

SUBMISSION ON A RESOURCE CONSENT APPLICATION THAT IS SUBJECT TO LIMITED NOTIFICATION BY THE KAPITI COAST DISTRICT COUNCIL
Pursuant to section 96 of the Resource Management Act 1991

Application Number:	RM190125
Applicant:	Housing New Zealand Ltd
Proposal:	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
Legal Description(s):	Lot 62 DP 23300, 35 Kaitawa Crescent, Paraparaumu

DUE AT COUNCIL OFFICE NO LATER THAN 5PM ON 17 April 2020

This is a submission on an application from Housing New Zealand Ltd 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.

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	Fax: (04) 296 4830
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 Housing New Zealand Ltd (the Applicant) as below:

Housing New Zealand Ltd
C/- WSP Opus
PO Box 12 003
Thorndon
Wellington 6144

Or email: mat.marois@wsp.com

Attention: Mat Marois

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):	PAUL MARLOW		
Address for service:	33 KAITAWA CRESCENT.	Post Code:	5032
Physical Address:	" " "	Post Code:	" "
Home Ph:		Work Ph:	021 752 856
Home Fax:		Work Fax:	
Cell:	021 752 856	Email:	PSMN2@LIVE.COM

Note: Correspondence will be via email unless otherwise requested.

Submitter/s Position:

Trade Competition
I am / am not* a trade competitor for the purposes of section 308B of the Resource Management Act 1991.
*Delete one

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 type="checkbox"/> I / We support part of the application *
<input checked="" type="checkbox"/> I / We oppose the application in full	<input 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.

- 1) SUBDIVISION OF THE SECTION NOT COMPLIANT.
- 2) 2 LVL - 4 BEDROOM HOME = 8 PEOPLE ON SMALL SECTION
- 3) FOUNDATION DESIGN. VERSE DAYLIGHT ANGLE - NON COMPLIANT.
- 4) DECREASE VALUE OF MY HOME
- 5) LOT 2 = 6-8 PEOPLE ON 380M2 SECTION
- 6) LOSS OF PRIVACY
- 7) HIGH DENSITY IN LOW DENSITY AREA.
- 8) I QUESTION THE TURNING CIRCLE FOR BACK LOT.

Reasons for Submission:

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

Give details:

- SUBDIVISION NON COMPLIANT
- ENVIRONMENTAL IMPACT.
- CARPARKS NON COMPLIANT.
- FOUNDATION DETAIN NON COMPLIANT.
- WATER TANKS ON BOUNDARY NON - COMPLIANT.
- NOISEY WATER PUMPS ON BOUNDARY X 2 HOUSES.
- HOW MANY HEAT PUMPS ON SAME SIDE AS PUMPS.

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:

- STILL WAITING FOR 2 LVL HOME PLANS. TO CONFIRM FOUNDATION VERSE DAYLIGHTING COMPLIANCE
- BOTH LOT'S DO NOT MEET COUNCIL BY LAWS TO SUBDIVIDE
- ONE CAR PARKED BEHIND THE OTHER DOESNT. MAKE FOR TRUE COMPLIANCE - SHOULD BE SIDE BY SIDE
- THE APPLICATION IS FOR A 4 BEDROOM HOME BUT STATES 3 BED + 1
- THE PLAN'S KEEP CHANGING AND HAVE NOT BEEN GIVEN THE UP TO DATE PLAN'S.
- * HOW IS IT A BC HAS BEEN GRANTED BEFORE PLANNING
- PLEASE PROVIDE HOW WATER TANKS ARE HELD IN PLACE IN A EARTHQUAKE

Please use additional pages if required.

- THE BACK LOT TURNING CIRCLE IS QUESTIONABLE AS NO ROOM FOR ERROR - WHO FIXES THE FENCE

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):

DO NOT ALLOW THE SUBDIVISION OF 35 KAITAWA CRESCENT,
DO NOT ALLOW THE 2 LEVEL 4 BEDROOM HOME ON
A 380m² SECTION TO BE BUILT
* SHOW ME THE FOUNDATION DETAIL SHOWING GROUND.
CLEARANCE TO COMPLY AS IT CONTRADICTS THE
ELEVATIONS PROVIDED - BUILDER WILL HAVE TO RAISE
THE FINISH FLOOR LEVEL & IN TURN BE NON-COMPLIANT
WITH THE DAYLIGHTING.
ALL I HAVE BEEN GIVEN IS SMOKE & MIRRORS !!! BOUNCED FROM
COUNCIL DEPARTMENT
TO THE NEXT.

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 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)
* Delete if you would not consider presenting a joint case.

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 Kāpiti 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 copy of my / our submission to the applicant as required under section 96(6)(b) of the Resource Management Act 1991 (please tick ✓).

