

13 October 2021

Notification Assessment under Section 95 of the Resource Management Act 1991(RMA)

Application No:	RM210151
Applicant:	Kapiti Retail Holdings Limited
Site Address:	160 Kapiti Road, Paraparaumu
Legal Description:	LOTS 1 & 2 DP 63027 LOT 3 DP 63992
Site Area:	2.6197ha
Applicant's Address for Service:	C/- Forme Planning Limited PO Box 24463 Royal Oak
Proposal:	Undertake earthworks that do not meet the permitted activity standards for the construction of a building to be occupied by a retail activity that does not meet the permitted activity standards for the General Industrial Zone, vehicle movements, signs, access and landscaping and requires consent under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health
Operative District Plan Zone:	General Industrial
Activity Status:	Land Use - Non-complying

Report prepared by: Marnie Rydon, Consultant Planner
Report peer reviewed by: Yolanda Morgan, Principal Resource Consents Planner

Date consent deposit received: 9 July 2021
92(1) further information requested: 27 July 2021
92(1) further information received: 5 October 2021
92(2) report commissioned: 17 August 2021
92(2) report received: 8 September 2021

1 PREAMBLE

This report provides a notification assessment on the application RM210151.

2 THE PROPOSAL

2.1 Description of Proposal

The following description of the proposal has been taken from the application:

The Applicant proposes to construct and operate a Countdown supermarket on the subject site, comprising the following key elements:

- 3,800m² supermarket building, including 200m² of office and 200m² for online (Pick up) activities;
- The building will measure approximately 6.5m in height (up to 8m including roof plant) and will be located on the rear half of the site;
- Signage on the building and a 9m-high pylon sign on the site frontage;
- 211 parking spaces on-site, including 6 parent parks, 6 accessible parks and 6 designated Pick-up parks for customers collecting online orders;
- All vehicular access from Kapiti Road via two crossings, one via the existing roundabout intersection with Friendship Place for all vehicles and manoeuvres and the second, southern access for left-turn manoeuvres only;
- Provision of on-site and boundary landscaped planting;
- Retaining walls to the eastern and southern boundaries, and acoustic fencing surrounding the service yard to the rear of the site;
- Earthworks and other preparatory site works to construct and service the development, as further detailed below.

The proposed development comprises an approximate area of 16,617m² within the 2.6ha site. No works are proposed in respect of the existing commercial, heavy commercial and industrial tenancies within the northern part of the site.

