

Our ref: 20098

16 November 2021

Laura Buttimore
c/- New Plymouth District Council
Private Bag 2025
New Plymouth

Application Ref: SUB21/47781,

Dear Laura,

REQUEST FOR MORE FURTHER INFORMATION – LEITH ROAD, OKATO

Thank you for your emails of 31 August, 16 and 21 September requesting further information based on your “concerns/inadequacies” with our application and s92 response of 15 August. Our apologies for the length of time it has taken to prepare and provide this response however, you did specifically request a full response in your email dated 7 October.

Please find enclosed our responses to your “concerns” with regards to SUB21/47781 Subdivision resource consent application for Leith Road – Okato.

1.0 Building Platform Locations.

“The site appears to be undulating in nature there needs to be some consideration to building platform locations on the vacant lots so we can gauge the potential visibility of buildings and their potential effects on the wider environment. In the absence of defined building platform locations a more conservative assessment will need to be made on potential effects”.

From your above comments, the concern behind the basis for the requirement for building platforms to be identified appears to be driven from the potential visibility of future residential development of the lots. However, when put in context of the permitted baseline for buildings and structures that could be located on the sites ‘as of right’ within the Rural zone (Rule Rur9 – Habitable Buildings and Rule Rur 10 – Other Buildings), the effects of the future dwellings would be considered to result in visibility effects of a lesser impact than that provided for in the permitted baseline.

Given that this is the permitted right of the applicant under the operable rules and the proposal also offers mitigation measures of future residential development of the lots to include dwelling construction in muted tones and of non-reflective material. These mitigation measures would further reduce the visibility of the proposed structures in comparison to that of a larger agricultural shed that is permitted by right.

While it is acknowledged that residential activities and rural/agricultural activities generate different effects, the comments in the s92 response only relate to visual impact.

It is considered that the visual effects from the proposal are able to be mitigated to an acceptable level by the measures detailed within Section 7, Mitigation, Landscape and Visual Impact Assessment 25 July 2021 prepared by Richard Bain of Blue Marble Consulting and provided with the s92 response of 15 August 2021. As such the applicant would not be adverse to the utilisation of these recommendations as consent conditions.

The imposition of defining the exact location of the building platforms on the proposed lots is considered onerous due to the size of the lots being proposed and the multiple places a purchaser may wish to position their future dwelling upon said lots.

2.0 No Build Areas.

“No build areas could also be considered on high knoll features across the site, not just the one identified on Lot 2/3 by the LVIA”.

The addition of no-build areas on high knoll features is not considered to be warranted in this circumstance. There are limited positions where a dwelling would be able to be located on knolls and the effects of any potential future development are not considered to be such that this requirement is justified.

Similar to Point 1, there is the potential for development of buildings to occur on these knolls currently. If in the event, future residential development was to occur on one of these knolls, the potential visual impact on the surrounding residential environment would be relatively minor when compared with that of the permitted baseline.

The requirement for no-build areas does not seem to be supported by the assessment provided as the effects are able to be mitigated and remedied to an acceptable level. Therefore, any such requirement is not considered to be supported by the RMA as it is not considered to be ‘fair, reasonable and practical’ to require such a condition.

3.0 Vehicle Access Points.

“Identification of vehicle access points for Lots 2 and 3 – consideration of dual access or avoidance of access going through knoll and earthworks being necessary”.

It is the intent that the vehicle access points would be at an appropriate point to allow safe entry and exit and has never been planned to go through the knoll. On review, it can be seen that this was not explicitly stated however Fig 26, page 18 of the initial application (shown below) mentions the potential for this to occur.



Fig 26: View of lot 5 vehicle access point and driveway. Lot 2 to right of hedge potential exists for utilising right hand white fencing as an accessway for Lot 2. Image courtesy of Google Maps January 2014.

Therefore, it is proposed the vehicle entrance point for Lot 2 and 5, as shown above, will be upgraded to a formed double vehicle crossing to the standards stipulated in NPDC ODP 2015 Appendix 22.2A.

