

Application to
Kapiti Coast District Council
for
Resource Consents
48 Riverbank Road, Otaki



December 2006

EXECUTIVE SUMMARY

- This document is an application to Kapiti Coast District Council (KCDC) for land use and subdivision consents.
- The purpose of this document is to describe in sufficient detail all aspects of the subdivision and land use activities required to complete a subdivision of the land to create allotments suitable for industrial development. The land is identified in the Kapiti Coast District Plan as being within the Industrial/Service zone. The proposed subdivision is a controlled activity under the rules of the District Plan, while a discretionary activity consent is required for the earthworks component.
- This application has been prepared in accordance with the requirements of the Kapiti Coast District Plan and includes detail of the development proposal, and accompanying plans. An assessment of environmental effects has been prepared in accordance with the requirements of Section 88(2) of the Resource Management Act 1991 ('the Act'), and the information requirements (Part F) contained within the Kapiti Coast District Plan.
- The assessment in the application shows that the proposed development is consistent with the objectives and policies of the Kapiti Coast District Plan. The development can be viewed with due consideration by KCDC as a sustainable use of this land resource.
- The allotment is located within the Industrial/Service Zone in the District Plan, and identified in the plan as being partially within the 'overflow path' and partially within the 'overflow fringe' areas associated with the Otaki River.
- The subdivision of this land, with associated vesting of land as road and reserve, is consistent with the purposes for which the land is zoned. The proposal is one that Part 2 of the Resource Management Act ('the Act') seeks to enable, and provision will be made for the matters of national importance and adverse environmental effects upon the natural and physical environment can be adequately mitigated.

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1.0 PURPOSE STATEMENT

1.1 INTRODUCTION

This document presents an assessment of effects on the environment (AEE) to accompany the application by Pritchard Group Limited on behalf of Riverbank Estates Limited for resource consent to undertake a subdivision and carry out associated roading and earthworks so the land can be progressively development for industrial activities. The proposed earthworks and the subdivision are both addressed in this application.

The AEE has been prepared in accordance with the requirements of section 88(4)(b) of the Resource Management Act, 1991 ('the Act'). The assessment has been prepared,

- in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment; and
- in accordance with the fourth schedule of the Act.

1.2 WHAT IS THE PURPOSE OF THIS APPLICATION?

The purpose of this application is:

- To describe in sufficient detail all aspects of the development required to complete a subdivision of the land.
- To seek approval from KCDC for the granting of resource consents to undertake the subdivision and land use activities.
- To provide information to KCDC on the existing site conditions and the intentions of the applicant for this site. The applicant has provided this information in detail appropriate to the scale and significance of the proposal.
- To provide this information in sufficient detail and accuracy so that KCDC can process the application pursuant to the provisions of the Act.

2.0 SITE DESCRIPTION

2.1 ZONING AND LEGAL DESCRIPTION

Street Address: 48 Riverbank Road, Otaki (See Appendix 1 for locality plan)

Legal Description:	Pt Pahianui B5B – WN24B/676 (See Appendix 2 for certificate of title)
Total Area of Subdivision:	6.7566 hectares
District Plan Zoning	Industrial/Service (See Otaki Planning Maps 10 and 11)
Operative District Plan Notations	Part overflow path and part overflow fringe (refer Flood Hazard Map 1) 1% flood extent (refer Otaki Planning Map 11) Designation – D1132 [plantation reserves] Footway alignment
Change No. 50 to District Plan	Part overflow path, part residual overflow, part ponding, and part residual ponding (refer Appendix 3)

2.2 PATTERN OF LAND OWNERSHIP/ADJOINING PROPERTIES

The northwest boundary of the site is adjoined by three industrial allotments, Lot 8 DP 45356, Lot 27 DP 47858 and Lot 26 DP 47858. Eleven residential properties, that gain access via Kirk Street, adjoin the northeast boundary of the site. A further fourteen industrial lots, which front onto Riverbank Road, flank the southeast boundary of the site. The property abutting the southwest boundary of the site (ML 3328) also has frontage onto Riverbank Road.

2.3 SITE FEATURES

2.3.1 Topography

The site displays a gently undulating topography, gradually rising from an 8.5 metre contour at the western boundary to a 10 metre contour at the eastern boundary of the property. A contour plan is included with this application (refer Appendix 4). The site contains no predominant or significant landforms.

2.3.2 Soil

Site investigations indicate that the soil profile is predominately made up Hautere/Takapau stony silt loam over gravel.

2.3.3 Vegetation

Predominant vegetation onsite consists of weeds and pasture including patches of gorse and broom. No significant native vegetation has been identified in the area to be developed.

2.3.4 Surface Water

The Kiangaraki Stream, a dry watercourse, flanks the northeast boundary of the site (see Otaki Planning Map 11). However, no streams or other permanent watercourses pass through the site or will be affected by the proposal.

2.3.5 Flood Hazard

Flood hazard map 1 in the Operative District Plan suggests that approximately 31 percent (2.16ha) of the site is located within the 'overflow path' and approximately 57 percent (3.87ha) of the site is covered by 'overflow fringe'.

The Council has notified plan change No. 50 under which the flood hazard areas will be revised and amended. The Council has made decisions on plan change No. 50 but it is not yet operative as appeals have been filed and are not yet resolved.