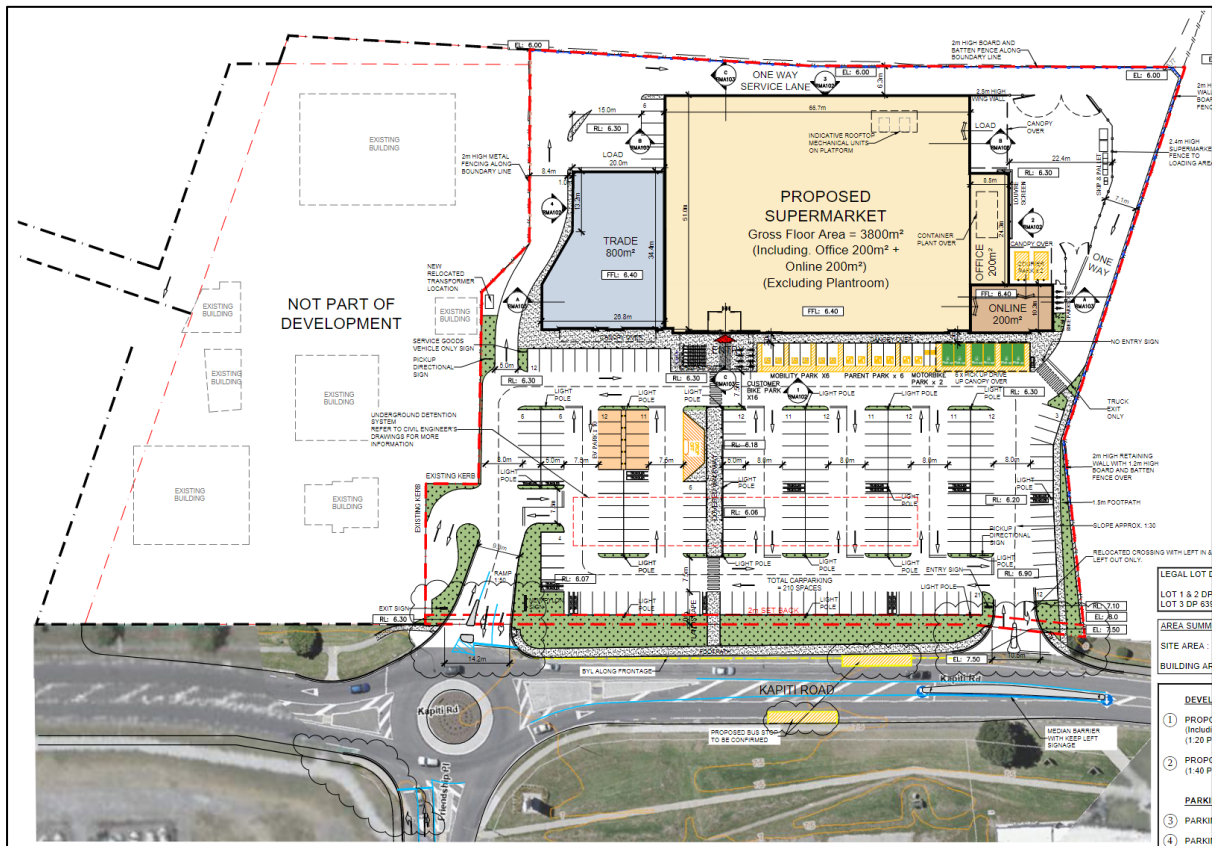


Figure 1: Site plan of proposed development

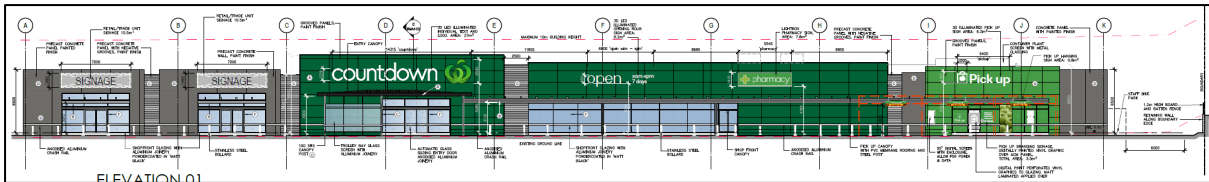


Figure 2: Southern elevation of the proposed building

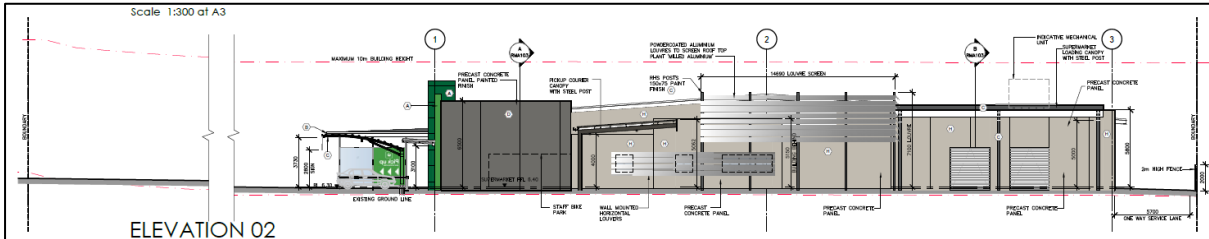


Figure 3: Eastern elevation of the proposed building

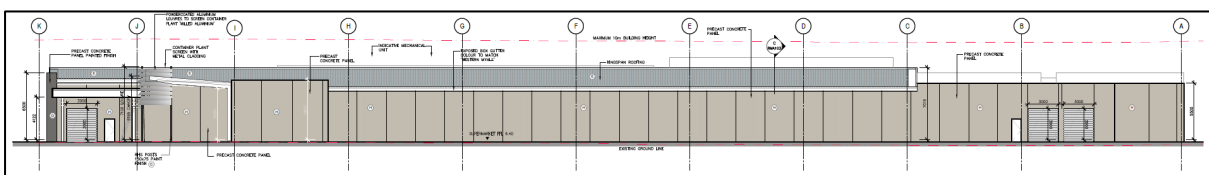


Figure 4: Northern elevation of proposed building

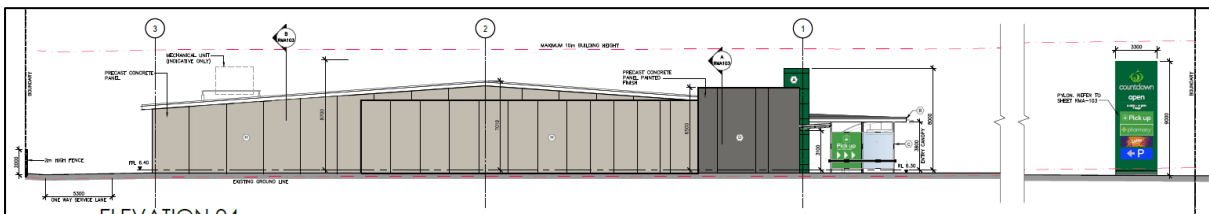


Figure 5: Western elevation of proposed building

2.2 Application, Supporting Information and Further Information Requested

The Applicant has provided an assessment of effects of the activity on the environment (AEE). The AEE concludes that the effects are considered to be no more than minor.

Further information relating to 18 matters was requested on 27 July 2021. These matters related to concerns raised by iwi, a number of traffic concerns, the Pohutukawa trees to be removed and the provision of individual services for each tenancy.

In response to the further information request, the following documents were provided:

- Email correspondence between Council's Roding Team and Tim Kelly received by Council on 3 August 2021
- Further Information Request Response to items 1, 2, 10 and 18, prepared by Maven Associates and received by Council on 9 August 2021:
 - Services plans, prepared by Maven Associates
 - Erosion and Sediment Control Plan, prepared by Maven Associates and dated 6 August 2021
- Response to KCDC s92 Request (Transportation), prepared by Tim Kelly and received by Council on 12 August 2021
- Section 92 Response for 160 Kapiti Rd, Paraparaumu prepared by Peers Brown Miller Ltd (Arboricultural and Environmental Consultants) and received by Council on 20 August 2021

