



Land Use Consent Application and Assessment of Effects for Te Uruhi

2 Marine Parade, Paraparaumu

Prepared for:

Kāpiti Coast District Council

Ref: 22642

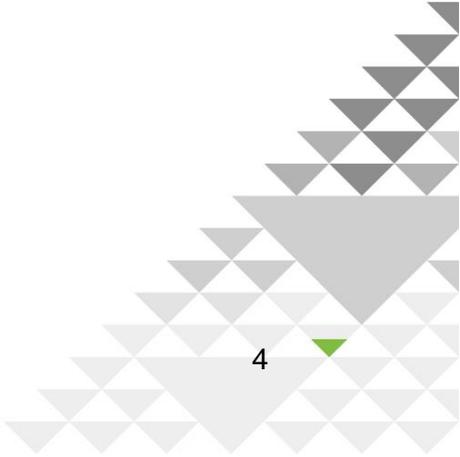
APPLICATION FORM

APPLICANT	Kāpiti Coast District Council
NAMES OF OWNER/S AND OCCUPIER/S OF THE SITE	Marine Parade: Kāpiti Coast District Council (Recreation Reserve)
SITE ADDRESS	2 Marine Parade, Paraparaumu Beach
LEGAL DESCRIPTION	Pt Section 2 SO Plan 322370 on RT 239464
DISTRICT PLAN ACTIVITY ZONE	Marine Parade: Natural Open Space Legal Road: General Residential
TYPE OF RESOURCE CONSENT	Land Use Consent
ADDITIONAL RESOURCE CONSENT/S	Resource consent has been obtained by Greater Wellington Regional Council under the Operative Regional Freshwater Plan and the Proposed Natural Resources Plan for works in the bed of a stream and earthworks in proximity of the stream (reference: WGN200348).
DESCRIPTION OF APPLICATION	Construction and operation of Te Uruhi as a commercial activity and exceeding the permitted activity standards for earthworks within proximity of a stream and general volume and ground level alteration.
DEPOSIT FEE	\$1,467.00
ADDRESS FOR SERVICE	Emma McLean Cuttriss Consultants Ltd PO Box 386, Paraparaumu, 5254 emma.mclean@cuttriss.co.nz
BILLING ADDRESS	Alison Law Manager, Project Management Office Kāpiti Coast District Council alison.law@kapiticoast.govt.nz

CONTENTS

INTRODUCTION	5
PROPOSED ACTIVITY	7
2.1 BACKGROUND	7
2.2 SITE DESCRIPTION	9
2.3 DESCRIPTION OF PROPOSAL	12
2.4 ASSESSMENT AGAINST THE RELEVANT RULES AND STANDARDS	16
2.5 NATIONAL ENVIRONMENTAL STANDARDS	30
2.6 OTHER CONSENTS	30
2.7 PERMITTED BASELINE FOR THE SITE	31
2.8 OVERALL STATUS OF APPLICATION	31
NOTIFICATION ANALYSIS & CONSULTATION	32
3.1 SECTIONS 95A AND 95D PUBLIC NOTIFICATION ANALYSIS	32
3.2 CONSULTATION	32
3.3 SECTIONS 95B AND 95E LIMITED NOTIFICATION/AFFECTED PARTIES ANALYSIS	33
ASSESSMENT OF ENVIRONMENTAL EFFECTS.....	38
4.1 MATTERS TO CONSIDER	38
4.2 RECEIVING ENVIRONMENT	39
4.3 SECTION 104 OF THE ACT – ACTUAL OR POTENTIAL EFFECTS.....	39
4.2.1 Effects on Character	39
4.2.2 Effects on Amenity	42
4.2.3 Traffic Effects.....	47
4.2.4 Earthworks Effects.....	50
4.2.5 Infrastructure Effects.....	52
4.2.6 Natural Hazard Effects.....	53
4.2.7 Contaminated Land Effects.....	56
4.2.8 Effects on Ecology and Biodiversity	56
4.2.9 Positive Effects	61
4.4 NATIONAL POLICY STATEMENTS.....	61
4.5 OBJECTIVES AND POLICIES OF THE REGIONAL POLICY STATEMENT ...	70
4.6 OBJECTIVES AND POLICIES OF THE PROPOSED DISTRICT PLAN	71
4.7 OBJECTIVES AND POLICIES OF THE OPERATIVE DISTRICT PLAN	71
4.8 SECTION 104D OF THE ACT – GATEWAY TESTS	72
4.9 OTHER MATTERS.....	72

4.10 PART II OF THE RESOURCE MANAGEMENT ACT..... 72
CONCLUSION..... 75
INDEX TO APPENDICES 76



SECTION 1

INTRODUCTION

This application is for the development of a gateway building know as Te Uruhi to Kapiti Island. Throughout this report the proposal is referred to as either “the gateway” or Te Uruhi.

The project involves the construction of new buildings in the northern end of Maclean Park, Paraparaumu Beach, directly south of Tikotu Stream. The buildings will comprise floor space of 215m², providing display, retail, and exhibition space for the general public and those visiting the island, small office for Council staff, storage for related materials and biosecurity rooms. The finished floor level of the building will be above the Q100 flood level for the site.

In addition to the main gateway building, it is proposed to install a number of artworks and structures around the new building. These structures and buildings will be nestled into the project area and integrated into their surroundings with suitable coastal landscaping. Carparking will be provided by the construction of a new (albeit smaller) carpark within the Maclean Park project site, and the extension of carparking at the southern end of MacLean Park, partly within road reserve (referred to as “Zone 6”).

Earthworks will be undertaken of approximately 135m³ of cut along the southern bank of the Tikotu Stream. Earthworks will also be undertaken at the Zone 6 carpark, comprising 550m³ of cut and altering the original ground level by no more than 1m.

The siting of the building straddles the eastern boundary, with a portion located within the legal road. Permission will be sought from Kāpiti Coast District Council’s Roding Team for encroachment into this area.

This resource consent application is supported by architectural plans, structural, geotechnical and civil engineering assessments, a traffic assessment, and landscape and visual assessments.

Resource consent was granted by Greater Wellington Regional Council (reference: WGN200348) on 3 December 2020. These consents relate to the installation of a new bridge crossing, retaining walls, rip rap and an outlet structure within and over the bed of the Tikotu Stream; to install debris arrestors in the coastal marine area to undertake earthworks within 5m of the stream.

Please refer to the attached assessment of the effects that the proposed activity may have on the environment, in accordance with New Schedule 4 of the Resource Management Act 1991 ('the Act').

I have attached other information, as I have considered necessary, which is required to be included in the application by the Operative and Proposed Kāpiti Coast District Council District Plan.



Prepared by: Emma McLean
Resource Consents Planner

Date: 21 June 2021



Reviewed by: Linda Bruwer
Senior Resource Consents Planner

Date: 29 June 2021

SECTION 2

PROPOSED ACTIVITY

2.1 BACKGROUND

The purpose of the gateway project is to provide a physical access point from Paraparaumu beach to Kāpiti Island. This provides for the opportunity to better manage and increase tourism to the Island. The physical access point will improve biosecurity and create a multi-purpose, dynamic facility for the community.

There has been a long history to this project and in 1992, the idea of a visitor centre for Kāpiti Island formed the basis of a draft feasibility report to leverage the attractor of Kāpiti Island as a tourist attraction to drive economic benefit for the wider community. This feasibility report recommended that the Kāpiti Boating Club site should be utilised. In 2013, another study was commissioned by Kāpiti Coast District Council (KCDC) and the Department of Conversation (DoC) again to look at the opportunities of a visitor centre. This time, the study found four possible locations.

December 2017 saw the adoption of the Maclean Park Reserve Management Plan by KCDC, presenting a framework for the long-term future use, management and development of Maclean Park. The development plan identifies six key principles to inform all future development of the park:

- Destination – He Tauranga
- Play – Takaro
- Relax – Whakatā
- Water – Te Mauri o te Wai
- Movement – Pae te haere
- Ecology – Te Ao Tūroa

The Maclean Park Reserve Management Plan 2017¹ supports the development of a Gateway Facility and it is clearly provided for in the plan. Within the management plan, there are several references to a Gateway, including within the management plan process, the Maclean Park Vision to provide for a 'Gateway' or Visitor Attraction Centre, and provides specific details of a 'Gateway Building' under Part D, Project Area A: The Gateway on pages 41 and 42. These specific details include potential actions, guiding principles and potential drivers and issues. It is noted that any 'Gateway' would be a major project and would require further detailed scoping beyond the management plan.

In March 2020, Kāpiti Coast District Council decided to proceed with a gateway project consisting of a new building preferably at the northern end of Maclean Park and another Gateway Feasibility Report² was prepared. The purpose of this report was to '*ensure that the gateway development first with the overall positioning of the district and its local context*' (page 3 of the Gateway Feasibility Report. Overall, the report provides recommendations on a total of 10 matters, including access and parking. Figure 1 below outlines the recommended layout as set out in the feasibility report.

¹ Kāpiti Coast District Council, 'Reserve Management Plans', 2017, last viewed on 29 June 2021, <https://www.kapiticoast.govt.nz/media/27933/maclean-park-management-plan-2017.pdf>

² TRC Tourism Ltd, 'Feasibility Study', March 2020, last viewed on 29 June 2021, <https://www.kapiticoast.govt.nz/media/37181/kapiti-coast-gateway-feasibility-report-final-report-030320.pdf>



Figure 1 The proposed new site layout as recommended within the 2020 Gateway Feasibility Report. (TRC Ltd, page 22)

To ensure a consistent process and buy-in, a governance group has been established to work at pace and collaboratively with partners and the community to provide feedback on the development of the project. The project has now secured funding from the Provincial Growth Fund and there is a need to progress with work to be able to access this funding.

Further to the existing environment it should be noted that the Tour operators are currently operating under a Department of Conservation concession that allows for a maximum of 160 people to visit Kāpiti Island a day, which would allow up to 58,400 visitors annually. At present, the two tour operators do not operate at capacity, with approximately 16,000 visitors annually (combined). They can therefore at this stage increase their operation without any further approval required. However, it is acknowledged that the current facilities will struggle to facilitate these numbers. Any reference throughout this application to an increase in visitors is to the full capacity of the existing concession and that all assessments have been made on this basis. The 58,000 persons per annum has been calculated by multiplying the maximum number of daily visitors (160) by 362 days. However, the average sailing days per year is 233. Therefore, the existing concession is more likely to carry at a maximum 37,280 persons per annum.

2.2 SITE DESCRIPTION

Physical Description

The project site is close to the Paraparaumu Beach Shopping area. Directly to the west is the coastal marine area (Paraparaumu Beach) and across Marine Parade to the east is a mix of visitor accommodation and residential properties. The project site is located directly south and north of Tikotu Stream in Maclean Park on Marine Parade, Paraparaumu. Maclean Park stretches from the beginning of Manly Street in the north to opposite Ocean Road in the south (refer Figure 2 below).



Figure 2 An aerial image of the application property at 2 Marine Parade, project location (yellow) and Zone 6 carparking (dark orange), and the wider Paraparaumu Beach Town Centre area. (KCDC GIS)

The land comprises a variety of public amenities such as parking, playgrounds and open space. The immediate works area encompasses a formed carpark (containing 31 carparks), a network of footpaths, a number of existing mature pohutakawa trees (two of which have died), a phoenix palm and grassed open space (refer Figure 3 below). The existing carpark is not time restricted. The project site also includes the Tikotu Stream, with a pedestrian bridge spanning across the stream to connect to the existing boat launching area to the north of Maclean Park. The topography of the site is reflective of the natural dune system, rising to a

'peak' in the foredunes to the west before falling down towards the beach. It should be noted that the existing area has undergone numerous changes over the years.

At the northern end of the site there is the Paraparaumu Boat Club and associated carpark. The boat club is currently used by one of the Kāpiti Island tour operators as their meeting point for tourists visiting the island.

To the south of the project area, the footpath network continues linking a concrete basketball court with hoop, skate park, shelters and a playground.

At present, there are no dedicated buildings or parking for the two tour operators for Kāpiti Island. They generally work and launch from the beach at the Kāpiti Boat Club. Visitors generally use available parking around Paraparaumu Beach area.

The Zone 6 carpark is a gently sloped mown grass area running parallel to Marine Parade and its associated shoulder – parking to the east. To the west the site includes existing dune vegetation which extends north to south in a strip running parallel to Paraparaumu Beach and Maclean Park and abuts a long narrowing extent of mown grass included as part of Maclean Park.



Figure 3 The project site at the northern end of Maclean Park, Paraparaumu.
(Cuttriss Drone Survey, 23 July 2018)



Figure 4 Existing carpark and proposed location of the new Te Uruhi buildings. (Site visit, 26 March 2020)



Figure 5 Project site as viewed from the driveway to #3 Marine Parade, Paraparaumu. (Site visit, 26 March 2020)



Figure 6 Project site as viewed from within Maclean Park, standing south of the project site carpark.
(Site visit, 26 March 2020)

Legal Description

The application site is legally described as Part Section 2 SO Plan 322370 and held in record of title 239464.

There are no restrictions or interests registered on the record of title which affect Council's ability to grant consent to this application.

A copy of the record of title are attached at Appendix 1.

2.3 DESCRIPTION OF PROPOSAL

Te Uruhi Building and associated works (2 Marine Parade)

Resource consent is sought for the construction of new buildings in the northern end of Maclean Park, Paraparaumu Beach, directly south of Tikotu Stream. The intention of the building is to serve as a gateway to Kāpiti Island, providing:

- Interpretation and education about Kāpiti Island (on the mainland)
- Improved biosecurity measures to protect Kāpiti Island
- A place that
 - encourages visitation to Kāpiti island (increase numbers of visitors), and the wider Kāpiti district

- can tell the stories and history of the Te Uhiri area, Kāpiti Island and the Kāpiti Marine Reserve
- has a multi-purpose, dynamic facility for the wider community.

The proposed development will comprise a retail space (discovery centre) on the western side, comprising a floor area of 112.5m². This will provide display and exhibition space for the general public and those visiting the island, small office for staff and storage for related materials and the potential sale of tourism products. The smaller Biosecurity Pod to the eastern side of the building comprises a floor area of 102m², which includes a display room, two biosecurity inspection rooms to process passengers before they are loaded onto the boats, toilets for boat passengers and staff, a dirty goods store and a clean goods store.

The finished floor level of the building is 3.4MASL, which is above the Q100 flood level for the site. There is 324m² of decking, located between the two internal spaces and to the north of the biosecurity area and discovery centre. For visitors to the Island, and the general public, a new footbridge will be constructed over the Tikotu Stream, comprising an area of 32m². Regional consent has been obtained for this and it is permitted under the Operative Kāpiti Coast District Plan. On the northern side of the bridge, it is proposed to install a landing area comprising a modular boardwalk. A rope handrail will be installed to the north to demarcate the 'road' and boat launching access from the pedestrian waiting area. This landing area will also assist with guiding visitors to the tour boats. As the buildings are located within proximity to the coast, they have been designed to be removable. The modular boardwalk does not require resource consent as it is not located within an area of outstanding natural character of high natural character.

Kāpiti Island visitors will go through biosecurity, wait on the deck area to the north of the building before they cross the bridge to go onto the boats.



Figure 7 Layout of the proposed buildings – image extracted from Architectural drawing set in Appendix 5.

The intention is that this area can be used for temporary events. Any such events will need to apply for resource consent individually to be assessed on a case-by-case basis.

Resource consent is sought for the building and associated retail use within the Open Space Zone only. The visitor numbers per day comply with the existing activity and concession. The resource consent granted for an increase in activity and overnight guests at the lodge on Kāpiti Island (Council reference: RM200074 and RM200078) does not relate to this application. While this granted consent allows for the increase in guests to stay, it does not increase the total number of guests permitted to enter Kāpiti Island. This number is capped by the Department of Conservation concession.

Artwork is also proposed to be installed on the building and around the site. This artwork includes:

- A carved Waharoa onto the structure, as an entrance to the building.
- A large Pouwhenua, approximately 6metres in height, on the beach side of the Visitors Pod.
- A smaller Pouwhenua which frame the western side of the new carpark and lead pedestrians from Maclean Park up to the Gateway buildings.
- Display panels leading up the ramp from Marine Parade. These would support permanent or changing artwork, interpretation panels or wayfinding graphics.

The siting of the building is within the northern end of Maclean Park, on the existing public carpark. The building also straddles the eastern boundary, with a portion to be located within the legal road, thereby encroaching into the yard setback and height envelope requirements. An application for permission will be sought from Kāpiti Coast District Council's Roading Team for encroachment into this area. An area of approximately 13m² will encroach into legal road comprising the biosecurity pod within the Residential Zone of the legal road. The area of encroachment is illustrated on Cuttriss Consultants Ltd drawing 22642 ENC, Rev B, dated 02/22 attached at Appendix 2.

The proposed buildings are all relocatable, this is supported by a letter from the applicant's Structural Engineer in Appendix 3.

To the south-east of the building, the proposal will provide for 13 carparks of which two are for disabled parking. There is also a dedicated parking area for a shuttle bus/drop-off pick-up, with entry and exit via a one-way system directly from Marine Parade. While the Gateway Feasibility Report recommended a realignment of the roundabout at Kapiti Road, Manly Street and Marine Parade, it was further determined that this is currently not required and does not form part of this application for Te Uruhi – Kāpiti Gateway.

Landscaping will be undertaken around the proposed building and along the southern stream edge. The landscaping undertaken will be species endemic to Kāpiti's coastal-dune environment which will aid in achieving:

- plants that readily tolerate the site's coastal conditions.
- provision of habitat for native species.
- offers the opportunity to communicate the site's natural history and the cultural heritage associated with Kāpiti Coast's ecosystems.
- is an outward expression of the new building facilities' bio-security and cultural interpretation functions.

During the development of the Maclean Park Reserve Management Plan a cultural impact assessment (CIA) from Te Āti Awa ki Whakarongotai was developed to inform the Plan in 2017. Athfield Architects used this cultural impact assessment to inform their design. However, it should be noted that consultation with both Te Āti Awa ki Whakarongotai and Ngāti Toa has been undertaken and site-specific CIA's have been prepared. A copy of these are attached at Appendix 4.

Architectural and landscape plans of the proposal are attached at Appendix 5.

The proposal, for retail activity, is required to provide four carparks (inclusive of a disability park) under the Operative District Plan. It is also a necessity to replace the public parking lost as a result of the building (currently 31 carparks). As the newly formed and asphalted parking area does not replace all the parking spaces that will be lost or provide for the new retail area proposed as part of this development, it is proposed that extra parking will be provided at the southern end of MacLean Park (Zone 6). This carpark will establish 22 new carpark spaces and associated manoeuvring and access room. It is also proposed to reconfigure the existing single-sided carpark into a double-sided carpark within the existing footprint of the carpark. Two new pedestrian connections to the existing coastal walkway are also proposed.

Plans of the proposed carparks are attached at Appendix 5.

Earthworks

In order to facilitate the development, earthworks are required to be undertaken within a stream corridor hazard. The proposed earthworks will be approximately 135m³ in volume, of cut. The areas of cut will have a maximum depth of 1.4m. All earth worked areas will be suitably retained by a small retaining wall and planting. Earthworks will also be undertaken at Zone 6. These earthworks will be approximately 550m³ and will alter the original ground level by no more than 1m.