Edmale 10.4.2020

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 ✓ Edmale

Please note: All submissions (including names and contact details) will be made publicly available on Council's 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.

Submission by Paul Marlow of 33 Kaitawa Crescent Paraparaumu 14.4.2020

Opposition to the RM190125 35 Kaitawa Crescent Paraparaumu

To the Chief Executive Officer for Kapiti Coast District Council, and WSP Opus Mat Marois acting on behalf of Housing New Zealand,

Please find attached my submission form that opposes the RM190125 to subdivide 35 Kaitawa Crescent Paraparaumu. All of the below points must be added and taken into account to the attached submission form, opposing all of resource consents to subdivide 35 Kaitawa Crescent, Paraparaumu.

The following excerpts (below), are from the resource consent application RM190125 and I wish to register my objection to the bylaws being broken, and I comment further:

“The following resource consents are required under the KCPDP:

1. Subdivision: Non-Complying Activity under Rule 5A.5 (2);

2. Land use: Restricted Discretionary Activity under Rule 5A.3 (1) in relation to building

setbacks;

3. Land use: Discretionary Activity under Rule 11P.4 (1) in relation to minimum parking

space requirements; and ???

4. Land use: Restricted Discretionary Activity under Rule 11B.3.1 of the KCPDP for water

demand management.”

Point 1: The purpose for this bylaw is to ensure healthy outdoor environments for its occupants and neighbours i.e room to run and play, as well as privacy.

The plans show a two-storey 4 bedroom home on Lot 2. The RM190125 is proposing a three bedroom home- please clarify? For this submission, we will refer to this as a 4 bedroom two level design, as this is what is depicted in the plans.

The subdivision needs to take into consideration the size of the homes going on each Lot, especially the two-storey 4 bedroom home on such a tiny section - imagine 6 to 8 people living on a small section and how many vehicles this will generate over the years as the family grows up? (I also note that I have been working hard to get full working drawings or any information, from KCDC and Opus, which isn't forthcoming.)

The back house has an elevated finished floor level (an estimated 1200mm-1400mm high) which equates to traveling noise from timber floors and decks. This also removes the privacy from the three neighbouring properties.

Average Lot sizes are a minimum of 450m² to help ensure healthy outdoor environments to provide outdoor areas for families to play. Please remember this is supposedly a "low density building area." The proposed Lots are unacceptable and fall way below the minimum council requirement. Where is the social and environmental responsibility being demonstrated in this application?

Point 2: The purpose of this bylaw is to keep unwanted structures from impacting on the neighbour-unsightly, fire risk, noise.

- How safe are the non-compliant, free-standing water tanks right on the boundary, being top heavy water tanks weighing in at 6 tonne capacity?
- Provide details on how the water tanks holding 6 tonnes of water (per Lot) on the boundary, are to be restrained in an earthquake.
- Lot 1 and 2: how noisy are the externally housed water pumps, located right on the East boundary facing the neighbours? There are 2 pumps for each lot of water tanks- one for the toilet and outside taps and one for attenuation stormwater, pumped to street.
- What colour are the sheds? Will they be the same as the water tanks?
- Sheds: are they housing flammables? E.g BBQ gas bottles and petrol for lawn mowers.

Point 3: Based on the information provided to me, my concerns are in regard to the volume of traffic.

- The turning circle indicated for Lot 2 is so tight, I don't think it's achievable with absolutely no room for error. This is unacceptable. Who is responsible for fixing the fence?
- Lot 1 and 2: A total of 6 bedrooms is a capacity of 8-12 people and 4-5 cars on a very quiet Crescent. This will increase as the families mature.
- A total of 2 carparks with a possibility of 4-5 vehicles - they will inevitably spill over onto the road.
- How safe are the non-compliant free-standing water tanks right on the boundary? Being top heavy water tanks weighing in at 6 tonne, this is an earthquake safety risk.
- How noisy are the external housed water pumps located on the East boundary, facing neighbours bedrooms? Lot 1 and 2 have a combined total of 4 pumps on the boundary.

- Stormwater discharged to the kerb has a weakness- what if the pump fails?
- The stormwater discharge to the kerb also puts more pressure on council infrastructure as it already struggles in a winter downpour. As I have lived here for 20 years, I know that there is a flooding issue on this street. Even the bubble up theory will not work effectively when the curb is already under pressure and gravity is against you
- Lot 2: The proposed four bedroom home, could accommodate a possible 6-8 people needing possibly 3-4 cars, yet, only one car park per house is currently shown. One car parked behind another does not represent two carparks. What happens when the front car wants to leave? The bylaw wasn't written to accommodate this - either of the two cars should be able to leave safely, at any time.
- The carpark drawn would enable a motor home to be parked increasing pressure on services.

Point 4: This bylaw is to safeguard availability of water.