- Additional roading further information request response prepared by Tim Kelly and dated 29 September 2021
- Updated plans received 5 October 2021

Following a review by Council officers it was determined that the responses provided satisfied the further information request.

2.3 Written Approvals

No written approvals have been obtained.

3 SITE AND SURROUNDING ENVIRONMENT

3.1 Site Description

The subject site known as 160 Kapiti Road, Paraparaumu, held in Records of Title WN32A/397, WN33A/758 and WN47D/58 and legally described as Lot 1 DP 63027, Lot 3 DP 63992 and Lot 2 DP 63027 has a combined area of 2.6197ha.

The site is subject to a number of easements, including stormwater drainage rights in favour of Council. There are no further interests registered on the Records of Title that impact the processing of this application.

The site slopes from the accesses with Kapiti Road to the north. Following this drop from Kapiti Road, the site is flat.

The portion of the site where the proposed activity is to be undertaken contains a vacant building previously used as a building materials store. The existing motor vehicle sales (Capital City Ford) and retail suppliers (Carpet Court) will remain as is.

There is no vegetation located within the site itself which is entirely impervious.

160 Kapiti Road is not identified on the Greater Wellington Regional Council's (GWRC) Selected Land Use Register (SLUR); however, given the known current and previous uses of the site, it does have activities being undertaken on it that are identified on the Hazardous Industries and Activities List.

The site is not subject to any scheduled areas in the Proposed Natural Resources Plan (PNRP).