2.3.6 Existing Use

The site is currently undeveloped and is predominately used for horse grazing. A 15 metre wide grass buffer, designated 'plantation reserve' (D1132) extends along the northeast boundary of the site (see Otaki Planning Map 11).

3.0 THE PROPOSAL

3.1 SUMMARY OF INTENT

The specific aim of this development is to create an industrial centre that will attract businesses to relocate to Otaki. A proposal of this nature will generate employment and income within the local community, will provide growth and investment opportunities and will provide a more efficient use of the land resource. The proposal includes the following elements.

3.2 LOTS AND ROADING

In order to utilise the site more efficiently, for the purpose of which it has been zoned, it is proposed to subdivide the site to create a number of industrial lots that could accommodate industrial activities in compliance with the permitted activity rules of the District Plan. The overall subdivision layout is shown on the attached plan (Appendix 5). A plan is also attached indicating how each site could be developed in terms of building area, parking spaces, and loading bays (refer Appendix 6).

The proposed lots range in size from approximately 471 to 2418 square metres. The nature of industrial uses means that a subdivision layout is largely unable to predetermine the exact size and dimensions of allotments that may be preferred by prospective purchasers. While the subdivision is expected to proceed generally in the form presented, some flexibility is sought in terms of the final configuration of the layout, and incorporation of this flexibility into the corresponding conditions of the consent is requested.

The subdivision has been designed to achieve compliance with the standards for a controlled activity subdivision (section D.5.2.2 of the District Plan). As shown on the subdivision plan one lot with an area of 1484 square metres will be created adjacent to the north-western boundary of the site. To maintain the flood overflow path this part of the site needs to be kept free of any permanent building obstructions. This lot will therefore be used for parking associated with activities occupying Lots 28 to 33, and will accordingly be held in common ownership with an amalgamation condition imposed under section 220(1)(b)(iv) of the RMA.

Most of the site is currently identified as being subject to flooding of one form or another. Mr P Purves of WRC has been consulted about this potential constraint to development on the site. He has indicated that completion of the upgrade work on Chrystalls Bend stopbank will result in the flood hazard on the site becoming residual flooding. The subdivision of the land will therefore be undertaken in two primary stages; Stage One comprising the land currently located in the flood fringe area, and Stage Two comprising the remainder of the land. Stage Two will not be undertaken until the Chrystalls Bend stopbank upgrade work is completed in June 2008. Furthermore, each primary stage of the subdivision has been divided into sub-stages. Plans are attached to the application that show the proposed staging (Appendix 7). A

schedule of lot areas is also attached (Appendix 8). As shown on the plan for the second stage subdivision a no-build area within Lots 24 – 30, and Lot 38 to ensure that buildings/structure are not erected in the residual overflow path.

As shown on the proposed subdivision plan new roads will be constructed to serve the subdivision, with the main road linking Miro Street in the west to the (un-named) short road located between 46 and 50 Riverbank Road. This main road will be 230 metres long and its width will be about 20 metres. Three short cul-de-sacs off this main road are proposed and each of these will have a turning circle with a diameter of about 38 metres to accommodate heavy articulated vehicles. Roads will be constructed at existing ground level contours rising and falling at grades of approximately 1 in 200 for stormwater management.

Eleven of the proposed lots will have direct frontage to this main road while access to the other lots will be from the cul-de-sacs. In some cases, access will be via leg-in strips; for example, to Lots 4 and 6, and to Lots 32 and 33. In these cases it is likely that a shared access will be formed and therefore right of way easements will be required. Where appropriate any right of way easements will be shown on the survey plan submitted to the Council for approval.

As shown on the plans of proposed subdivision, the land designated in the District Plan as plantation reserve will be vested as reserve with the Council. This reserve and the abutting road will provide a substantial buffer between the subsequent industrial activities and the residential properties to the north-east.

3.3 BUILDING PLATFORMS

So new owners can achieve compliance with the District Plan's requirements for building levels in flood hazard areas it is proposed to form building platforms within the lots. The finished levels will be above the 1:100 year flood extent. WRC recommends the 100-year flood level as the minimum floor level (to underside of joist) for the subject property. Correspondence received from the WRC, confirms that the 100-year flood level over the site ranges from 8.7 (mean sea level) at the western end to 10.0 (mean sea level) at the eastern end (see correspondence with the Wellington Regional Council, dated 19 August 2005 – Appendix 9). The topography and the height of the

flood hazard vary within the site. The proposed building sites will be elevated to avoid the identified flood hazard which will require raising the ground level by up to 0.9 metres. A conceptual plan is included with the application showing the extent of the filling required (refer Appendix 10).

The raised building sites will ensure that the subdivision complies with the controlled activity standard for subdivisions relating to building sites being established above the 1:100 year flood level.

3.4 FINANCIAL CONTRIBUTIONS

Approximately 4576 square metres of land will vest in Kapiti Coast District Council as plantation reserve. Mr B Whittaker, registered valuer, has estimated the value of this land. Mr Whittaker has also estimated the value of the industrial lots within the subdivision. He has estimated the average value of the new allotments to be about \$66 per square metre, and also estimated the land to vest as plantation reserve has having a value of \$63,000. The vesting of land as reserve represents partial fulfilment of the reserve contributions required in the District Plan.