Services

The proposed Te Uruhi has been designed to be hydraulically neutral, via soakpits and rain gardens. The existing Council stormwater pipe transects the location of the proposed buildings. As such, this pipe will be upgraded and rerouted to follow the alignment of the north-eastern road boundary. A Stormwater Disposal Design Report (Appendix 7) details the proposed stormwater disposal for Te Uruhi.

As mentioned in the introduction, the application is further supported by a stormwater disposal report prepared by Cuttriss Consultants at Appendix 7, a visual impact assessment prepared by Beca in Appendix 8, a traffic report prepared by Beca at Appendix 9 and a geotechnical report prepared by Miyamoto in Appendix 10.

2.4 ASSESSMENT AGAINST THE RELEVANT RULES AND STANDARDS

Operative District Plan Notations

The application property at 2 Marine Parade is located within the Natural Open Space Zone of the Operative District Plan. The property is shown to be subject to two flood hazards: ponding and a stream corridor. The western boundary of the property runs parallel with the eastern extent of the Area of High Natural Character (within 10m) natural feature, while the entire application property is located within the special amenity landscape, Southern Beaches (ID: SAL29). As can be seen in Figure 8 **Error! Reference source not found.** below, a small section of the development encroaches into the General Residential Zone. District Plan overlay plans have been drawn to illustrate the proposed building in relation to these overlays



Figure 8 Te Uruhi Layout Plan with Operative District Plan zoning overlaid; Natural Open Space (green) and General Residential (yellow).

(Excerpt from Cuttriss Consultants Ltd DP planset, Sheet 1 Appendix 11)

and is attached at Appendix 11.

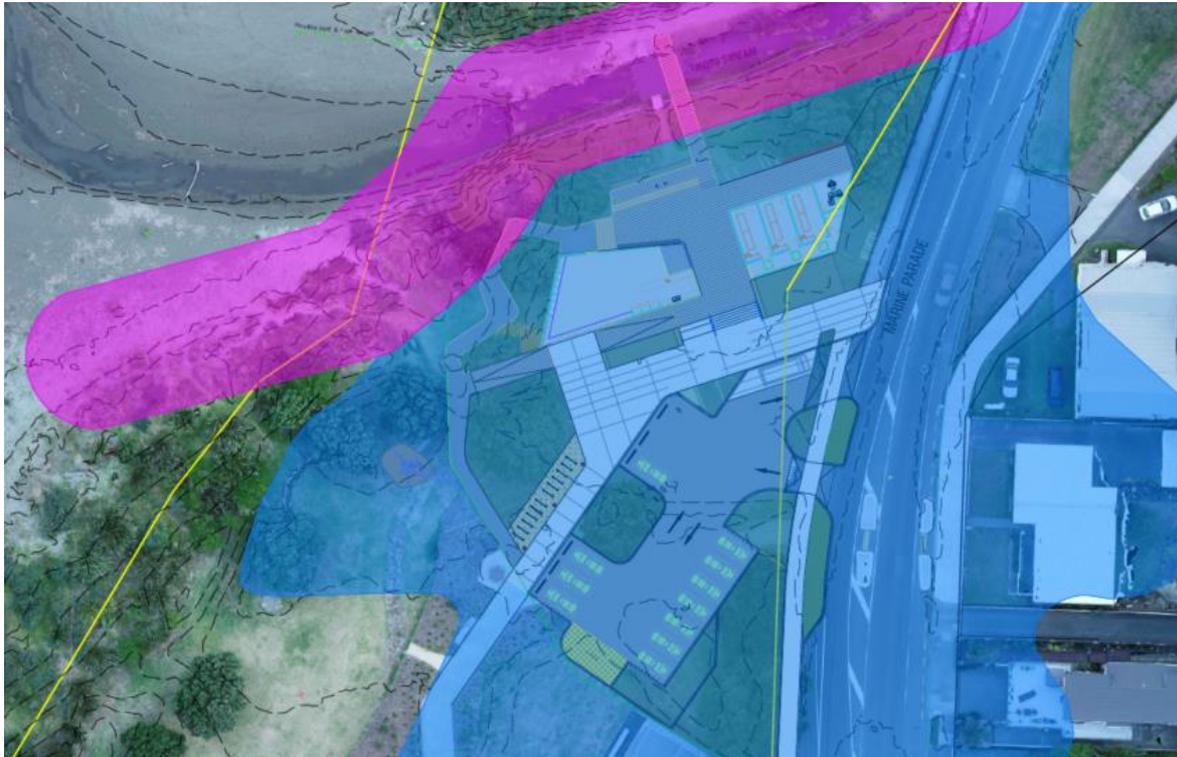


Figure 9 Flood hazards Ponding (blue) and Stream corridor (pink) present of the project area at 2 Marine Parade. (KCDC GIS)

The property is also located within the Coastal Environment. The application address, Marine Parade, is identified as major community connector road.

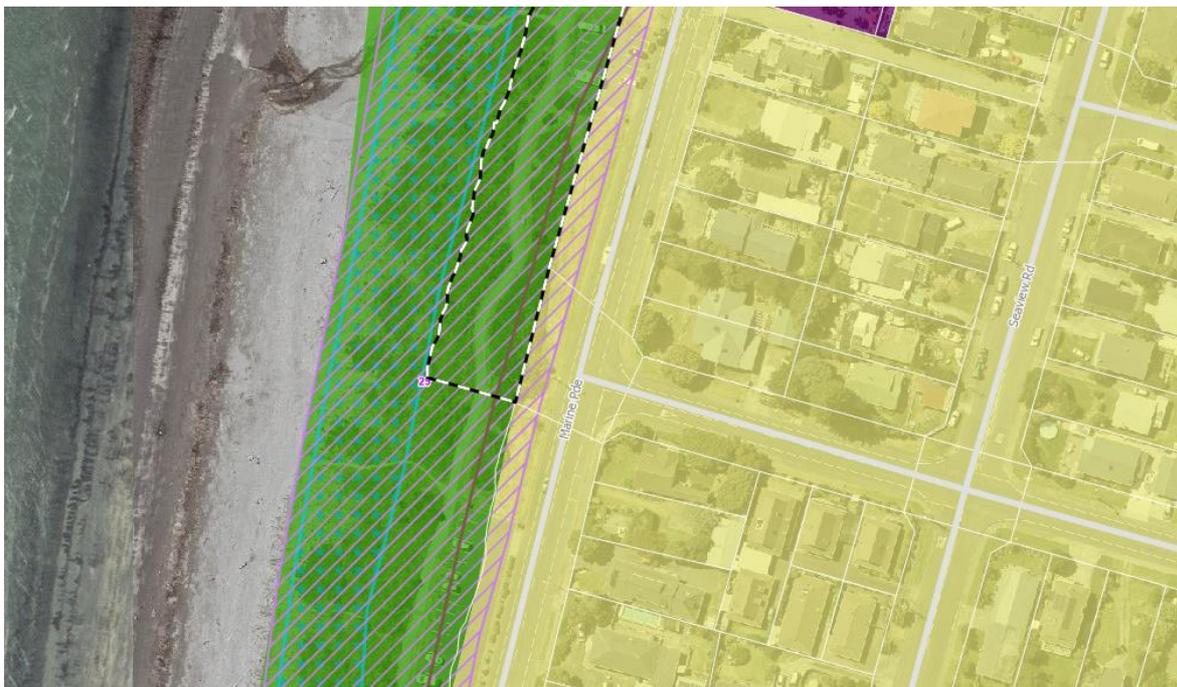


Figure 10 Zone 6 Operative District Plan zoning overlaid: Natural Open Space (green) and General Residential (yellow), Special Amenity Landscape (striped, purple), and No Build Restriction Line (brown). (KCDC GIS)

Operative District Plan Standards

Table 1 below provides an assessment of the proposal against the relevant District Plan standards:

Operative District Plan Rule No.	Operative District Plan Standard	Compliance
EW – Earthworks		
EW-R2 Permitted Earthworks, excluding those listed in EW-R4, in all areas except areas subject to flood hazards, outstanding natural features and landscapes, ecological sites, geological features, areas of outstanding natural character, areas of high natural character.	1. Earthworks must not be undertaken: a. on slopes of more than 28 degrees; or b. within 20 metres of a waterbody, including wetlands and coastal water.	Complies This rule relates to the earthworks at the southern end of MacLean Park. These works will not be undertaken on a slope of more than 28 degrees nor is there a waterbody within 20metres. This is rule is not applicable to the earthworks proposed to be undertaken at Te Uruhi as they are covered under Natural Hazards rules.
	2. In all other areas except as provided for in Standard 3, earthworks must not: a. disturb more than 50m ³ (volume) of land per site in living zones, working zones and open space zones within a 5 year period; and c. alter the original ground level by more than 1 metre, measured vertically.	Does Not Comply The earthworks at Te Uruhi will be 247.95m ³ in total but will not exceed a height of 1m. While the earthworks at the southern end of MacLean Park will be approximately 550m ³ in total, they will not exceed a height of 1m.
GRZ – General Residential Zone		
Note: These standards only relate to the small section of the development encroaching into the road reserve area		
GRZ-R1 Permitted Any activity that is a permitted activity under the rules in this chapter.	General permitted activity standards 1. The activity must not cause offensive or objectionable odour, dust or smoke at or beyond the boundary of the property on which it is occurring.	Will Comply The proposed development will not cause offensive or objectionable odour, dust or smoke at or beyond the boundary of the property. All odour or dust will be appropriately managed during the construction of the building.

	2. Each lot must have a permeable surface area that is not covered by buildings, paving or other impermeable objects of not less than 30% of the total lot.	Complies The proposed building is within the perimeter of Maclean Park, and where it enters the Residential Zone is part of the legal road.
	3. Any lighting must be directed so that the spill of light is contained within the boundaries of the property on which the activity occurs. Light level from the activity must not exceed 10 lux, when measured 1.5 metres inside the boundary of any other property located in Living or Rural Zone. This standard does not apply to street lighting on legal road.	Will Comply All lighting will be designed to concentrate light spill towards the building and carpark area, away from neighbouring properties in the Residential Zone.
GRZ-R6 Permitted New buildings, and any minor works, additions or alterations to any building.	Coverage 5. The maximum coverage of any lot shall be 40%, except in the Beach Residential Precincts where it shall be 35%.	Complies Approximately 13m ² of the proposed building is located within the Residential Zone. This part of the building is located within the legal road and not a specific residential property. As such, the proposed building will not exceed 40% site coverage.
	6. The combined maximum area of all accessory buildings on any lot shall be 60m ² .	Complies Approximately 13m ² of the proposed building is located within the Residential Zone.
	Height 7. The maximum height of any building shall be 8 metres.	Complies The maximum height of the building is approximately 5.3m above original ground level.
	8. Any building must fit within a height recession envelope which is made up of recession planes which commence at a point 2.1 metres above the original ground level at the property boundary and inclines inwards at an angle of 45 degrees.	Does Not Comply As the proposed building straddles the boundary it is considered to encroach the height recession plane in the residential zone.
	Yards and building location 11. Any lot must meet the following minimum yard requirements: a) for any front yard:	Does Not Comply As the proposed building straddles the boundary it encroaches into the front yard set back from legal road.

	<p>i. any building must be set back at least 4.5 metres from any legal road boundary</p> <p>c) side and rear yards:</p> <p>i. any residential building must be set back from side and rear boundaries:</p> <p>a. 3 metres rear yard, 3 metres one side yard and 1.5 metres all other side yards.</p>	
NOSZ – Natural Open Space Zone		
<p>NOSZ-R1 Permitted</p> <p>Any activity that is a permitted activity under the rules of this chapter.</p>	<p>Fences and walls</p> <p>1. The maximum height of any fence or wall shall be:</p> <p>a. 2 metres if less than 50% visually permeable; and</p> <p>b. 8 metres if more than 50% visually permeable.</p>	<p>Complies</p> <p>There is no new fencing proposed.</p>
	<p>2. For the purposes of calculating maximum height under standard 1 above where a fence is erected atop a retaining wall, the height shall be the combined distance measured vertically from the base of the retaining wall to the top of the fence.</p>	<p>Not Applicable</p> <p>No fencing or walls proposed.</p>
	<p>3. For the purposes of this rule, any safety fencing shall not be subject to standards 1 and 2 above.</p>	<p>Not Applicable</p> <p>No fencing or walls proposed.</p>
	<p>Lighting</p> <p>4. Any lighting must be directed so that spill of light will be contained within the boundaries of the property. Light level from the activity on the property must not exceed 10 lux, measured 1.5 metres inside the boundary of any adjoining property. This standard does not apply to streetlighting on roads.</p>	<p>Will Comply</p> <p>Lighting will be directed to be contained within the property boundary and will not exceed 10 lux measured 1.5 metres inside the adjoining properties.</p>
	<p>5. Light levels for pedestrian/cycleways and carparks must be lit at a minimum of 10 lux.</p>	<p>Will Comply</p> <p>Lighting will be at least 10 lux.</p>
	<p>General</p> <p>6. The activity complies with all other relevant permitted activity rules and permitted activity standards in all</p>	<p>Does Not Comply</p> <p>Refer to relevant Chapter assessments above and below.</p>

	other Chapters (unless otherwise specified).	
<p>NOSZ-R6 Permitted</p> <p>The erection of any new building and any addition or alteration to any lawfully established building or structure.</p>	<p>1. Maximum Coverage: 2%</p>	<p>Does Not Comply</p> <p>Upon completion of the building, the site coverage for the site will be approximately 2.7% (as calculated using architectural plans and GIS).</p>
	<p>2. Maximum Gross Floor Area (m²): 350m²</p>	<p>Complies</p> <p>The proposed building is approximately 215m² (excluding the outdoor deck area).</p>
	<p>3. Maximum height of building (m): 6m</p>	<p>Complies</p> <p>The proposed building is approximately 4.3m in height, and 5.3m from original ground level.</p>
	<p>4. Minimum yard setback (m): Residential Zone: 5m All other zones/legal road: 3m</p>	<p>Does Not Comply</p> <p>The proposed building encroaches into the legal road and the Residential Zone.</p>
	<p>5. Maximum height in relation to boundaries: All buildings must fit within a height envelope which is made up of recession planes which commence at a point 2.1 metres above original ground level at the property boundary and incline inward at an angle of 45 degrees. Refer to the definition of the height envelope.</p>	<p>Does Not Comply</p> <p>As the proposed building straddles the boundary it is considered to encroach the height recession plane.</p>
NH-FLOOD – Flood Hazards		
<p>NH-FLOOD R2 Permitted</p> <p>Any building or structure in any zone.</p>	<p>1. Separation from water bodies</p> <p>a. Buildings shall not be sited within the river corridor or stream corridor (unless they are permitted activities under NH-FLOOD-R7):</p> <p>i. For the stream corridor and other water bodies, including ephemeral and intermittent rivers or streams (except lakes) the minimum setback for any building or structure (other than a bridge or culvert structure for which a resource consent is required from the Regional Council) from the natural banks of any water body</p>	<p>Does Not Comply</p> <p>While the proposed building will be approximately 13m from the stream bank, the proposed northern deck will be approximately 7m from the southern stream bank and the bridge will cross the stream.</p> <p>The proposed building will be located over 5m from the nearest lake.</p>

	<p>greater than 3 metres wide shall be 10 metres;</p> <p>b. Buildings must not be sited within 5 metres of a lake.</p>	
<p>NH-FLOOD R3 Permitted New or relocated buildings in ponding, residual ponding and shallow surface flow areas.</p>	<p>1. The building floor level of any new or relocated building in the ponding, shallow surface flow or residual ponding area shall be constructed above the 1% AEP flood event level</p>	<p>Complies The floor level of the proposed building will be above the 1% AEP flood event level.</p>
<p>NH-FLOOD R4 Permitted Earthworks</p>	<p>2. In ponding areas (excluding residual ponding areas) and shallow surface flow areas, earthworks:</p> <p>a. shall not involve the disturbance of more than 20m³ (volume) of land in any 10 year period; and</p> <p>b. shall not alter the original ground level by more than 1.0 metre, measured vertically.</p>	<p>Complies The only earthworks within the ponding area will be for the construction of rain gardens and will not exceed 1m in height.</p>
	<p>3. In a Stream corridor or River corridor (excluding fill which is addressed in NH-FLOOD-R15), earthworks:</p> <p>a. shall not exceed 10m³ in any 10 year period. This standard applies whether in relation to a particular work or as a total or cumulative; and</p> <p>b. must be carried out by Wellington Regional Council, Kāpiti Coast District Council, the Department of Conservation or their nominated contractors.</p>	<p>Does Not Comply The proposed earthworks along the southern stream edge will comprise approximately 135m³. The works will be undertaken by a contractor of Kāpiti Coast District Council.</p>
NH-EQ – Earthquake Hazards		
<p>NH-EQ-R23 Restricted Discretionary Any new building defined as BIC Type 2c, 3 and 4 located on land with sand or peat soils.</p>	<p>1. Geotechnical information must be provided by a suitably qualified and experienced person (to building consent level) on liquefaction.</p>	<p>Complies The application is accompanied by a geotechnical report attached at Appendix 10.</p>
INF-MENU – Managing Effects on Network Utilities		

<p>INF-MENU-R27 Permitted All permitted activities in all zones, including network utilities.</p>	<p>1. Development must be undertaken in accordance with the Council's Subdivision and Development Principles and Requirements, 2012.</p>	<p>Complies The application is accompanied by a stormwater report attached at Appendix 7.</p>
<p>ENGY – Energy</p>		
<p>ENGY-R2 Permitted Any solar panel mounted to any building.</p>	<p>1. For the purposes of calculating maximum building height and height envelope any solar panel erected on, or anchored to, the building must be excluded where it does not breach the maximum permitted height or height envelope for the zone in which it is located by more than 1 metre (measured vertically).</p>	<p>Complies The proposed solar panels will be flush with the roof.</p>
	<p>2. The following additional standards also apply to heritage buildings listed in Schedule 7 – Historic Heritage: any solar panels must be located on a roof plane which is not visible from any adjacent public areas; and solar panels are to be aligned with the plane of the roof.</p>	<p>Not Applicable The proposed building is not listed in Schedule 7 – Historic Heritage.</p>
<p>TR – Transport</p>		
<p>TR-R2 Permitted Vehicle movements</p>	<p>2. In all other zones, any activity must not generate more than 100 vpd.</p>	<p>Will Not Comply</p>
<p>TR-R3 Permitted Property access and loading for vehicles.</p>	<p>1. Access - every property must provide vehicular access over land or by mutual right of way or service lane for parking and/or loading and shall be in accordance with TR-Diagram - 2.</p>	<p>Complies Access to the building, and external parking areas, will be provided with legal physical access in accordance with Diagram - 2.</p>
	<p>2. Access - all vehicle accesses must be designed, constructed and maintained to ensure that: a. they are able to be used in all weather conditions; b. they have no adverse impact on the roadside drainage system; and c. surface water and detritus (including gravel and silt) does not migrate onto the highway pavement.</p>	<p>Complies All vehicle accesses are to be designed for use in all weathers, to not impact on the roadside drainage system, and is not within proximity to a highway.</p>