Figure 6: Aerial image of the subject site (bordered in blue) and surrounding environment

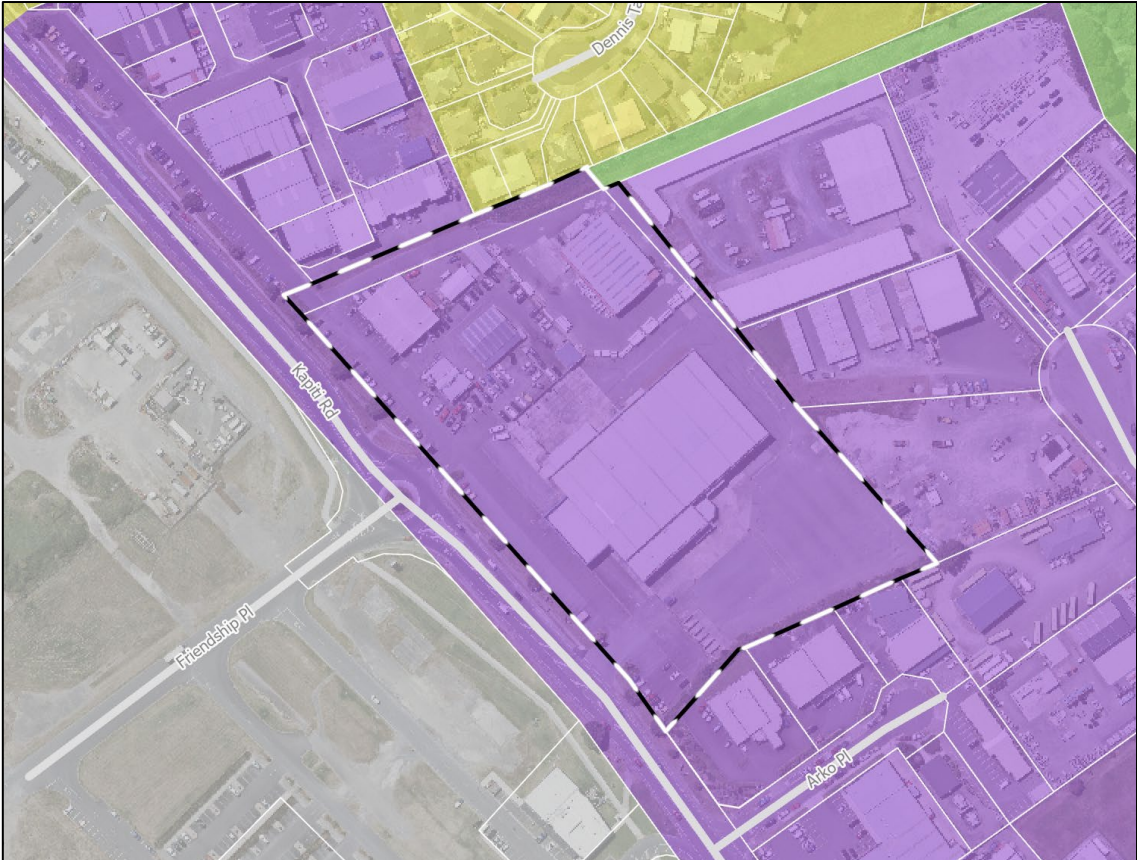


Figure 7: Zoning map of subject site and surrounding environment (purple = General Industrial, green = Open Space, yellow = Residential and grey = Airport)



Figure 8: View of the site looking to the north and the building to be demolished



Figure 9: Looking to the east, the area of the site that will become parking

3.2 Surrounding Environment

The surrounding environment is made up of a variety of land uses and property sizes. To the north of the subject site are small, residential allotments containing dwellings and a recreation reserve owned by Council.

Across Kapiti Road to the south is the Kapiti Coast Airport containing terminal, plane storage and flight information centre buildings. The area of land zoned Airport also contains a small commercial hub called Kapiti Landing that contains retail activities including a large format home goods store and supermarket.

To the east of the site are properties also zoned General Industrial that contain a range of industrial and service activities.

Kapiti Road is identified in the ODP as a Major Community Connector Route which is described as:

- *Roads joining significant centres of population and/or sometimes providing for national and inter-regional traffic flow. These may include strategic arterials.*
- *Connects suburbs and/or major transport nodes*
- *May include access to regionally significant destinations*
- *Major entry point from highway to the Coast;*
- *Can be higher speed than local/centres streets but likely to be 70km or less - case by case consideration;*
- *Some roads will have major traffic volumes;*
- *On-street parking may be discouraged in some areas.*

3.3 Consent History

There are a number of previous resource and building consents applied for, for the subject site. These are not considered relevant to the current proposal.