As noted above provision has been made for a 20 metre wide central roadway linking the proposed Miro Street extension and the road stub extending off Riverbank Road to allow for future development and subdivision of the site. The existing 72 metre long road stub off Riverbank Road is currently formed but not completely constructed to the Council's usual standards. The applicant could possibly complete the construction of this road as part of the development and if this were to be considered desirable then credits for financial contributions should be granted and corresponding remittance of given. The value of the work required to upgrade this road has been estimated to be about \$40,000.

3.5 EARTHWORKS

Earthworks are required to:

- raise low-lying areas of the site;
- protect land and buildings from inundation in a 100 year flood event;
- achieve functional roads and access foundations;
- attain appropriate grades for underground services; and,
- provide practicable building sites and sections.

The attached plan (Appendix 10) shows areas of cut and fill. In total, about 10,000 cubic metres of compacted fill is required within the earthworks site.

In addition, topsoil will be imported into the site to facilitate revegetation and landscaping once the bulk of the earthworks are complete.

3.6 GREEN BELT

The 15 metre wide area adjacent and parallel to the north-eastern boundary, which is the subject of the existing designation for plantation purposes, will be vested with the Council as reserve. There is the opportunity for this to be attractively landscaped by the subdivider and for the Council to form pedestrian access in the future.

3.7 SERVICES

Lots will be connected to public sewage and water reticulation in Riverbank Road or in Miro Street. Stormwater will discharge to ground.

Electricity and telephone services will be provided underground to all lots, and these will be provided through back filled trenches.

Note that the proposed scheme plans (see Appendices 5 and 7) do not show drainage or service easements, however these may be required depending on construction details.

3.8 SIGNS

It is likely that the erection of signs will be associated with the development, including signs associated with the new businesses once they establish on the subdivided lots. The new owners or occupiers of the lots will be required to either comply with permitted standards for signage in the District Plan or alternatively obtain a resource consent. Signage may also be erected for the purpose of directing people to the development. This may be associated with the real estate phase of the development or later as directional signage listing the occupying businesses and located on Riverbank Road. Land-owner approval will be obtained before such signs are erected.

4.0 DISTRICT and REGIONAL PLAN PROVISIONS and RESOURCE CONSENTS SOUGHT

After considering the activities proposed within section 3 of this document, this section outlines the resource consents that are required from the Kapiti Coast District Council and of the Wellington Regional Council.

Consent sought	Activities for which consent is sought
Subdivision Consent	<ul style="list-style-type: none"> Proposed Subdivision – 38 industrial lots, one parking lot to be held in common ownership, and road and reserve to vest
Land Use Consent	<ul style="list-style-type: none"> Earthworks associated with lot development, roading and access. Provision of roading

4.1 KAPITI COAST DISTRICT PLAN

4.1.1 Operative District Plan Zoning and Notations

The site is identified in the district-wide zone maps (Map 3), and the Otaki urban maps (Maps 10 and 11) as being within the industrial/service zone. The site is also shown in the Otaki urban maps as being within the one percent 'flood extent' area, and as being subject to a designation [K1132] in respect of an area adjacent and parallel to the north-eastern boundary of the site, with KCDC being the requiring authority and the purposes of the designation being for plantation reserve. The maps also delineate a 'river, stream, drain' through the northern part of the site and more or less parallel to the north-eastern boundary. Except for the eastern half of the north-eastern boundary, the boundaries are identified as being suggested paths for footways.

4.1.2 District Plan Rules

Subdivision

The proposed subdivision is a controlled activity under D.5.1.2(iii) because all the controlled activity standards in section D.5.2.2 of the District Plan are met, as set out below:

- each of the lots is able to accommodate a building that complies with all the permitted activity standards (refer Appendix 6);

- a development plan showing proposed landscaping is included with the application (refer Appendix 12);
- no buildings are proposed with this application and the reference to a development plan showing proposed buildings is not applicable;
- the esplanade reserve provisions of the District Plan are not applicable;
- each site will have a building site above the 1-100year flood level;
- access to all lots will, or is able to, comply with the standards in Part J of the District Plan; and,
- the stormwater and underground services requirements will be met.

The matters over which the Council has reserved control under Rule D.5.1.2(iii) are:

- the design and layout of the subdivision including earthworks and the degree of compliance with the KCDC subdivision and development principles and requirements 2005;
- the imposition of financial contributions in accordance with Part E of the Plan; and,
- the imposition of conditions in accordance with section 200 of the RMA.

New Roads

Rule D.5.1.2(ii) specifically provides for new roads as a controlled activity with control being reserved over:

- the route of the new road;
- the imposition of financial contributions; and,
- the design and construction of the road.

Earthworks

The earthworks associated with road and access construction, and associated with the formation of building platforms are restricted to the south-eastern part of the site, and are largely outside the part of the site identified in the District Plan as being overflow path. The earthworks within the overflow path area will not exceed the one metre maximum permitted height but will exceed the 20 cubic metre volume limit applicable to earthworks within an overflow path area in section D.5.2.1 of the District Plan. In addition, the total volume of the earthworks will be about 10,000 cubic metres which exceeds the 50 cubic metres to which the District Plan refers. This component of the proposal is therefore a discretionary activity under Rule D.2.1.3(B)(i).