<p>3. Access - all accesses must meet the following:</p> <p>a) be a minimum of 3.5 metres wide, except for as set out in TR-Table 1.</p> <p>b) be a minimum of 6 metres wide (commercial activity), and 2.8 metres unobstructed height;</p> <p>c) be a maximum of 9 metres wide.</p>	<p>Complies</p> <p>The proposed carparking layout for Marine Parade operates in a one-way format and has a separated entry and exit point, each approximately 4.3m wide. This combined is approximately 8.6m, and therefore achieving the minimum 6m.</p> <p>The Zone 6 carparks are both two-way 6m wide accesses.</p>
<p>4. Access - sites containing non-residential activities and which provide more than 6 carparks, shall provide two-way accesses which must be a minimum of 6 metres wide.</p>	<p>Complies</p> <p>The proposal site at Marine Parade provides separate entry and exit accesses, which combined are greater than 6m wide.</p>
<p>5. Access to/from a state highway - sites that only have access via a state highway must only have one crossing point and shall be in accordance with Diagrams TR-Diagram - 1 and TR-Diagram - 2.</p>	<p>Not Applicable</p> <p>The site is not located on a state highway.</p>
<p>6. Access spacing - at intersections (except on strategic arterial routes) carrying traffic volumes of 1,000 vehicles or more in any peak hour, or at which traffic signals are operating, no part of a crossing point must be located within 30 metres of an intersection or within 60 metres on the departure side of an urban state highway intersection.</p>	<p>Not Applicable</p> <p>The nearest intersection carries volumes less than 1,000 vehicles per peak hour.</p>
<p>7. Access spacing - Where a site is located near an intersection having volumes less than 1,000 vehicles in any peak hour; the minimum distance between the crossing point and the roadway edge or kerb line must be:</p> <p>a. 9 metres measured from the intersecting point of the kerb lines or road edge lines or 4.5 metres from the tangent point of the kerb lines or road edge whichever is greater; and</p> <p>b. 12 metres where a "Stop" or "Give Way" control exists on the roadway</p>	<p>Complies</p> <p>The accesses are located over 12m from the nearest intersection.</p>

measured from the intersecting point of the kerb lines or road edge lines.	
<p>8. Access spacing for major traffic activities - no crossing point must be located closer to any intersection than the distance specified in Table 1 below. Distances are measured in metres (m) to the intersecting kerb line.</p> <p>To Major CC & C Routes: 30m To Local CC & NA Routes: 30m</p>	<p>Complies</p> <p>The proposed entry and exit crossings are located over 30m from the intersections with Manly Street/Kapiti Road, MacLean Street and Ocean Road.</p>
<p>9. Access spacing sight distances - the required minimum sight distance between the access and the road must be in accordance with TR-Diagram - 3 and TR-Table 3 - Sight Distance Dimensions:</p> <p>50km/h: commercial activities have no minimum sight distance</p>	<p>Complies</p> <p>No minimum sight distance required.</p>
<p>10. Access spacing for state highways - the minimum distance between accesses on the same side of the road must be 7.5 metres for residential activities and 15 metres for all other activities.</p>	<p>Not Applicable</p> <p>The proposed carparking areas are not located on a state highway.</p>
<p>12. Manoeuvring –</p> <p>Commercial properties – must ensure that all buildings and parking areas are designed so that sufficient manoeuvring space is provided on-site to ensure no reversing onto the road is necessary.</p>	<p>Complies</p> <p>The proposed carparks will provide on-site manoeuvring.</p>
<p>14. Landscaping - for all non-residential activities, any parking, loading or trade vehicle storage area must be separated from adjoining properties by a minimum depth of 2 metres of landscaping.</p>	<p>Does Not Comply</p> <p>While the proposed parking at 2 Marine Parade and the Kāpiti Boat Club achieve 2m of landscaping from adjoining properties, the Zone 6 parking will be less than 2m (~0.8m) from the road carriageway.</p>
<p>15. Landscaping - all landscaping adjoining the road boundary of sites, must be designed and maintained so that visibility to and from the crossing point complies at all times with the</p>	<p>Complies</p> <p>All landscaping areas are designed to ensure visibility from all crossing points.</p>

	minimum standards sight distances set out in Table 2 above.	
TR-R4 Permitted Design and layout of vehicle parking for all activities.	1. All parking must be formed, marked out and maintained for use in all weathers.	Complies Parking will be formed, marked out and maintained for use in all weathers.
	2. Surface water originating from the parking area must be managed without adversely impacting other properties either upstream of downstream of the development site.	Complies
	3. Vehicles using the parking area must only use the formed vehicle access point (crossing point) to enter and exit the vehicle parking areas.	Complies Access to the car park will be via formed entry and exit points only.
TR-R5 Permitted Parking layout and design for all activities except residential activities.	1. All parking must be sealed or otherwise maintained to have a dust free surface, at all times, and shall comply with car parking dimension standards in TR-Diagram - 8 of this chapter.	Complies Parking will be formed and achieves the parking dimensions of TR-Diagram - 8.
	2. All parking must be formed, marked out and maintained for use in all weathers.	Complies Parking will be formed, marked out and maintained for use in all weathers.
	3. When a parking area is required to accommodate three or more vehicles, parking spaces together with access and turning spaces must be designed so as to ensure that vehicles are not required to reverse either on to or off legal road.	Complies The proposed carpark will provide sufficient space to ensure vehicles are not required to reverse onto the road.
	4. In the case where parking areas adjoin a living zone, either a 2-metre high fully enclosed screen must be erected or a strip of minimum width of 5 metres adjoining the living zone must be landscaped as follows: a. where a carparking area incorporates more than 5 carparks, 1m ² of landscaping is required per carpark and must incorporate one tree capable of growing to 5 metres in height along every 10 metres of the carpark's street frontage;	Does Not Comply For the parking proposed at 2 Marine Parade, this parking will have 2m landscaping, the existing parking that is greater in size does not comply with this standard, we are proposing to have less parking spaces and improved landscaping. The landscaping at Zone 6 will provide at least 1m ² per carpark, however, will not provide one

	<p>b. the amount of landscaping will be considered as a total, and street frontage landscaping and any landscaping/open space provided in terms of chapters 3 and 8 will be taken into account when assessing the 1m² of landscaping per carpark;</p> <p>c. planting must be completed within 12 months of commencement of the activity;</p> <p>d. the landscaping must be maintained in healthy condition and clear of litter;</p> <p>e. vehicle crossing points and pedestrian areas within public carparks must have illumination consistent with the Crime Prevention Through Environmental Design (CPTED) Guidelines (see Appendix 5.5).</p>	<p>specimen tree for every 10 metres.</p>
	<p>5. In the case where parking areas are located within the front yard of a site, a 2-metre wide strip must be formed along the front yard (except for vehicle crossings) of any carparking area which shall be landscaped to create a visual and physical barrier between the carpark area and the road.</p>	<p>Does Not Comply</p> <p>The proposed parking area at Te Uruhi is provided with 2m of landscaping.</p> <p>The Zone 6 carparking provides a 0.8m strip instead.</p>
	<p>6. Design for any critical access conditions, such as a ramp included as part of a parking building, must accommodate a 99percentile design motor car in accordance with TR-Diagram - 6 of this Chapter.</p>	<p>Not Applicable</p> <p>No critical access conditions are required for any of the carparking locations.</p>
<p>TR-PARK – Parking</p>		
<p>TR-PARK-R1 Permitted Any activity requiring more than 2 carparks.</p>	<p>1. Disabled persons carparks and bicycle parking must be required at a rate of:</p> <p>a. 1 where 10 or less carpark spaces are provided;</p> <p>b. 2 where between 11 and 100 carpark spaces are provided, plus 1 additional park for every additional 50 carparks, or part thereof, where more than 100 carpark spaces are provided.</p>	<p>Complies</p> <p>Refer to Sheet L1.00, Rev 3 and 3821650-TA-K001, Rev 4 for the location of the disabled persons carparks and bicycle parking.</p>

TR-PARK-R25 Permitted Non-retail commercial activities.	3 carpark per 100m ³ GFA or display area (whichever is greater).	Complies
--	--	----------

Proposed District Plan Status

General Residential Zone

In accordance with GNR-R6 any building which complies with the relevant standards, shall be a permitted activity. The proposed building does not comply with Residential Zone standards for height envelope and yards. As such, it is considered to be a discretionary activity pursuant to Rule GNR-R18.

Natural Open Space Zone

In accordance with Rule NOSZ-R3 any recreation, community or cultural activity which complies with the relevant standard, shall be a permitted activity. The proposed development does not comply with the front yard set back and height envelope. As such, it is considered to be a restricted discretionary activity pursuant to NOSZ-R11.

In accordance with Rule NOSZ-R6 any new building which complies with the relevant standards, shall be a permitted activity. The proposed subdivision does not comply with the standards for height, height envelope and yards. As such, it is considered to be a restricted discretionary activity pursuant to NOSZ-R11.

In accordance with Rule NOSZ-R14, any retail activity is a non-complying activity.

Earthworks

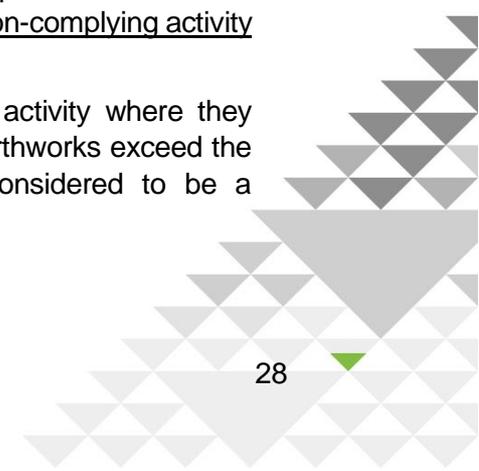
Where all the relevant standards are complied with, earthworks are provided for as a permitted activity. The proposed earthworks do not comply with permitted activity standard for maximum volume and vertical alteration of the ground level. As a result, this proposal is considered to be a restricted discretionary activity, pursuant to EW-R5, which states:

Earthworks not complying with one or more of the permitted activity standards EW-R2 or EW-R3.

Flood Hazards

In accordance with Rule NH-FLOOD-R2 any building or structure on a property subject to a flood hazard by must appropriately setback from a water body. As the proposed deck is within the required 10m setback, the proposed structure is considered to be a non-complying activity pursuant to Rule 9A.5.4.

In accordance with Rule NH-FLOOD-R4 earthworks are a permitted activity where they comply with the relevant standards. As demonstrated, the proposed earthworks exceed the maximum volume within the stream corridor. As such, they are considered to be a discretionary activity pursuant to Rule 9A.4.3.



Earthquake Hazards

In accordance with NH-EQ-R23 any building defined as BIC Type 2c, 3 or 4 on sand or peat soils is a restricted discretionary activity. The matters over which Council have restricted their discretion are:

1. *The outcomes of the geotechnical investigation on liquefaction by a suitably qualified and experienced person.*
2. *Whether the potential risk to the health and safety of the people and property from liquefaction can be avoided or mitigated.*
3. *The design and location of the building.*

Infrastructure

The proposed solar panels are mounted on a building and do not exceed maximum height or height envelope by more than one metre. As such, the solar panels are provided for as a permitted activity pursuant to Rule ENGY-R2.

Transport, Access and Off-Street Parking

In accordance with TR-R2, vehicle movements within the Open Space Zone are restricted to a maximum of 100 vpd. As the proposal will exceed this volume, and a traffic plan is not provided with the application, this non-compliance is considered to be a discretionary activity pursuant to Rule TR-R11.

In accordance with Rule TR-R2, property access and loading for vehicles is permitted where it achieves compliance with the relevant standards. As demonstrated, the proposed parking areas do not comply with access widths and require landscaping. As such, the parking overall is considered to be a discretionary activity pursuant to Rule TR-R13.

District Plan 1999 Notations

The application property is located within the Open Space Zone of the Operative District Plan. The property is also shown to be subject to four flood hazards: ponding, an unsurveyed stream corridor, and overflow path. The property is partially within an Outstanding Landscape and is subject to the 20m building line restriction.

District Plan 1999 Rules

District Plan 1999 Rule No.	District Plan 1999 Standard	Compliance
D1.2.1 Residential Zone Permitted Activity Standards		
Yards	(iii) Coastal Building Line Restriction Paraparaumu Raumati Paekakariki - 20 metres as shown on Districtwide and Urban Plan Features Maps 8, 11, 14 and 16.	Complies While not located within the Residential Zone, the proposed building will be located on the eastern side (behind) of the coastal building line restriction.

District Plan 1999 Status

The proposal complies with the relevant permitted activity standards for buildings within, or near, the coastal area. As such, resource consent is not required for the proposed activity under the District Plan 1999.

2.5 NATIONAL ENVIRONMENTAL STANDARDS

Under National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health, if a site has been the subject of an activity or industry described in the Ministry for the Environment's Hazardous Activities and Industries List ('HAIL') then the NESCS warrants further consideration. The subject site is identified on Greater Wellington Regional Council's Selected Land Use Register as a *verified history of hazardous activity or industry* (refer to Figure 11 below). The Kāpiti Boating Club uses part of the land in this area for underground tanks storing fuel, chemicals or liquid waste.

The site is outside the identified HAIL site and is highly likely that a HAIL has not been undertaken on it. As such, the site is not considered to be a 'piece of land' under the National Environmental Standard and an assessment of the proposed activity against the requirements of the National Environmental Standard is not required for this proposal.



Figure 11 Selected Land Use Register 'piece of land' on 2 Marine Parade.

It is also considered that the National Environmental Standards pertaining to air quality, telecommunication facilities, sources of drinking water, electricity transmission, plantation forestry, marine aquaculture and fresh water are not applicable to this proposal.

2.6 OTHER CONSENTS

Resource consent has been granted by Greater Wellington Regional Council (reference: WGN200348) under the Operative Regional Freshwater Plan and the Proposed Natural Resources Plan on 3 December 2020. The following consents have been granted:

- [36918] Land use – streamworks (expires 3 December 2055)
- [37316] Coastal permit – general structure (expires 3 December 2055)
- [36919] Discharge permit – discharge to water (expires 3 December 2025)
- [37221] Land use – soil disturbance (expires 3 December 2025)
- [37292] Water permit – surface water diversion (expires 3 December 2025)

These consents relate to the installation of a new bridge crossing, retaining walls, rip rap and an outlet structure within and over the bed of the Tikotu Stream; to install debris arrestors in the coastal marine area to undertake earthworks within 5m of the stream (including the associated discharge of sediment to, and the diversion of, water).

Under the Operative District Plan, Marine Parade is a designated road – Designation D1135. It is our opinion, that the works do not fit with the purpose of the designation (being “Roading”). As such, resource consent rather than outline plan approval is sought for the works within designation D1135.

2.7 PERMITTED BASELINE FOR THE SITE

Under Sections 104 and 95D of the Act, a consent authority may disregard any effects on the environment that are permitted under a District Plan rule.

Under the permitted standards, a wide variety of built form could be established. The permitted baseline for the site allows for the construction of a new building on the site up to 6m in height. Any buildings would have to have a floor level above the 1 in 100-year flood extent and would need to comply with the building bulk and location (taking into account existing buildings on the property) and parking requirements of the District Plan. Any earthworks on the site would be limited to altering the ground no more than 1m from original ground level within the ponding hazard or 10m³ in the stream corridor.

The permitted baseline for ancillary retail is for 10m² (per activity) or 50m² (per property). The permitted baseline is considered to be of limited relevance to the retail aspect of this proposal. Despite the exceedance in retail floor space, the building achieves compliance with the maximum gross floor space for buildings within the Natural Open Space Zone. The additional exceedance in site coverage is as a result of combined buildings within the Maclean Park area (i.e. includes the Kapiti Boat Club). As such, the permitted baseline has little to no relevance in relation to the proposal for Te Uruhi.

2.8 OVERALL STATUS OF APPLICATION

Taking into consideration the relevant District Plans and National Environmental Standards, it is considered that the application can be bundled and assessed against the most onerous applicable activity standard. The overall activity status of the application is therefore a **non-complying activity**.

SECTION 3

NOTIFICATION ANALYSIS & CONSULTATION

3.1 SECTIONS 95A AND 95D PUBLIC NOTIFICATION ANALYSIS

Section 95A specifies that a consent authority must follow the four-step process (set out in section 95A) in the order given, to determine whether to publicly notify an application.

It is considered that the proposal is not required to be publicly notified for the following reasons in accordance with the prescribed steps.

Step 1: mandatory public notification in certain circumstances

- The applicant has not requested public notification;
- Public notification is not required under section 95C;
- The application has not been made jointly with an application to exchange recreation reserve.

Step 2: if not required by step 1, public notification precluded in certain circumstances

Public notification is not automatically precluded, as the application is for a non-complying activity, which is not a boundary adjustment, subdivision of land or a residential activity.

Step 3: if not precluded by step 2, public notification required in certain circumstances

- Public notification is not automatically required as the application meets the tests of 95A(8), being the proposal is not subject to a rule which requires public notification, and any actual or potential adverse effects have been assessed to be no more than minor.

Step 4: public notification in special circumstances

- It is considered that there are no special circumstances specific to this application that would require this proposal to be publicly notified.

In determining whether the adverse effects on the environment may be more than minor, a consent authority:

- *must disregard any effects on persons who own or occupy the land in, on, or over which the activity will occur and/or any land adjacent to that land;*
- *may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect;*
- *in the case of a restricted discretionary activity, must disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard restricts discretion;*
- *must disregard trade competition and the effects of trade competition; and*
- *must disregard any effect on a person who has given written approval to the relevant application.*

3.2 CONSULTATION

Consultation has been undertaken with various groups throughout the process. Initial consultation was through the Maclean Park Reserve Management Plan, which went

through the official public consultation process. As part of this Reserve Management Plan, it outlines the future for a gateway building to Kāpiti Island.

The creation of the building that forms part of this application has been through a selection process by the Governance Group. To ensure the design achieved its purpose to relevant groups, other stakeholders have been involved along the way including the tour operators, the Department of Conversation and local iwi (Te Āti Awa ki Whakarongotai and Ngāti Toa Rangatira). Kāpiti Coast District Council have also consulted with the Honourable Eugenie Sage, who has provided support for the project. Please refer to Appendix 12 for a copy of the letter of support.

3.3 SECTIONS 95B AND 95E LIMITED NOTIFICATION/AFFECTED PARTIES ANALYSIS

Section 95B states that if a consent authority does not publicly notify an application, it must decide if there are any affected persons.

Step 1: certain affected groups and affected persons must be notified:

- There are no affected customary rights groups, customary marine title groups, the application site is not on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement.

Step 2: if not required by step 1, limited notification precluded in certain circumstances:

- The application is not precluded from notification by a rule of national environmental standard and, as the application is for a non-complying activity, limited notification is not precluded by Step 2.

Step 3: if not precluded by step 2, certain other affected persons must be notified:

The following assessment applies in accordance with section 95B(7):

Section 95E applies when a consent authority is deciding if a person is an affected person. A consent authority must decide that person is affected if the activity's adverse effects on the person are minor or more than minor but not less than minor.

In making this decision, the consent authority:

- *may disregard an adverse effect of the activity on the person if a rule or national environmental standard permits an activity with that effect;*
- *in the case of a controlled or restricted discretionary activity, must disregard an adverse effect of the activity on the person that does not relate to a matter for which a rule or national environmental standard reserves control or restricts discretion; and*
- *must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.*

In accordance with Section 95E, Council is unable to consider those parties who have their written approval to the applicant as affected persons. No written approvals have been obtained as part of this application.

The property at 2 Marine Parade shares its boundaries with the legal road, however the project site is adjacent 1 Manly Road and 1, 3, 5, 6 and 7 Marine Parade (refer to Figure 12 below). Environmental effects arising from the proposal on each of these properties are assessed below.



