Pursuant to Section 100 of the Resource Management Act 1991, I / we request that the Council delegates its functions, powers and duties required to hear and decide the application to one or more hearings commissioners who are not members of the Kapiti Coast District Council.

If you do wish to make a request for an Independent Commissioner pursuant to Section 100, please see notes below for potential cost implications to you.

I / we are aware that I / we are required to send a copy of my / our submission to the applicant as required under section 96(6)(b) of the Resource Management Act 1991 (please tick ✓).

Signature

Date:

Signature

Date:

Please note: Signature of submitter, or person authorised to sign on their behalf is required. Signature is not required for electronic (email) submissions. If this is a joint submission by two or more individuals, each individual's signature is required.

Privacy Disclaimer

Please note: All submissions (including names and contact details) will be made publicly available at Council offices and public libraries. A summary of submissions including the name of the submitter may also be made publicly available and posted on the Kāpiti Coast District Council website. Personal information will also be used for administration relating to the subject matter of the submissions, including notifying submitters of subsequent steps and decisions. All information will be held by the Kāpiti Coast District Council, with submitters having the right to access and correct personal information.

Notes to Submitters:

- The Resource Management Act (RMA) 1991 prefers electronic methods of communication.
- The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.
- If you make a request for an independent commissioner(s) under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commissioner or commissioners.
- You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.
- If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.

MANSELL RESOURCE CONSENT

Submission by Gerard Earl and Elizabeth Earl

31D Tieko Street, Otaihanga

Preliminary

Elizabeth and I are recent purchasers of land at 31D Tieko Street which we intend to develop for our family home within the next 12 months.

We view Tieko Street as of unique and secluded character being both close to local amenities and schools for our children while at the same time having many rural characteristics.

We recognize the need to ensure an adequate housing supply within our region and therefore in general support the application on the proviso that appropriate consideration is given to the concerns raised within our submission.

We would be happy to be heard in respect of our submission and wish to reserve our right to raise other matters that may not have been fully expressed in our written submission.

Environmental Concerns

We note that the application includes a proposal to remove non-native and unprotected vegetation, in particular stands of pine trees which sit between Tieko Street and SH1. It is noted that such vegetation prevents the establishment of native species, we note that some degree of native re-vegetation is proposed and this is commended, however we view that the re-vegetation is not sufficient to mitigate the concerns noted below.

Our concern is that already audible motorway noise will be increased due to the loss of this vegetation alongside the loss of habitat for native fauna and loss of visual amenity.

We view that an impact survey with respect to noise may be appropriate and in any event to preserve, and indeed improve and return the rural character to this area, a requirement in respect of revegetation with native plant species that once populated the Kapiti Coast, many of which have been recommended by the applicant's landscape architects.

Having reviewed KDC's Endemic Floral Species List, compiled by Environmental Restoration Officer Matt Ward (3 April 2012) and the recommended species noted in DCM's Landscape Planting Plan we view there is an opportunity to revegetate further and in line with the recommendation in other policy documentation while at the same time mitigating the adverse impacts of development.

Visual Amenity

Through the removal of vegetation and proposed earthworks, reassurance is sought that there will be no viewshafts from Tieko Street to SH1 as this would considerably reduce the visual amenity and rural-residential character of the area and view that a visual assessment in particular to this area is warranted to more accurately describe the effects and support conclusions.

Traffic Movements

The report by CHC and Harriet Fraser does not appear to assess the current VPD rates and as such it is not possible to assess the increase in vehicles per day which may result on Tieko Street as a result of the proposed subdivision. We view that further information is required to appropriately assess the vehicular impacts to Tieko Street against the current vehicle impressions.

It is noted that KCDC's planner has confirmed that the trigger applies for each new section created by subdivisions as a permitted activity. This interpretation would then allow for 2,200 new vehicle movements per day to Tieko Street.

While the expected 392-490 vpd may be less than the permitted standard, we do not view the permitted standard as being fit for purpose and is erroneous given to increase vehicular movements to such a degree as permitted under the District Plan would result in severe adverse impacts in such an area.

Should this be the correct interpretation, we do view that KCDC need to promptly assess this matter with respect to frameworks on carbon neutrality and the need to disincentivize private vehicle use and encourage increased use of alternative modes of transport, in particular walking and cycling, noting the allowance for such a high vehicle rate is counter to these principles.

Intersection/Access Safety and Shared Use Path

We have reviewed the proposed Tieko Street upgrade Overview (22208 SK3) alongside the recommendations of Harriet Fraser and support the approach taken in the application. We view that the level of pedestrian and cycling traffic from a total of up to circa 50 lots including existing residents of Tieko Street. We view the proposal elegantly balances the rural-residential nature of Tieko Street with the requirement to improve safety.

Construction Traffic

At section 5.2.4 it is noted that up to 8 truck movements per hour can be expected for a period of up to six months. We do not view that 8 truck movements per hour on Tieko Street can be safely accommodated even with the upgrades noted in Cuttriss' document Tieko Street Upgrade Overview (22208 SK3).

The primary mode of transport for our family in respect of school run is walking or cycling between the hours of 8am-9am and 2pm-4pm, noting varying school ages. We also note the residential zoning of Tieko Street and the challenges of this approach. The close proximity of a number of houses to Tieko Street given the residential zoning and therefore shorter setbacks.

We would support a traffic management plan which either eliminated daily heavy construction traffic from Tieko Street, noting loading in of earthworks machinery may be required from time-to-time, and alternatively used approaches from the sparsely populated Otaihanga Road where heavy construction traffic is the norm with Transfer Station and BPC Yard being nearby.

Lot 104

We note that Lot 104 is to vest in KCDC as a walkway and act as a ROW to Lots 20,21 and 22.

We do support the approach by the applicants as a narrower metalled path, in-keeping with the semi-rural character of the surrounding area and in line with CPTED standards.

We do not support that Lot 104 need to be in line with Sheets 8 and 9 of the Scheme Plans 22208 SCH1. As we have experienced the illegal use of partially lit walkways with sufficient width in Kapiti by motorized vehicles including mopeds, motorbikes and cars where there are inadequate measures to prevent this (barriers, posts, signage, etc.) and encountered many near misses both personally and with our children.

In any event, we view that design of this walkway must carefully consider the need to prevent private motorized vehicle access.