Access to Lot 5 will be via the route of the existing accessway shown above while Lot 2 will be through the gap created by the removal of the white fence railing to the right of the existing Lot 5 shown in the above image thus removing the need for extensive earthworks as inferred by your query.

Access to Lot 3 will nominally be through the formed gateway shown in the image below. However, there may not be sufficient site distance for this to occur so it may be more practically located at the eastern extremity of the allotment thus increasing site distances and therefore safety. In either case this will remove the need for extensive earthworks as inferred by your query.



4.0 Reconfiguration of layout.

“Consideration of reconfiguring the layout and design of the allotments to create more sympathetic design to the existing environment”.

I refer you to “Section 2.0 Options Analysis’ of our s92 response of 15 August 2021.

“Other considerations for lot configurations were not considered due to the topography, previous developments in the area and that NPDC Design Guidelines for Rural Subdivisions were utilised as a guide, particularly Part 2. I refer you to Page 15 Allotment Placement, Rolling Land:

“Look for opportunities to cluster around existing development...”

“Minimise the effect of development by avoiding spreading houses along roads and ridges as this can reduce spaciousness.”

Hence the proposed design, use of the topography and existing Lots 4 and 5 dwellings is appropriate for the proposed building sites.”

As previously discussed verbally, the above NPDC Design Guidelines are a published document by Council and are therefore applicable in this instance. While some may consider these “out of date” like the ODP and its Appendices, it is still the published document of NPDC and therefore it is expected that this is deemed the accepted publication to be utilised. To suggest an independent opinion overrides this publication without following due public consultation process is somewhat folly and unacceptable to the applicant.

5.0 Lot 5 Vegetation.

“Protection of the existing vegetation around the dwelling on Lot 5 and or replacement of it if necessary”.

The applicant would not be adverse to this as a consent condition.

6.0 Lot 5 Vegetation.

“Protection of the paddocks on Lot 5 road frontage to be retained as open pasture eg – no buildings”.

The applicant would possibly consider this as a consent condition, although it should be noted that a future purchaser should have the right to construct an amenity shed as per a “Permitted Activity” within the Rural Zone and not be constrained by a consent condition which is outside the permitted baseline of effects.

7.0 Notification Decision.

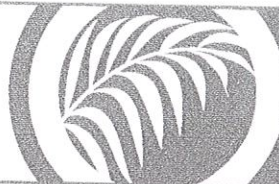
“alternatively I can just draft a notification decision which will definitely include some adjacent landowners as affected parties and may be subject to public notification”.

All adjacent landowners have discussed and reviewed the proposal with the applicant and provided their signed agreement. As the owners of No’s 19, 43 and 94 Leith Road have provided their written approval, all effects on them may be disregarded and as such no assessment of effects on these people may be undertaken.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Rex Hurley', written in a cursive style.

Rex Hurley
Planner – Juffermans Surveyors Limited



Please read the information on the back of this page before giving your written approval in respect of a resource consent application.

1. Affected person's details

1a. I am the Property owner Occupier

1b. Of the property at (street address)

1c. Full name
First name(s) Surname

1d. Electronic service address

1e. Telephone
Mobile Landline

1f. Postal address or alternative method of service under Section 352 of RMA 1991

1g. I have the authority to sign on behalf of all other owner/occupiers of the property Yes No

2. Resource consent application details

2a. Applicant's name
First name(s) Surname

2b. Site address

2c. Description of proposal

3. Documents and plans

I have read and/or seen:

- The full resource consent application, including:
 - The full description of the activity and the assessment of environmental effects (AEE).
 - Plan(s), signed by me and listed below. (If required, attach any additional plan information.)

