

BEFORE THE TASMAN DISTRICT COUNCIL

IN THE MATTER: Resource Management Act 1991

AND

IN THE MATTER Resource Consent Applications RM120928V2 (land use change of conditions), RM190790 (land use), RM190789 (subdivision)

BY The Integrity Care Group Limited (Applicant)

AND In respect of the proposed construction and operation of a retirement village (Olive Estate Lifestyle Village) at 109 Hill Street, Richmond

EVIDENCE OF BRIAN JAMES MCGURK

INTRODUCTION

- 1 My name is Brian James McGurk.
- 2 I live at 20 Fawdan Way in Richmond with my wife, Denise Ann McGurk.
- 3 The property at 20 Fawdan Way is owned by the BJ & DA McGurk Family Trust.
- 4 My wife and I are trustees of the Trust along with an independent professional trustee. We are also the beneficiaries.
- 5 We have lived at 20 Fawdan Way since the end of September 2003.

GENERAL DESCRIPTION

- 6 The property at 20 Fawdan Way is on the northern boundary of the Proposed Hill Street Block Development.
- 7 The southern side of the dwelling is 12.6 metres from the boundary. The main bedroom and living room are situated along the southern side of the dwelling.
- 8 The outdoor living at the rear of the dwelling is 9.8 metres from the boundary. We use our back yard and outdoor living area, especially during the summer months when the afternoon sun reaches the southern side of the house
- 9 The highest point of the section is at the south-east corner of the section which slopes down at an angle of about 15 degrees towards the north west. The outdoor living area at the rear of the dwelling is about 1.2 metres below level at the boundary line.
- 10 There was a large macrocarpa hedge that formed a shelter belt for the old Nicholls property about 3 metres from the boundary. The hedge extended along the entire length of properties on Fawdan Way
- 11 The hedge was removed around the end of May 2019.
- 12 The removal of the hedge greatly enhanced the amount of natural light and increased the amount of afternoon sunlight to the bedroom and living areas.

TASMAN RESOURCE MANAGEMENT PLAN

- 13 The Tasman Resource Management Plan (TRMP) provides for building envelopes and setbacks in residential zones within the Richmond urban area.
- 14 Specifically rule 17.1.3.1.(m) and (n) stipulates the daylight building envelope.

- 15 The rule provides that no building projects beyond a building envelope constructed by daylight admission lines commencing from a point 2.5 metres above ground level from all side and rear boundaries.
- 16 For any roof with a slope of 15 degrees or greater and the roof ridge generally at right angles to the boundary, the end of the ridge may be up to 1.5 metres above the indicator plane and the end area up to 2.5 square metres when viewed in elevation.
- 17 Rule 17.1.3.1 (q) (r) and (s) of the Tasman Resource Management Plan also prescribes the setbacks. Specifically buildings are required to be set back at least 3 metres from all other internal boundaries (side and rear) in the case of all buildings.
- 18 The exceptions provided in the Tasman Resource Management Plan are not applicable.
- 19 The care facility building and the villas and townhouses situated in Proposed Hill Street Block Development as shown on Masterplan 3.5 'Proposed Development' 3rd Amendment and dated 8 October 2020 appear to encroach over the setback line and in some cases the proposed design of roof line of the villas exceeds the building envelope. It is however, not clear from the plans. To ensure the effects of the proposed activities are appropriately assessed and then mitigated I seek the following from the Commissioners.

RELIEF SOUGHT

- 20 We support the proposal in principle subject to the imposition of a condition of consent addressing height and setbacks and in accordance with the recommendations of the Council Officer as shown in paragraph 5 of the Section 42A report.
- 21 We request the following condition that the care facility building and the following villas identified as V01, V09, V10, V14, V21, V22, V25, V31, V32 and V36 and townhouse identified as TH01 as shown on Masterplan 3.5 'Proposed Development' 3rd Amendment and dated 06.10.2020, must be constructed so as to comply with rules 17.1.3.1 (m) and (n) 'building envelope' and 17.1.3.1 (q) (r) and (s) 'setbacks' of the Tasman Resource Management Plan.

Brian James McGurk
16 February 2021

Alastair Jewell

From: Brian McGurk <Brian@brianmcgurk.co.nz>
Sent: Tuesday, 16 February 2021 5:18 pm
To: Alastair Jewell
Cc: Resource Consent Admin
Subject: Re Integrity Care Group/Olive Estate RM190790 & others
Attachments: McGurk re Olive Estate RC 160221.docx

Good afternoon

Please find attached my evidence for the consent hearing. I am not an expert however I thought it helpful to send in my draft brief of evidence early.

Kind regards, Brian

Brian & Denise McGurk
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Richmond

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