

17 December 2020

Kaipara District Council

Attn: Mr Dwayne Daly

42 Hokianga Road,

Dargaville 0340,

Northland

Email: RMAConsents@Kaipara.govt.nz

Dear Dwayne,

RM 200153 – Lot 42 DP 39205 – 13 Wood Street, Mangawhai Heads – Request For Information.

Thanks for your letter dated 10 September 2020. Following our discussions on the phone and the advice provided in the letter. We have considered your comments and as a result have significantly revised the application for subdivision. We consider that the revised application addresses the concerns raised and is now presented in a manner that can be supported for approval by the Kaipara District Council.

The application has been revised from a three-lot subdivision to a two-lot subdivision as follows:

Current Lot: 994 square metres

Proposed Lot 1: 430 square metres

Proposed Lot 2: 564 square metres

It is noted that the Mangawhai Spatial Plan has been through several rounds of public consultation over a significant period of time. Both the Mangawhai and the District wide Spatial Plans have been adopted at the Kaipara District Council at the meeting on 16 December 2020 as follows:

“That Kaipara District Council;

a) Adopts the Spatial Plan for Mangawhai as a policy for the development of this area and a guide for development. “

While these are non-statutory documents they will be used as a guide in the development and for the revision of the District Plan. While the Spatial Plan does not replace the Operative District Plan it serves as an indication of the direction the Kaipara District Council would like to progress.

We further note that under sec104(1)(c) of the RMA The Mangawhai Spatial Plan can be used for resource consent purposes as “any other matter the consent authority considers relevant and

reasonably necessary to determine the application”-

The Adopted Mangawhai Spatial Plan recommends the “Use existing vacant residential zoned land around existing or proposed centres more efficiently through intensification and allow for lot size as small as 400m² and Integrated Residential Development.”

The subject site is one of the ‘larger residential sites’ as marked with orange outlines in **Figure 3-4-5** of the Spatial Plan that is suggested for intensification of residential development in close proximity to the commercial centres.

The application in its current form is considered to have adverse effects that are considered less than minor and is not considered to be inconsistent with the objectives and policies of the district plan.

Your letter of 10 September suggests that the application will set an undesirable precedent. It is noted that the subdivision does not set an undesirable precedent. There are currently seven properties within a 105 metre radius of the subject property that are on sections less than 270 and 585 square metres. See details below.

Address	Tenure	Lot Size
4A Margaret Street	1/3 share of 809m ²	270m ²
4B Margaret Street	1/3 share of 809m ²	270m ²
4C Margaret Street	1/3 share of 809m ²	270m ²
26 Wood Street	Freehold Site (Net site smaller because of ROW)	453m ²
26A Wood Street	Freehold Site	585m ²
28 Wood Street	Freehold Site	487m ²
28A Wood Street	Freehold Site (Area includes ROW)	554m ²

The application has been modified to further reduce the impact of the minimum lot size and is now considered more than acceptable.

The formal application follows but a summary of the queries raised in your s92 letter are as follows:

Appendices

Appendix 8 is now included.

House 2 and House 3

The plans have been modified to reflect a two-lot subdivision. **Appendix 4** shows the proposed subdivision plan. **Appendix 6** shows the Proposed Site Plan including the existing house on Proposed Lot 1 and the Proposed house on Proposed Lot 2. **Appendix 8** shows the proposed floor plan for the proposed house on Proposed Lot 2. The dwelling proposed for Lot 2 is a fully renovated, relocated circa 1920's Californian Bungalow. **Appendix 15** shows photos of the relocatable house for Proposed Lot 2.

Development Controls

No development controls are intended for the subdivided sections. We have included site plans, building plans and elevations for proposed lot 2 for two reasons. Firstly, we are in the process of finalising the building consent application to relocate the dwelling to Lot 2. Secondly, this shows that the resultant lots from the proposed subdivision can accommodate a dwelling within the rules of the district plan. The site is zoned residential and the most likely development on the site in future will be residential. If a more intensive or onerous development is proposed in future following subdivision it could be controlled at the Resource Consent stage. If it is deemed necessary to apply development notices to control commercial development (in a residential zone) or the colour of the dwelling, we are prepared to entertain such controls to allow the application to proceed.

Again, consent notices are not considered necessary to control traffic movements on the proposed sites. With the modified subdivision of two lots the total daily traffic movements will be 12 which is well within the limit of 20 outlined within Rule 13.10.18. If it is deemed necessary to apply development notices to control commercial activities this would be considered but not thought to be necessary.

Plans and Additional Breaches

- The plans have been updated to reflect 3 metre side setbacks. The proposed subdivision does not infringe upon this rule.
- The building coverage and impermeable surface area calculations have been modified based upon the changed subdivision plan and a different dwelling for Lot 2. They are now correctly calculated. The building coverage is under 35% and the impermeable surface area is under 40% and these have been calculated together as required in the District Plan. This is now within District Plan requirements and as such engineering assessments are not required.
- Private open space calculation is now included in the plans. Well in excess of 50% of the gross area of the dwelling is provided in open space. The subdivision now complies with this requirement.
- Dwelling for removal. Details are included in the body of the document.
- Details of the water provided for firefighting has now been provided. Details of the proposed arrangements have been submitted to Fire and Emergency NZ and are provided in the attached application. Written approval from Fire and Emergency NZ is attached in **Appendix 14**.
- Following the revision of the application we have reduced the number of vehicle crossings from three to two and removed the Wood Street vehicle crossing. The resulting vehicle crossings comply with the KDC Engineering Standards. Please see **Appendix 12** for Kaipara District Council Roadway Department Approval.

Study of Demand

This is internal information relating to market demand, market sentiment and tenant requirements. It is used to guide investment decisions and planning. It is not an RMA tool.

Wastewater

Mr Terry Roche from Ventia/ Broad Spectrum (Kaipara Council's Wastewater Provider) has confirmed that the proposed subdivision will have no adverse impact upon the Council Wastewater System. See **Appendix 13** for the approval.

Telecommunications

Please see **Appendix 11** for confirmation that fibre telecommunications are currently available in Wood St for the proposed subdivision.

Objectives and Policies

Additional assessment against Chapters 3A and 4 of the District Plan, Mangawhai Structure Plan and higher order documents are included in the main body of the updated application attached.

The resource consent application has been substantially amended and now follows this letter for your review.

Two original copies of the application and plans have been sent to your office.

Please feel free to give me a call if you would like to discuss.

Your sincerely,

Julian Harrison-Tubb

021-424094