Figure 12 The adjacent properties at 1 Manly Street, and 1, 3, 5, 6 and 7 Marine Parade (all shaded blue), with the application property at 2 Marine Parade (shaded red). (Grip Maps, 2021)

1 Manly Road

This residentially zoned property is located to the north of the works site and is physically separated by approximately 110m. Between this neighbouring property and the proposed development sits the Kāpiti Boating Club that has some vegetation within their carpark. The Club and this vegetation provide a low level of screening. When viewed from the north, the proposed building will sit nestled into the mature Pohutukawa trees surrounding the works site reducing the appearance of its bulk. The sitting of this residential building results in primary views to the north and west (towards Kāpiti Island).

The bulk of the proposed Te Uruhi building is considered similar to what could be constructed as a permitted activity on the site. The distance between 1 Manly Street and the new building will make the exceedance of site coverage, retail floor area, yard and height envelope encroachments indiscernible.

1 Marine Parade / 391 Kapiti Road

This residentially zoned property is located on the opposite side of Marine Parade to the north-east and contains 13 residential units in three blocks. Each block of units is orientated towards the north-west, with viewpoints across the Kāpiti Boating Club towards Kāpiti Island. As stated on page 17 of the Landscape and Visual Effects Assessment (attached at Appendix 8), “Connection to the coast is maintained. Indirect views of park and Te Uruhi’s roof will be blended through use of existing pōhutukawa canopies and proposed vegetation and roof will primarily ‘substitute’ existing carpark extent.” When viewed from 1 Marine Parade, the proposed building will sit nestled into the mature Pohutukawa trees surrounding the works site reducing the appearance of its bulk.

The units at 1 Marine Parade are also slightly elevated and their best views will be from their second-floor decks resulting in looking over the proposed Te Uruhi building. Once again considering that the height and the bulk of the proposed building is considered similar to what could be constructed as a permitted activity on the site. Any visual effects on owners/occupiers 1 Marine Parade are considered to be less than minor.

3 Marine Parade

This residentially zoned property is located directly opposite the proposed development on the eastern side of Marine Parade. No. 3 Marine Parade is currently used as a boarding house, with tenancies ranging anywhere from three months to several years. The new building will be visible in large for some parts and below the understorey of and between the pohutukawa trees. The building at 3 Marine Parade is double storey and views from the top floor will likely look over the proposed Te Uruhi building. Accordingly, the overall building will not protrude into the views of the skyline.

Again, as stated above the bulk of the proposed building are considered similar to what could be constructed as a permitted activity on the site. The exceedance of site coverage, retail floor area will be indiscernible from this property. This is also due to the size of the park, the site and the spread-out nature of the other activities. However, “This property has connections to coastal values represented by views to Kapiti Island, Tikotu Stream, and the dune lands. These visual connections, as well as the sense of openness and coastal character generated by connection to these will be partially to fully lost, specifically for ground floor residents. Some maintenance of views/visibility to Kapiti Island and Paraparaumu Beach from the second storey is assumed due to the relatively low pitch of Te Uruhi’s roof.”³. The yard encroachment is due to the irregular shape of the road reserve. However, the position of the proposed building will not appear out of context, or the ordinary, in terms of the physical position of the road and sidewalk at 2 Marine Parade. Therefore, the yard and height envelope encroachments that are across the road from 3 Marine Parade will be indiscernible.

Overall due to the proximity of the building to the Te Uruhi Building adverse visual effects on this property will be minor.

5 Marine Parade

This property is located within the General Residential Zone on the eastern side of Marine Parade. The single storey dwelling has primary outdoor living space to the east. Primary

³ R. Cray. (2022). Te Uruhi ‘Kapiti Gateway’. Page 17. Attached at Appendix 8

views are from the living room area on the north-western side of the dwelling. This view is through the existing carpark and towards the mature Pohutukawa trees and coastal dunes, with views directly at Kāpiti Island. The proposal represents a permanent physical change to the open space character of the immediate area. "Overall, quality and amenity of the coastal park character values are significantly enhanced, however connection to wider coastal features are mostly severed with only small glimpses of the wider coastal environment being obtained between the ihuwaka and centre of the main building. For this residence, the change in view will be permanent in nature, with full views into the site. Reduction in 'open space' has been mitigated with appropriate landscaping that will enhance the natural coastal character values of the area. However, the building will mostly block wider coastal views."⁴. Over a majority of the carpark, the new building will be constructed with a new carparking area to the south. While this dwelling will have views towards the north-east (works site and proposed building), its direct outlook will be over the new carpark and landscaping areas. Appropriate design materials will also be included in the construction of the building, softening its appearance when viewed from this adjacent property. Overall, the level of visual change/visual effects, resulting in the reduction in viewpoints, will result in effects on persons at this property to be more than minor.

6 Marine Parade

This property is located within the General Residential Zone on the eastern side of Marine Parade, to the rear of 5 Marine Parade. The double storey dwelling has primary outdoor living space to the west, while also utilising the space to the north. Primary views are from the second storey deck area, over the existing carpark and towards the mature Pohutukawa trees and coastal dunes, with small pockets of glimpses at Kāpiti Island. Te Uruhi will be a physical change to the open space character of the immediate area however the building will be lower than the existing Pohutukawa trees in the park, and it likely that the roofline of the proposed building will be partially protruding the view of this property. A recessive colour scheme is proposed to be utilised for the building, softening the impact visual impact within the natural Open Space Zone. Over much of the carpark, the new buildings will be constructed with a new carparking area to the south. While this dwelling will have views towards the north-east (works site and proposed building), its direct outlook will be over the new carpark and landscaping areas and mostly over the roofline. Appropriate design materials will also be included in the construction of the building, softening its appearance when viewed from this adjacent property. Overall, due to the elevated nature of this dwelling the visual effects on owner/occupiers of 6 Marine Parade are considered to be less than minor.

7 Marine Parade

This residentially zoned property is located on the eastern side of Marine Parade and contains a double storey dwelling with a primary outdoor decked area on the second floor to the west of the property. The property also has a secondary outdoor area to the east of the dwelling. The western outlook is through two mature Pohutukawa trees and the half court, while outlooks to the north is over the existing carpark with pockets of sightlines to Kāpiti Island. The proposed building will sit within a highly visible position of Maclean Park, due to the existing use of the site as a carpark. The existing Pohutukawa trees, in combination with the proposed landscaping, will soften and, to an extent, screen the building and provide a level of integration

⁴ R. Cray. (2022). *Te Uruhi 'Kapiti Gateway'*. Page 17. Attached at Appendix 8

with the natural open space of Maclean Park. The proposed building will only partially be in view and will not obstruct the views of Kapiti Island. Overall, the visual effects on owners/occupiers at 6 Marine Parade are considered to be less than minor.



Figure 13 The adjacent properties at 55-58 Marine Parade (all shaded blue), with the application property at 2 Marine Parade (shaded red). (Grip Maps, 2022)

55, 56, 57, and 58 Marine Parade

These residentially zoned properties are located on the opposite side of Marine Parade to the east and contain a single dwelling. It is noted that 57 and 58 are held together in one record of title with one dwelling on the combined property. These dwellings all have views directly over the coast and towards Kāpiti Island. Zone 6 carparking will change the present dune landform and visual appearance. Carparking already forms part of the landscape to the north with a small double-sided carpark. However, this aspect of the proposal will change existing mowed grass to a hard surface. Landscaping on the dune and to the east of the carparking (between Marine Parade and the new parking spaces) will assist in the softening of this new

hard surfacing. It is acknowledged that this will not entirely screen parked vehicles, and as such any visual effects on these neighbouring properties are considered to be minor.

It is considered that any effects arising from the proposal on any other party are less than minor for the following reasons:

- The bulk of the proposed buildings are considered similar to what could be constructed as a permitted activity on the site and the exceedance of site coverage, retail floor area, yard and height envelope encroachments will be indiscernible from other properties.
- The proposed building and associated use will be experienced in a transient nature from Marine Parade. The physical separation from the road carriageway ensuring any bulk and amenity effects associated with the structure will not be distracting for road users.
- The proposed development complies with the on-site parking, loading and manoeuvring requirements of the District Plan, and as such the proposal is considered to not detract from the traffic safety of these parties. In general, the proposal has been assessed as not complying with the number of vehicle movements (per day). The use of this area at present is for a carpark of a larger size than proposed by this development. Given this reduction, and relatively modest size of building, any resulting traffic effects on the safe and efficient functioning of Marine Parade, safety of these owners/occupiers to leave their properties and traffic character of the area are considered to be less than minor.
- Appropriate measures have been incorporated into the design of the proposal to ensure that the development does not increase the risk of flooding to any other property.

Step 4: further notification in special circumstances:

- It is considered that there are no special circumstances specific to this application that would warrant the application to be notified to any persons not already determined to be eligible under section 95E.

Under Section 95B, it is therefore considered that limited notification is required for this application.

SECTION 4

ASSESSMENT OF ENVIRONMENTAL EFFECTS

4.1 MATTERS TO CONSIDER

The relevant documents and statutory provisions to this application are as follows:

- Section 104 of the Act – Potential or Actual Effects
- National Policy Statements
- Objectives and Policies of the Greater Wellington Regional Policy Statement

- Objectives and Policies of the Proposed Kāpiti Coast District Plan
- Objectives and Policies of the Operative Kāpiti Coast District Plan
- Section 104D of the Act – Gateway Tests
- Other Matters
- Part II of the Resource Management Act.

4.2 RECEIVING ENVIRONMENT

It is also considered appropriate to consider the Department of Conservation concession for visitors to Kāpiti Island. This concession for tour operations allows for 160 visitors per day, which equates to 58,000 visitors per year. At present, there is approximately 16,000 visitors to Kāpiti Island per year. It is therefore reasonable to expect that these visitor numbers can increase as of right without any other infrastructure changes.

4.3 SECTION 104 OF THE ACT – ACTUAL OR POTENTIAL EFFECTS

A consent authority must, subject to Part II of the Act, have regard to the actual and potential effects on the environment of allowing the proposed activity.

The relevant actual or potential effects in respect of this application are effects on character, effects on amenity, traffic effects, earthworks effects, infrastructure effects, natural hazard effects, contaminated land effects, effects on ecology and positive effects.

An assessment of the relevant environmental effects associated with this proposal is provided below.

4.2.1 Effects on Character

The character of the immediately surrounding area is varied and contrasting. To the north of the site, the area is dominated by the Boating Club and residential dwellings associated with the Residential Zone. This development trend continues directly to the east, with a predominance of commercial activities to the south-east associated with the Paraparaumu Beach Town Centre area. Land uses in this vicinity are typically commercial (including restaurants, food outlets, and apartment accommodation). In addition, the application property stretches to the south comprises grassed open space, playgrounds, and outdoor facilities.

On entering the northern end of Maclean Park, the immediate area is characterised by the carpark, pohutukawa trees, and Tikotu Stream. The application site (being currently vacant) provides a gateway for not only Kāpiti Island but for Maclean Park when entering from the north.

With respect to potential effects on character and streetscape, the proposal, will result in a permanent change to the streetscape immediately adjacent to the site. This is a result of the construction of a building and development of land that has otherwise been vacant and undeveloped for many years. Development of vacant land does not automatically constitute adverse effects. The construction and establishment of new carparking areas are a necessary and anticipated element of land development for recreation and tourism purposes of the Kāpiti Coast and this location for the works has been foreseen in the Maclean Park Reserve Management Plan that went through a public consultation process.

Despite the built environment changes that will occur as a result of the proposal, it is considered that the proposed development is in keeping with, and complementary to, the

existing character of the area. The proposed building is appropriately located nestled amongst existing mature trees and 'tucked' behind the coastal dune. The proposed Te Uruhi building will be of a size and scale that will not be out of character within this area and the existing built environment to the east. In addition, the proposal recognises the coastal location and uses neutral, sandy tones to blend into the environment.

The positioning of the building straddles the road boundary, and thus straddles two zones of the Operative District Plan. It is considered that the irregular alignment of this road boundary is not discernible to users of the area. As such, it is considered that the location of the building being in two zones would also be indiscernible.

As part of the Maclean Park Reserve Management Plan, six key principles were identified to inform future development and form part of the Development Plan:

- He Tauranga - Destination
- Takaro – Play
- Whakatā – Relax
- te Mauri o te Wai – Water
- Pae te Haere – Movement
- Te Ao Tūroa – Ecology

The design of the Te Uruhi buildings was guided by these principles and is reflects these by:

1. He Tauranga - Destination

This new Gateway provides a range of experiences within a dynamic space at the junction between local ecologies and movement. The design provides a framework to reflect, engage and celebrate Te Ao Tūroa and the Māramatanga of this place. The gateway portal, walls within the central space, and elements extending into the park and Tikotu Stream offer a framework to layer local identity, interpretation, (hi)stories and information over time.

2. Takaro - Play

The Gateway provides a range of accessible flexible indoor and outdoor spaces for multiple activities, interactions, and events. From formal procession and performance to casual and coincidental play for all ages and abilities. Thus supporting layers of whakapapa and opportunities for manaakitanga/ hospitality .

3. Whakatā - Relax

The gateway provides a sheltered haven overlooking the improved Tikotu Stream and foreshore landscape to Kāpiti beyond. At the confluence of natural movements, and with a range of spatial settings of varying scale and shelter from various weather, the Gateway provides spaces that support gathering and being comfortably alone. Thus supporting wairua and manaakitanga/ hospitality.

4. Te Mauri o te Wai - Water

Water is central to this proposal. Tikotu Stream is respected and celebrated by remedial landscape works, and experienced from the adjacent decks and new bridge. Rainwater is collected and expressed via exposed downpipes. The collection and filtering of carpark runoff water is expressed through landscape swales.

5. Pae te haere - Movement

The Gateway is configured to receive and enable multiple movements. Those that are carefully managed in relation to biosecurity and those that are free flowing and intuitive through the spaces. This offers a range of memorable experiences, views and local connections.

6. Te Ao Tūroa - Ecology

The Gateway nestles into the transition between stream, dune, foreshore and coastal park landscapes, supporting and reinforcing combined eco systems, and facilitating movements and experiences within them. This helps restore wairua and mana of the site and presents opportunities for a greater appreciation of local Māramatanga (cultural memory and knowledge) associated with these ecologies.

The Te Uruhi building is of a size and scale that is anticipated by the District Plan in this zone, is in keeping with neighbouring larger-scale buildings and structures, is not out of character in this location, particularly considering a slightly wider environment which encompasses the General Residential Zone and Town Centre Zoned areas. The proposed buildings and associated activities, including the proposed landscaping, will complement the existing mixed-use character of the area and associated streetscape.

The proposed Pou to the west of the new building will create an anchor point along the coastline and also serves as a symbolic navigation beacon for all users of the coast. This is considered a positive character outcome for the park and beach and will contribute to strong sense of place.

Landscaping will be undertaken around the proposed building and along the southern stream edge. The landscaping undertaken will be species endemic to Kāpiti's coastal-dune environment which will aid in achieving:

- plants that readily tolerate the site's coastal conditions.
- provision of habitat for native species.
- offers the opportunity to communicate the site's natural history and the cultural heritage associated with Kāpiti Coast's ecosystems.
- is an outward expression of the new building facilities' bio-security and cultural interpretation functions.

The landscaping undertaken within the proposed development aims to achieve usable outdoor living areas, soften and reduce the extent of hard surfaces, and to assist in integrating the built form of the development into the natural open space. All planting will be undertaken in the first planting season following the completion of the construction of the dwellings and roading.

Potential adverse effects of the proposed development on the existing character of the area and the Marine Parade streetscape are considered to be less than minor.

The proposed Zone 6 parking area will be in keeping with the character of the Maclean Park and coastal area. It forms part of the Maclean Park Reserve Management Plan 2017 and will provide users of the Park with greater opportunities to park within close proximity to the Parks' amenities. Dune planting and treatment of the perimeter of the parking will assist in 'blending' this new carpark into the environment. The overall character of these sites and the surrounding area will be largely maintained.

Overall, it is considered that the character effects associated with the carparking at the southern end of MacLean Park will be less than minor.

4.2.2 Effects on Amenity

The Act defines amenity values as: *those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.*

The Operative District Plan seeks to protect the amenity values of an area by setting minimum standards or maximum limits on building heights, setbacks from boundaries, on-site landscaping, removal of native vegetation, noise and odour emissions, and types of activities allowed within an area. Potential amenity-related effects associated with the proposal are assessed below:

Visual effects

The proposed development is supported by the landscape and visual effects assessment undertaken by 4Sight attached at Appendix 8. Te Uruhi does not require any alterations to the ground and will be less than the 6m maximum permitted height standard. The site comprises a topography that is undulating (representative of the coastal dune systems) which is dissimilar to the flat topography on the eastern side of Marine Parade (developed areas).

The Te Uruhi building does not create any non-compliances at the external boundaries, except with the road boundary (refer Figure 14 **Error! Reference source not found.** below). This portion of the legal road presently contains a section of the carpark and mature trees. Due to the smaller angle of the road carriageway, and existing elements within this portion of land, it is considered that at this location the road boundary would be indiscernible to the property owners and occupiers of the properties on the eastern side of Marine Parade and users of the carpark and Marine Parade. An encroachment agreement is sought with Kāpiti Coast District Council’s Roading Team.

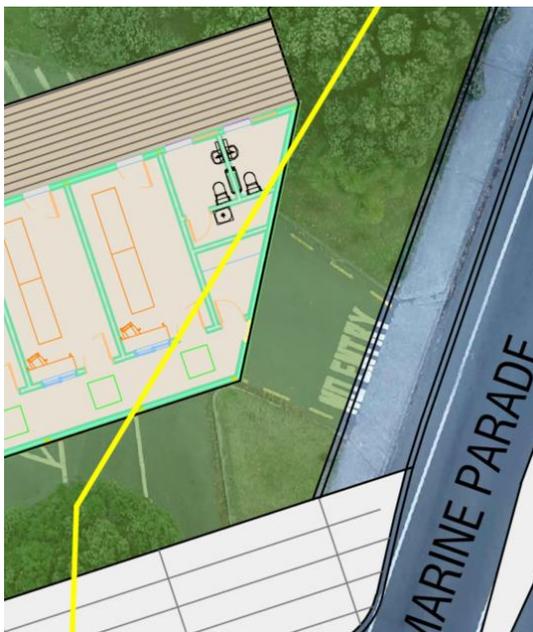


Figure 14 Proposed building straddling the Marine Parade road boundary.



Figure 15 Existing layout of the Marine Parade road boundary. (KCDC, GIS)

The non-compliance relating to height envelope encroachment is a technical non-compliance due to the location of the building straddling the road boundary that is irregular in shape. Any shading effects will be experienced on the building itself, or the road carriageway.