4 OPERATIVE DISTRICT PLAN PROVISIONS

4.1 Kapiti Coast Operative District Plan 2021

The Kapiti Coast District Plan sets out the status of the activity within rules, that is whether they are permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited. The Objectives and Policies contained in the District Plan are also important in decision making as they are to be taken into account in the evaluation of the activities.

4.2 Operative District Plan Zoning and Overlays

The property is zoned General Industrial under the Kapiti Coast Operative District Plan 2021 (ODP). The subject site:

- Contains part of Designation 301 (Plantation Reserve)
- Is within the Coastal Environment
- Is subject to the flood hazard ponding
- Kapiti Road is identified in the Transport Network Hierarchy as a Major Community Connector Route

- Is within the Transportation Noise Effects Route (due to the proximity of the site to Kapiti Airport)
- Is within the airport runways height surfaces.

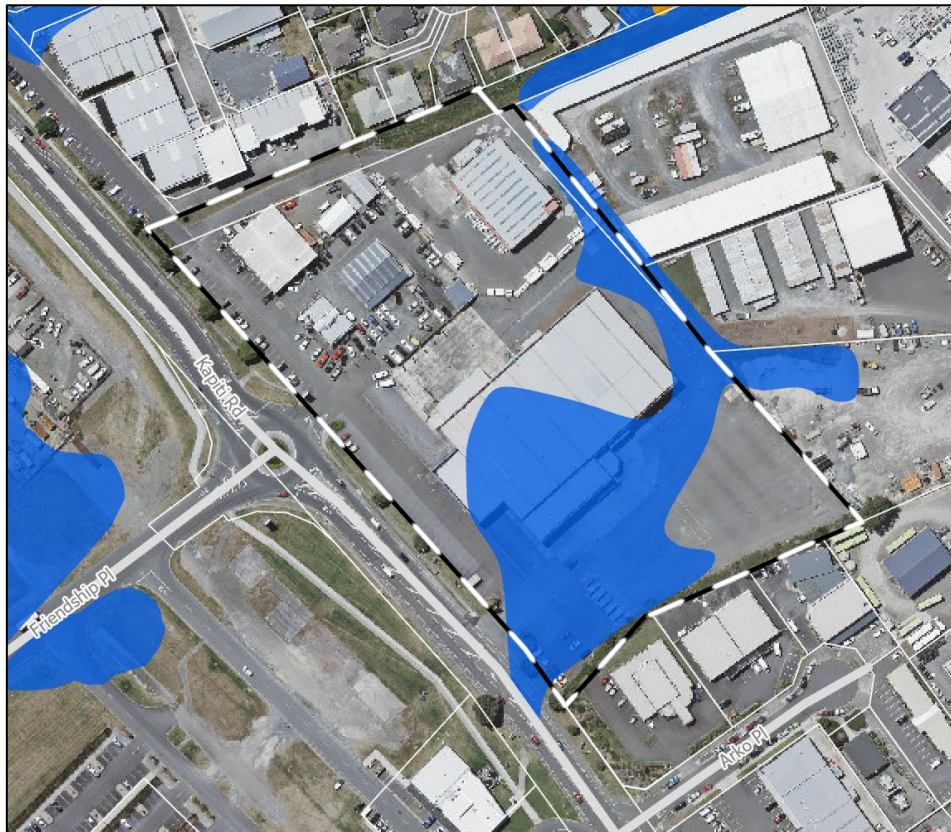


Figure 10: Aerial image showing the area of the site subject to the flood hazard ponding in blue

4.3 Operative District Plan Rules and Standards

The Rules and Standards that apply to this application are:

Part 2 – General District-Wide Matters		
Transport		
Permitted Activity	Standard	Compliance
TR-R2 Vehicle movements.	1. Up to 200 vpd in the Working Zones, except: a. where all public vehicle access is onto strategic arterial routes or major community connector routes any activity must not generate more than 100 vpd.	Does not comply – it is anticipated the combined activities on the site (supermarket and trade retail) will generate 400-430 vehicle movements in the peak times of Weekday PM and Saturday
TR-R3 Site access and loading for vehicles.	1. Access - every site 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. 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;	Complies Will comply