4.2 WELLINGTON REGIONAL PLANS

4.2.1 General Provisions

Under the provisions of the Act the Wellington Regional Council responsibilities include:

- the control of discharges of contaminants into or onto land, air, or water and discharges of water into water; and,
- the control of the taking, use, damming, and diversion of water, and the control of the quantity, level, and flow of water in any water body.

These duties are discharged through the WRC Regional Policy Statement and various activities-based WRC regional plans and the rules and methods contained therein. The Otaki River is identified in Appendix 3 to the Freshwater Plan as being a 'waterbody with nationally threatened indigenous fish recorded in the catchment', but this section of the Otaki River is not included in Appendix 2 as 'surface water to be managed in its natural state'.

4.2.2 Regional Rules

Sediment Discharges to Land

All of the proposed earthwork area is surrounded by vegetation. This vegetation buffer and the separation to the nearest watercourse will result in any runoff discharging to the surrounding land. Rule 2 of the Discharges to Land Plan categorises the discharge of any contaminant onto or into land as a discretionary activity unless the activity:

- is permitted under Rules 1, 3, 4, 9(2), 11, 12, 14, 16 and 18; or
- is a controlled activity under Rule 13, 17, 19 or 22; or
- is a discretionary activity under Rule 8, 10, or 20; or,
- is a non-complying activity under Rule 15.

None of the above is applicable and resource consent is not required for a discretionary activity under Rule 2 of the Discharges to Land Plan.

Rule 1 of the Regional Discharges to Land Plan permits the discharge of contaminants to land providing certain conditions are met. The conditions are:

- (a) the contaminants are stormwater discharged into a pipe which then discharges to surface water; or
- (b) with the exception of Rule 2, the discharge is not regulated by any rule in this Plan; and
- (c) the discharge will not

- (i) result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water in any water body, water supply race, farm drain, or the coastal marine area; or
- (ii) create a contaminated site.

Condition (a): is not relevant because the contaminant does not comprise stormwater in a pipe discharging to surface water.

Condition (b): is met because there is no other rule of the plan that specifically relates to this activity.

Condition (c)(i): is met because measures will be put in place to ensure that the contaminant (in this case soil) will not enter water in any water body, water supply race, farm drain, or the coastal marine area.

Condition (c)(ii): is met because the activity will not result in a contaminated site.

The activity is therefore permitted under the rules of the Discharges to Land Plan.

Use of River Bed

As mentioned in section 3.3 above, the proposed development of the land involves alteration to the ground level within part of the over-flow path of the Otaki River. Rules 9 or 25 of the Freshwater Plan could be deemed to be applicable to this activity but if so the activity would not be permitted as the catchment area of the Otaki River is greater than 50 hectares. Resource consent is therefore potentially required under Rule 49 of the Freshwater Plan to undertake earthworks within the bed of an intermittently flowing river/stream. However, WRC takes the view that an intermittently flowing river/stream is one that contains water continuously for at least 24 hours and at least once every year. This is not the case for the application site. Therefore no resource consent under the Freshwater Plan is required.

5.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

As required under section 88 (4) of the Act, an assessment of environmental effects has been prepared in such detail as corresponds with the scale and significance of the environmental effects associated with the proposed new use of the site.

5.1 INTRODUCTION AND PRINCIPLES OF ASSESSMENT

This section assesses the actual and potential effects that may result from the proposed subdivision and related activities. The assessment of environmental effects (AEE) has been prepared in accordance with the requirements of section 88 of the Act. The assessment has been prepared:

- in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment; and
- in accordance with the fourth schedule of the Act.

As noted above, the proposed subdivision is a discretionary activity. This being the case, the scope of the assessment is not limited only to specific matters, but all the matters that are considered relevant are discussed under the various headings below. Reference is made to provisions of the District Plan as the over-riding planning document relevant to applications for resource consent. In preparing this assessment the relevant objectives and policies of the District Plan [particularly those relating to Industrial/Service Zones (C.7.1), Natural Hazards (C.15) and Earthworks (C.7.3)] have been taken into consideration. The overarching objective in the Industrial Zone (C.5.1) is Objective 1.0 – General:

Sustain and enhance the character of the District's centres of industrial service activity including the amenity values of these areas and efficient use of the transport and service infrastructure and ensuring the adverse effects on the natural environment and on the amenity of nearby residential areas are avoided.

This section will also outline those methods that the applicant will undertake to avoid, remedy or mitigate any actual or potential adverse effects on the environment. In some cases it will refer to the physical aspects of the site and its surrounding area, as outlined in section 3, which aid in this respect. Conditions, which could be imposed on the resource consent, have been drafted (refer Appendix 14), and the applicant wishes to proffer these as appropriate methods of mitigating and/or avoiding the effects.

5.2 POSITIVE EFFECTS

The subdivision will encourage a range of industries to establish in Otaki, which will produce associated benefits for the district. Not only will this development generate employment opportunities and increase growth potential, it will provide the most efficient use of the land resource available.

