

Summary of key points of Planning Evidence:

- Resource consents are required from KCDC for the proposed subdivision (including earthworks and infrastructure) relating to:
 - subdivision within the rural-residential zone; within a ponding area; on peat or sand soils
 - land use activities including earthworks; earthworks in a ponding area; trimming and modifying indigenous vegetation within 20m of a waterbody; yard requirements in the southern area; accessway greater than the maximum allowable width; and new roads
- The Proposed Kapiti Coast District Plan (PDP) Appeals version 2018 is the relevant District Plan at the date the applications were lodged, and overall a non-complying activity resource consent is required
- Regional consents have already been gained from GWRC under the proposed NRP (Appeals Version) for discharges and earthworks/land disturbance activities
- The permitted baseline is relevant for the proposal and any effects of permitted activities can be disregarded, particularly in relation to vehicle movements; buildings and structures (subject to standards); new or relocated buildings within ponding areas; and network utilities
- The existing environment includes undeveloped lots north of Tieko Street (access via the right of way) and a subdivision resource consent granted for an additional 5 lots that would also access Tieko Street
- Potential and actual environmental effects relate to: landscape, natural character and visual amenity; traffic; construction; flood hazards; geotechnical; biodiversity; archaeological; cultural and positive effects
- The effects assessment that relies on expert evidence has determined that with the mitigations proposed, any adverse effects are managed to be no more than minor (on lizard habitat) and less than minor or negligible for all other effects, and there are positive community and environmental benefits that arise from the proposal
- A number of concerns raised by Council's Officers (including the Peer Reviewers) and submitters have been addressed through the design of the proposal and the conditions proposed
- I have recommended a number of amendments to the proposed conditions, as outlined in my supplementary planning evidence
- The Tieko Street improvement works are not part of the application and are not required to mitigate adverse effects from the proposal that arise from traffic movements as these traffic movements are part of the permitted baseline
- The Share Path has been offered as a recreational resource, and not a roading asset, and based on the expert advice, the design and elements proposed by the applicant are fit-for-purpose
- I generally concur with the s.42A Report assessment against the relevant planning mechanisms, and I concur with the Council Officer's findings that the proposal is not contrary to the relevant objectives and policies of the PDP
- The proposal meets both gateway tests required for a non-complying activity under s.104D of the RMA and can be considered further by KCDC under s.104 of the RMA
- The proposal meets the s.104 requirements, and Part 2 of the RMA, and can be granted for a lapse period of 10 years