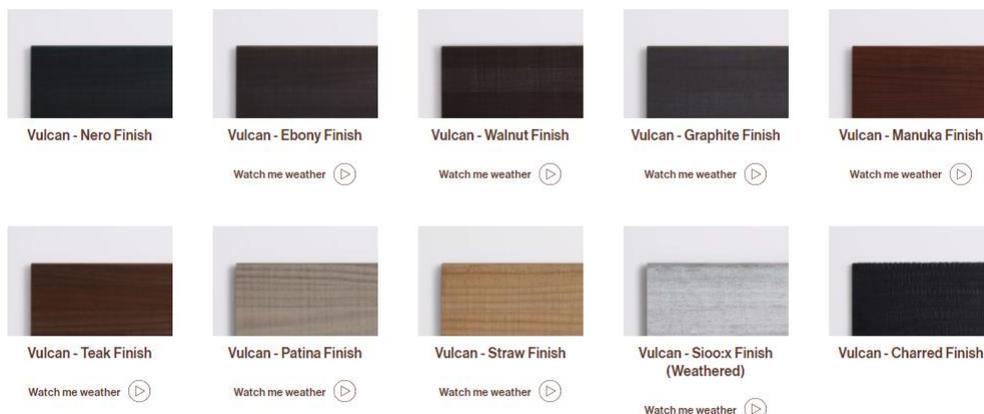
The proposal also does not comply with overall site coverage. The overall site coverage for Maclean Park, including the proposed Te Uruhi, will be approximately 2.7%, thus exceeding the maximum by 0.7%. Nonetheless, the proposal provides an appropriate space for an activity that is an existing operation without a dedicated building. Presently, the tours to Kāpiti Island utilise the Kāpiti Boating Club for the meeting and biosecurity requirements for tour parties. This additional 0.7% of site coverage does not detract from the useable outdoor space for the public to use, with additional space provided between the buildings via decks. In fact, the proposed building will enhance the public's use of this space for all weather conditions and due to the slight elevation of the building's floor above the flood level will improve the view of the beach and Kāpiti Island for users of the park. The site coverage for the property is spaced out over Maclean Park and is formed by the proposed Te Uruhi, Kāpiti Boating Clubhouse and outdoor structures throughout the park. Due to the size of the park and the spread-out nature of activities this non-compliance will be indiscernible to any users of the park or neighbouring properties.

The non-compliance with retail floor space (an additional 62.5m²) is a technical non-compliance. The increased retail floor space will provide complimentary services to the operation of the gateway centre and the recreation values of the Park. The Visitors Pod will contain an area for ticket sales, but will also include display and exhibition space, storage space and the potential for future office space. The use of this smaller building is not purely for retail purposes. As such, any bulk and dominance effects as a result of the proposed development are considered to be less than minor.

Character

As previously mentioned, the character of the local area is varied and contrasting, with residential to the north and east and commercial uses to the south-east, with public space and the beach to the south and west. The proposed development is consistent with the Maclean Park Development Plan, which includes the concept of a 'gateway' to Kāpiti Island. The proposed buildings are all single-storey, modest in size and are of a more modern design. They are considered high amenity value, which provide a distinctive environment attracting different business types and a platform for future development in the local area.

The buildings have been designed to achieve maximum on-site amenity value, with suitable design proportions given to each façade. The materials proposed will weather well, which will aid in presenting a high-quality development. The primary cladding uses Adobo Vulcan vertical weatherboards (Figure 16) and timber decking. The eastern façade of the Visitors Pod will be low iron clear vision glass. The overall development also incorporates opportunities for panel work, artwork and pavement colours. The incorporation of Māori artwork will create a strong local sense of place.



* Colour variation may occur due to variation in the natural substrate. Colour may change/fade as part of the weathering process.

Figure 16 Cladding options for the exterior of Te Uruhi. (Abodo website, 2021)

When considering enhancing the amenity of the area, the design of Te Uruhi has been undertaken in conjunction with a landscaping design of the area immediately surrounding the proposed buildings and the southern edge of the Tikotu Stream. In this respect, the applicant engaged Nicole Thompson, Principal Landscape Architect of Wraight and Associates Limited, to prepare a landscaping plan (refer sheets 19-29 of the plans attached at Appendix 5). The proposed landscaping aims to incorporate Te Uruhi with the dune system and existing vegetation of the area:

The buildings have been carefully sited to optimize and harness the retention of the site's existing mature pohutukawa trees. Providing an immediate foreground and backdrop, the mature pohutukawas visually settle the building into its dune-stream-park environment. New planted areas in the form of stream edge planting, coastal garden and rain gardens frame the site's key exterior spaces and further embed the development in this important cultural and natural environment.

The landscaping surrounding Te Uruhi, and associated carparking, includes native species that “endemic to the Kāpiti Coast’s ecological region”. Planting was separated into areas reflecting its location on the site. These areas include coastal gardens (park and dune) and stream edge (lower and upper). When compared to the existing environment, the Te Uruhi building will result in a building where it is presently open spaced (carparking). It is considered that this planting will soften the increased built areas.

The applicant engaged Beca to provide a Landscape and Visual Effects Assessment. Please refer to Appendix 8 for this assessment, which need not be repeated here. This assessment concludes:

The proposed new Te Uruhi building with associated decking, carparking, landscaping and a new timber bridge will see the introduction of several man-made elements constructed across an existing carpark and grassed open space area in Maclean Park. This new complex will provide a destination point for locals and visitors to the Kapiti region and provide formality and opportunity to Kapiti’s current eco – tourism offerings.

The architectural concept designed by Athfields has provided for a carefully considered structure that is oriented to maintain visual and physical connections to the adjacent

coastal and stream environments and appears contiguous with neighbouring built development along Marine Parade. The built structures are integrated with the proposed landscape plans produced by Wraight and Associates. These provide amenity, improved landscape values and connections to native plant typologies that contribute positively to the site's context and character. The integration of the whakairo plan which includes ihuwaka, pou, and a waharoa will further enhance the cultural narrative and importance of the site to Ngāti Toarangatira and Te Ātiawa. Public visual effects rankings are all within an acceptable range. There will be very low to moderate visual effects for private properties at #1, 3 and 5 Marine Parade, opposite Te Uruhi. These effects rankings reflect the severance to the coastline and loss of visibility to the key features of Kapiti Island, Paraparaumu Beach, and the Tikotu Stream for this viewing audience. It is acknowledged that these effects are permanent and not an ideal outcome for these residences. There are no mitigation options available to offset this loss of views.

*This assessment acknowledges the Te Uruhi site context as highly – modified, and the sensitivity of the wider setting considered, which includes the dune land forms, Tikotu Stream and Paraparaumu Beach. Overall, the assessment found that the proposed Te Uruhi development is of a magnitude and scale that is readily absorbed within the receiving environment and is sensitively sited in relation to Paraparaumu Beach and the transitional connections it has with this coastal landscape. From a broader perspective, the Te Uruhi proposal demonstrates a sensitivity to, and careful consideration of the coastal landscape and stream environments, and seeks to maintain, protect, and preserve these natural processes. Effects on natural character effects generated by the Te Uruhi building are **low**. The site is a highly modified existing setting. The proposal would result in little material change to landform and will improve vegetative cover and amenity. Overall effects on landscape character were regarded as being **low**.*

*To the south of Maclean Park, the southern carpark extension has been designed to consider the existing walkway, no – build line and foredune system, utilising sloped batters and extensive dune restoration to integrate the carpark into the site, offering partial mitigation for the effects of back dune modification. This carpark also demonstrates a sensitivity to the receiving environment and will improve native coastal vegetation representation and dune land expression once complete. However, the context of this site as a remnant dune form means that the level of modification required will result in **moderate** natural character effects. Overall effects on landscape character are **moderate – low**. The carpark will create additional access to Maclean Park, Paraparaumu Beach and Te Uruhi, supporting public connections, as well as passive and active recreational opportunities for residents and visitors to Kapiti.*

The effects ranking table in this report sets out that effects are measured also in terms of Adverse, Neutral and Beneficial. The worst effect rating in the report was moderate. Due to the neutral component of this assessment, it is concluded that the effects as identified in the landscape and visual assessment are considered to be no more than minor.

The Landscape Architect also made the following recommendations:

- *That the landscape plans prepared by Wraight and Associates be implemented as part of the proposed development.*

- *That a lighting plan for the Te Uruhi building and associated outdoor carpark and new landscaping be developed in sympathy to the coastal urban park context and with consideration to residential neighbours.*
- *That the important screening and softening capabilities offered by the pōhutukawa trees surrounding the site be acknowledged and these attributes protected. A condition should be provided to protect the existing pōhutukawa trees during construction and should be developed with arboricultural input from the Council Parks Team. Such a condition should include (but not be limited to): cordoning - off of trees, permitted proximity of excavations and earthworks, restrictions in level changes to trunk soil heights and limitations on pruning for machinery and vehicle access.*
- *That further detail and methodology for the replacement of stream retaining structures, and the ihuwaka structure, materiality and finishes be submitted to Council in due course.*
- *That at detailed design stage the potential passive recreational uses in association with the Zone 6 carpark be further enhanced through additional seating along the existing walkway that provides views out across and to the coastal environment in proximity to this location. Similarly that the back (dune abutting) edge be softened from straight to 'uneven' to lightly mimic dune slope undulation.*
- *Strongly recommend consideration of permeable carparking surfaces or mixed surface combination which would allow the site to be more easily restored in future and lessen its sense of permanence.*
- *That protection of existing dune land at both sites be integrated into their respective Construction Management Plans.*

The applicant would like to offer these recommendations up as consent conditions.

For these reasons, any potential adverse effects of the proposed development on visual related amenity values are considered to be less than minor.

Traffic-related amenity

The proposed development will result in the generation of increased traffic movements to and from the site. The generation of traffic movements in inappropriate locations can sometimes detract from the amenity values of an area. In this case, the increased vehicle movements from the proposed carpark redesign, and additional parking at the southern end of MacLean Park, will be absorbed into the Marine Parade and Kāpiti Road environments. These areas are already used for parking and as such is not a change of use.

The site is located within the area of Marine Parade which is characterised by a variety of land uses. One matter these existing land uses (i.e. residential properties, temporary accommodation – motel, and commercial businesses) have in common is that they all generate purposeful (and usually predetermined) traffic movements to and from their sites. In this respect, the proposal will also generate purposeful (and usually predetermined) vehicle movements to and from the sites. It is considered that the vehicle movement activity associated with the development is in an appropriate location and any potential adverse amenity effects associated with the proposed level of activity in the immediate locality are appropriately avoided through the layout of the development and incorporation of appropriate landscaping.

In addition, it is considered that any effects of the proposal on traffic-related amenity values fall within the existing environment being the generation of up to 839 vehicle movements at the intersection of Manly Street/Kāpiti Road/Marine Parade.

For these reasons, any potential adverse effects of the proposed development on traffic-related amenity values are considered to be less than minor.

Actual or potential adverse effects related to traffic-safety are considered further below.

4.2.3 Traffic Effects

The proposal will result in a new carpark layout with new entry and exit access points at the northern and southern ends of Maclean Park. It is considered highly likely that the proposed development will result in additional vehicle movements in the area. The new parking areas will be formed and achieve the appropriate dimensions of the Operative District Plan and New Zealand Standards, except the width of the access point to the Paraparaumu Beach Golf Club.

A comprehensive assessment of the proposed roading arrangement and transportation effects has been undertaken by the applicant's consultant traffic engineer, Beca Limited. This assessment is attached to this report at Appendix 9 and need not be repeated here. The One Network Road Classification reference used within the report is intended to show that the actual flows are within expected range for a primary collector. The traffic assessed in the Traffic Impact Assessment, however used actual traffic flows from surveys undertaken in 2018 for the Kāpiti Road roundabout.

Beca's report includes an assessment of the existing traffic environment, District Plan standards assessment and a feasibility study of the proposal including an assessment of the actual or potential traffic effects of the proposed development. I concur with Beca's conclusion that:

The outcomes of the assessment indicate the following traffic impacts:

- *Based on the parking survey, site observations and historic images, the loss of car parking spaces associated with Visitor Centre building and associated use, could be accommodated by the current available parking areas along Marine Parade, or within the town centre.*
- *The current maximum demand at peak times for parking for the Island Tours that is being accommodated is up to 47 spaces or 16% of the unrestricted spaces. A proportion of this is already happening and previously consented. An increase in the maximum is not the subject of this application.*
- *One existing car parking area south of Ocean Road (Area 1) is to be remarked to provide up to 15 additional spaces and one new car parking area is to be constructed (Area 2) to provide up to 19 new car parking spaces.*
- *The vehicle accesses proposed for the development and the new car parking area meet the District Plan Requirements and have been designed to mitigate any anticipated safety and amenity issues associated with site access.*
- *An existing and theoretical future traffic scenario was tested which included doubling of the Island Tour trips. This had an immaterial impact on the operation of the roundabout at the intersection of Marine Parade, Manly Street and Kāpiti Road and the wider road network.*

In conclusion the Te Uruhi development and associated new carparking areas will have less than minor impact on the transport network.

Overall, I concur with Beca's assessment that the proposed development will not adversely affect the safe and efficient functioning of Marine Parade, Kāpiti Road or wider local road network. In addition, the final design of the development has carefully considered potential

traffic safety effects and I consider any potential adverse traffic-safety effects arising from this proposal will be less than minor.

Parking

The parking supply in the Paraparaumu Beach area is intrinsically linked with the use of the total activity in the area and it is likely that KCDC have grown this capacity organically rather than been assessed against a specific activity. There is no way of determining how much activity and parking demand is linked to the beach, other activities within the town centre, or to the retail that is now present along Marine Parade. It is highly likely, but impossible to assess easily, that the level of demand is self-regulating and if there is not an empty car parking space then visitors will park further away or not at all and find somewhere else to go.

In simplistic terms if the activity that the building represents was to be built on a green field site with no existing activities it would be required to provide 4 parking spaces, based on the Gross Floor Area.

Two parking surveys have now been undertaken in the area. The first was a spot check carried out in February 2020. This showed that the nearest car park, Marine Parade was 60% occupied on a Friday afternoon. A more formal car parking study was undertaken in August 2020 (see Memorandum attached to TIA) and found that during the week that Marine Parade was at a maximum 34% occupied and 50% occupied during the weekend.

It should be noted that the second survey was during the winter months so demand would be lower however the survey in February also concurred that occupancy of this car park may not reach a maximum. For the wider area the demand in the winter months is 43% and 52% respectively.

It should be noted that the building itself is only generating minimal additional traffic or parking demand as it is primarily providing shelter and biosecurity needs for an activity that is already present. In terms of the Visitor Centre activity, this is not anticipated to drive parking demand of any significance (but instead deliver a better visitor experience) because the area is already a destination park for the district and is already highly visited by tourists.

The building will however remove a number of spaces (18) but 13 spaces will remain. Using the parking survey this would mean that Marine Parade would theoretically be fully occupied on a weekend and in the wider area overall occupancy would be around 72% of the unrestricted parking spaces. Overall, there is likely to enough spaces to support the buildings requirements.

Despite this the Te Uruhi project has negotiated the use of additional spaces by expanding the existing carparking at the southern end of Maclean Park. Sixteen spaces will be created in addition to the existing 18 spaces available. These spaces are located within 400m walking distance of Te Uruhi, a distance considered suitable for walking between destinations.

To further ensure that the Marine Parade car park can be utilised by other users it is suggested that some of the spaces could be time limited to encourage the longer stay users, such as those for the boat trips, to use the spaces provided at the golf club that are slightly further away. A 240 minute time limit, for example, in the public off-road carparks at the northern end of Maclean Park could assist to encourage island visitors to use the carparks on offer at the

golf club or make alternative arrangements (e.g. be dropped off). These are suggestions that have been put forward, however, do time limits not form part of this proposal.

Refer to Section 7 of the TIA where a number of scenarios with regard to traffic generation have been tested on the road network including over and above what the resource consent is seeking noting that the new building is not generating any additional trips to those that are happening now.

Beca can also confirm that the new car parking layout has been reviewed and swept path analyse has been undertaken. The carpark dimensions are in accordance with AS2890.

Boat Club Carpark

At the early stages of the development of the proposal some changes to the Boat Club were being considered and a review was undertaken. There are no changes proposed to the existing Boat Club car park so there is no requirement to assess the impact within this consent application. For completeness, Figure 3.6 of the Transport Impact Assessment (TIA) illustrates the current layout of the Boat Club Carpark as informed by Kāpiti Coast District Council's Parks Team. Beca's observations have been included in the Traffic Impact Assessment report to inform Kāpiti Coast District Council to review and make improvements themselves, if desired. As it no longer forms part of the proposal, the existing use will not extend into the unformed legal road between the boat club and 1 Manly Street.

With this carparking area forming part of early stages of the proposal, any current use of the boat club will have been picked up in the traffic surveys that are contained and analysed in the Transport Impact Assessment for the roundabout and included in the overall assessment.

Buses

The use of shuttle buses is not being considered at this time to provide a connection between the car parking area proposed at the Paraparaumu Beach Golf Club and Te Uruhi. As part of the future proofing of the development, the architectural plan set illustrates a dedicated shuttle bus parking space through the use of yellow hatching. Through the resource consent process, this area has been amended to be a pickup/drop off space. This can be used by users/taxis/uber etc. and by a shuttle bus should there be a need to provide one to transport customers from any potential future off-site carparks to the Te Uruhi building in future. Access between the golf club carparks and Te Uruhi has been acceptable for pedestrians and is commented on in the Transport Impact Assessment attached at Appendix 9. Bus stops are not proposed as part of this application.

Pedestrians

On the northern side of the bridge, it is proposed to install a landing area comprising a modular boardwalk. A rope handrail will be installed to the north to demarcate the 'road' and boat launching access from the pedestrian waiting area. The modular boardwalk will be similar to the Replas Enduroplank installed at Ōtaki Beach. As described by the supplier, the Enduroplank is a "sturdy, long lasting and virtually maintenance free decking product that provides an ethical alternative to timber. [...] is especially suitable for marine environments as salt water will not corrode the material (refer to Figure 17 below).



Figure 17 Example of modular boardwalk at Ōtaki Beach. (KCDC Parks Team)

Signage

The proposal includes display panels along the southside of the ramp leading from Marine Parade. The intention of these are to support permanent or changing artwork, interpretation panels or wayfinding graphics. The panels shown on the architectural plans are different to the wayfinding signage that will be installed. At this stage, the wayfinding signage has not been designed in detail, but is intended to be at a pedestrian scale and will be distinct from road signage. They will be of a nature similar to other visitor attractions of this type and in accordance with the Operative District Plan rules and standards for the Open Space Zone.

It could be anticipated that a consent condition could be imposed requiring any wayfinding signage to be approved by Kāpiti Coast District Council's Access and Transport Team prior to installation. Note: If there are any non-compliances with the Operative District Plan and separate resource consent will be required.

Encroachment

The Te Uruhi building creates non-compliances at the external road boundary, as its location (straddling the eastern boundary) results in 13m² of the development encroaching into the legal road. Please refer to the encroachment plan at Appendix 2 for reference. Currently this portion of legal road contains a section of the existing carpark and mature trees. With the angle of the road carriageway, and existing elements within this portion of land, it is considered that at this location the road boundary would be indiscernible to the property owners and occupiers of the properties on the eastern side of Marine Parade and users of the carpark and Marine Parade itself. At its closest point, the building will be setback approximately 3m from the existing pathway and 5.5m from the road carriageway. It is considered that the encroachment onto this land will not result in effects on road users to be greater than minor. An encroachment agreement is sought with Kāpiti Coast District Council's Roding Team.

4.2.4 Earthworks Effects

The District Plan allows for the undertaking of earthworks on the application property, subject to compliance with the Permitted Activity standards of the District Plans. The

proposed earthworks are for the purpose of naturalising the Tikotu Stream's southern edge/bank. However, in doing so, is within stream corridor flood hazard.