	<p>b. they have no adverse impact on the roadside drainage system; and</p> <p>c. surface water and detritus (including gravel and silt) does not migrate onto the highway pavement.</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 maximum of 9 metres wide, except in the Beach Residential Zone at Waikanae Beach where the maximum shall be 6.0 metres wide.</p> <p>4. Access - sites containing non-residential activities and which provide more than 6 car parks, shall provide two-way accesses which must be a minimum of 6 metres 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>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>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 measured from the intersecting point of the kerb lines or road edge lines.</p> <p>8. Access spacing for major traffic activities - no crossing point must</p>	<p>Does not comply – the western access width exceeds 9m by 5.9m at 14.9m wide</p> <p>Complies – two, two-way accesses are provided.</p> <p>Not applicable</p> <p>Complies</p> <p>Not applicable</p>
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	<p>be located closer to any intersection than the distance specified in TR-Table 2 - Access Distance Dimensions. Distances are measured in metres (m) to the intersecting kerb line.</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} (where m = metres)</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 (excluding visitor accommodation that is not temporary residential rental accommodation) and 15 metres for all other activities.</p> <p>11. The minimum separation distances between vehicle access to/from a state highway/rural road and an intersection on that state highway/rural road, between a vehicle access to/from a local road and the intersection of that local road with a state highway/rural road and between vehicle accesses to/from a state highway/rural road must meet the provided distances in TR-Table 4 - Access Distance Dimensions for State Highways and Rural Roads (where m = metres, km/h = kilometres per hour, and vpd = vehicles per day)</p> <p>12. Manoeuvring –</p> <p>a. Private residential access - unless the driveway accesses directly from a Neighbourhood Access Route, sufficient manoeuvring space must be provided on-site to ensure no reversing onto the road is necessary. Note: for clarification see the Transport Network Hierarchy.</p> <p>b. 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>13. Loading spaces - every property in all Working Zones, the layout of loading spaces must comply with</p>	<p>Complies – the proposal is a major traffic activity as it will generate more vehicle movements per day than permitted and complies with TR-Table 2</p> <p>Will comply</p> <p>Not applicable</p> <p>Not applicable</p> <p>Complies – onsite manoeuvring is able to be undertaken</p> <p>Complies</p>
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	<p>the 90 percentile design two-axled truck as defined by the Ministry of Transport and shall be designed in accordance with TR-Diagram - 7.</p> <p>14. Landscaping - for all non-residential activities, any parking, loading or trade vehicle storage area must be separated from adjoining sites by a minimum depth of 2 metres of landscaping.</p> <p>15. Landscaping - all landscaping adjoining the road boundary of subject sites, must be designed and maintained so that visibility to and from the crossing point complies at all times with the minimum standards sight distances set out in TR-Table 3 Sight Distance Dimensions.</p>	<p>Does not comply – no landscaping is provided where the loading areas adjoin 11, 15, 21 and 27 Birmingham Street and 5 and 7 Arko Place and car parking adjoining 5 and 7 Arko Place</p> <p>Will comply</p>
<p>TR-R4 Design and layout of vehicle parking for all activities.</p>	<ol style="list-style-type: none"> 1. All parking must 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 subject site. 3. Vehicles using the parking area must only use the formed vehicle access point (crossing point) to enter and exit the vehicle parking areas. 	<p>Will comply</p>
<p>TR-R5 Parking layout and design for all activities except residential activities. Visitor accommodation that is not temporary residential rental accommodation is included in this rule.</p>	<ol style="list-style-type: none"> 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. 2. All parking must 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. 4. In the case where parking areas adjoin a residential zone, either a 2-metre high fully enclosed screen must be erected or a strip of minimum width of 5 metres adjoining the residential zone must be landscaped as follows: <ol style="list-style-type: none"> a. where a carparking area incorporates more than 5 carparks, 1m² of landscaping 	<p>Will comply</p>

