

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 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):	Mr Travis & Mrs Andrea PALMER		
Address for service:		Post Code:	
Physical Address:	35 Tieko St, Otaihanga, Paraparaumu	Post Code:	5036
Home Ph:	04 904 3993	Work Ph:	
Home Fax:		Work Fax:	
Cell:	021 1669 023	Email:	travis@selous.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 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:

- 5.2 _ TRAFFIC EFFECTS
- 5.2.1- traffic generation
- 5.2.2- intersection/access safety
- 5.2.3- shared use path
- 5.2.4- construction traffic

Please use additional pages if required.

My Submission Is:

Please use additional pages if required.

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:

We oppose the application in parts 5.2 - TRAFFIC EFFECTS.

5.2.1 Traffic generation – By my calculation there's a significantly higher level of traffic than stated in the application due to the increased number of lots, proposed dwellings and subdivisions- which have not been accounted for. The Traffic Assessment report traffic number on Tiekō St are taken from Feb 2019. More dwellings and consents have been added since then.

Tiekō St does not comply with NZS4404:2010. The KCDC in RFI dated 26 July 2021 is requiring the applicant to have the road comply with CPTED NZS4404:2010, but Tiekō St doesn't even comply with those standards. Both Tiekō St and the ROW should be compliant to the above standards. Many new homes have been added, and just recently we saw an application for another 8 Lots on LOT1 DP534361. An additional 22 Lots will increase the usage further to the street that is already too narrow, has no kerb and channel, no shared pathway, inadequate lighting, inadequate turning circle for large trucks such as refuse collection.

We already have an issue with the waste collection trucks crossing into our drive and making U Turns. This is damaging our drive. **We have raised this issue with council Glen O Connor - KCDC Access & Transport Manager - submission 2 Nov 2020.** Glen came to view the issue, and promised to take it up KCDC.- we have not had an outcome.

Glen O Connor said they will send a repair team to fix the edge of the road, and potholes- we have not had an outcome.

5.2.1 Intersection Access safety: The intersection at Tiekō St/Otaihanga has a poor line-of-sight to the right, when driving from Tiekō St, onto Otaihanga. This has been identified in Traffic assessment report that it doesn't meet the Austroads Best practice guidelines. There is no where for cyclist, pedestrians or horses to go, when they use Tiekō St.- This was also raised in our submission to KCDC – 2 Nov 2020

5.2.3 -shared use path: Tiekō St does not comply with Austroads Guidelines, nor NZS4404:2010. How can KCDC require the new subdivision ROW comply, when the council's own road- Tiekō St FAIL.

5.2.4- Construction Traffic: We believe that the increase in heavy construction vehicles will cause damage to our driveway, where it joins Tiekō St. This is already happening from trailers and Rubbish Collection trucks. In addition, due to the narrow width of Tiekō, we believe that there will be "wheel-washing" damage caused when a heavy truck and another vehicle try to pass each-other This issue was raised with KCDC in our submission dated 02 Nov 2020-

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):

- Tieko St and the ROW that joins Tieko St that serves the rural Lots should be a continuation, and both should comply with Austroads, NZS4404:2010 CPTED. It is contradictory to have Tieko St, a non-complying road, lead into a complying road that serves less dwellings.
 - Widening the whole of Tieko to allow 2 vehicles to pass
 - Provide a shared path for pedestrians
 - Kerb and Channel along Tieko street to prevent ponding, wheel wash
 - Provide adequate street lighting
- An undertaking from the Applicants that agrees to repair any damages caused by Construction vehicles to our driveway

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)

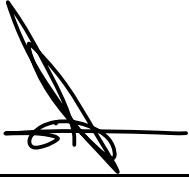
If others make a similar submission, I / we will consider presenting a joint case with them at the hearing.
(This is only for parties wanting to be heard)

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.

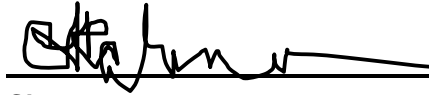
I / we are aware that I / we are required to send a copy of my / our submission to the applicant as required under section 96(6)(b) of the Resource Management Act 1991 (please tick ✓).



3.11.21

Signature

Date:



3.11.21

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.

Hello Travis and Andrea,

My name is Glen O'Connor and I am the roading manager at Council.

I tried your phones and it would be good to talk through your email below.

Can one of you please give me a call on my number below?