The earthworks will comprise of cut, measured approximately 1.4 metres vertically, at the stream edge and will taper off towards to the south (closer to the buildings). The earthworks are primarily to remove the existing bank material and create a slope more representative of a natural planted bank. The proposed earthworks will not result in an unnatural landform but will improve the natural landform appearance and functioning of the stream.

Earthworks are also to be undertaken at the southern end of Maclean Park to create the additional parking at Zone 6. These works will be completed in accordance with the Kāpiti Coast District Council Subdivision and Development Principles and Requirements 2012. The earthworks will be visually prominent during the temporary works to create the flat carparking area and reshaping of the dune. However, there will be no permanent scarring of the landscape with the earthworks to be covered by carparking or planting of vegetation specific to dune areas.

Earthworks-related effects such as airborne sand will be confined within the application property and will be temporary in nature. Temporary noise effects may occur during the construction phase of the earthworks. These effects are considered to be anticipated and may be mitigated by the application of standard conditions to the extent that they will be no more than minor. We anticipate Council to impose standard conditions similar to the following:

- No dust nuisance shall occur beyond the boundary of the subject site
- The consent holder shall comply with the requirements of the Kāpiti Coast District Council's Subdivision and Development Principles and Requirements 2012, unless alternatives are proposed by the consent holder and accepted by the Council's Development Engineer.
- No nuisance effect may be caused by discharge of material beyond the boundary of the subject site.

Erosion and sedimentation effects will be managed as part of the consent application to Greater Wellington Regional Council. All practical measures will be undertaken to control erosion and sediment in accordance with best practice – i.e. no earthworks on wet days and silt control fences and will be undertaken in accordance with the appropriate measures and procedures of the Greater Wellington Regional Council's booklet entitled "Small Earthworks, Erosion and Sediment Control for Small Sites" for the duration of the site works and until the site has been re-stabilised (i.e. through replanting or building/hard surfacing).

The earthworks at both the Tikotu Stream and the Zone 6 carparking are no located within the water collection area, an area subject to an Environmental Management Plan or Structure Plan or are located within an ecological site. Ecological effects associated with the development are appropriately assessed under Section 4.2.8.

Overall, any actual or potential adverse earthworks effects on adjacent properties or the Tikotu Stream arising from the proposed development will be temporary and less than minor.

4.2.5 Infrastructure Effects

Renewable Energy

To provide a renewable power source, it is imperative that solar panels are provided to enable operation of this building. The roof form of Te Uruhi is relatively flat, with an appropriate roof angle to ensure maximum solar gain. The entire roof form will not have solar panels installed and is directed towards the west. The direction the solar panels face will ensure they do not visually detract from the proposed building and will not cause reflection towards the Marine Parade carriageway.

The works site is located within the Southern Beaches Special Amenity Landscape (ID: 29), which includes the beaches from the Waikanae River mouth to the north, down to the beginning of Queen Elizabeth Park in the south. Understandably, the landscape is subject to potential threats including the removal of indigenous vegetation, earthworks and large-scale infrastructure landscape. The solar panels will be indiscernible to the special amenity landscape when considered as part of the wider development.

It is not considered that the proposed infrastructure is of a large-scale, with a combined footprint of less than 60m². The two rows of solar panels will be mounted on the roof and will largely be screened by the building (when standing in proximity) and mature vegetation.

Servicing

The proposed development will be appropriately serviced in terms of stormwater and wastewater disposal, water supply, electricity connections, and access. The proposal will be subject to detailed engineering approval, prior to construction works commencing. Given the location of the proposed development, it is considered that the additional demand on Council's reticulated networks as a result of this development is anticipated. A new sewer lateral will need to be installed and connected into the manhole within Marine Parade (Council asset ID: KWWN003549). A combination of soakpits and rain gardens will be constructed to ensure the development is hydraulically neutral. A new manhole will be installed within the vicinity of the rain garden to provide a connection point for a high flow bypass from the rain garden itself – refer to Figure 18 below. It is understood that the rain gardens will be the responsibility of Kāpiti Coast District Council's Parks Team.

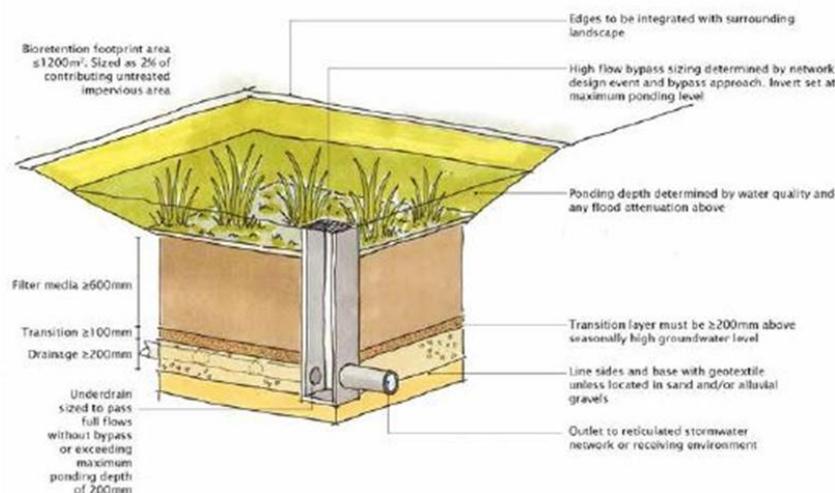


Figure 18 General set up of rain garden with high flow bypass. (Internal Email Correspondence)

Stormwater Network

An existing Council stormwater pipe transects the location of the proposed buildings. As such, this pipe will be upgraded and rerouted to follow the alignment of the north-eastern road boundary. The Kāpiti Coast District Council Stormwater Team engaged Christensen Consulting Ltd for the design of the re-routed stormwater main and is attached at Appendix 13. We understand from Christensen Consulting Ltd that the design takes account of climate change and sea level rise. The manhole which the re-routed main will be connected to is an existing shallow stormwater manhole (Kāpiti Coast District Council asset ID - KSWN001318). This manhole receives two 225mm diameter sump leads (17m long and 6m long respectively), and well as a 150mm sump lead (34m long). A 225mm diameter upstream inlet pipe also enters this manhole. It is considered the location of this manhole should remain where it is, as the likelihood and frequency of the manhole requiring inspection is very low.

To have this particular manhole relocated will in turn require the three existing sump leads to be excavated for and re-laid (total length 57 metres), including one sump lead needing to be re-laid across Marine Parade. The alternative to this is the installation of two new manholes over the existing sump leads, and the partial re-laying of some lengths of pipes – however this would result in a worse off position with a new stormwater manhole located in the middle of Marine Parade (taking the sump lead on the eastern side of Marine Parade).

Taking these factors into account, any potential infrastructure or servicing effects of the proposal are considered to be less than minor.

4.2.6 Natural Hazard Effects

Flooding and Ponding

The application property is shown to be subject to two flood hazards: stream corridor and ponding. The proposed visitors pod and biosecurity building will be constructed within the ponding hazard, which encompasses the entire works areas on the property. Refer to Figure 19 below for the flood hazards relevant to the application property.

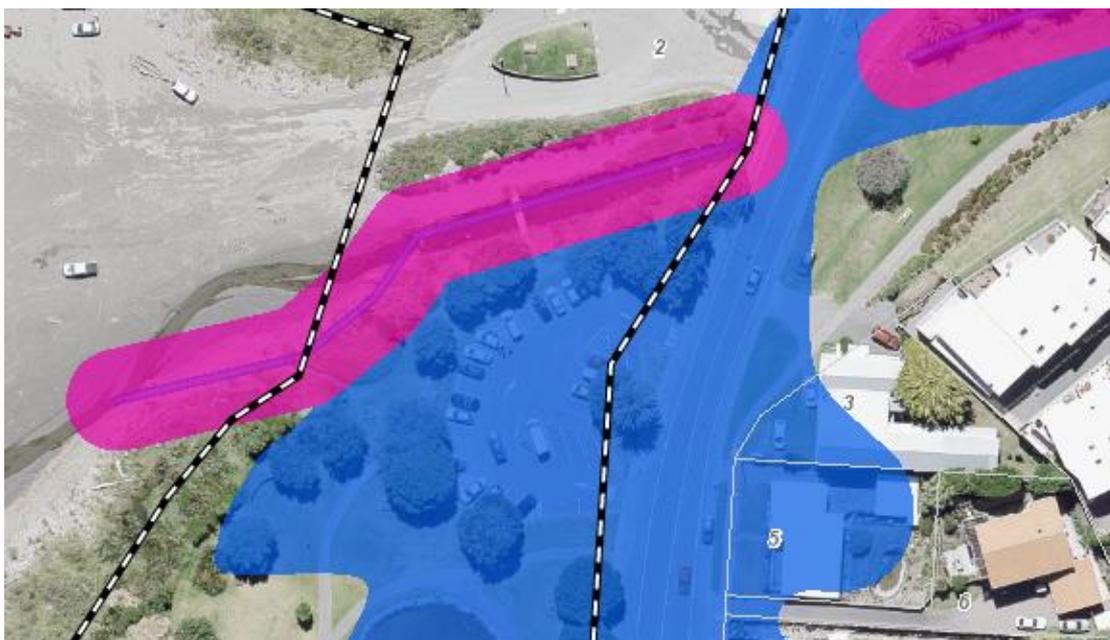
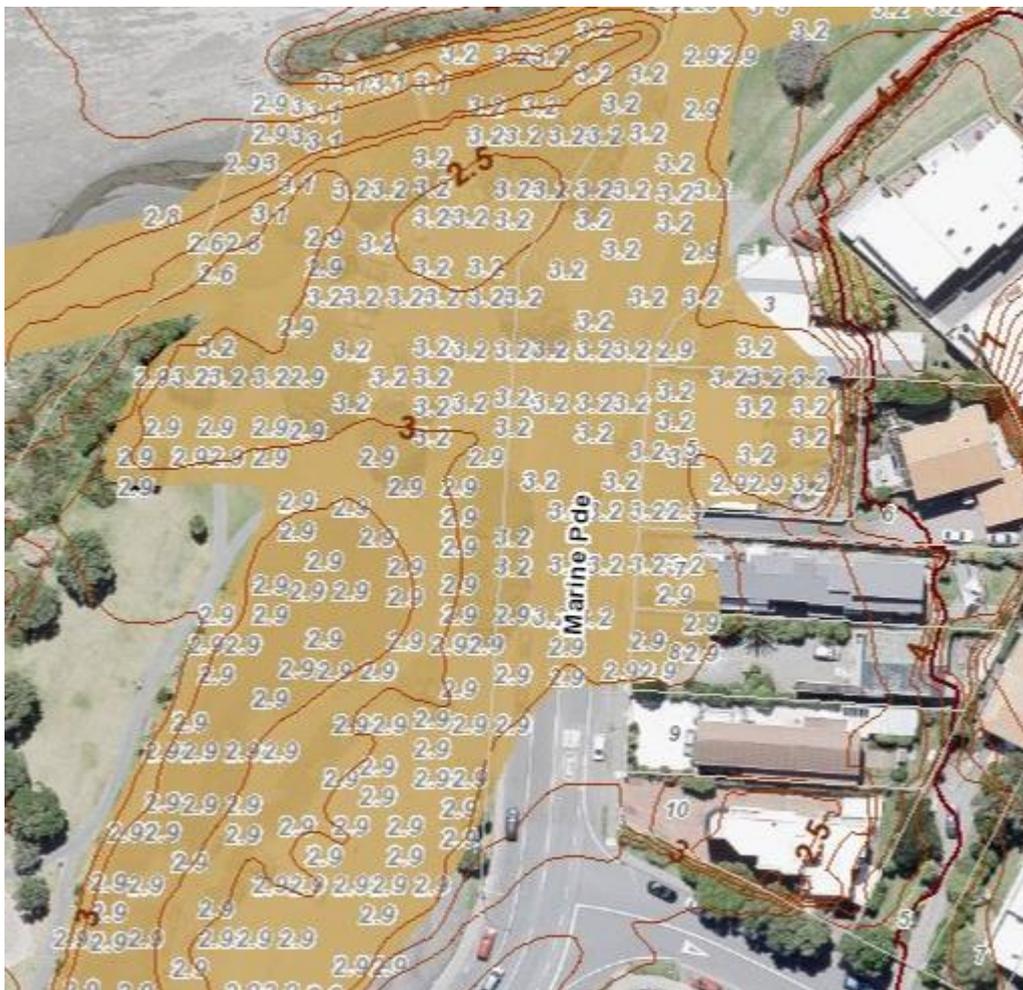


Figure 19 Flood hazards on the project site at 2 Marine Parade, Paraparaumu

In addition to the buildings referenced above, it is also proposed to undertake earthworks within the stream corridor flood hazard. The extent of the ponding and stream corridor flood natural hazards are not isolated to the proposed works area. The ponding area extends north to the roundabout at Manly Street/Marine Parade/Kāpiti Road intersection and then south-west along Kāpiti Road and also to the south down to adjacent #20 Marine Parade approximately 120m south of the project site. This ponding hazard further connects to a larger area within the Paraparaumu Beach Golf Course. The stream corridor natural hazard follows the general alignment of the Tikotu Stream, which consists of open channels and piped networks.

The Q100 flood level for the property is RL3.2 (refer to Figure 20). Effects that are considered to be associated with flood hazards include the risk to human life and the displacement of properties. The Te Uruhi building will be constructed on piles and will have a finished floor level of RL3.4 and therefore, will allow for all rooms to be located above the 1% AEP flood event. As such, the risk to human life on the application site is considered to be less than minor.



The

Figure 20 Q100 flood levels for the application property. (KCDC, GIS)

immediate extent of the flood hazard reaches an area of approximately 19,900m². As a result, the proposed buildings will be located above the flood hazard, albeit it the piles located within the hazard. It is considered that this additional area (the piles), will equate

to an area of less than 1% of the direct catchment area. Therefore, any risk to human life and the displacement of properties in the wider catchment are considered to be negligible.

In terms of potential impacts of the proposal on the efficient functioning of the stream corridor, it is considered that the approximately 135m³ of earthworks required to naturalise the stream banks will not significantly impede the stream corridor or flood flow. The proposed earthworks are widening the stream corridor, and therefore allowing flood waters to flow with greater ease. These earthworks along the southern stream bank will be stabilised by a small timber retaining wall, with the battered bank planted with native vegetation. The proposed pedestrian bridge is also above the spring tide level. As such, the risk to human life and infrastructure associated with flooding is considered to be less than minor.

While the proposed development does not have flood free access, it is considered indiscernible given approximately 350m of Marine Parade and Kāpiti Road is subject to the same flood hazard.

Earthquake Hazards

The earthquake risk of the application site is considered to be a restricted discretionary activity under the Proposed District Plan. As such, it is considered appropriate to use the matters that Council have restricted its discretion to when assessing these related effects. An assessment of the proposal against these matters is provided below:

1. *The outcomes of the geotechnical investigation on liquefaction by a suitably qualified and experienced person.*

An assessment of the liquefaction risk on the proposed subdivision has been undertaken by the applicant's consultant geotechnical engineer, Isabelle Vollenhoven, of Miyamoto International New Zealand Limited. This assessment is attached to this report at Appendix 10 and need not be repeated here. Their assessment of the liquefaction risk concludes the following:

our site-specific liquefaction assessment, "Severe effects" from excess pore water pressure and liquefaction are expected under ULS seismic loading conditions. "Mild effects" are expected under Intermediate Event (1/100 year) and "Insignificant effects" under SLS seismic loading conditions.

Liquefiable layers under ULS seismic loading conditions have been identified consistently below the groundwater table, RL +1.1 m, over the full depth of the CPTs, to RL -11.1 m. Several layers have been identified where liquefaction triggering is less likely, however these layers are thin (maximum 1 m thick).

It is noted that under SLS seismic loading conditions, no liquefaction is anticipated in the analysed soil profile based on the analysis. It should also be noted that the liquefaction assessment is limited to the top 13.5 mbgl due to the CPT refusal.

2. *Whether the potential risk to the health and safety of the people and property from liquefaction can be avoided or mitigated.*

Based on the liquefaction risk, the report concludes:

Considering the liquefaction potential within the site, the location of the new Gateway Centre should be optimised to limit the risks of liquefaction. Future

foundations and retaining structures must be designed considering the lateral spread, post-liquefaction settlements and potential liquefiable layers. It is noted that during SLS earthquake events, the effects of liquefaction induced settlement are expected to be negligible. The foundation design for the Gateway Centre will be optimised during the design stage when more details of the developments are known.

3. *The design and location of the building.*

The geotechnical report has already informed the proposed building design as set out in this application and will continue to do so. We volunteer a condition that the final building plans should incorporate the finding of this report. Based on this the effects associated with earthquake hazards will be less than minor.

Coastal hazards

Although the proposed development is not identified to be in the relocatable zone, we know that the site will be exposed to coastal hazards. It is therefore considered prudent that the building should be relocatable to ensure protection of the public asset. The application is accompanied by a letter prepared by a structural engineer, confirming that it is relocatable, refer to Appendix 3.

Based on this it is concluded that the effects on coastal hazards will be less than minor.

Overall, it is considered that any actual or potential adverse effects relating to the above-mentioned hazards will be less than minor.

4.2.7 Contaminated Land Effects

While the application property is listed in the Greater Wellington Regional Council Selected Land Use Register (SLUR) as being a site that is known to have contained or potentially contained an activity that may have resulted in ground contamination, the proposed project site is not considered to be the 'piece of land'. As such, any potential contamination effects associated with the proposal are considered to be less than minor.

4.2.8 Effects on Ecology and Biodiversity

The application land is not shown to be located within an Ecological Site under the Proposed District Plan, nor is it shown to contain any Notable or Key Indigenous Trees. The applicant has engaged a suitably qualified and experienced ecologists from Cardno (NZ) Ltd, to assess and report on the ecological effects of the proposal on aquatic habitats, fish migration, potential lizard habitat and avifauna. This assessment addresses the potential effects on aquatic habitats, spawning and fish migration, lizards and lizard habitat and avifauna habitats and their use and is attached to this report at Appendix 14 and need not be repeated here. In conclusion, this assessment finds that:

The proposed instream works associated with the Kāpiti Coast Gateway Project involve major landscaping on the stream banks, replacement of wooded retaining walls, replacement of the current pedestrian bridge and planting of the riparian zones. Overall, the proposed works are likely to cause long-term beneficial improvements on the instream habitat, ecological functioning and surrounding riparian zone, and less than minor adverse effects on the terrestrial habitat.

The spatial extent of the proposed work is significantly smaller than the extent of the stream reach that would be occupied by occurring fish communities. Therefore, the proposed work is unlikely to adversely affect the fish population in the long-term. Moreover, the lack of sufficient riparian cover and timber retaining structures has decreased the ecological value compared to an unmodified stream.

Predicted and observed ecological values indicate that the aquatic ecosystem of the Tikotu Stream is moderately impacted, with moderately polluted water quality and degraded aquatic habitat. These impacts are reflected in the fish and macroinvertebrate community indexes, of which the majority consist of pollutant tolerant species. Nonetheless, the Tikotu Stream supports fish communities of two "At Risk-Declining" species.

Provided construction work is well managed, the proposed works will have less than a minor adverse effect on the aquatic ecosystem of Tikotu Stream during the construction phase. The long-term effect of the stream bank re-contouring and riparian zone planting will likely be positive (net gain).