	<p>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;</p> <ul style="list-style-type: none"> b. the amount of landscaping will be considered as a total, and street frontage landscaping and any landscaping/open space provided in terms of the Open Space and Recreational Zone section, and the Natural Environment Values section will be taken into account when assessing the 1m² of landscaping per carpark; c. planting must be completed within 12 months of commencement of the activity; d. the landscaping must be maintained in healthy condition and clear of litter; e. vehicle crossing points and pedestrian areas within public carparks must have illumination consistent with the Crime Prevention Through Environmental Design (CPTED) Guidelines (Appendix 6). <p>5. In the case where parking areas are located within the front yard of a subject 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>6. Design for any critical access conditions, such as a ramp included as part of a parking building, must accommodate a 99 percentile design motor car in accordance with TR-Diagram - 6 of this Chapter.</p>	
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Parking		
Permitted Activity	Standards	Compliance
<p>TR-PARK-R18 Any activity requiring more than 2 carparks.</p>	<p>1. Disabled persons carparks and bicycle parking must be required at a rate of:</p> <ul style="list-style-type: none"> a. 1 where 10 or less carpark spaces are provided; b. 2 where between 11 and 100 carpark spaces are provided, plus 1 additional park for every additional 50 carparks, or part 	<p>Complies – 6 disabled persons car parking spaces are provided and 16 bicycle parking spaces</p>

	thereof, where more than 100 carpark spaces are provided.	
TR-PARK-R21 Industrial activities including: 1. Manufacturing and service; 2. Tradesmen's Workshops/ Service Station/Motor Garages; 3. Warehouses (Trading); and 4. Warehouses (Storage).	1. Manufacturing and Service - 2 carparks per 100m ² gross floor area. 2. Tradesmen's Workshops/ Service Station/ Motor Garages - 2 carparks per 3 employees, 2 carparks for any ancillary retailing, 4 carparks per workshop bay, 2 carparks for queuing for a carwash, 1 carpark for air hose/vacuum. 3. Warehouses (Trading) - 3 carparks per 100m ² gross floor area. 4. Warehouses (Storage) - 1 carpark per 150m ² gross floor area.	Complies – 20 parking spaces are required for the trade retail buildings being 800m ² . In total onsite, there are 211 car parking spaces
TR-PARK-R23 Large Format Retail and supermarkets over 500m ² in gross floor area.	1. 5 carparks per 100m ² gross floor area.	Complies – 190 parking spaces are required for the supermarket being 3,800m ² . In total onsite, there are 211 car parking spaces
Natural Hazards		
Permitted Activity	Standard	Compliance
NH-FLOOD-R2 Any building or structure in any zone.	1. Separation from waterbodies a. Buildings (excluding minor buildings) shall not be sited within the river corridor or stream corridor (unless they are permitted activities under NH-FLOOD-R7): i. For the stream corridor and other waterbodies, 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 waterbody greater than 3 metres wide shall be 10 metres; ii. For streams/drains less than 3 metres wide, the minimum setback must be 5 metres where the average width of the stream or waterbody is measured as an average within the site. 2. Buildings (excluding minor buildings) must not be sited within 5 metres of a lake.	Complies – there are no waterbodies within close proximity to the site.