Section C.5 of the District Plan includes the following statements:

- *Development in the industrial/service environment is vital to the economic well-being of the communities of the district.*
- *They are also major employment generators.*
- *It is important therefore that these areas are managed so that they continue to support industry and are capable of accommodating future growth without creating significant adverse environmental effects.*
- *This will ensure that the district's urban and rural populations are serviced and further job opportunities are provided for.*

The District Plan goes on to state that the environmental outcomes expected from the implementation of the relevant objectives and policies are:

- *Land is available for industrial activities and associated retail activities and dwelling units where necessary.*

The site is currently vacant. The proposal will be a more efficient use of the land. The site is part of the physical environment and an asset to the district that is currently not used to its full potential. The proposal will enable people to be employed and result in new businesses in the district with economic benefits. The development will transform the site so that the land can be developed in recognition of the Council's expectations. The District Plan provisions relating to buildings and developments are sufficient to ensure that any subsequent buildings are well designed and landscaped, and integrate into the existing environment.

The Council's general policy direction for land that is zoned Industrial/Service is generally permissive to a wide range of activities providing any associated environmental effects are managed. The proposal is consistent with this intent and the environmental outcomes expected by the District Plan will be achieved.

5.3 DESIGN AND SERVICING OF THE SUBDIVISION AND DEVELOPMENT

The District Plan does not contain any objectives and policies specifically relating to the design and layout for the subdivision of land within the Industrial/Service Zone. However, the District plan does say that the environmental outcomes from the implementation of Section C.7.4 [Engineering Requirements] are:

- *The district is developed in a planned and orderly manner in harmony with the environment.*

The subdivision configuration will enable a substantial building to be erected on each site with sufficient area to accommodate sufficient parking spaces with associated manoeuvring, safe building sites and drive-on access at appropriate grades. The parking, loading and access provisions of Part J of the District Plan can be met when the lots are developed. Lots have been deliberately been designed to accommodate large building platforms, to allow water to pass through the site virtually unimpeded and to allow for future expansion and subdivision.

Section C.7.4 of the District Plan outlines the Council's objectives and policies relating to the engineering requirements for subdivision and development. This section concludes with the statement that the Council expects the following outcome:

- *The utility services for subdivision and development are sufficient to meet the needs of the district.*

With the implementation of plan change no. 59 the Council now expects an additional outcome and this is that:

- *The District is known for best practice in subdivision design.*

The utility servicing, and roading and access, that is proposed is described in this application above. Public reticulated sewerage and water are available to serve the subdivision, and extensions to these services will be laid. A report from Mr H Wells is attached to this application (Appendix 11). Servicing for the subdivision is also discussed in his report, and the results of his site inspections are presented. As there is no public stormwater reticulation in this part of the district, Mr Wells has investigated the practicality of on-site disposal of stormwater, and he has concluded that there is no constraint given the very high permeability of the soils. Similarly, stormwater collected on the roading surfaces can discharge to swales in the berm.

The proposed road layout will ensure the safe and convenient movement of vehicles within and through the site. The turning head at the end of the short cul-de-sac will enable a 99-percentile truck to turn easily.

Footpaths will be 1.5m wide to provide for the safe and efficient movement of pedestrians.

All lots will have heavy-duty crossings installed.

5.4 POTENTIAL NEGATIVE EFFECTS

5.4.1 Effects on Adjoining Landowners

Section C.5 of the District Plan suggests that developments in the Industrial/Service Zone can “have a significant potential for adverse effects on the immediate and wider environment.”

The most relevant provision of the District Plan is Policy 1 in Section C.5, which is to:

Ensure activities maintain and, wherever possible, enhance the amenity values of the industrial areas of the district as efficient and pleasant working environments by avoiding, remedying or mitigating the adverse effects of industrial activities.

Policy 4 in Section C.5 of the District Plan also refers to amenity values and states:

Ensure that any adverse effects arising from design and style of buildings which adjoin or face the residential zone are avoided, remedied or mitigated through the use of appropriate mitigation methods.

Policy 2 in Section C.5 specifically applies to uses of land within the industrial fringe, and the Council’s policy is to:

Control the adverse effects of industry on adjacent residential and commercial/retail and arterial traffic routes.

The District Plan states that the environmental outcomes expected from the implementation of the objectives and policies is that:

Industrial areas have a pleasant working environment and have minimal adverse effects on adjacent residential or commercial adjoining landowners or in respect of which any adverse effects are avoided, remedied or mitigated.

Visual Effects

District Plan controls relating to the siting of buildings and building height, as well as the 15 metre wide buffer that separates the site from neighbouring properties, will ensure the amenity values of surrounding residents are protected and the visual effects of the development will be minimal. The development itself will be largely consistent with the scale, form and character of development within the surrounding environment.

Development of the site for industrial purposes will result in a change of outlook for neighbouring residents, from pasture to exposed earth for a short period of time, and then to an industrial/service park. This change will not be unexpected, and is inevitable, as the site has been zoned for industrial use for many years and was zoned industrial at the time the adjoining residential neighbourhoods were developed and sold.