Due to the limited amount of water available, as proposed, Lot 2 a two-level four bedroom design equates to 6-8 people, therefore they will run out water in the drier months.

- The water consumption for 6-8 people will exceed the water calculations. (provided in Water Storage and Hydraulic Neutrality: Part 4- Conclusions, pg 5 of 8)
- The proposal also states 2 water pumps for each house, which not only makes for an unnecessarily excessive power bill in the middle of winter, but also creates excessive and constant noise, night and day for the neighbour, being located right on the boundary.
- Provide details on how the water tanks holding 6 tonnes of water (per Lot) on the boundary, is to be restrained in an earthquake.
- Soak hole calculations look incorrect for Lot 1 and 2.
- I believe, the permeable paving areas acting as water retention (Flowpave), will fail within 5 years due to the slope and vehicle impact. When this fails, the storm water run-off will flood the lower neighbour.

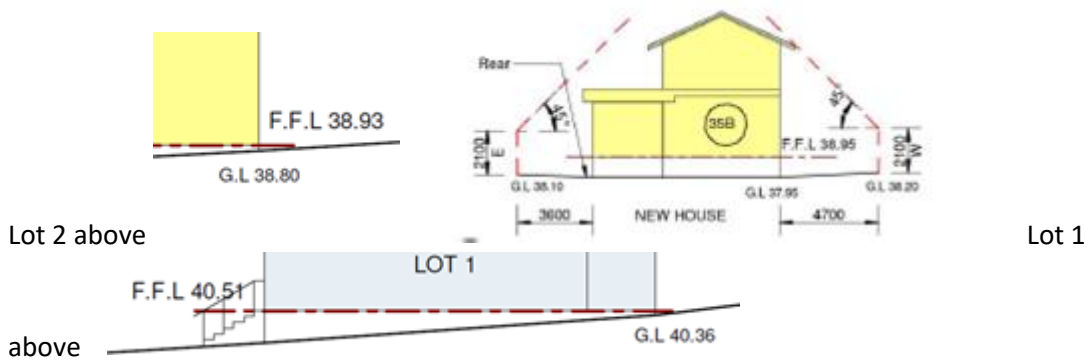
Point 5: I would like to bring to your attention the non-compliance for daylighting which will occur.

The foundation to ground clearance is wrong. The house height will need to be lifted, or the house position will need to be shifted, to comply with daylighting requirements. Please see the below copied diagrams from the RM190125 showing ground clearance for a concrete foundation, whereas the building consent plans are for a timber floor construction (shown to me on screen in council – I am still waiting on copies of the full working drawings, which I have requested from KCDC.)

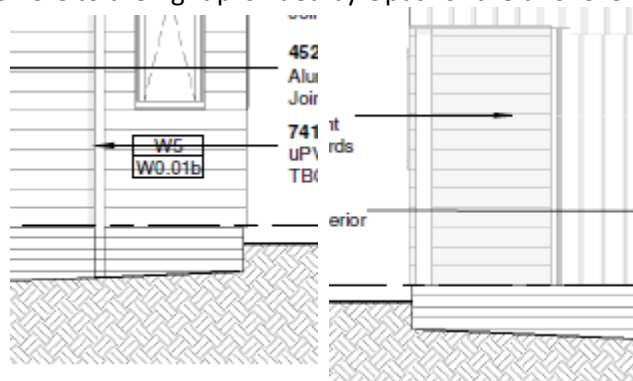
My concerns are around:

- The house is close to touching the day lighting angle and the foundations are shown with base boards.

- As per the building code, the underside of the floor joist to the ground level needs to be a minimum of 450mm. (175mm minimum to the bottom of the cladding) the information provided shows ground level to the finished floor at 130mm for lot2 and lot one at 150mm both non-compliant, if site cuts are to be carried out to drop the ground level this will need to be calculated and provided as part of the resource consent, this would need to include the sloping car part areas
- This is a sloping site- surface water needs to be redirected away from the foundations. Where is this information please?
- The below drawn images from the RM190125 are non-compliant and don't support timber floor clearances.
- Both BC190722 & BC190676 provided by KCDC are National Multiple-use approval establishes that the plans and specifications to which it relates comply with the building code. However they are designed for a flat site and don't take into consideration the sloping site at 35 Kaitawa Crescent, which has a 3.2mtr fall from the top boundary fence to the bottom fence hence my concerns mentioned above



- The details here to the right provided by Opus for the two level home are drawn being non-



- compliant
- Im trying to save tax payers money here

The application RM190125 and building consent for the future homes do not provide any of the below mentioned, excerpt from the Opus resource consent application:

“· exhibits a sense of social responsibility by having regard to the interests of the community in

which it operates;

· exhibits a sense of environmental responsibility by having regard to the environmental

implications of its operations; and

· operates with good financial oversight and stewardship, and efficiently and effectively

manages its assets and liabilities and the Crown's investment.”

