

## **Ryman Karori – Hearing notes in relation to 49 Campbell Street**

### **Opening statement**

Kia ora koutou. Ko Andrew Cooper ahau. Myself and my wife Julie have lived at 49 Campbell Street for the last 21 years, where we have raised three children.

As stated in our written submission, my wife and I support residential intensification and the use of the old Teachers College site for a retirement village however we oppose the following aspects of the proposed Ryman development:

- Over-bearing of buildings and visual effects
- Proposed planting of very large trees along southern boundary not suitable for residential environment.
- Loss of privacy and enjoyment of our property
- Shading effects on our property
- Noise impacts on our property
- Wind effects on our property
- Construction effects on our property
- Traffic and parking impacts
- Impacts on constrained infrastructure in Karori
- Lack of consultation by Ryman.

Without wanting to repeat our full submission in this korero, I will focus on a small number of these effects.

### **Shading**

Pg 38 of the applicant's Urban Design assessment states that 4+ hours of sunlight into living areas in winter is considered adequate by WCC's Residential Design Guide.

The shading diagrams submitted by Ryman, which we note have not been peer-reviewed as other aspects of the application have been, show that at mid-winter our northern facade, where all of our living space is based, is in shade all day other than for a very short period in the morning, where a small gap between the Ryman buildings allows an element of sunlight to pass along our house.

In its assessment of the effects on our house McIndoe Urban acknowledges the "considerable shade onto its north-facing facade except for a short period in the morning (9.15-9.45am)". However McIndoe Urban then goes on to state the primary bay window on the north-facing facade is free from shade until 11am. It is apparent that McIndoe Urban have incorrectly interpreted from the diagrams' aerial view where the main bay window is located on the northern facade as the diagrams clearly show it is only shade free between 9am and 10.30am, a maximum of 1½ hours at best..

McIndoe Urban also incorrectly states that the east facing rear facade receives 4+ hours of sun. What the shading diagrams fail to represent is the movement in shading from the existing dwelling. Our rear facade is set back by a number of metres within an enclosed deck area. The sheltering north wall of the deck area currently shades the eastern end of our internal living area from about 10am during winter, the time when sunlight then starts entering our north facing windows, which we will now lose.

Given these errors in McIndoe Urban's assessment of the shading effect on our house, similar mistakes are likely to have been made on other houses. Due to these errors, that is, incorrect

interpretation of where windows are located from aerial views and no dynamic modeling of current shading from existing structures, we contest McIndoe Urban's assessment that the shading effect on our house is less than minor.

Assuming the shading diagrams have a high degree of accuracy, our main living areas will receive a maximum of 1½ hours of sunlight in mid-winter and, should there be any degree of inaccuracy, potentially less than this, where currently sunlight is enjoyed all day, and for which, through renovations, our living areas have been specifically designed.

Our bay window in our kitchen area is a sanctuary where you will often find one of my family reclining to soak up the sun's rays throughout the day. The scale of the Ryman development will take that enjoyment away from us for a number of months of the year.

We absolutely contest that that effect is no more than minor.

The margin for error in terms of whether shading at the equinox either touches our house or doesn't, appears to be very small. There is millimeters separating the shading line from our house in the diagrams for the spring equinox. Should these diagrams be out by a fraction, our house will be in the shade for six months of the year. Again an effect that is more than minor.

Without a peer review confirming the veracity of the shading diagrams we consider that the margin for error is too close for Commissioners to accept the conclusions in the assessments, both on our house and that of our neighbours.

We also believe that in the absence of dynamic shading effects from existing features, the conclusions drawn, as has been the case with our property, are fundamentally flawed.

We request the Commissioners require either the applicant or Council to seek an independent peer review of the shading diagrams to prove their accuracy. We also request that the shading diagrams take account of the dynamic shading effects from existing features and the assessors visit each property to accurately locate the position of windows to inform their assessment.

We also remain concerned that the future very large trees proposed to be planted on the boundary, will, when mature, shade our property even more than the very large buildings will. The requirement for such tall trees would not be necessary, nor would the buildings shading effects be so severe if buildings B02-B06 were of a scale and setback that is more considerate to the residential environment in which they are placed.

### **Noise impacts on our property**

Notwithstanding the 4-5 years of construction noise from this project that will impact on our lives, noting that myself and my wife predominantly work from home, we are also very concerned by the adjacency of the undercroft carpark to our property and the potential noise of multiple car movements and tyre squeal throughout the day and evening.

We are also concerned that the secure garage door on the Campbell Street entrance to the undercroft carpark will have an audible warning alarm when opening and closing. Such an alarm will result in frequent audible disturbance to our property. We would like Commissioners to ensure no such audible alarm is permitted if the undercroft garage door remains in its current proposed location.

We consider that the effect of noise from car movements, tyre squeal and the garage door alarm will be more than minor on our property.

## **Loss of privacy and enjoyment of our property**

The images that were included in our written submission provide examples of our property and how we use it. The proposed buildings will look over our backyard and into our living area, completely detracting from our enjoyment of this sunny and private space.

We are particularly concerned by the positioning of the apartment patios between buildings B02 and B03 and the views that residents will have into our bedroom, living area and outside area, including spa pool.

WCC's recommendation report correctly states that our primary living areas are on the ground floor, however the assessment then goes on to consider the effect on our upper storey, concluding that, as this is not the primary living area, it is not afforded the same amenity value as a primary living area and therefore concludes a no more than minor effect. However the report fails to provide a specific assessment of the effect on our primary living area downstairs, nor does it take into account the use of our upstairs bedroom for exercise as is clearly illustrated by the spin bike located by the window in our master bedroom. An assessment of the effects on our main living area is simply absent from the report.

Ryman's experts did not visit our property and the Council officer who did visit our property did so fleetingly without discussion or investigation into how we used our property. There will be substantial loss of privacy into our entertaining area and back yard. There will also be substantial loss of privacy and enjoyment of the use of our spa pool which is located to the south of our deck area at a less obtuse angle from the eyeline of the patio areas and balconies of Building B03 in particular.

We consider the effect on loss of privacy and loss of enjoyment of our property to be more than minor.

We invite the Commissioners to visit our property and provide us the courtesy of actually understanding how we use and enjoy our property. A courtesy that has not been afforded us by either Ryman or Council.

## **Closing statement**

Without going into further repetition of our written submission, we defer to the RDK presentation in relation to our concerns on wider impacts of the proposed development.

We would like to reiterate that we are not opposed to an intensive development on the site, we simply request that Ryman build a development that is more considerate and aligned with the community it is entering.

From our personal perspective we request a larger setback from the boundary for buildings B02 and B03 and a more pronounced stagger from 1 level to 2 to 3, consistent with what Ryman provide at their Bob Scott village in Petone and other villages around the country. We would simply like to be afforded the same respect as Ryman has provided its other neighbours. We don't think that is too much to ask.

Ngā mihi nui.