During construction, bare earth will be exposed to view temporarily. It is anticipated that earthworks associated with any one stage of the subdivision will occur over a period of approximately three months, save unpredictable factors such as weather. Scarring is an unavoidable and temporary result of earthworks and will be mitigated by re-grassing and revegetation as soon as practicable following completion of the earthworks.

Privacy and Screening

All buildings will need to comply with the bulk and location restrictions set out in the District Plan. Any contravention of the standards will require resource consent to be obtained. To a large extent the location of buildings will be predetermined by the location of the road, the no-building area set, and the contiguous plantation reserve. This will mean that neighbouring houses will be separated from the nearest industrial building by at least 40 metres. Existing fences and vegetation within adjoining lots will provide some screening and privacy for existing residents. This screening will be enhanced once vegetation is established within the plantation reserve.

Vegetation within adjoining properties will not be disturbed unless approval is obtained by the owner/s of that property. It is inevitable that earthworks will be apparent to neighbours adjacent to the site, however it is anticipated that the effects of this will be both temporary and minimal.

Dust and Windblown Material

There will be only minimal effects created by dust and windblown material from earthwork activity, due to the soil type and the nature of surrounding properties. Vegetation on adjoining properties will provide some screening to mitigate the effects of windblown material.

To mitigate the effects of dust and windblown material, the area of exposed earth will be minimised at any one time and progressive topsoiling and revegetation will occur immediately following completion of each stage of works. Earthworks will not occur during periods of high wind and exposed earth will be regularly watered.

These measures will minimise the likelihood of windblown sand creating a nuisance for adjacent residents.

Construction Noise and Vibration

Some construction noise and vibration is unavoidable when preparing a site for industrial subdivision. However construction noise and vibration will only occur temporarily. It is anticipated that earthworks for any one stage of the subdivision will be completed within three months of commencement of construction, however unpredictable factors such as weather may prolong this timeframe. The industrial nature of the surrounding land uses means that any construction noise from the proposed works will be no more than minor.

To mitigate any associated adverse effects, the hours of work during the construction period will be restricted to between 7.30am to 6.00pm Monday to Saturday, with no work allowed on Sundays or public statutory holidays. Exceptions will need to be approved by the Kapiti Coast District Council Resource Consents Manager in consultation with neighbours adjacent to the site.

Machinery Use

All machinery will be parked at least 40 metres from any neighbouring boundary when work has finished for the day. Refuelling will occur away from the property boundaries.

Security/Safety

For security and safety reasons, and to protect the property of adjoining landowners and that of the applicant and its contractors, unauthorised personnel will be prohibited from entering the site. As far as practicable, the applicant will ensure the site is secure during hours outside of operation by erecting suitable signage and blocking vehicular access into the site.

5.4.2 Effects on the Wider Community

Traffic

The District Plan states that the environmental outcomes expected from the implementation of the provisions relating to the transportation network are:

- *The efficient and safe movement of people and goods throughout the district.*
- *The prevention or mitigation of adverse effects associated with transport activities.*
- *The prevention or mitigation of adverse effects on transport routes and networks including State Highways that may be generated by other land use activities.*
- *The maintenance and enhancement of a safe and efficient main roading network.*

The subdivision will generate increased traffic movements on Riverbank Road however it is not anticipated that the subdivision will have any adverse effects on the safe and efficient operation of Riverbank Road. Riverbank Road has a legal width of 20 metres and therefore has sufficient capacity to accommodate the additional vehicle movements.

It is not expected that increased traffic movements will generate adverse noise impacts for other industrial and rural activities located on Riverbank Road. The traffic attributed to the proposed development will represent only a small percentage of a larger volume which can be ascribed to existing activity.

Heavy machinery will be transported to and from the site via Riverbank Road during construction. Once onsite, most machines will remain until the work is complete. All machinery will be loaded and unloaded onsite to avoid disruptions on Riverbank Road.

Infrastructure and Reserves

The proposed subdivision will result in several new vacant allotments and the inevitable construction of industrial buildings and the establishment of industrial activities. This potentially places pressure on reticulated services and roading in the area, and upon the Council's reserves and recreational facilities.

However, as noted above the applicant is prepared to complete the construction work on the short road stub off Riverbank Road, and will also be vesting land that the Council has designated as being required for plantation purposes. A report from a registered valuer, which assesses the value of the land to vest with the Council, is attached to this application (Appendix 13).

The applicant acknowledges that reserves contributions can be required as a condition of consent to subdivide land within the Industrial/Service Zone and that development contributions can be required under the provisions of the Council's development contributions policy under the provisions of the Local Government Act 2002.

However, the applicant seeks a full remittance of the roading development contribution on the basis that work to a value greater than the contribution payable will be undertaken. In addition, the application seeks a partial remittance of the reserves contribution in recognition of the value of the land to vest as reserve.

Linkages

The proposed development will incorporate excellent pedestrian, vehicular, cycle and public transport access. Footpaths alongside roads will be constructed to a minimum width of 1.5 metres wide to provide for the safe and efficient movement of pedestrians.

The site sits in close proximity to public transport services.

Cultural and Heritage Values

Analysis of the Council's heritage register confirms that there are no heritage buildings, ecological sites, geological sites, significant trees, or waahi tapu on the site.

The project will have no impact on the Council's desire to identify and protect sites of cultural and historic significance.