Regards
Glen

Glen O'Connor
Access & Transport Manager
Te Kaiwhakahaere Putunga Waka

Kāpiti Coast District Council
Tel 04 296 4739
Mobile 027 5555 739

www.kapiticoast.govt.nz

From: Neil Trotter
Sent: Monday, November 30, 2020 1:15 PM
To: Glen O'Connor <Glen.O'Connor@kapiticoast.govt.nz>
Subject: FW: Rates review. 15260/29201- 35 Tiekō St, Otaihanga

Neil Trotter
Transport Safety Leader

Kāpiti Coast District Council
Tel 04 296 4809
Mobile 027 5555 809

www.kapiticoast.govt.nz

From: Travis Palmer [<mailto:travis@selous.co.nz>]
Sent: Monday, November 2, 2020 10:23 PM
To: Mailbox - Kapiti Council <kapiti.council@kapiticoast.govt.nz>
Cc: 'Andrea Palmer' <andrea@selous.co.nz>
Subject: Rates review. 15260/29201- 35 Tiekō St, Otaihanga

Dear sir/madam

I am writing to voice my discontent as a rate payer of Tiekō St, Otaihanga to KCDC. By my estimate, there is approximately \$23.5M worth of Ratable Value along Tiekō St, for 27 properties. Therefore the average RV along Tiekō St is \$870 370. ($\$23.5/27 = \$870\ 370$). My current Rates are \$3590/year, and the CV is \$805 000. Therefore my Rates are below average for the street. So I think it would be safe to say that the average Rates for Tiekō St would be \$4500/year, so I'll use this assumption

There are 27 Ratepaying properties along Tiekko St, all paying on average \$4500/year. That means that Tiekko St would be paying an average of approx \$121 500. It is likely much more than this. Most of these properties are semi rural, and thus do not discharge stormwater into the KCDC drainage- yet a big portion of our rates is based on that factor. Its also likely that at least 25% do not use the KCDC wastewater facility either, yet all are contributing to this.

So what do Tiekko St residents get from KCDC in return. From our point of view-**NOTHING**. We see other areas getting new foot paths, cycle ways, road side kerbs, off street parking, new street lighting, street sweeping, road repairs, marked streets, landscaping, mowing, weed control.

Tiekko St- It is NOT a STREET, it is a NARROW LANE!

- has 1 single street light
- Has No foot path for pedestrians, cycles or horses- yet there are many horses that live on the more rural properties, from about 37 – 68. All of them use Tiekko St. This is DANGEROUS
- At one point Tiekko St is so narrow, it is a single lane. At this point, there are often 2 vehicles, going in opposite direction, pedestrians, parked vehicles
- The street verge is crumbling with no kerb and the pot-holes are getting worse
- No turn around point at the end of the street for Waste collection trucks, and when the Waste collection trucks do collect rubbish, they are forced to tur on my drive. Causing significant damage and cost to me to maintain it
- We no longer have rubbish collection



- No off street parking. Trucks and cars forced to park on grass verges. Which is often muddy
- Just look how many vehicles are in this pic - 5, just taken randomly this afternoon, when I decided to undertake this exercise.



- Vehicles that park, or Pass each other damage the grass verge, which is often muddy, and a bog during the rains. There is no Stormwater drainage on the street, and no definition of the street
- See the top Left of the picture. A vehicle is trying to pass in the opposite direction, and has to pull right over. There is NO room for pedestrians, cyclists, horses or other non-vehicle road users



- Note the pedestrian has to walk on the road, which is where another vehicle would need to pull into if two vehicles were passing in opposite directions. Dangerous
- There is a steep bank on one side, and a gully on the other. No where to go.
- Parked vehicles, pedestrians, rubbish bins, moving vehicles, trucks -all trying to share a narrow LANE.



- When a vehicle drives along Tieko St, and there is another vehicle parked, there is no space for another vehicle to pass, nor pedestrian, cyclist or rider. Very Dangerous.
- A few years ago, my daughter was ridden off the road at this very point, by a passing vehicle, and ended up crashing her cycle and sustaining injuries. This matter was reported to KCDC by my wife- Andrea Palmer. -email dated Tuesday, September 4, 2018 4:43 PM
- KCDC Service Request Number is: 1833992.

- KDCDC letter ref 4591212 received dated 5 Oct 2018



- Another view of a vehicle parked with another vehicle passing. If a pedestrian, cyclist, or rider were to be at this point, there is now where for them to pass.
- Their choices are the thick bush on Left, the bog on the right, or between the 2 vehicles- dangerous.
- Look at the poor state of the street.



