

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an application to Kapiti Coast District Council for non-complying resource consent for a proposed 53 lot subdivision (including earthworks and infrastructure) at Otaihanga, Kapiti Coast.

ADDENDUM TO THE STATEMENT OF EVIDENCE OF [NAME] ON BEHALF OF THE APPLICANT

DATED: 3rd AUGUST 2022

Introduction

1. This is an addendum to my evidence in chief, in response to the written evidence filed by Ms Alice Blackwell on behalf of the Custodial Trustees at 44 Tieko Street. Ms Blackwell has raised a number of matters within my areas of expertise and my response to those is as follows.
2. While the proposal site is zoned Rural Lifestyle in the Operative District Plan, it is worth noting that 44 Tieko St borders an area of General Residential to the north. The minimum lot size for subdivision in this zone is 450m² and with the proposed NPS:UD requirements it is likely that it will be possible for 3 houses to be built on each residential lot, subject to possible 'qualifying matters'. The following table outlines the closest residential (GRZ) properties, their lot size and their respective distances from 44 Tieko St (also refer to the attached figure):

ADDRESS	ZONE	LOT SIZE	DISTANCE TO 44 TIEKO ST (m)	DISTANCE BETWEEN DWELLINGS (m)
13A TIEKO	GRZ	960m ²	108	218
13B TIEKO	GRZ	2,322m ²	118	214
31A TIEKO	GRZ	1,586m ²	59	144
31B TIEKO	GRZ	1,760m ²	111	174
31C TIEKO	GRZ	1,372m ²	107	145
31D TIEKO	GRZ	1,627m ²	83	-
31E TIEKO	GRZ	865m ²	47	108
31F TIEKO	GRZ	790m ²	27	104
33 TIEKO	RLZ	1,067m ²	96	131
35 TIEKO	RLZ	3.9122HA	63	158
37 TIEKO	RLZ	0.703HA	63	105
39 TIEKO	RLZ	3.0025HA	34	71

3. I consider these properties part of the receiving environment and agree with the Council officer's conclusion that the subject site is within an area that is predominantly urban and character, albeit with a low density. As described in my evidence in chief, the character of the area is compartmentalised into relatively small landscape compartments due to underlying cadastral patterns, the existing undulating topography and the existence of large shelter belts. The visual catchment of the receiving environment is relatively small and, in many cases, less than 100m. We have worked closely with the applicant and engineer to protect key natural landforms on the site with the creation of no-build areas and the overall layout of the scheme plan. Fencing controls are also proposed to ensure that the development retains a sense of openness, noting the comments above regarding the existing compartmentalised character of the receiving environment. The protection and enhancement of wetlands proposed will also contribute positively to the receiving environment character, and overtime will strengthen its natural character values.
4. In paragraph 5.14, Ms Blackwell notes that the finished ground level of proposed Lot 19 will be RL15, approximately 5.58m below the current ground level. Under the current Operative District Plan (ODP) it would be possible for a new dwelling to be built at this higher level, 5.58m above 44 Tiekö St. The current proposal reduces Lot 19's level to below that of 44 Tiekö Street. From a potential privacy and overlooking aspect this is considered a positive change for 44 Tiekö Street.
5. The ODP restricts the maximum height of habitable buildings to 8m above original ground level and 10m for farm buildings, with a minimum setback of 5m from any side or rear yard. The proposal will meet these requirements in the northern section and has not applied for any dispensation of these requirements adjacent to 44 Tiekö St, and therefore does not create any visual dominance or shading effects created than what is permitted in the RLZ. Therefore I do not consider any of the additional mitigation measures (paras 5.1 and 12.4) outlined in the submission necessary regarding reducing the maximum height, identifying building platforms, limiting the use of minor residential dwellings, and the requirement for the consent holder to permanently be responsible for maintaining the landscaped shared boundary of 44 Tiekö St. Under the current rules it is possible for a 10m high farm shed to be built 5m from the boundary as of right. There is no restriction on the size of this building apart from height – this could be constructed along the north-eastern boundary of 44 Tiekö St with greater visual change than what is proposed in this application.
6. The only aspect which is of relevance is the number of lots and the potential for 44 Tiekö Street to possibly have a greater number of neighbours than it currently does, noting that 44 Tiekö shares a boundary with only Lots 19 and 20 (2 lots) and does not share a boundary with Lots 12 - 17 (6 lots) yet the submission seeks to control development on these sites. With a minimum permitted lot size of 4,000m².