Plan reference number	Plan title	Date
20198-2	Proposed Subdivision of Part Lot 1 DP8787 and Lot 1 DP19869	17/02/2021

Please turn over

OFFICE USE ONLY

Date received Property ID Application #
 Time received Land ID Document #
 Received by

Lizardet Street, Private Bag 2025, New Plymouth 4342, New Zealand. Telephone 06-759 6060, Fax 06-759 6072, Email enquiries@npdc.govt.nz, Website www.newplymouthnz.com

4. Privacy statement

The Privacy Act 1993 applies to the personal information provided in this written approval. For the purposes of processing the resource consent application the Council may disclose this personal information to another party. If you want to have access to, or request correction of, this personal information, please contact the Council.

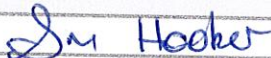
5. Affected person's declaration

By signing* this written approval, or by submitting this form electronically, I confirm that I understand the proposal and that the Council must decide that I am no longer an affected person and therefore must not have regard to any adverse effects on me.

I understand that I may withdraw my written approval by giving written notice to the Council before the hearing, if there is one or, if there is not, before the application is determined.

I confirm that the information contained in this written approval is true and correct, and agree to the disclosure of my personal information in respect of this written approval.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Shelley and Stephen	Hooker
First name(s)	Surname
	22/9/21
Signature of person giving written approval (or person authorised to sign on behalf of the person giving written approval)	Date

*A signature is not required if you give your written approval by electronic means, however the plans do need to be signed.

6. Information for affected persons

1. Please ensure you fully understand the proposal before deciding whether to sign this form. You may need to ask for further information from the applicant.
2. There is no obligation to sign this form, and no reasons need to be given.
3. Conditional written approvals cannot be accepted.
4. If this form is not signed, the application may be notified and you may have the opportunity to submit on the application.
5. If the Council determines that the activity is a deemed permitted boundary activity under section 87BA of the Act, your written approval cannot be withdrawn.
6. It is acceptable for you to request that you be given some time to consider the application before deciding whether to provide your written consent or not. You may also obtain your own professional advice on the application e.g. from a lawyer, planner or surveyor before deciding whether or not to give your written approval.
7. 'An Everyday Guide to the RMA' on the Ministry for the Environment website at www.mfe.govt.nz contains useful information for affected persons.
If you have any further questions regarding this process contact the duty planner at the Council on 06-759 6060.



NOTES:
 1. Subject to Consent from the appropriate Territorial Authorities
 2. Areas & dimensions are subject to final survey
 3. Plan prepared for consent purposes only and should not be relied upon for any other purpose without the consent of Juffermans Surveyors Ltd

Jim Hodder 7/10/21 2pm



51 Dawson Street
 PO Box 193, New Plymouth 4340
 info@juffermans.co.nz
www.juffermans.co.nz

Client SIM	Drawing Title Lots 1-6 Being a Proposed Subdivision of Pt Lot 1 DP8787 and Lot 1 DP 19869		Date Issued 20198
Site Address 6 Leith Road New Plymouth	Territorial Authority NPDC	Compartments TNK 4/798 & TNK 4/799	Scale 1:4000
	Drawing No. 20198-2	Date 17th Feb 2021	Rev 1

C:\Users\j\Documents\4340\198\198.dwg: 17/02/2021 10:30:21



Please read the information on the back of this page before giving your written approval in respect of a resource consent application.

1. Affected person's details

1a. I am the Property owner Occupier

1b. Of the property at (street address)

1c. Full name
First name(s) Surname

1d. Electronic service address

1e. Telephone
Mobile Landline

1f. Postal address or alternative method of service under Section 352 of RMA 1991

1g. I have the authority to sign on behalf of all other owner/occupiers of the property Yes No

2. Resource consent application details

2a. Applicant's name
First name(s) Surname

2b. Site address

2c. Description of proposal

3. Documents and plans

- I have read and/or seen:
- The full resource consent application, including:
 - The full description of the activity and the assessment of environmental effects (AEE).
 - Plan(s), signed by me and listed below. (If required, attach any additional plan information.)

