

WRITTEN STATEMENT OF EVIDENCE TO THE TCDC PROPOSED DISTRICT PLAN COMMISSIONERS: FOR THE HEARINGS OF 21 – 23 OCTOBER 2014

Submission 794.53 by Surveying Services Limited
Further submission FS1398.2 by Pacific Paradise Limited

Preamble

1. My full name is Donald Sangster. I am a planner. I am the principal of Thames Environmental Consultancy which specialises in resource management and planning assessment, and land surveying.
2. I have been asked by the further submitter, Pacific Paradise Limited, to provide expert advice and evidence in relation to the submission by Surveying Services Ltd (“SSL”) and the further submission by Pacific Paradise Limited (“PPL”). I filed the further submission on behalf of PPL.
3. I am unable to attend the hearings being out of Thames at present. Accordingly, I seek that this statement be incorporated into the hearings evidence on a written basis only.

Qualifications and Experience

4. In 1978 I graduated as Bachelor of Surveying (Land Survey) from Otago University.
5. I am a full member of both the New Zealand Planning Institute and the New Zealand Institute of Surveyors. I am also a member of the Resource Management Law Association.
6. I commenced practice in 1979 with the Ministry of Works and Development in surveying. In 1985 I commenced with the Wellington City Council and then subsequently with the Thames-Coromandel District Council practicing in planning.
7. In 1998, I established Thames Environmental Consultancy based in Thames as a specialist resource management and planning service to public, corporate, private and “not for profit” clients.

8. I have undertaken many hundreds of resource consent assessments, both for applicants and for Councils. I have specifically undertaken many land use consents for houses.
9. I have recently qualified as an Independent Commissioner registered with the Ministry for the Environment.

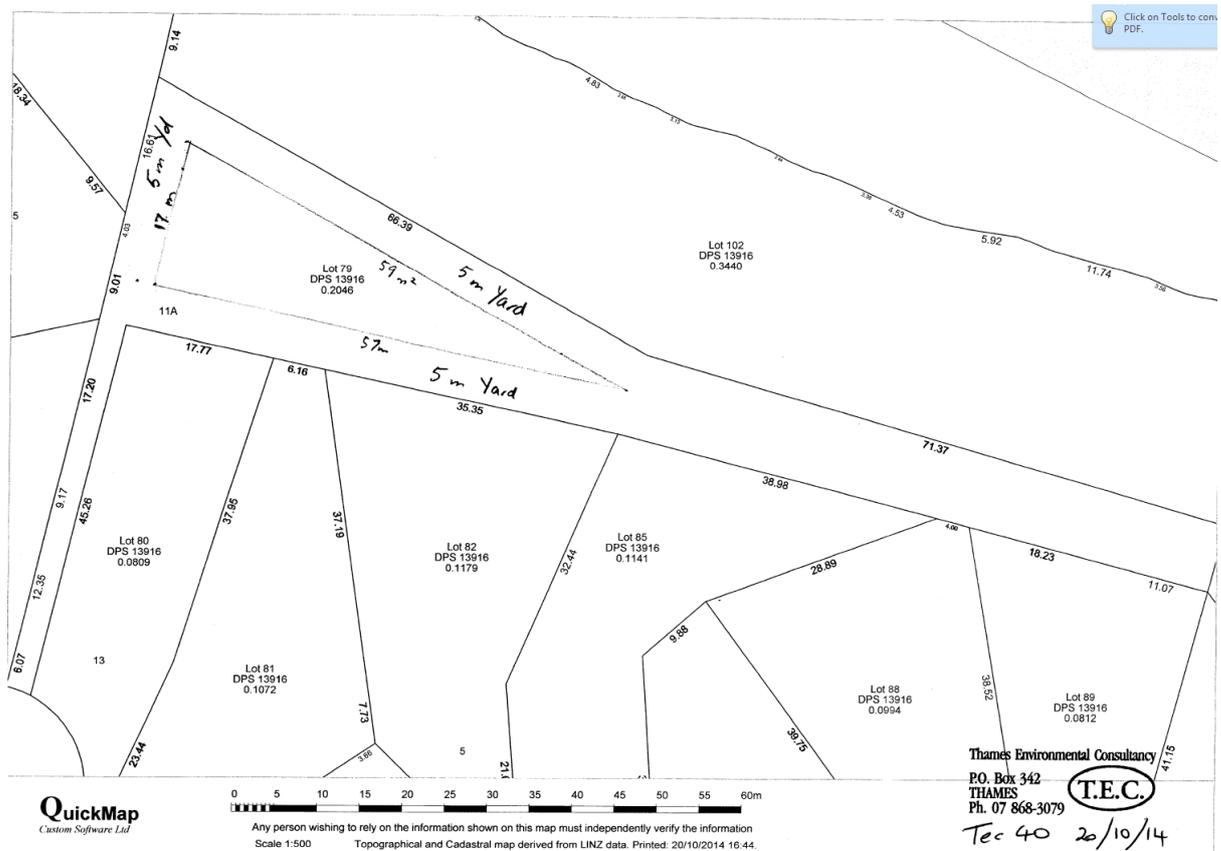
Code of Conduct

10. I confirm I am familiar with and have read the Code of Conduct for Expert Witnesses and agree to comply with it.
11. I consider that the matters on which I express an opinion are within my area of expertise.

Evidence in Chief

12. The original submission sought the inclusion of an additional yard within land zoned Rural.
13. There are many blocks of land in the zone that are very small and further yard restrictions could make them unusable altogether without specific resource consent.
14. PPL owns such a piece of land at Tairua. This land, legally described as Lot 79 DPS 13916 at 11A Margaret Wells Avenue, is within the proposed Rural Zone, formerly the Coastal Zone under the Operative District Plan (“ODP”). There are already a number of yard restrictions affecting this narrow lot which has a title area of 2046 m² and a width varying from 8 metres to 29.5 metres approximately.
15. Adjoining the town of Tairua, its ability to have a house site would be seriously compromised by acceptance of the submission by SSL for an additional yard, where there are no other yard requirements, of 5 metres.
16. Section 56 table 6 provides for front yards, beachfront yards, and conservation yards. The submission by SSL seeks an additional “other yard” of 5 metres for amenity and fire protection.

17. Lot 79 DPS 13916 would be subject only to the front yard along its access strip to Margaret Wells Avenue. Creating the additional 5 metre yard would effectively leave a triangle of permitted plan for development of questionable usability as shown on the following diagram. The permitted building platform would be a triangle of very steep land, with a maximum width of approximately 17 metres tapering to zero metres.
18. The site is adjoined by land zoned Rural to the east, Recreation Passive to the north and north-west, and Coastal Living to the south and south-west.



19. For this reason, the recommendation to reject the primary submission and accept the further submission is endorsed.

Donald Sangster
20 October 2014