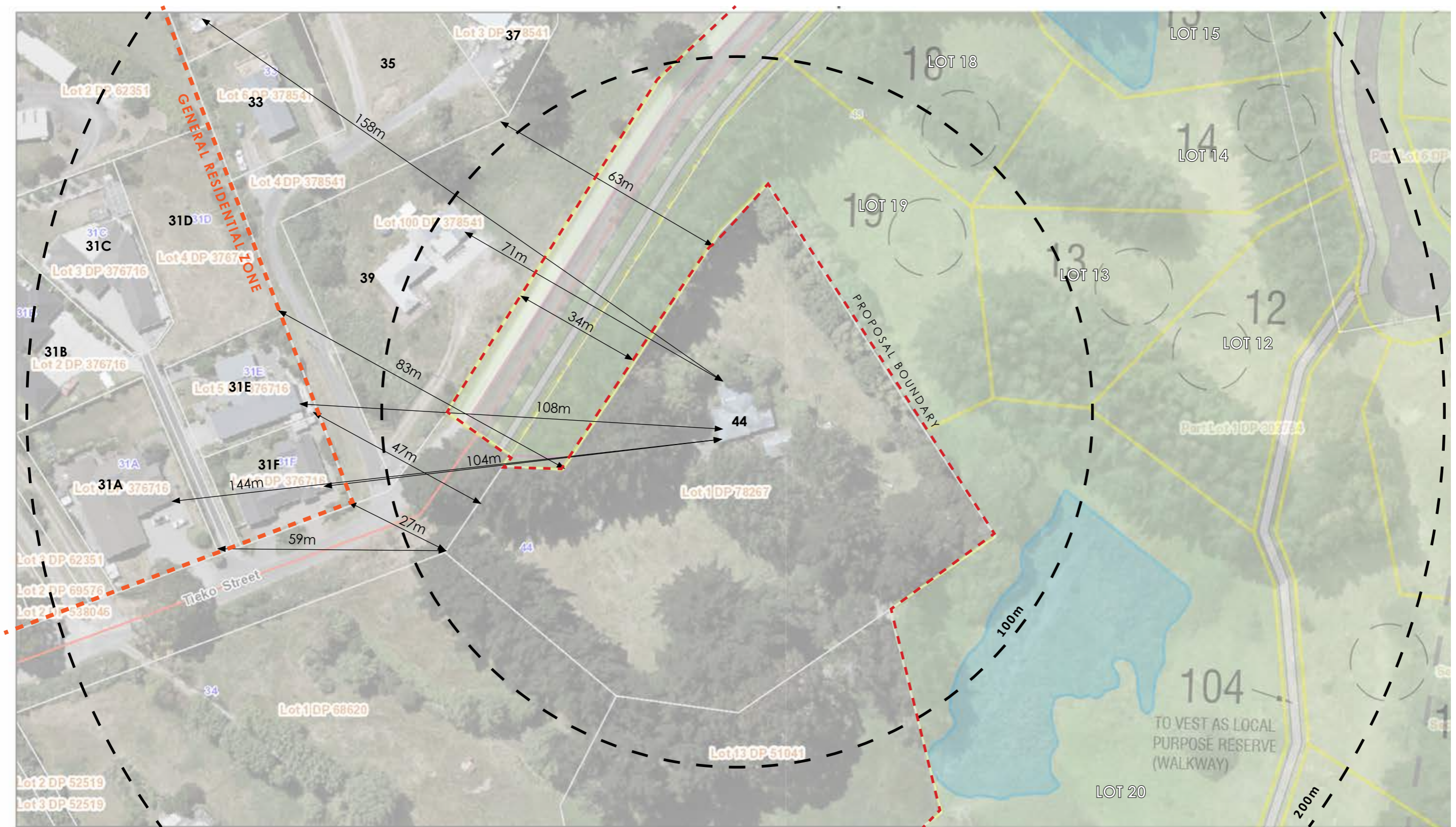
7. As noted in para 3.1 of Ms Blackwell's evidence, it is likely that any dwelling on Lot 20 is likely to be separated from 44 Tieko St by the proposed protected and enhanced wetland. I agree with this statement noting this reduces the number of likely dwellings neighbouring 44 Tieko St, as a result of this proposal, to 1 (lot 19).
8. A Minor residential unit with a gross floor area no greater than 60m² is permitted as of right in the RLZ but is still required to comply with the yard setbacks, height controls and recession planes. I consider that these standards are sufficient to ensure that any edge effects with 44 Tieko St can be mitigated to levels similar to those anticipated in the RLZ.
9. Based on past experience it is highly likely future residents will plant their boundaries to assist with defining their property as well as providing privacy if desired. 44 Tieko St is no different in this respect and could plant their own boundary if the existing trees were to be removed (permitted activity) and they had privacy concerns about an 8m residential dwelling being built 5m from the shared boundary (permitted). I do not consider it necessary for this boundary to be planted, and controlled through consent notice, although the applicant has offered for the planting to occur (not the consent notice aspect). It is worth noting that RLZ-R2 in the ODP restricts shelter belt planting on internal boundaries to ensure adverse shading effects are controlled, which the current shelter belt does not adhere too.
10. Overall having considered the views expressed by Ms Blackwell in detail, I confirm that these do not alter my initial view expressed in my earlier evidence.
11. I ask the Commissioners to approve our Resource Consent application.



Dave Compton-Moen

3 August 2022

Dated the 3rd day of August 2022



A. RECEIVING ENVIRONMENT - DISTANCES TO 44 TIEKO STREET

Scale 1:1000



client / project name: MANSELL OTAIHANGA SUBDIVISION
drawing name: RECEIVING ENVIRONMENT
designed by: Dave Compton Moen / Jeremy Ross
original issue date: 02 AUGUST 2022
scales: 1:1,000

revision no: A
amendment: Addendum

approved: DCM
date: 02/08/2022



REGISTERED
LANDSCAPE
ARCHITECT



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project no / drawing no: 2020_142 / 001

revision: A