Plan reference number	Plan title	Date
20198-2	Proposed Subdivision of Part Lot 1 DP8787 and Lot 1 DP19869	17/02/2021

Please turn over

OFFICE USE ONLY

Date received Property ID Application #
 Time received Land ID Document #
 Received by

Lizardet Street, Private Bag 2025, New Plymouth 4342, New Zealand. Telephone 06-759 6060, Fax 06-759 6072, Email enquiries@npdc.govt.nz, Website www.newplymouthnz.com

4. Privacy statement

The Privacy Act 1993 applies to the personal information provided in this written approval. For the purposes of processing the resource consent application the Council may disclose this personal information to another party. If you want to have access to, or request correction of, this personal information, please contact the Council.

5. Affected person's declaration

By signing* this written approval, or by submitting this form electronically, I confirm that I understand the proposal and that the Council must decide that I am no longer an affected person and therefore must not have regard to any adverse effects on me.

I understand that I may withdraw my written approval by giving written notice to the Council before the hearing, if there is one or, if there is not, before the application is determined.

I confirm that the information contained in this written approval is true and correct, and agree to the disclosure of my personal information in respect of this written approval.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

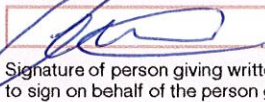
~~Lyndsay and Patricia~~

GRAENE & STEPHANIE

~~McPetridge~~ HILL

First name(s)

Surname



26-09-2021

Signature of person giving written approval (or person authorised to sign on behalf of the person giving written approval)

Date

*A signature is not required if you give your written approval by electronic means, however the plans do need to be signed.

6. Information for affected persons

1. Please ensure you fully understand the proposal before deciding whether to sign this form. You may need to ask for further information from the applicant.
2. There is no obligation to sign this form, and no reasons need to be given.
3. Conditional written approvals cannot be accepted.
4. If this form is not signed, the application may be notified and you may have the opportunity to submit on the application.
5. If the Council determines that the activity is a deemed permitted boundary activity under section 87BA of the Act, your written approval cannot be withdrawn.
6. It is acceptable for you to request that you be given some time to consider the application before deciding whether to provide your written consent or not. You may also obtain your own professional advice on the application e.g. from a lawyer, planner or surveyor before deciding whether or not to give your written approval.
7. 'An Everyday Guide to the RMA' on the Ministry for the Environment website at www.mfe.govt.nz contains useful information for affected persons.
If you have any further questions regarding this process contact the duty planner at the Council on 06-759 6060.



NOTES:
 1. Subject to Consent from the appropriate Territorial Authorities
 2. Areas & dimensions are subject to final survey
 3. Plan prepared for consent purposes only and should not be relied upon for any other purpose without the consent of Juffermans Surveyors Ltd

[Signature] 7 Oct 2021 2:39 PM

 51 Dawson Street
 PO Box 193, New Plymouth 4340
 info@juffermans.co.nz
www.juffermans.co.nz

Client	SIM			Drawing Title	Lots 1-6 Being a Proposed Subdivision of Pt Lot 1 DP8787 and Lot 1 DP 19869		Doc No	20198
Date Address	6 Leith Road New Plymouth			Territorial Authority	NPDC		Scale	1:4000
Copyrighted in	TNK 4/798 & TNK 4/799			Drawing No	20198-2		Date	17th Feb 2021
Sheet	1			Issue	1		Rev	1



Please read the information on the back of this page before giving your written approval in respect of a resource consent application.

1. Affected person's details

1a. I am the Property owner Occupier

1b. Of the property at (street address)

1c. Full name
First name(s) Surname

1d. Electronic service address

1e. Telephone
Mobile Landline

1f. Postal address or alternative method of service under Section 352 of RMA 1991

1g. I have the authority to sign on behalf of all other owner/occupiers of the property Yes No

2. Resource consent application details

2a. Applicant's name
First name(s) Surname

2b. Site address

2c. Description of proposal

3. Documents and plans

- I have read and/or seen:
- The full resource consent application, including:
 - The full description of the activity and the assessment of environmental effects (AEE).
 - Plan(s), signed by me and listed below. (If required, attach any additional plan information.)