Additional concerns I wish to bring to your attention on behalf of the tax payer:

- Why subdivide land which the Crown (tax-payers) own? This is a waste of money.
- Why are these homes constructed on an elevated timber floor foundation as it's a very expensive way to build? It is hard to insulate and noisy.
- Why use high maintenance claddings and finishes, especially on the two level homes? This requires ongoing maintenance costs to the tax payer i.e scaffold costs every time you need to work on it.
- It has been a very frustrating process to date to get answers from the council and Opus. In one phone call I made to Opus after I pointed out lack of transparency around the number of bedrooms for Lot 2, the reply was, 'Yes, it is a 4 bedroom home and the application will be updated.' It still states 3 bedroom + 1 which is misleading to people not in the trade. I also visited the council and was bounced from planning department to building department and back to planning, and left with no answers.
- Please provide the current and accurate RM190125 with supporting plans.
- Since my enquiry, information has been updated for the building consent, but not passed onto affected parties or added to the RM190125.
- Why has the building consent already been granted while the resource consent has not been processed? The neighbours (affected parties) are not happy. Industry standard is, resource consent before building consent.
- Opus states in the RM190125 that there are no affected parties. That is not correct, we as rate payers and neighbours are affected parties.
- Opus states no environmental effects, that also is incorrect- Both homes totalling 6 bedrooms, creating a possible 10-12 people living on 720m², is not in line with social and environmental responsibilities.
- How would I fare if I was to also make an application to subdivide under the same conditions? My experience in the industry would indicate I would never get this far. Council would not approve from the beginning. This I know from first-hand experience. I tried to do this for clients on a few occasions in the last 15 years and was never allowed, due to the 450m² rule.
- Are they actually subdividing and creating two new titles meaning, is their end goal to provide a buy back scheme which would make HNZ developers? Does this mean myself and other land owners in the area are allowed to break the same rules? If so, I would like to start the application to subdivide my section.

In conclusion, I don't have an issue with helping people, but I do have an issue with the impact on myself and the neighbours, and inefficient use of tax and rate payers money:

- High power consumption due to all 4 of the pumps (and noise)
- How many heat pumps and what side of the house are they on? (noise)
- How are they heating the water in the homes? Are they using califonts or heat-pumps? (noise)
- Timber floor construction (noise)
- Vehicle/ driveway noise
- High maintenance materials
- Subdivision costs
- We question the removal from this property of a well-maintained, perfectly sound home- had this been relocated on the same property and renovated, it would have been far more economical for the tax payer.
- Driveway costs will be horrific due to the products and system used to achieve water retention
- We are concerned about how this development will affect the future value of our properties

Kind regards,

Paul Marlow

On behalf of

Concerned & Affected Rate Payers of Kaitawa Crescent Paraparaumu

Furthermore, please find below a copy of the email sent to Council 09.03.2020. To date, we have only been sent partial information from Opus, with no consultation whatsoever from them. The Council just wished to remain neutral... Does the council represent me as a rate payer? I'm still waiting on plans to help satisfy our questions.

Environmental impact x2 homes

- *A total of 6 bedrooms is a possibility of 8-12 people and 4-5 cars on a very quiet Crescent*
- *A total of 2 carparks with a possibility of 4-5 vehicles – spill over on road ?*
- *Shadows will be cast by the two level home on both adjacent properties at either end of the day*
- *Neighbours views compromised due to two level home*
- *Is this High density housing in an area set out as low density*
- *The adjacent properties will lose all privacy of their back lawns because of the two level home on the proposed lot 2*

As a group we seek

Submission by Paul Marlow of 33 Kaitawa Crescent Paraparaumu 14.4.2020

- *Consultation from either the council or the developer to discuss high density housing in an area set out as low density*
- *The non-compliant resource consent to subdivide*
- *The points we have highlighted above*
- *How does this effect the resale value of our homes ?*
- *Emailed copies of both house plans -stamped BC plans*
- *Types of cladding proposed -finished product*

The below was sent to council 03.03.2020 with no reply to date.

Can someone send me the plans so I can check the treatment of the floor joists and the base boards or will one of your team provide proof of how this is can be achieved without raising the FFL

My concern is that I have built enough homes over the years to know the builder would just wander up, will use spot levels and realise they are wrong and simply lift the floor making the daylighting being non-compliant

I have also discussed this with the rear neighbour whom is also a builder and has the same concerns along with loosing his privacy with the elevated building platform created with this sloping property

As a group we can't believe how a building consent has been granted well before the resource consent has even started consultation with the affected parties

This says to the hard working rate payers of Kaitawa Crescent that it's a done deal

Kind regards

Paul Marlow

On behalf of

Concerned & Affected Rate Payers of Kaitawa Crescent Paraparaumu