Taken into consideration that the proposed buildings will remain below the canopy of the pohutukawa trees and the adjacent dune habitat will be untouched during the construction works, it is expected that the proposed development will have a less than minor effect on the present terrestrial habitat and avian community.

Bird species found were primarily cosmopolitan species commonly found in built or rural areas, with no rare or threatened species found. Native lizards were not noted during the site visit conducted by Cardno. Due to ongoing maintenance of Maclean Park, habitat fragmentation and frequent disturbance by humans it has been considered that the presence of native lizards are not likely to be present. An assessment of effects on avifauna and lizards can be found in Section 4 of the EIA attached at Appendix 14.

Overall, we concur with Cardno that the proposed building will be constructed in an area that largely comprises tar sealed carpark, with concrete kerbs, mown grass and widely spaced planted trees. As such, much of the potential effects arising from the proposal will be limited to construction works (including the replacement pedestrian bridge) and riparian planting along the Tikotu Stream.

Cardno suggested the following mitigation measures to manage the adverse effects from the proposed works (refer page 18 of the EIA attached at Appendix 14):

- *Stream works can be conducted between January and July as long as adequate temporary fish passage is provided through the construction area. Ideally works would take place in January and February.*
- *Prior to the commencement of work, fish barriers should be placed upstream and downstream of the proposed work area to avoid fish entering the particular reach during the construction phase;*
- *Prior to the commencement of work, suitability qualified ecologists should conduct fish rescue from the proposed work area (between fish barriers), and relocate these to a suitable upstream habitat;*
- *A temporary stream diversion should be in place during the proposed works;*
- *Stream works should be completed as quickly as possible, to reduce the stress on biotic communities;*

- *Sound sediment control methods should be implemented to protect highly sensitive fish species (e.g. inanga) known to utilise the Tikotu Stream;*
- *Any excavated streambank should be stabilised as soon as possible;*
- *Riparian planting is recommended to provide additional protection for the stream banks and support spawning of species such as inanga;*
- *A post-construction survey by a suitably qualified ecologist should assess adequate ecological structure and functioning of the reconstructed and re-instatement stream reach and associated riparian zone;*
- *Prior to the removal of the temporary stream diversion, fish should be rescued from the temporary diversion channel by a suitably qualified ecologist;*
- *Upon completion of the work, fish and habitat information should be provided to KCDC and passed on to Greater Wellington Regional Council (GWRC) and Ātiawa ki Whakarongotai Charitable Trust;*
- *A barrier (e.g. super silt fence) between the dune habitat and the construction site should be erected before works commence and maintained during the construction phase. This will prevent potential lizard migration into the construction site and serve as an additional protective boundary for the dune habitat; and*
- *If any lizards are observed on the construction site during the works, works should be stopped, the sightings are to be reported to KCDC and the work methodology (lizard management plan) should be revised in consultation with an ecologist. A management plan should be approved by DOC and implemented before works can be resumed.*

It is considered that a majority of these mitigation measures relating to fish passage and the stream will be implemented through the conditions of consent WGN200348. Some of these conditions include:

- requiring the consent holder (applicant) to ensure any fish are placed into clear flowing water upstream, fish passage is maintained (through diversion pipe), fish rescue is undertaken in accordance with GWRC's Fish Rescue Protocol, fish rescue data is collected and provided, iwi representatives are invited from Te Ātiawa ki Whakarongotai Charitable Trust and Ngāti Toa Rangatira, and an iwi representative from Te Ātiawa ki Whakarongotai Charitable Trust is invited to monitor the mauri of the Tikotu Stream.
- A Construction Environment Management Plan must be approved by GWRC.

Where the recommendations relate to planting, completion of works or terrestrial works, the following assessment of mitigation measures applies. Earthworks and construction-related effects on the ecology and biodiversity will be confined within the works area of Maclean Park through the implementation of sediment control measures (i.e. silt control fences). The works will be temporary in nature. Erosion and sediment controls will be installed for the duration of the construction to ensure surface runoff remains within the application site boundaries. As a method of mitigating effects from the proposed works the following conditions will be volunteered:

- *The consent holder shall make adequate provision for the control of stormwater runoff during the construction period and shall apply the appropriate recommendations found in Greater Wellington Regional Council's Erosion and Sediment Control Guidelines for the Wellington Region" and "Small earthworks – Erosion and sediment control for small sites to the satisfaction of the Council's Development Engineer. Silt retaining structures*

or ponding areas where required shall be constructed and maintained throughout the duration of the works to the satisfaction of the Council's Development Engineer.

- *All batters shall be self-supporting.*
- *Where the existing land or vegetative cover is disturbed along the Tikotu Stream banks, the consent holder shall establish suitable ground cover as soon as practicable following earthworks, or within 5 days of completion of any earthworks, whichever occurs first. For the purposes of this condition, "suitable ground cover" means the application of basecourse, topsoil grassing or mulch or other type of application to the satisfaction of the Council's Enforcement Officer.*
- *The consent holder shall provide fish rescue data, including the number, length, and species of each captured fish, to Council's Enforcement Officer within 10 working days of completion of the works.*
- *That in the event a lizard(s) is found, the consent holder shall submit a Lizard Management Plan prepared by a suitably qualified ecologist in accordance with the recommendation of the Crdo report (report no. NZ0119221, entitled 'Terrestrial and Stream Ecological Impact Assessment, Gateway Project', dated 23 September 2020 and held on file by Council). The Lizard Management Plan shall be submitted to Council's Compliance Officer, and must be certified by the Team Leader, Resource Consents prior to the commencement of works. This Lizard Management Plan shall include, but is not limited to:*
 - *Identification of lizard species to which the management plan applies;*
 - *A methodology for identifying and locating lizards on site; and*
 - *A methodology for the salvage and relocation of any lizards recovered.*
 - *All works must be undertaken in accordance with the approved Lizard Management Plan.*

It is considered that the above measures will minimise the generation and release of any sediment downstream during construction, avoid the scour of any stream bank and ensure there is no effects on any terrestrial fauna or aquatic life as a result of the proposal.

It is proposed to erect timber retaining walls as shown on the architectural plans, with the intention of replacing the existing timber retaining structures. While timber retaining wall have the potential of leaching chemicals from treated timber into waterbodies, it is considered that this aspect of the proposal is replacing like-for-like, including with availability to in-stream habitat. The proposed retaining walls will also ensure that post-construction works are stabilised, and that there is no risk of erosion following the completion of the earthworks within the stream bed.

Tree Removal

The application also includes the translocation of one pohutukawa tree and the removal of a phoenix palm. While neither of these tree species are included in the key indigenous tree species by size or rare and threatened vegetation species schedules (3.2 or 3.3, respectively) of the Proposed District Plan, it is considered important to consider the effects of this vegetation modification. The phoenix palm and pohutukawa are located to the north of the existing 'entry' location of the carpark. The site is covered in a variety of grasses, shrubs, and trees.

Phoenix Palm

The phoenix palm proposed to be felled is located in an area where there is limited vegetation, with only one other tree in this location and a limited amount of grass. The purpose of removing this tree is to remove a known rodent habitat and avoid the further spread of seeds which create weeds. The removal of the tree will not result in an unnatural gap in canopy and will not result in an excessive loss of habitat. Upon the construction of Te Uruhi, the removal of the tree will not be discernible to road users or adjacent properties. It is not proposed to fell any of the key indigenous trees identified on the application site. Treescape has provided a methodology (refer to Appendix 15) for removal of the phoenix palm being that:

- *The palm will be felled onto the carpark area to the south under stop/go traffic management.*
- *The fronds will then be chipped, and the main trunk lifted on to a truck and removed.*
- *The sump will be ground out and grindings removed when hole is dug for the Pohutukawa relocation.*

Pohutukawa

The pohutukawa proposed to be transplanted is the only other tree with the phoenix palm. It is proposed to translocate the tree approximately 5 metres north to allow for the construction of the 'exit' to the proposed carpark. The methodology of the translocation includes:

- Pre-treatment of trees with anti-transpiration spray
- Excavation around the tree to create a root ball
- Undercut of the root ball
- Lifting of the tree via crane
- Stabilising of the tree in its new location
- Back fill around root ball

For full details of the methodology, please refer to the Treescape methodology attached at Appendix 15. Treescape have stated that they "*believe the transplant rate is very high (80-90%) ...*".

The proposed landscaping for the property includes further coastal garden planting in the area below the pohutukawa canopy. Examples of the plant species which may be planted in this area include wheki, rengarenga lily and coastal tree daisy, with further examples found at the conclusion of the architect plans attached at Appendix 5. To ensure sufficient planting aids in the survival of the translocated pohutukawa, the applicant volunteers the following condition:

- *Planting shall be undertaken within three months of receiving code of compliance. Maintenance shall be undertaken for three years from the completion of planting to ensure successful establishment. During the maintenance period, any dead plants shall be replaced.*

Note: *It is advised that the most adequate time to undertake this work is during the planting season (May to August).*

Overall, it is considered that any effects on the habitat of flora and fauna resulting from the proposal will be no more than minor within the vicinity of the application site and will be less than minor within the wider natural environment.

4.2.9 Positive Effects

If granted, the proposal will facilitate a new destination improving the departure point for Kāpiti Island tours. Te Uruhi will be an iconic visitor experience, bringing together the community, cultural values and visitors to the district. The proposal will bring together knowledge and experience about the nature reserve and New Zealand's native (and in some cases endangered) flora and fauna species on Kāpiti Island, that to date, has not been readily available to a regional, or national, level. It is considered that the benefits of the proposal far outweigh any potential adverse effects arising from the application status as a non-complying activity.

4.4 NATIONAL POLICY STATEMENTS

Due to the proximity of the application site to the coast, the New Zealand Coastal Policy Statement is also considered to be a relevant matter for consideration. The relevant objectives and policies of the District Plan for this application are considered to be:

Objective 1 – to safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:

- maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature;
- protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and
- maintaining coastal water quality and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.

The property is not identified as having significant ecological value and the proposal does not involve the removal of any healthy vegetation. The building has been designed to nestle into the foredune maintain the form and function of this key coastal area and dune system while proposing minimal earthworks. Additional planting along the southern bank of the Tikotu Stream will enhance the ecological values by reintroducing native species. The overall dune system will not be modified, and measures will be put in place during construction to ensure any effects on water quality will be suitable mitigated.

Objective 2 - to preserve the natural character of the coastal environment and protect natural features and landscape values through:

- recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;
- identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and
- encouraging restoration of the coastal environment.

The proposed development is for the purpose of providing a 'gateway' to Kāpiti Island and for encouraging education of the natural processes and values of the Kāpiti Coast and Kāpiti Island. Land modifications will be made in the scraping of the ground to ensure a level surface for the new carpark. These works are considered to maintain the natural character of the surrounding area. Given its location to the boat launching area and public open space, it is considered that the location of the building in this coastal area is appropriate. The proposed planting of southern bank will help to preserve and return the Tikotu Stream to a more

naturalised state. Encouraging restoration like this will assist in creating a visual preservation of the coastal environment.

Objective 4 - To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:

- recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy;
- maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and
- recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland.

A new bridge and footpaths are incorporated into the design of Te Uruhi. These will link existing connections north and south through Maclean Park and Paraparaumu Beach. The new bridge will be constructed to have a finished floor level above the spring tide to reduce the potential of impeding on water flows. The proposed development is outside of the coastal marine area, however the boat launching (which is an existing activity) is within the coastal marine area and no changes are proposed to this activity. It is considered that the development will improve walking and public access to the coast.

Objective 5 - To ensure that coastal hazard risks taking account of climate change, are managed by:

- locating new development away from areas prone to such risks;
- considering responses, including managed retreat, for existing development in this situation; and
- protecting or restoring natural defences to coastal hazards.

As part of the overall works, the Tikotu Stream will be reshaped to allow for a higher quality water flow. These works include replacing the northern edge timber retaining wall, constructing a smaller timber retaining wall along the southern edge, excavating the stream bed, and widening the channel along the banks and planting with native species. The proposed walls and planting will assist in minimising erosion of the stream banks. As set out in the effects assessment above in section 4.2 coast hazards effects are appropriately mitigated and effects will be less than minor.

Objective 6 - to enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:

- the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;
- some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;
- functionally some uses and developments can only be located on the coast or in the coastal marine area;
- the coastal environment contains renewable energy resources of significant value;
- the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;
- the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;

- the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and
- historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.

The proposal will provide a key local and international tourist facility that will improve marking, access and biodiversity controls for Kāpiti Island. This will provide support the social and economic wellbeing of the Kāpiti residents. The inclusion of art will also support cultural wellbeing. The proposal will result in the alteration of localised topography, scraping the ground to allow for a relatively flat surface for carparking, and widening the stream channel. The works have been limited and do not physically impact on neighbouring activities or the upstream or downstream stretches of the Tikotu Stream. The visual changes will be managed through the introduction of native planting of the site, softening the proposed built environment and providing a more coastal environment landscape to look at.

The proposed works do not compromise the health and safety of the people using the site or the surrounding community. It must be acknowledged that the works do not impact on the coastal marine area, any renewable energy resources. The design of the proposal is largely within the confines of the existing Maclean Park carpark, and as such is considered to not impact on any existing habitats of living marine resources. Overall, the intention of Te Uruhi is to provide for the social, economic and cultural well-being of the Kāpiti Coast community.

Policy 6 Activities in the coastal environment

(1) In relation to the coastal environment:

- b. consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment;
- c. encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth;
- e. consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area;
- f. consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable;
- i. set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; and

Te Uruhi provides for a more robust biosecurity measure to protect Kāpiti Island from current and future threats, while also providing for the opportunity to communicate the unique stories and history of the area. The proposal supports the Maclean Park Reserve Management and Development Plans which laid out the opportunity for such a building to be constructed and in this location. It is considered that proposal will not impact on the ability for people to access the coastal environment and will actually provide positive effects of bringing more people to the area. There is a positive impact on tourist activities of national or regional importance.

The built structures have been appropriately setback from water bodies. This work will be undertaken outside of the coastal marine area and aim to protect the natural character of the coastal environment.

Policy 13 Preservation of natural character

(1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:

- a. avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and
- b. avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by:
- c. assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and
- d. ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions.

(2) Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:

- a. natural elements, processes and patterns;
- b. biophysical, ecological, geological and geomorphological aspects;
- c. natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;
- d. the natural movement of water and sediment;
- e. the natural darkness of the night sky;
- f. places or areas that are wild or scenic;
- g. a range of natural character from pristine to modified; and
- h. experiential attributes, including the sounds and smell of the sea; and their context or setting.

The proposal will represent a visual change to the existing environment, however has been designed with neutral tones and representative artworks displaying the history of the area. However, the proposed planting will mitigate the visual effects and this change will not be noticeable for the public using the beach. Plants will be endemic to Kāpiti's coastal-dune environment to remain consistent with the surrounding local environment and support local ecological processes. The proposal site is not identified as an area of high natural character.

Policy 14 Restoration of natural character

Promote restoration or rehabilitation of the natural character of the coastal environment, including by:

- a. identifying areas and opportunities for restoration or rehabilitation;

Planting of native species will be undertaken through the proposal area and extend to the southern bank of the Tikotu Stream. The areas of planting are identified on the landscape plans on at Appendix 5.

Policy 15 Natural features and natural landscapes

To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development:

- a. avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and

- b. avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment; including by:
- c. identifying and assessing the natural features and natural landscapes of the coastal environment of the region or district, at minimum by land typing, soil characterisation and landscape characterisation and having regard to:
 - i. natural science factors, including geological, topographical, ecological and dynamic components;
 - ii. the presence of water including in seas, lakes, rivers and streams;
 - iii. legibility or expressiveness—how obviously the feature or landscape demonstrates its formative processes;
 - iv. aesthetic values including memorability and naturalness;
 - v. vegetation (native and exotic);
 - vi. transient values, including presence of wildlife or other values at certain times of the day or year;
 - vii. whether the values are shared and recognised;
 - viii. cultural and spiritual values for tangata whenua, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features;
 - ix. historical and heritage associations; and
 - x. wild or scenic values;
- d. ensuring that regional policy statements, and plans, map or otherwise identify areas where the protection of natural features and natural landscapes requires objectives, policies and rules; and
- e. including the objectives, policies and rules required by (d) in plans.

Construction of Te Uruhi will largely take place within the outer bounds of the existing carpark. Due to this existing use, it is considered that the proposal will not directly affect an area identified as having outstanding natural features. The project site is located in an area that is highly accessible to the public (being Maclean Park), who also use the adjacent coastal environment (Paraparaumu Beach). The reshaping of the southern stream bank will be the greatest change in the existing landform. However, this change is considered to achieve a positive outcome by returning the stream to a more naturalised state and introducing coastal species back to the area. Additionally, this planting will minimise the potential for erosion and allow for the natural stream processes to be maintained through to the coastal marine area. The proposal is considered to be appropriate for this location along the coastal area.

Policy 17 Historic heritage identification and protection

Protect historic heritage in the coastal environment from inappropriate subdivision, use, and development by:

- a. identification, assessment and recording of historic heritage, including archaeological sites;
- b. providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki;
- c. initiating assessment and management of historic heritage in the context of historic landscapes;
- d. recognising that heritage to be protected may need conservation;
- e. facilitating and integrating management of historic heritage that spans the line of mean high water springs;
- f. including policies, rules and other methods relating to (a) to (e) above in regional policy statements, and plans;

- g. imposing or reviewing conditions on resource consents and designations, including for the continuation of activities;
- h. requiring, where practicable, conservation conditions; and
- i. considering provision for methods that would enhance owners' opportunities for conservation of listed heritage structures, such as relief grants or rates relief.

Collaboration with relevant heritage parties has been incorporated into the development process. Members of Iwi (Te Āti Awa ki Whakarongotai and Ngāti Toa Rangatira) have been involved in the governance group of the project and have been consulted individually. Cultural impact assessments have been prepared. An archaeological assessment of Maclean Park has been undertaken and is available at Kāpiti Coast District Council. Where possible the design of the building has incorporated areas for artwork relating to the historical events and owners of the site. In addition, the proposal incorporates two carved pouwhenua and a waharoa.

Policy 18 Public open space

Recognise the need for public open space within and adjacent to the coastal marine area, for public use and appreciation including active and passive recreation, and provide for such public open space, including by:

- a. ensuring that the location and treatment of public open space is compatible with the natural character, natural features and landscapes, and amenity values of the coastal environment;
- b. taking account of future need for public open space within and adjacent to the coastal marine area, including in and close to cities, towns and other settlements;
- c. maintaining and enhancing walking access linkages between public open space areas in the coastal environment;
- d. considering the likely impact of coastal processes and climate change so as not to compromise the ability of future generations to have access to public open space; and
- e. recognising the important role that esplanade reserves and strips can have in contributing to meeting public open space needs.

Construction of Te Uruhi will take place within Maclean Park, an open space for the public's use. Apart from the reshaping of the southern Tikotu Stream bank, any land modifications will be limited to scraping of the ground to ensure a relatively flat surface. This development takes into account for the usability of this building as a public space while also serving its purpose as a gateway and biosecurity needs for visitors to Kāpiti Island. The development will not impact on coastal processes or effects rising from climate change and no esplanade reserve or strip is required.

Policy 19 Walking access

(1) Recognise the public expectation of and need for walking access to and along the coast that is practical, free of charge and safe for pedestrian use.