Plan reference number	Plan title	Date
20198-2	Proposed Subdivision of Part Lot 1 DP8787 and Lot 1 DP19869	17/02/2021

Please turn over

OFFICE USE ONLY

Date received	<input type="text"/>	Property ID	<input type="text"/>	Application #	<input type="text"/>
Time received	<input type="text"/>	Land ID	<input type="text"/>	Document #	<input type="text"/>
Received by	<input type="text"/>				

Liardet Street, Private Bag 2025, New Plymouth 4342, New Zealand. Telephone 06-759 6060, Fax 06-759 6072, Email enquiries@npdc.govt.nz, Website www.newplymouthnz.com

4. Privacy statement

The Privacy Act 1993 applies to the personal information provided in this written approval. For the purposes of processing the resource consent application the Council may disclose this personal information to another party. If you want to have access to, or request correction of, this personal information, please contact the Council.

5. Affected person's declaration

By signing* this written approval, or by submitting this form electronically, I confirm that I understand the proposal and that the Council must decide that I am no longer an affected person and therefore must not have regard to any adverse effects on me.

I understand that I may withdraw my written approval by giving written notice to the Council before the hearing, if there is one or, if there is not, before the application is determined.

I confirm that the information contained in this written approval is true and correct, and agree to the disclosure of my personal information in respect of this written approval.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Anne

First name(s)

Julian

Surname



Signature of person giving written approval (or person authorised to sign on behalf of the person giving written approval)

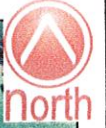
17-9-2021

Date

*A signature is not required if you give your written approval by electronic means, however the plans do need to be signed.

6. Information for affected persons

1. Please ensure you fully understand the proposal before deciding whether to sign this form. You may need to ask for further information from the applicant.
2. There is no obligation to sign this form, and no reasons need to be given.
3. Conditional written approvals cannot be accepted.
4. If this form is not signed, the application may be notified and you may have the opportunity to submit on the application.
5. If the Council determines that the activity is a deemed permitted boundary activity under section 87BA of the Act, your written approval cannot be withdrawn.
6. It is acceptable for you to request that you be given some time to consider the application before deciding whether to provide your written consent or not. You may also obtain your own professional advice on the application e.g. from a lawyer, planner or surveyor before deciding whether or not to give your written approval.
7. 'An Everyday Guide to the RMA' on the Ministry for the Environment website at www.mfe.govt.nz contains useful information for affected persons.
If you have any further questions regarding this process contact the duty planner at the Council on 06-759 6060.



NOTES:
 1. Subject to Consent from the appropriate Territorial Authorities
 2. Areas & dimensions are subject to final survey
 3. Plan prepared for consent purposes only and should not be relied upon for any other purpose without the consent of Juffermans Surveyors Ltd

N. Juffermans 7/10/2021
 2:15 PM

JSL
 Juffermans Surveyors Ltd
 51 Dawson Street
 PO Box 193, New Plymouth 4340
 info@juffermans.co.nz
www.juffermans.co.nz

CLIENT SIM	DRAWING TITLE Lots 1-6 Being a Proposed Subdivision of Pt Lot 1 DP8787 and Lot 1 DP 19869	JOB NO. 20198
SEE ADDRESS 6 Leith Road New Plymouth	TERRITORIAL AUTHORITY NPDC	SCALE 1:4000
	COMPRISED IN TNK 4/798 & TNK 4/799	DATE 17th Feb 2021
	DRAWING NO. 20198-2	REV. 1



Please read the information on the back of this page before giving your written approval in respect of a resource consent application.

