

Summary:

- With respect to the NPS-UD, growth strategy etc, as you have indicated that a minute will be issued, I won't cover this at this stage.
- The change to the financial contributions relates to the introduction of additional allotments where the records of title were not provided when the application was submitted.
- At paragraph 15.2, Mr Hansen expresses his support that Lot 104 be vested in Council as local purpose reserve (shared path). At the time of preparing the conditions, my understanding was that while Lot 104 would be considered a roading asset by Council for maintenance purposes, it would be classified as detailed in the condition provided as part of Appendix B of my s42A report. Since then, following discussions with Mr Trotter it was confirmed that Lot 104 would need to vest as road and this change to the condition has been reflected in Attachment A. I also understand that the applicant's representatives were advised of this in November 2021 and in early discussions Council's Parks Team had advised they did not want to take on Lot 104. Therefore, Council confirms its position that Lot 104 be vested as road.
- With respect to paragraphs 15.7, 15.9, 15.10, 15.11, 15.13, 15.15, I do not agree with the additional wording proposed by Mr Hansen that Council should be required to certify the necessary management plans within 20 working days. While Council endeavours to ensure that management plans are certified as efficiently as possible, if additional information is required from the consent holder for the management plan this could exceed the 20 working days proposed which is outside of the control of Council's Engineers. It also appears that it could mean the consent holder commencing works onsite without these management plans having been certified if it was not done within their proposed timeframe.
- To provide some certainty to the consent holder (if consent is granted), I have included additional wording within conditions 33, 46, 53, 60, 63 and 68 to reflect a timeframe for when the management plans should be provided for certification which also provides certainty to Council and is reflective of Council's standard conditions.
- With respect to paragraph 15.17:
 - a. It has been agreed by Mr Trotter that Condition R4 can be included, and this is shown in Attachment A with some slight modifications to make it clear to both Council and the consent holder when the works must be complete.
 - b. Condition R5 has not been included and further detail on this will be provided by Mr Trotter.
 - c. Condition R7 has been reworded as the wording provided by Mr Hansen does not meet requirements for a road safety audit. Further detail on this will be provided by Mr Trotter.
- With respect to paragraph 7.3, while I agree with Ms Blackwell that the District Plan does not consider properties zoned Rural Residential/Rural Lifestyle to form part of the urban environment, meeting part (b) of the urban environment definition of the National Policy Statement on Urban Development 2020 (NPS-UD) inherently means that part (a) is met.
- Part (a) of the definition of urban environment within the National Policy Statement on Urban Development 2020 states that the area of land is, or is intended to be, predominantly urban in character. The underlined emphasis has been added.
- Given Statistics New Zealand found the site to be within the Kapiti Coast Functional Urban Area, it would result that the site is with an area of land that is already

predominantly urban in character and therefore, part (a) of the definition is met and the NPS-UD does apply.

- With respect to paragraph 11.2 of Ms Blackwell's statement, there were two areas where text referred to a previous version of my s42A report and for clarity, I believe that the mitigation proposed will result in minor and acceptable effects on rural character and that the proposal is consistent with Part 2 of the RMA.
- I consider that with the NPS-UD being relevant to the proposal, there are a number of objectives and policies identified by Ms Blackwell that would be superseded by the requirements of the NPS-UD such as DO-O3 or Objective 2.3 relating to development management.
- I consider that Council's objectives and policies as a whole package guide officers to consider effects and given the effects are being mitigated via a range of measures that have already been discussed, it would appear that the proposal is therefore consistent
- We wonder if there is further consideration of the Dray Track needed where it will be located within the private allotments.
- Based on discussion yesterday afternoon, is there a need for a condition to cover post and wire fencing for properties adjoining Lot 104.
- Question whether condition 74XX is appropriate to include given cut earthworks appear to be located where cut earthworks within the Lot 19 dog leg are going to be undertaken and what the impact of this would be on the pine trees and therefore the proposed condition.
- If the commissioners are of a mind to grant consent and include condition 74XX, some minor rewording would be considered appropriate to make it clear that the completion of the subdivision would be when a section 224(c) certificate is issued by Council. It should also be made clearer what the specific requirements for the applicant are to ensure that Council can determine compliance and enforce the condition.
- With respect to the streetlighting within Lot 100 and the concerns of the Morris's with respect to light pollution, it is anticipated there would be 4-5 streetlights required. One at the cul-de-sac head and the intersection of the new road with Otaihanga Road with the others spread equally throughout the new road. With the LED technology, and the limited number of streetlights, it is considered that there would be limited light pollution onto the Morris's property. With respect to lighting of Lot 104, Mr Trotter will provide further detail on this.
- Provision of management plans for certification will initially go to the Development Engineers and they will confer with other internal parties as necessary. This is something that can be made clearer in conditions if required.
- In relation to a query raised yesterday, I can confirm that the Council's District Planning team are aware of the application.
- Mr Hansen's Evidence in Chief, point 11.9, wording changes to reflect the Operative District Plan wording more clearly.