5.4.3 Effects on the Natural and Physical Environment

Earthworks and Landforms

Section C.7.3 of the District Plan contains the Council objectives and policies relating to earthworks.

Policy 1 is to:

Ensure the adverse effects of earthworks on the environment are avoided, remedied or mitigated when considering applications for resource consents for earthworks..."

A number of assessment criteria are listed to which the Council must take account.

Erosion and Sediment

The land within the site slopes at a very gentle grade up from west to east. The average grade is about 1:135 or a slope of about 0.42 degrees. In addition, the soil has very high permeability. These are two of the primary factors determining the rate of soil erosion and the sediment runoff. In addition, there are no watercourses in or adjacent to the site.

The rate of erosion and sediment runoff are proportional to the ground slope and inversely proportional to the soil permeability. Therefore, with all other things being equal these two factors mean that there will be minimal if any soil erosion and sediment runoff during construction, and no specific measures are required.

In any event the physical works will be completed as rapidly as possible to minimise the time earth is being disturbed, and a vegetation buffer will be retained within most of the lower lying part of the site; namely, the area to vest as plantation reserve.

Landform

In respect of the Council's expectations for landforms, the proposed earthworks are relatively minor and the site is not identified as a landscape of any particular significance. There will be no adverse effects on the existing landform and landscapes as a result of the proposed earthworks, as the final contours will generally reflect the existing level contours.

Surface and Ground Water

The site does not encompass a permanent waterway. While part of the site has been identified as a flood over-flow pathway, only rare events would result in there being any water within the site. The site therefore has very limited value as an aquatic habitat. Any physical works required to effect the subdivision would have negligible effects on water quality.

Potential contamination from industrial activities that may eventually establish on the land will be controlled by the relevant provisions of the district and regional plans, and any potential issues addressed when the nature and consequence of the new uses is more definitely known.

From the administration of the District Plan the Council expects developments to be: *“appropriately designed to avoid adverse effects on watercourses and ecological and amenity values are enhanced”*. This subdivision will fulfill those expectations.

Vegetation

No significant vegetation exists on the site. Rank pasture and noxious weeds will be removed during the earthworks. Following the completion of the earthworks, exposed earth will be re-grassed. Landscaping and tree planting will occur as detailed in Appendix 12 to improve the amenity of the development.

Fauna

Site visits indicate that the site does not provide a habitat for any significant fauna. Therefore, the proposed development will have no adverse effects on fauna.

5.4.4 Natural Hazard Effects

Under section 31(1)(b)(i) of the Act it is a function of the Kapiti Coast District Council to: *“control of any actual or potential effects of the use, development, or protection of land, including for the purpose of the avoidance or mitigation of natural hazards”*. In addition, under section 106(1) of the Act the District Council may [emphasis added] refuse to grant an application for subdivision consent if it considers that:

- (a) *the land in respect of which a consent is sought, or any structure on the land, is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source; or*
- (b) *any subsequent use that is likely to be made of the land is likely to accelerate, worsen, or result in material damage to the land, other land, or structure by erosion, falling debris, subsidence, slippage, or inundation from any source*

The site is flat and distant from the coast and therefore can be considered as not being subject to land instability or coastal erosion. The site is identified in the District Plan as being within the overflow path and overflow fringe associated with the nearby Otaki River. Potential flood hazards therefore have to be considered and addressed.

The relevant provisions of the District Plan are as follows:

<i>Section C.7.1 Policy 17</i>	<i>Ensure that land subject to natural hazards is subdivided so that all lots are capable of being used in such a manner that natural hazards can be avoided or mitigated and that suitable building sites can be identified for each lot created.</i>
<i>Section C.15.1 Objective 1.0</i>	<i>To manage activities and development within natural hazard prone areas so as to avoid or mitigate the adverse effects of natural hazards</i>
<i>Section C.15.1 Policy 1</i>	<i>Permit subdivision and development where the effects of natural hazards can be avoided, remedied or mitigated.</i>
<i>Section C.15.1 Policy 4</i>	<i>Ensure there are flood free building sites within newly created allotments.</i>
<i>Section C.15.1 Policy 7</i>	<i>Avoid and/or mitigate the potential adverse effects of flooding and erosion from major rivers and the sea on: human life, health and safety, private or community property, flood mitigation works, and other natural and physical resources, when planning for and making decisions on new subdivision, use and development within river corridors and adjacent to the sea.</i>
<i>District Plan C.15.1 Policy 9</i>	<i>When assessing discretionary activities within a river corridor, ponding area or overflow path, consider the following:</i> <ul style="list-style-type: none"><i>- the effects of the development on existing flood mitigation structures.</i><i>- the effects of the development on the flood hazard - in particular flood levels and flow.</i><i>- whether the development redirects floodwater onto adjoining sites or other parts of the floodplain.</i><i>- whether the development reduces storage capacity and causes adverse effects on adjoining sites or other parts of the floodplain.</i><i>- whether access to the site/development will adversely effect the flood hazard.</i>

The District Plan states that the environmental outcomes expected from the implementation of these policies are:

