

20th June 20, 2022
Commissioner
NPDC
Liardet Street
Private Bag 2025
New Plymouth 4342

Commissioner,

The following letter pertains to the 3-lot subdivision at 1303 South Road, Kaitake, SUB21 4771

My Name is Brendon Hart and I currently own and reside at 1305a South Road with my wife, our two kids and my mother-in-law (separate dwelling). We have owned this piece of land since March 2014, and subsequently built our family home which was finished in December 2015. In 2017 an additional dwelling was completed where my mother-in-law resides.

In October 2019 as an affected party Amy and I were approached by the applicants for written approval to an activity subject to a resource consent application, this consisted of a conversation with the applicants, which provided us with a NPDC form 8A and a drawing from JSL of a 4-lot subdivision including joining two titled land blocks LOT3 DP 477811 and PT Section 30 Oakura DIST.

Note: Appendix D of the JSL application an affected party signed their consent form on 16th October 2019

On 24th October 2019 after a phone call with the applicant and email was sent to the applicants outlining our concerns and potential mitigations. See Appendix A. At this point there was not further communication relating to the proposed subdivision.

Appendix – 1 of the planning evidence states *“They held on to the paperwork for some time and finally advised us that they would not happy to sign...”*

Eight days after the last affected party was to sign the NPDC consent form, the applicants were informed via email of our decision.

On 24th March 2020 I received an email from Allen Juffermans from Juffermans Surveyors LTD providing additional information as requested with subsequent follow-up emails on 15th and 30th April.

After several phone conversations to discuss our concerns with Allen, a subsequent proposal was received on 3rd August 2020 for a 4-lot subdivision with a change to access way to LOT3 and LOT4.

I declined to sign the consent via a phone call to Allen, stating that the mitigations supplied do not compensate for the urbanization of this land and the resulting loss rural character. I was informed that the original proposal would be submitted to the NPDC.

On 30th September 2021 I was notified via mail of three-lot subdivision and provided with the resource consent application and a copy of the section 92 response from the NPDC. I returned my submission on October 29th, 2021, Appendix B of the planner's report, and received acknowledgement that the document was received, followed by and scheduled invitation to a pre-hearing mediation on February 25th, 2022.

The Pre-hearing meeting was held and led by Luke Balchin and attended by the applicants and their representation from JSL, Allen Juffermans and Connor Marner, the other submitter and I represented the affected parties. No mitigations were discussed at length or offered by the applicant and their representation; therefore, no resolution was

agreed to. However, it was agreed that Connor would forward the landscape mitigation that was excluded from the original application. On February 26th an email was received with the landscape plan along with a promise of a follow up email with a summary of discussion and with mitigations that could potentially be incorporated into the proposal. See Appendix B. This was never received, and an email was sent on March the 4th to Connor as a reminder, then followed up with an email with a list of mitigations from Amy and me.

No further attempts were made to discuss potential mitigations from the applicants or their representation, and I was later informed by Luke from NPDC that the applicants do not accept the proposed mitigations and that a hearing would be held.

Through this application process I felt that the applicants and their representation has not adequately engaged my family, the effected party to fully understand the impact of the proposal, instead used the application process as a tick box exercise for consent approval, which has unfortunately brought us to this hearing.

In relation to Appendix-1 of the planning evidence

Reviion1&2 of our resource consent was dictated by the current council regulation and the location of both dwellings were designed to fit the property The contour of the land and soil test results determined the amount of fill that had to be removed for a building platform. The design of both dwelling is north facing towards the sun with outside living areas facing State Highway 45, also there is a substantial living area facing the Kaitake Rangers where our kids have learnt to ride and play basketball.

The easement V drain picks up the neighboring properties overflow and a portion of the applicants, unfortunately there is a "gut" in the applicants paddock that filters water from his property through ours and onto the neighboring property which sits 1.5metes below ours. The remaining overflow from the applicant's property runs into our gravel driveway and filters down the main easement ROW towards the road.

The V drain from the applicant's property through mine and onto the road, manages the rainwater overflow from the Kaitake rangers and neighboring properties, a key part of that waterbody management is the V drain on the applicant's property, if this has been collapsed or blocked then the water body will overflow into the "gut" in the applicant's paddock and filter into our property.

In 2020 we laid a concrete driveway in front of the main dwelling leading up to the second dwelling, this has help reduce the pooling of water, but during large rainfalls this work has not eliminated the impact of the waterbody movement.

In response to the proposed landscape mitigation plan and Mr Bain's landscape evidence, the proposed planting between the boundary of 1305A and LOT 2 and 3 are described as specimen tress that will grow to a minimum height of 6m, this will visually impact and block our view of the Kaitake Rangers and the rural foreground. In response to the restricted 6m maximum dwelling height, consideration needs to be given to the visual impact this will create, as this dwelling at 6m plus the addition land height above 1305a at a step back of 35m. The contour of land will dictate an elevatte building platform that will tower above to create an eyesore in front of the rangers and block all views.

In the 2019 Mr. Greensill submitted against the Oakura rezoning plan change citing several challenges.

Mr. Greensill stated in reference to spreading effluent on his farm, "This consent has conditions like no contaminants shall be discharged within 150 m of any dwelling, nor within 50 m from any bore, well or spring used for water supply purposes, nor within 25 m of any surface water body."