1. Affected person's details

1a. I am the Property owner Occupier

1b. Of the property at (street address)

1c. Full name
First name(s) Surname

1d. Electronic service address

1e. Telephone
Mobile Landline

1f. Postal address or alternative method of service under Section 352 of RMA 1991

1g. I have the authority to sign on behalf of all other owner/occupiers of the property Yes No

2. Resource consent application details

2a. Applicant's name
First name(s) Surname

2b. Site address

2c. Description of proposal

3. Documents and plans

I have read and/or seen:

- The full resource consent application, including:
 - The full description of the activity and the assessment of environmental effects (AEE).
 - Plan(s), signed by me and listed below. (If required, attach any additional plan information.)

Plan reference number	Plan title	Date
20198-2	Proposed Subdivision of Part Lot 1 DP8787 and Lot 1 DP19869	17/02/2021

Please turn over

OFFICE USE ONLY

Date received Property ID Application #
 Time received Land ID Document #
 Received by

4. Privacy statement

The Privacy Act 1993 applies to the personal information provided in this written approval. For the purposes of processing the resource consent application the Council may disclose this personal information to another party. If you want to have access to, or request correction of, this personal information, please contact the Council.

5. Affected person's declaration

By signing* this written approval, or by submitting this form electronically, I confirm that I understand the proposal and that the Council must decide that I am no longer an affected person and therefore must not have regard to any adverse effects on me.

I understand that I may withdraw my written approval by giving written notice to the Council before the hearing, if there is one or, if there is not, before the application is determined.

I confirm that the information contained in this written approval is true and correct, and agree to the disclosure of my personal information in respect of this written approval.

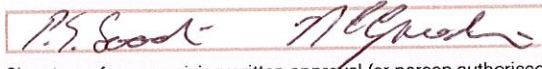
If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Ngaria and Paul

First name(s)

Goodin

Surname



Signature of person giving written approval (or person authorised to sign on behalf of the person giving written approval)

17-9-20

Date

*A signature is not required if you give your written approval by electronic means, however the plans do need to be signed.

6. Information for affected persons

1. Please ensure you fully understand the proposal before deciding whether to sign this form. You may need to ask for further information from the applicant.
2. There is no obligation to sign this form, and no reasons need to be given.
3. Conditional written approvals cannot be accepted.
4. If this form is not signed, the application may be notified and you may have the opportunity to submit on the application.
5. If the Council determines that the activity is a deemed permitted boundary activity under section 87BA of the Act, your written approval cannot be withdrawn.
6. It is acceptable for you to request that you be given some time to consider the application before deciding whether to provide your written consent or not. You may also obtain your own professional advice on the application e.g. from a lawyer, planner or surveyor before deciding whether or not to give your written approval.
7. 'An Everyday Guide to the RMA' on the Ministry for the Environment website at www.mfe.govt.nz contains useful information for affected persons.

If you have any further questions regarding this process contact the duty planner at the Council on 06-759 6060.



NOTES:
 1. Subject to Consent from the appropriate Territorial Authorities
 2. Areas & dimensions are subject to final survey
 3. Plan prepared for consent purposes only and should not be relied upon for any other purpose without the consent of Juffermans Surveyors Ltd

JSL
 Juffermans Surveyors Ltd
 51 Dawson Street
 PO Box 193, New Plymouth 4340
 info@juffermans.co.nz
 www.juffermans.co.nz

CLIENT	SIM	DRAWING TITLE	DATE
SITE ADDRESS	6 Leith Road New Plymouth	Lots 1-6 Being a Proposed Subdivision of Pt Lot 1 DP8787 and Lot 1 DP 19869	20198
TERRITORIAL AUTHORITY	NPDC	COMPILED BY	SCALE
		TNK 4/798 & TNK 4/799	1:4000
		DRAWING NO	DATE
		20198-2	17th Feb 2021
			REV
			1

[Handwritten Signature]
 7/10/2021
 2:15 PM

Copyright of this drawing is vested in Juffermans Surveyors Ltd