- Subdivision, use and development does not increase the scale of the existing natural hazard.*
- The reduction of the effects of natural hazards where possible to minimise damage to property, land and life in areas exposed to the hazard.*
- People within the District are better prepared to cope with the occurrence of natural hazard events.*
- Adverse environmental effects arising from a natural hazard are avoided as far as possible. The risks to potential and existing subdivision, use and development are identified and mitigation measures implemented where appropriate to reduce the risk.*

- *Reduction in the risk of damage from natural hazards in the vicinity of lakes, wetlands, rivers and streams.*

The Code of Practice includes the following guidance:

- *developers must either establish that the land is not subject to erosion, or provide protection to ensure erosion under "bank full" conditions do not occur;*
- *dispensation may be given to allow areas of private property to become inundated to a level not exceeding 300 mm provided they are not utilised as building sites; and,*
- *non-developable areas must not isolate any building on the property from road access in the event of the 1% annual probability storm event and shall be registered on the title of the property as being unsuitable for building purposes.*

The first stage of the subdivision comprises that part of the site not located within the overflow path. The second stage will be undertaken once the upgrade work on the Chrystalls Bend stopbank is completed in June 2008 when this pathway will become a residual overflow.

The proposed staging of the subdivision and the future flood constraints have been discussed with representatives of the flood protection team at Wellington Regional Council. Copies of the correspondence received from WRC is attached to this application. In summary:

- Mr P Purves has confirmed that the first stage of the development presents no concerns for WRC; and,
- the second stage of the development reasonably addresses the likely needs of the future residual overflow path.

As he has noted there are some provisos, which can be summarised as flows:

- the level of the unnamed road into the site should not be raised above the current level so that the residual overflow pathway is maintained;
- a reasonably clear and efficient 50 metre wide area should be created to cater for the future residual overflow; and,
- the current width of the overflow path at the western end of the site should be retained as far as practicable.

All these factors have been integrated into the design of the subdivision and will give the Council sufficient confidence that the use is unlikely to accelerate or worsen inundation.

The WRC has also provided data about flood levels within the site so that appropriate minimum building levels can be determined. The relevant correspondence from Ms Sally Coates is attached to this application (Appendix 9). She has advised that the 1:100 year flood level varies from 8.7

metres (asl) in the north-western corner to 10.0 metres on the south-eastern corner, and that flood levels at other localities within the site can be interpolated. A diagram showing the interpolated flood levels is attached (Appendix 10). From this basis, using the existing ground levels a plan has been derived showing the change required to raise the ground level above the 1:100 year flood level.

At this stage the attached 'earthworks' plan is largely conceptual. It is expected that the consent will be granted subject to a condition requiring detailed construction and earthworks plans to be submitted to the Council for approval. The detail of the ground and road contours along with provision of secondary overflow paths can be finalised at that stage.

Under section 106(2) and 220(1)(d) of the Act the Council is able to impose conditions to mitigate or avoid natural hazard effects. It is suggested that it would be appropriate to impose appropriate condition relating to the preclusion of structures in the nominated flow paths. A suitable condition has been drafted and is proffered accordingly.

The conclusion from the assessment above is that any potential natural hazard affecting the site can be avoided with measures, the implementation of which can be required as a condition of consent.

5.5 PROFFERED CONSENT CONDITIONS

The applicant wants to subdivide the land to facilitate new industrial developments, and believes that adverse effects can be avoided or mitigated with the imposition of appropriate conditions. Suitable conditions have been drafted, and are attached (refer Appendix 14). The applicant believes these conditions should be imposed on the consents and these are proffered accordingly.

5.6 CONSULTATION

Tangata whenua

The potential subdivision of this land has been discussed on several occasions with representatives of Te Runanga O Raukawa. The development has their support. Copies of this assessment of effects and the proposed scheme plan have been forwarded to Te Runanga O Raukawa for comment. Their comments, if any, will be forwarded to the Council upon receipt.

Adjoining property owners

For the reasons given above the owners of other properties that adjoin the application site are not considered to be affected. The owners of these properties must have a reasonable expectation that the land would eventually be used for industrial purposes. Any effects from the undertaking the subdivision are related to the construction work and are therefore temporary.

Council Officers

The development concept was discussed with the Council's design and review team on 21st November 2006, and the relevant issues were discussed. In addition, Ms. Sara Bell, the Council's landscape architect, has reviewed the draft landscape concept plan.

6.0 CONCLUSION

Development of the site for industrial purposes is consistent with its zoning. The proposed subdivision will provide for a more efficient utilisation of the land within the Industrial/Service Zone in Otaki and will result in the most sensible use of the subject site.

The proposed subdivision complies with all the relevant objectives and policies for the Industrial/Service Zone in the District Plan. The subdivision has been designed to use the site as effectively as possible while ensuring all lots are functional. No significant adverse effects on the natural and physical environment are anticipated, and development will enhance the overall visual amenity of the site.

Granting resource consent for the proposal will not hinder Council's the ability to achieve the stated environmental objectives and policies for the Industrial/Service Zone, and will achieve all the outcomes that the Council expects from the implementation of the provisions of the District Plan.

In summary, it is considered that the Council can grant the consent sought under section 104 of the Act, and the application does not need to be notified and that there is no person upon whom notice of the application needs to be served.



Brian Warburton
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Pritchard Group Limited
21 December 2006