Does this proposed subdivision impact Mr. Greensill ability to spread effluent on his farm and meet his consent?

Mr. Greensill at the same hearing stated, "One of the effects of urbanisation next to our farm would be a raised concern security for our asset, a concern for biosecurity in terms of spread of diseases from domestic dogs and cats and generally complaints from townies in regard to noise and smell, remembering farming is a seven day a week 24 hour a day business."

Does this application propose the same or additional threat?

Living in front of this dairy block is a part of the appeal and the love we have for our home and the environment that surrounds us. Some "townies" would cringe at the noise from 530am milking's, turnip crops over the fence, cows in the back paddock but this is apart the appeal of living rurally.

My wife and I have lived in Oakura as a family for 12+ years, and prior to this Amy was raised and schooled in Oakura. We purchased a home within the village, and this is where our second child was born, at this point we both knew we wanted to live close to village but in a rural environment with space, privacy, character and somewhere we had a connection too. The home we have made here under the Kaitake rangers has everything we had dreamed for with an emotional connection as Amy's late farther was raised in the farmhouse on this property.

Our Families objection to this proposal does not come lightly but there is a significant adverse effect, loss of rural identity, character and unavoidable visual impacts that will be lost in foreground of residential development if this application was approved.

A huge amount of work has been done and formally expressed by the Kaitake community board regarding the future of Oakura and the residential growth to be prioritised and maintained on the seaward side of State Highway 45.

Prior to the purchasing our property we conducted a certain level of due diligence and understood that the development of 1303 South Road was restricted and if the original development was a 5-lot subdivision with 4 sections for sale designed as per this application, we would not of purchased this piece of land as it would not of meet our criteria of a character filled rural environment with an outlook towards the Kaitake Ranges.

To summarise my thoughts the current application and the landscape plan does not go far enough to mitigate the loss of character in this area and avoid the visual impact that comes with an urban type of subdivision in a rural environment. The cumulative effect of the approval of this development is future applications towards the south on State Highway where the land mass narrows towards the Kaitake Ranges. Personally, for our family and our home this application has not considered the overall visual impact, the loss of rural character, and generally the day-to-day impact to loss of our rural lifestyle.

Lastly, I would like to acknowledge how fortunate my family and I are to live on such an amazing piece of land within such a wonderful environment.

Thank you for taking the time listen to our concerns.

Brendon Hart on behalf of the residents at 1305a South Road.

Appendix A



Thu, Oct 24, 2019, 10:35 PM

Affected Party/Proposed Subdivision >



Brendon Hart (brendonhart@gmail.com)
to TheGreenhills >

Layne,

As per our previous discussions regarding the proposed subdivision at Lot 3 DP447811 and PT Section 30 Oakura District and the subsequent written approval from Amy and I the affected party at LOT 2 DP447811, I would like to formally communicate our concerns and provide direction to you before any consideration can be given to approve the proposed subdivision as an affected party.

Amy and my decision to purchase this property and build was driven by the rural lifestyle, the vista that the ranges provide, and ultimately the space with no neighbours this property gives our children to grow up. My concern is that having proposed LOT 1 & LOT 2 located directly behind our property and elevated will diminish the rural charm our property provides and maybe force us to reconsider the value of living on the land that Amy's father once grew up on.

Below is a list of items I would like to be resolved before any consideration to signing the affected party declaration can be given:

- Confirmation from the council that the proposal is meeting Rule NO. Rur 78 restricted discretionary standard as LOT 3 the parent title was previously subdivided to create current LOT 1 & 2 DP447811.
- Confirmation that proposed LOT 2 of 3310m2 meets Rule NO. Rur 78.
- Consultation with NZTA has been had and approval given, due to the proposed increased number of properties the main access has to service from State Highway 45.
- The excess water runoff from proposed LOT 4 to my property has been addressed.
- The access to proposed LOT 4 be moved to the rear of the subdivision.
- Assessment of the environmental effects to be provided as listed in NPDC form 8a.
- The full resource consent application be provided for review before submission as listed in form 8a
- Provide certainty and resources to guarantee that the rural character of this environment be maintained.

As originally discussed, living in a subdivision is not what we had in mind when we purchased our property, but if the above can be addressed and any further matters of concerns that affect our lifestyle, and the enjoyment we get from raising our family in this rural location can be resolved, Amy and I could be comfortable to work with you.

Thanks
Brendon Hart

Appendix B



Sat Feb 26 12:27 PM

Greensill Mitigation Plan



Connor Mamer <Connor@sl.nz>
to me, janne.a.utty@hotmail.com, a1rabc@hinetmail.com, Luke, Allen, Larne
Afternoon All

Thank you again to you all for taking the time yesterday to discuss the proposal and some of the concerns around it. As discussed, I have attached a copy of the landscaping mitigation plans. Apologies this wasn't sent through last night when I got home. I will also be in contact next week with a bit of a summary of matters discussed to see if there are some matters which can be incorporated into the proposal (i.e. hedge and access to lots) to see if this can allay some of the concerns raised.

Have a good weekend all.

Kind Regards

Connor



Juffermans Surveyors Ltd