(2) Maintain and enhance public walking access to, along and adjacent to the coastal marine area, including by:

- a. identifying how information on where the public have walking access will be made publicly available;
- b. avoiding, remedying or mitigating any loss of public walking access resulting from subdivision, use, or development; and
- c. identifying opportunities to enhance or restore public walking access, for example where:
 - i. connections between existing public areas can be provided; or
 - ii. improving access would promote outdoor recreation; or
 - iii. physical access for people with disabilities is desirable; or

- iv. the long-term availability of public access is threatened by erosion or sea level rise; or
- v. access to areas or sites of historic or cultural significance is important; or
- vi. subdivision, use, or development of land adjacent to the coastal marine area has reduced public access, or has the potential to do so.

Te Uruhi is accessible to all, with ramps provided to the decks, buildings and a new bridge across the Tikotu Stream. Footpaths are provided throughout Maclean Park and continue through the development area. The proposal will not result in the loss of any public walking access, albeit access may be temporary limited during the construction process.

Policy 20 Vehicle access

(1) Control use of vehicles, apart from emergency vehicles, on beaches, foreshore, seabed and adjacent public land where:

- a. damage to dune or other geological systems and processes; or
- b. harm to ecological systems or to indigenous flora and fauna, for example marine mammal and bird habitats or breeding areas and shellfish beds; or
- c. danger to other beach users; or
- d. disturbance of the peaceful enjoyment of the beach environment; or
- e. damage to historic heritage; or
- f. damage to the habitats of fisheries resources of significance to customary, commercial or recreational users; or
- g. damage to sites of significance to tangata whenua; might result.

(2) Identify the locations where vehicular access is required for boat launching, or as the only practicable means of access to private property or public facilities, or for the operation of existing commercial activities, and make appropriate provision for such access.

(3) Identify any areas where and times when recreational vehicular use on beaches, foreshore and seabed may be permitted, with or without restriction as to type of vehicle, without a likelihood of any of (1)(a) to (g) occurring.

Te Uruhi will not impede on the existing vehicle access to the beach, foreshore, seabed or public land. The bridge will connect the building and the Kāpiti Boat Club safely, without impacting on the safe and efficient functioning of this boat ramp. Heritage effects will be managed and cultural impact assessment are being undertaken.

Policy 25 Subdivision, use, and development in areas of coastal hazard risk

In areas potentially affected by coastal hazards over at least the next 100 years:

- a. avoid increasing the risk of social, environmental and economic harm from coastal hazards;
- b. avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;
- c. encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards, including managed retreat by relocation or removal of existing structures or their abandonment in extreme circumstances, and designing for relocatability or recoverability from hazard events;
- d. encourage the location of infrastructure away from areas of hazard risk where practicable;
- e. discourage hard protection structures and promote the use of alternatives to them, including natural defences; and
- f. consider the potential effects of tsunami and how to avoid or mitigate them.

The proposed building will be designed and constructed as a relocatable building. Therefore, if coastal hazards (such as erosion) increase in their extent, the building could be pulled apart and shifted to a new location. Refer to Miyamoto International New Zealand's letter attached

at Appendix 3. Additionally, the proposed bridge has been constructed above the mean spring tide and has taken into account the percentage risks of climate change and sea level rise.

Overall, it is considered that the proposed development is not contrary with the objectives and policies of the New Zealand Coastal Policy Statement and any actual or potential visual or character-related effects are considered to be less than minor.

The National Policy Statement for Urban Development (NPS-UD) is considered to be relevant to this application. The objectives and policies of most relevance to the proposal are:

Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

Objective 4: New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities and future generations.

Objective 8: New Zealand's urban environments:

- (a) support reductions in greenhouse gas emissions; and
- (b) Are resilient to the current and future effects of climate change

The proposal will facilitate a new destination improving the departure point for Kāpiti Island tours. Te Uruhi will be an iconic visitor experience, bringing together the community, cultural values and visitors to the district. The building has been designed to respond to its surrounding environment and any potential hazards and adaptability around climate change.

Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:

- (a) have or enable a variety of homes that:
 - (i) meet the needs, in terms of type, price, and location, of different households; and
 - (ii) enable Māori to express their cultural traditions and norms; and
- (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
- (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
- (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and
- (e) support reductions in greenhouse gas emissions; and
- (f) are resilient to the likely current and future effects of climate change.

The proposal is considered to be consistent with Policy 1. The site is zoned for conservation and scenic open space activities and is well connected to local transport networks, community services, and natural/open space. Due to the size of the site, it is considered that the benefits and costs associated with the proposal are limited to the district scale. In this regard, the proposal is considered to have benefits as the proposal would introduce a new destination for departures to Kāpiti Island. It will also represent a more efficient use of an existing urban land that is resilient to climate change effects and supports greenhouse gas reductions. As such, the proposed development will contribute to a well-functioning urban environment.

Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.

Policy 2 generally requires local authorities to provide sufficient capacity to meet expected business land demand. Whilst not located within a working zone, the proposed retail component of the building is aligned with the general intent of the Open Space (Conservation and Scenic) Zone, being for departures and functions associated with Kāpiti Island. The development will contribute to the provision of business land associated with tourism and some limited retail activities.

Policy 3: In relation to tier 1 urban environments, regional policy statements and district plans enable:

- (a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and
- (b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and
- (c) building heights of least 6 storeys within at least a walkable catchment of the following:
 - (i) existing and planned rapid transit stops
 - (ii) the edge of city centre zones
 - (iii) the edge of metropolitan centre zones; and
- (d) in all other locations in the tier 1 urban environment, building heights and density of urban form commensurate with the greater of:
 - (i) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services
 - (ii) relative demand for housing and business use in that location

The proposal is considered to be consistent with Policy 3d. The proposed development will utilise the requirements of the NPS-UD and reflect the demand for business use in the wider environment. Overall, the accessible proximity to transport networks, commercial activities and community services justifies a land use intensification that is in general accordance with the District Plan. As council's are incorporating these policies into their District Plans it is clear that the Paraparumu Beach area will have changed zoning and will in future support higher intensity development. This can be considered an area of future change and urban renewal.

Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:

- (a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement
- (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:
 - (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and
 - (ii) are not, of themselves, an adverse effect
- (c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)
- (d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity
- (e) the likely current and future effects of climate change.

The proposal is considered to be consistent with Policy 6. The proposed development ensures that people, communities, and future generations will benefit from additional business that does not create adverse effects in itself. The proposal will contribute to a well-functioning urban environment for tourists visiting the islands and locals using the park and surrounding area. As stated above, the proposal is consistent with Policy 1 and the overall direction of the National Policy Statement.

Policy 9: Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must:

- (a) involve hapū and iwi in the preparation of RMA planning documents and any FDSs by undertaking effective consultation that is early, meaningful and, as far as practicable, in accordance with tikanga Māori; and
- (b) when preparing RMA planning documents and FDSs, take into account the values and aspirations of hapū and iwi for urban development; and
- (c) provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and
- (d) operate in a way that is consistent with iwi participation legislation.

The proposal is considered to be consistent with Policy 9. The proposed development will take into account the values and aspirations of hapū and iwi and extensive consultation has been undertaken (refer to Appendix 4 for the Cultural Impact Assessments).

Policy 11: In relation to car parking:

- (a) the district plans of tier 1, 2, and 3 territorial authorities do not set minimum car parking rate requirements, other than for accessible car parks; and
- (b) tier 1, 2, and 3 local authorities are strongly encouraged to manage effects associated with the supply and demand of car parking through comprehensive parking management plans.

The proposal is consistent with Policy 11. The proposed development is not required to provide additional parking requirements, however, proposes to provide sufficient parking to mitigate the loss of the existing parking on Marine Parade as part of the development.

Overall, it is considered that the proposed development is not contrary with the objectives and policies of the New Zealand Coastal Policy Statement and any actual or potential visual or character-related effects are considered to be less than minor.

None of the other National Policy Statements are directly relevant to this application.

4.5 OBJECTIVES AND POLICIES OF THE REGIONAL POLICY STATEMENT

The relevant objectives and policies from the Greater Wellington Regional Policy Statement that are applicable to this application are considered to be:

3.2 Coastal Environment

Objectives: 3, 4, 6, 7, 8 and supporting policies: 22, 28, 35, 36, 37, 40, 53

3.8 Natural Hazards

Objectives 19, 20 and supporting policies 51, 52

3.9 Regional form, design and function

Objectives 22 and supporting policies 54, 55, 57, 58

3.10 Resource Management with tangata whenua

Objectives 28 and supporting policies 49

Within proximity of the work site, the character of the area consists of a coastal edge. This environment reflects a modified landscape that has been largely re-naturalised and is characterised by poorer more mixed vegetative dune habitat than its pre-human condition. Long flat expanses of beige - brown sand characterise the stretch of Paraparaumu Beach. Stream outflows, in particular the Tikotu Stream are ecologically degraded, and habitat provision along stream banks directly connecting into the beach are highly modified. Te Uruhi, carparking and landscaping are considered to have a positive impact on the integrity, functioning and resilience of physical ecological processes. Public access and open space, while restricted during construction, will be maintained and will be in keeping with the pre-construction values.

The proposal is considered to directly align with the regional form, design and function objectives and policies as it is well-designed, can be adequately serviced, and is situated within an area encouraged for public buildings and a gateway to Kāpiti Island. The buildings are of a high architectural standard and affords an attractive urban form. The development has comprehensively integrated functionality and serviceability into the design and operation of the site.

Overall, it is considered that the proposed development is not contrary with the objectives and policies of the Regional Policy Statement

4.6 OBJECTIVES AND POLICIES OF THE OPERATIVE DISTRICT PLAN

The relevant objectives and policies of the Operative District Plan for this application are outlined in Appendix 16. In summary, the proposal is not contrary with the anticipated and desired environmental outcomes of the objectives and policies considered to be relevant to this application.

4.7 OBJECTIVES AND POLICIES OF THE DISTRICT PLAN 1999

The relevant objectives and policies of the Operative District Plan for this application are considered to be:

C.9 – Coastal Environment

- Objective 1.0 - Protection of Natural Coastal Values
 - Policy 2

The key directives of the above objective and policy is ensuring that the amenity and ecological values of the coastal environment are maintained. Presently, the predominant character of the area is a modified landscaped comprising mixed vegetation, an ecologically degraded stream, and a carpark area. The proposal represents the construction of three buildings, a new carpark and areas of landscaping with native species. The proposed landscaping and neutral tones of the building will aid in keeping with the predominant character within the surrounding area. In event that coastal hazards impede on the buildings, they are constructed in a way that they can be relocated from the site and reconstructed elsewhere.

This property within the coastal environment is privately owned (by Kāpiti Council District Council), has long been zoned under the Kāpiti Coast District Plan as Open Space and is used in conjunction with its zoning by members of the public. For the duration of construction public access will be maintained and will only be restricted on a temporary basis.

The proposal has been assessed as having less than minor effects on the public, wider ecological environment, and other users of the coastal marine area. As such, it is considered that the proposal generally aligns with the objectives and policies of the Regional Coastal Plan.

4.8 SECTION 104D OF THE ACT – GATEWAY TESTS

As the proposal is a Non-Complying Activity, the proposal must be assessed in terms of section 104D of the Act and the gateway tests. The gateway tests are whether the adverse effects of the proposal are more than minor or whether the proposal is contrary to the Objectives and Policies of the District Plan. The assessment of environmental effects contained in this report concludes that any actual or potential adverse environmental effects associated with the proposal will be no more than minor. As such, the proposal is considered to not pass the first gateway test.

The proposal is considered to generally meet the relevant Objectives and Policies of the District Plan. The proposal therefore passes the second gateway test.

It is therefore considered that in this case, Council's ability to grant resource consent for this proposal is not hindered by section 104D of the Act.

4.9 OTHER MATTERS

The Maclean Park Reserve Management Plan is a relevant consideration in the assessment of this application because it demonstrates the Kāpiti Coast District Councils desire to have a 'gateway' (or visitors centre) within Maclean Park. This signal in the management/ development plan required further investigation and design work before any consents were sought. This application comes after investigations, assessments and design work have been completed. The proposal uses the pre-determined location within Maclean Park and aims to restore the southern margin of the Tikotu Stream. It is considered that the proposed development meets the intended outcomes of the Maclean Park Reserve Management Plan. This plan has also been through a public consultation process.

4.10 PART II OF THE RESOURCE MANAGEMENT ACT

Section 5: Purpose and Principles of the Resource Management

Section 5 identifies the purposes and principles of the Resource Management Act 1991 and states:

“sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

It is considered that the proposal achieves the sustainable management purpose of the Act because the proposal will allow for the Kāpiti Coast District to provide education on the natural and cultural environment of Maclean Park and Kāpiti Island. It will bring visitors to the District, while minimising the risks of natural hazards and climate change. The proposed works can be carried out in a way that ensures the health and safety of people and safeguards the life-supporting capacity of soil, water and ecosystems. The proposal will therefore help to provide for the social and economic wellbeing of people and communities. The proposal is not considered to limit the capacity of the land or coastal environment to meet the needs of future generations.

Section 6: Matters of National Importance

Section 6 of the Act identifies the matters of national importance which are required to be recognised and provided for when assessing this application. The relevant Section 6 matters that require consideration are:

- (a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development*
- (c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna*
- (d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers*
- (e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*
- (h) The management of significant risks from natural hazards.*

The proposed works will largely be undertaken outside of any waterbody and will be in keeping with the predominant character of the coastal environment. While public access will be restricted at times during construction, full thoroughfare will be improved in the long term. Local Iwi have been engaged through the governance group and consultation has been undertaken which resulted in a cultural impact assessment being prepared. Consultation will continue through the final design stage of aspects of Te Uruhi. The application property is subject to two flood hazards (ponding and stream corridor). The likelihood of these flood hazards occurring on the application property is a 1 in 100 year return period event. The proposed buildings will have finished floor levels above the flood hazards, are relocatable and will be designed in accordance with the geotechnical findings. Therefore, it is considered the proposal will not adversely impact on the flooding hazard, coastal hazard and earthquake hazards. As such, the proposal is considered to provide for these matters of national importance.

Section 7: Other Matters

Section 7 of the Act identifies the other matters which particular regard must be had in relation to the use, development, and protection of natural and physical resources.

Of these matters: s7(b) the efficient use and development of natural and physical resources; s7(c) the maintenance and enhancement of amenity values; s7(f) the maintenance and enhancement of the quality of the environment; and s7(i) the effects of climate change have been duly considered and assessed in Section 4.2 of this report.

Section 8: Treaty of Waitangi

Section 8 of the Resource Management Act requires applications to take into account the principles of the Treaty of Waitangi.

The application site is not identified as having any particular cultural or historic significance under the Proposed District Plan. However, as part of the development of the Maclean Park Reserve Management Plan a Cultural Impact Assessment was undertaken and illustrated that this is an area that is of great value to Te Ātiawa ki Whakarongotai. Te Ātiawa ki Whakarongotai have also provided a Mana Whenua Assessment on the proposed Te Uruhi, and a copy of this assessment is attached at Appendix 4. It is acknowledged that Ngāti Toa also have a connection to the site, and as such have also prepared a Cultural Values Assessment. A copy of this CVA is also attached at Appendix 4. Of importance, is that this site, while not identified in the District Plan, is of significance to Te Ātiawa as it is located within a wider area known as Te Uruhi. “Te Uruhi contains connections to pā sites and the hapū Ngāti Puketapu who whakapapa to this area.” We acknowledge these connections and note that specific design features are yet to be finalised and will incorporate input from the relevant iwi groups. Both of the site-specific assessments made recommendations for the development, and the applicant has provided a response to these. A copy of our response is bundled with the assessments at Appendix 4.

We propose to adhere to the accidental discovery protocol for the duration of the earthworks.

SECTION 5

CONCLUSION

The applicant seeks resource consent for the construction of new buildings in the northern end of Maclean Park, Paraparaumu Beach. An encroachment agreement is also sought with Kāpiti Coast District Council's Roding Team for part of the building within legal road. The intention of the building is to serve as a gateway to Kāpiti Island.

The proposed development will comprise a small retail space (Visitors Pod) on the western side, comprising a floor area of 112.5m². The 102m² eastern side of the building will be utilised for biosecurity purposes to protect Kāpiti Island. The finished floor level of the building is 3.4MASL, which is above the Q100 flood level for the site. There is 324m² of decking, located between the two internal spaces and to the north of the biosecurity area. A new footbridge will be constructed over the Tikotu Stream, comprising an area of 32m², which will connect to a landing area comprising a modular boardwalk on the northern side of the stream. A rope handrail will be installed to the north to demarcate the 'road' and boat launching access from the pedestrian waiting area.

The intention is that this area can be used for temporary events. Any such events will need to apply for resource consent individually to be assessed on a case by case basis.

Artwork is also proposed to be installed on the building and around the site. This artwork includes:

- a carved Waharoa onto the structure, as an entrance to the building;
- a large Pouwhenua, approximately 6 metres in height, on the beach side of the Visitors Pod;
- a smaller Pouwhenua which frame the western side of the new carpark and lead pedestrians from Maclean Park up to the Gateway buildings; and
- display panels leading up from Marine Parade. These would support permanent or changing artwork, interpretation panels or wayfinding graphics.

Landscaping will be undertaken around the proposed building and along the southern stream edge. The landscaping undertaken will be species endemic to Kāpiti's coastal-dune environment.

Earthworks are required to be undertaken within a stream corridor hazard, of up to approximately 135m³ in volume of cut. The areas of cut will have a maximum depth of 1.4m. All earthworked areas will be suitably retained by a small retaining wall and planting. Earthworks will also be undertaken at the southern end of MacLean Park to expand the carparking. These earthworks will be approximately 550m³ and will alter the original ground level by no more than 1m.

This report has considered all actual and potential adverse effects of the proposal and finds these to be less than minor. This report also finds that the proposal is consistent with the relevant Objectives and Policies of the Operative and Proposed District Plans as well as Part II of the Resource Management Act 1991. It is therefore considered that the Council can grant consent to the proposal on a non-notified basis, subject to the imposition of appropriate conditions.

We request that draft conditions be circulated to us prior to the release of the resource consent decision.

--

INDEX TO APPENDICES

1. Records of title
2. Building Encroachment Plan, prepared by Cuttriss Consultants Ltd
3. Structural Engineer Letter, prepared by Miyamoto International NZ
4. Cultural Impact/Values Assessments, prepared by Te Āti Awa ki Whakarongotai and Ngāti Toa
5. Architectural plans, prepared by Athfield Architects Limited and Landscaping Plan prepared by Wraight and Associates Limited
6. Parking and associated earthworks plans, prepared by Cuttriss Consultants Limited
7. Stormwater Disposal Report, prepared by Cuttriss Consultants Limited
8. Landscape and Visual Effects Assessment, prepared by Beca Limited
9. Transport Impact Assessment, prepared by Beca Limited
10. Geotechnical Assessment and Liquefaction Analysis Report, prepared by Miyamoto International NZ
11. District Plan Overlay Plans, prepared by Cuttriss Consultants Ltd
12. Letter of Support provided by Hon. Eugenie Sage
13. Design of Re-routed Stormwater Pipes, prepared by Christensen Consulting Ltd
14. Terrestrial and Stream Ecological Impact Assessment, prepared by Cardno (NZ) Ltd
15. Tree Removal Methodology, prepared by Treescape
16. Proposed District Plan Objectives and Policies Assessment Table