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RESOURCE CONSENTS - SUBDIVISIONS - LAND USE
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Kim Nathan

Kaipara District Council

Private Bag 1001

Dargaville

14 December 2020

Dear Kim,

Re: RM 200248 – Stainless Sports Ltd, S92 Response

Thankyou for your S92 response, which we can now respond to as follows:

1. Engineering
   We expect that this will be dealt with during the engineering design stage of the subdivision, and following consultation with Northpower. If the power pole needs to be moved, any appropriate approval will be obtained.

2. NZTA
   An updated approval from NZTA is attached, dated September 2020.

3. Written Approvals.
   37 Jervois Street is owned by Land Information New Zealand. Signed written approval form and plans are attached.

4. Written approvals.
   Signed plans are now included for 33 Jervois Street.

5. Cumulative Effects
   The proposal is highly unlikely to result in cumulative effects that could be considered to be more than minor. The site is located within an established residential environment, with residential development and associated residential land use already occurring on all nearby sites. The proposed land use of the site will remain residential. The land use rules infringed by the proposal will be largely 'internal' to the site, in that the effects of these will not be felt beyond the boundaries of the site. This is the case with on-site manoeuvering and outdoor living courts. The three units proposed will be contained within one roof line, and will therefore appear as one. Although residential activity (eg. noise, traffic movements, lighting etc) over the site may be intensified by the fact that there will be three individual units as opposed to one, the units are

small, each with just two bedrooms, and therefore the actual level of residential activity will likely be similar to that which could occur with one larger dwelling. Given that all the rule infringements will result in effects that are internal to the site, and the fact that the site is located within an established residential environment, I am confident that the proposal will not result in cumulative effects that will 'tip the balance' for this location.

Additional Comments

I also remain wholly confident that the proposal will not result in more than minor adverse effects on residential amenity and character values of the wider surrounding area. Again, the non-compliances with the bulk and location and on-site manoeuvring requirements of the District Plan will result in internal effects only. These areas of non-compliances are summarised as follows:

- Setbacks
  Only internal setbacks are infringed as the 3 units will be adjoining. All front, side and rear yard setbacks can meet permitted activity standards. It is these external setbacks that could be considered to affect the built character of the neighbourhood.
- Private open space
  This will only affect the experience of residents of the site, not adjoining neighbours or the wider surrounding area.
- Coverage
  In terms of the underlying parent site, the total coverage achieved by the proposal will be 35.9%. This infringement is considered to be negligible when compared to the 35% that could be achieved as a permitted activity.
- Reverse manoeuvering.
  Again, reverse manoeuvering will be undertaken within the right of way, not on to the street, and therefore the effects of this are also internal only.
- Permeable Surfaces
  The effects of infringing the permeable surfaces rule generally relate to issues of stormwater disposal. The Hawthorn Geddes report confirms that stormwater can be managed so that discharges will be in accordance with pre-development levels.
- Parking
  1 car park will be provided for each site, as opposed to 2 which are required by the District Plan. This is the only rule infringement that could lead to any external effects, as it is feasible that additional vehicles may use the street frontage for parking. However, the District Plan does not allow a reduction in car parking requirements in relation to reduced dwelling size. In this case the actual car parking demand over each proposed site is likely to be less than standard, on the basis that each unit will be just 2-bedrooms. Not withstanding this, any overflow parking on the street is not considered to affect residential character and amenity to a level that would be considered more than minor.

  This application may be considered to be 'before its time', in that the Kaipara District Plan does not provide for any higher density residential development within the Dargaville township, and accordingly the proposal is not surprisingly non-complying in activity status. However, the non-complying activity status should not be cause for excitement or alarm, as the RMA specifically provides that if a proposal is not contrary to the Objectives or Policies of the Plan, or has adverse effects that are no more than minor, then it may be considered on its merits. In this case, the proposal has been developed in response to unprecedented demand for this type of residential

development that is not provided for in the District Plan. The potential effects are no more than minor, with all land use infringements resulting in effects that will be internal to the site only.

Yours faithfully,

Kate Wood

Planner