

## Submission in Relation to Application RM 210149

### (Kapiti Gateway Project and Associated New Carpark Areas)

**Name of Applicant:** Kapiti Coast District Council  
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**By:** Andrew Burgess and Leeana Burgess  
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#### Confirmation of Position:

- a. We are not trade competitors for the purposes of section 308 B of the Resource Management Act 1991.
- b. We oppose the application in full.
- c. We seek that the application be declined.
- d. We wish to be heard at the hearing.
- e. We may call expert witnesses in the areas of planning and/or landscape values.
- f. We are aware of the requirement to send a copy of our submission to the Applicant.

The reasons for our submission are as follows:

#### Outline of submission:


1. We, Andrew Burgess and Leeana Burgess (**Owners**) of **57/58 Marine Parade, Paraparaumu Beach** wish to record our objection with respect to the proposed Kapiti Gateway Project and Carparking (Zone 6) under the Limited Notification process of the Resource Management Act (**RMA**) 1991.
2. As the Owners, we object to the Limited Notification of submission RM210149 (the **Application**) and the consultant's finding that the effects are 'less than minor'.
3. We contest the findings contained within the Land Use Consent Application and Assessment of Effects for Te Uruhi (the **Assessment**) and the associated appendices submitted as part of the Application. We also disagree with the Commissioner's decision not to publicly notify the application, since the effect on the wider environment are clearly more than minor.
4. We are of the view that as a non-complying activity this proposal should be rejected since it is clearly contrary to relevant objectives and policies and its effects will be more than minor.

#### Basis of Objections:

5. In respect of the Assessment prepared by Cuttriss, we as Owners of 57/58 Marine Parade refute the determination that the effects of the proposed carparking in Zone 6 within the proposal are 'less than minor'. The assessment records that *"These dwellings all have views directly over the coast and towards Kapiti Island. Zone 6 carparking will change the present dune landform and visual appearance"* (p.37). This statement is inconsistent with determining the effect is 'less than minor'.

6. This conclusion is also inconsistent with the requirements of section 6 of the RMA as reflected in the New Zealand Coastal Policy Statement (the **NZCPS**) to avoid inappropriate development of the coastal environment and to preserve the natural character of the coastal environment. Excavation of the grassed fore dune is entirely inappropriate and unnecessary.
7. The Assessment notes that the Gateway building in isolation would, *"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 Gross Floor Area"* (p.48). In recognition of this fact, we contest the need for the additional parking proposed to be provided in Zone 6, particularly construction of the proposed new carpark.
8. We refer the commissioner(s) hearing this matter to the RMA, the National Policy Statement for Urban Development, the NZCPS and the Regional Policy Statement and Coastal Plan for Wellington to determine whether the Act and Policies have in fact been considered appropriately and whether the documentation that forms the Application is mis-leading. As evidence as to the accuracy or mis-leading nature of the Application, we refer to:
  - a. The Mana Whenua Assessment dated 30 July 2020 and submitted as **Appendix 4 Cultural Impact/Values Assessment** of the overall Assessment makes no reference to the proposed new carparking in Zone 6. Specifically, Part A 9.g refers to '14 carparks to be provided to the south-east and extra parking at the Paraparaumu Beach Golf Club'. The 14 carparks are taken to mean the remarking of the existing carpark, not to the construction of the proposed new carpark through the removal of the dune as there is simply no reference to earthworks or construction of the carpark. Accordingly, Mana Whenua have not been consulted on this aspect.
  - b. Paragraph 7 of section 2.1 Background (p.8) of the Assessment prepared by Cuttriss makes specific reference to permitted and likely visitor numbers. This is of considerable importance given that the likely numbers are assessed on average likely sailings (that consider physical sea/weather conditions that impact sailings and that operators close for the winter months), whereas maximum numbers assume fully occupancy of all permitted sailings.
  - c. For the purposes of the Application, maximum numbers are used to justify the need for car-parking in Zone 6. This contradicts Section 6 of the RMA in that:
    - i. **s.6 (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". The proposed construction of the new carpark in Zone 6 will adversely affect the natural character of the natural open space, with proposed earthworks affects being more than minor and fail to protect the dunes from inappropriate use and development.
    - ii. The dune has highly valued natural character that will be adversely impacted by the proposed physical earthworks, paved new carpark forming a 'built' environment, and the operational and ongoing adverse visual effects arising from the unrestricted use of the carpark by campervans (or similar converted large vehicles) and associated noise. These adverse effects would be more than minor
    - iii. The proposal will detract from the amenity values which we and others enjoy. Replacing natural and reserve amenity with car parks.

9. Upon previous complaints by the Owners regarding flagrant disregard of posted restrictions pertaining to the number of campervans parking overnight, the Applicants representative who responded has confirmed that there are no powers or abilities to enforce compliance with any posted restrictions. The concerns regarding the overnight use of the proposed car parks are validated by the continued over-subscribed overnight parking by campervans in the existing parking facilities along Marine Parade and within the vicinity of Zone 6, including where occupants are known to be living in the vehicle (on these car parks).
10. We believe the visual impact assessment completed as part of the Application fails to address the operational constraints that already exist with respect to enforcement of parking of campervans. Accordingly, the Applicant has not demonstrated how the negative visual impacts arising from un-restricted parking of campervans in the proposed carpark will be mitigated.
11. We consider that this application should have been fully notified since the adverse effects are clearly more than minor.
12. We seek that the application be **Declined**.

Andrew James Burgess: 

Dated: 27/06/2022

Leeana Kay Burgess: 

Dated: 27/06/2022