- This is Tieko St. Thick bush on one side. Parked vehicles and rubbish bins – all sharing the same narrow lane
- Tieko St's one and only street light can be seen above the rubbish bins
- The "Street" is narrow, the bush is encroaching, and never mowed by council
- The street is NEVER swept
- It has never been resurfaced or repaired in well over 8 years



- At the junction of Otaihanga Rd, Tiekō Street Ratepayer **see where all their rates are going... not on our street**
- Off street parking
- Kerbing
- Stormwater drainage
- Cycle track
- Driveways with concrete entrances
- Mowed verges
- Clean streets



- Another view from junction of Tiekō st, looking north along Otaihanga Rd
- Cycle lane
- Foot path
- Kerbs
- Off-street parking area
- Marked street
- Street lights

KCDC bases its rates on the following factors that are directly effected by the Land and Capital Value of a property, amongst others

- District Wide – Urban rating areas rate factor - 0.43834 (LV)
- Districtwide Roding Rate LV factor – 0.03028 (LV)
- Prm/Rau Community Rate factor – 0.00114 (CV)
- Districtwide Stormwater rate factor – 0.02131 (CV)
- Districtwide Roding Rate factor – 0.05745 (CV)

My comments:

- Approximately a factor of 0.09 of my CV is used for roading. How can it be fair that because my property is valued higher, I should pay proportionally more rates. So a rate payer with a

property valued at \$450 000 and has 4 vehicles uses the district roads 4 x more, will pay less than a Rate payer with a \$2M property with 1 car,

- Within 1 year of the Kapiti Expressway opening, there was major resurfacing work undertaken- at ratepayers cost?
- A year or so ago, Mazengarb street and others were resurfaced by a Contractor that was very poor and had to be redone- at ratepayers cost
- A factor of 0.46862, based on my LV is used to calculate my rates, in addition
 - A factor of 0.0799 of CV is used to calculate my rates
 - Total factors based on LV and CV 0.54852 to calculate my rates
- The LV and CV are based on market values. The market values are experiencing massive growth due to the acute shortage of housing in our district. **This has nothing to do with the expenditure of KCDC to maintain its obligations to ratepayers.**
- When there was a contraction in the housing prices- such as after GFC in 2008 , did KCDC review its rates downwards, in line with the negative growth, and decreased LV and CV rate factors?- NO. They argued increased operational costs.
- Since 2012, when I started paying rates on 35 Tieko St, there has been a massive increase in the number of homes, and therefore users of Tieko St. The amount of revenue KCDC has generated from Rates has increased exponentially due to increased number of ratepayers and increased property values and rates. **Yet KCDC has made ZERO improvements to the street, and ZERO ongoing maintenance on the street in 7 years.**
- I'm making a formal requesting to see a record of any KCDC costs that directly benefited the Ratepayers of Tieko St. over the last 5 years.
- We recently received from QV a revised Notice of Rating Valuation, from \$805 000 in 2017, to \$960 000 August 2020, an increase of 19.3%. Undoubtedly, this new valuation will be used to revise the rates after June 21, which will increase based on the above factors, discussed above.
 - District Wide – Urban rating areas rate factor - 0.43834 (LV) x \$520 000 = \$2 279.36
 - Districtwide Roding Rate LV factor – 0.03028 (LV) x \$520 000 = \$157.45
 - Prm/Rau Community Rate factor – 0.00114 (CV) x 960 000 = \$10.94
 - Districtwide Stormwater rate factor – 0.02131 (CV)x 960 00 = \$204.57
 - Districtwide Roding Rate factor – 0.05745 (CV) x960 000 = \$551.52
 - Total estimated increase (excluding other increases = \$4321.84 + 2.1% increase (**talk about double dipping**) = \$4403.40. Almost another \$1000 per year. All because of increased house values, not KCDC expenditure

What I'd like to see on Tieko St

- Safety improvements for all road users, such as:
 - Widened street for 2 vehicles
 - Cycle/pedestrian lane
 - Regular mowing and clearing
 - Turn around point at end of Teiko St, before it becomes Private Road, so rubbish trucks stop ripping up my drive.
 - Fixing the road edges and kerbing to define the street and private driveways
 - Improved STORM water drainage to stop the verge being a virtual bog during the rainy season

I encourage you to engage with the ratepayers of Tieko St, that contribute above average Rates. All we ask is that we see some of that revenue spent on our appalling street, not everyone else's.

I look forward to your reply

Travis and Andrea Palmer,
35 Tieko St, Otaihanga.

Mobile

021 1669 023 (Travis)

021 0244 9657 (Andre)