<p>NH-FLOOD-R3 New or relocated buildings (excluding minor buildings) in ponding, residual ponding and shallow surface flow areas.</p>	<p>1. The building floor level of any new or relocated building (excluding minor buildings) in the ponding, shallow surface flow or residual ponding area shall be constructed above the 1% AEP flood event level.</p>	<p>Will comply – earthworks are proposed to raise the ground level above the 1% AEP flood event level.</p>
<p>NH-FLOOD-R4 Earthworks.</p>	<p>1. In an overflow path or residual overflow path (excluding fill which is addressed in NH-FLOOD-R10), earthworks:</p> <ul style="list-style-type: none"> a. shall not involve the disturbance of more than 10m³ of land in any 10 year period; b. shall not alter the original ground level by more than 0.5 metres, measured vertically; and c. shall not impede the flow of floodwaters. <p>2. In ponding areas (excluding residual ponding areas) and shallow surface flow areas, earthworks:</p> <ul style="list-style-type: none"> a. shall not involve the disturbance of more than 20m³ (volume) of land in any 10 year period; and b. shall not alter the original ground level by more than 1.0 metre, measured vertically. <p>3. In a Stream corridor or River corridor (excluding fill which is addressed in NH-FLOOD-R15), earthworks:</p> <ul style="list-style-type: none"> 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 b. must be carried out by Wellington Regional Council, Kāpiti Coast District Council, the Department of Conservation or their nominated contractors. 	<p>Does not comply – earthworks within the ponding area will not alter the ground level by more than 1m; however, the volume of 20m³ is exceeded as in total, 2,919m³ of earthworks will be undertaken.</p>
Earthworks		
<p>EW-R2 Earthworks, excluding those listed in EW-R3, 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.</p>	<p>1. Earthworks must not be undertaken:</p> <ul style="list-style-type: none"> a. on slopes of more than 28 degrees; or b. within 20 metres of a waterbody, including wetlands and coastal water. <p>2. In all other areas except as provided for in Standard 3, earthworks must not:</p>	<p>Does not comply – earthworks outside the ponding area will not alter the ground level by more than 1m; however, the volume of 50m³ is exceeded as in total, 2,919m³ of earthworks will be undertaken.</p>

	<ul style="list-style-type: none"> a. disturb more than 50m³ (volume) of land per subject site in residential zones, working zones, natural open space zones and open space zones (excluding the Private Recreation and Leisure Precinct) within a 5 year period; b. disturb more than 100m³ (volume) of land per subject site in rural zones within a 5 year period; and c. alter the original ground level by more than 1 metre, measured vertically. <p>This standard applies whether in relation to a particular earthwork or as a total of cumulative earthworks within the specified period.</p> <ul style="list-style-type: none"> 3. Earthworks for the construction of permitted telecommunications and radio communication facilities, and their maintenance, renewal and minor upgrading outside legal road, provided that the earthworks do not alter the original ground level by more than 1.5 metres measured vertically, except piling associated with the installation of a network utility. 4. Standards 1 and 2 under this rule do not apply, to: <ul style="list-style-type: none"> a. earthworks associated with farm and forestry tracks permitted under GRUZ-R4, RPROZ-R4, RLZ-R4 and FUZ-R4; b. planting trees; c. removing trees; d. horticultural root ripping; e. digging offal pits f. burying dead stock and plant waste; g. drilling bores; h. installing and maintaining services such as water pipes and troughs; i. or where a more specific earthworks provision is provided for in the zone or precinct methods; j. earthworks required to effect a subdivision of land in the Ōtaki South Precinct under SUB-WORK-R45. 5. Any earthworks must ensure that: <ul style="list-style-type: none"> a. Surface runoff from the subject site is isolated from 	
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	<p>other subject sites and existing infrastructure; and</p> <p>b. The potential for silt and sediment to enter the stormwater system or waterbodies in surface runoff from the subject site, is minimised; and</p> <p>c. Erosion and sediment control measures are installed and maintained for the duration of the construction period, where necessary.</p> <p>6. Accidental Discovery Protocol (HH-Table 1) to be followed for any accidental discovery of a waahi tapu or other cultural site.</p> <p>a. Accidental Discovery Protocol – should a waahi tapu of other cultural site be unearthed during earthworks the contractor and/or owner must:-</p> <ol style="list-style-type: none"> i. cease operations; ii. inform local iwi; iii. inform Heritage New Zealand and apply for the appropriate authority if required; iv. take appropriate action, after discussion with Heritage New Zealand, Council and Iwi to remedy damage and/or restore the site. 	
Noise		
<p>NOISE-R5 Noise from activities located within the General Industrial Zone.</p>	<ol style="list-style-type: none"> 1. Excluding the activities provided for in Rules NOISE-R8 to NOISE-R15, noise emission levels must comply with the limits in NOISE-Table 5. 2. Compliance locations in Rural Zones shall be at the notional boundary of any residential unit(excluding visitor accommodation which is not temporary residential rental accommodation). 3. Noise measurements must be undertaken in accordance with the procedures set out in NZS6801:2008 Acoustics - Measurement of Environmental Sound and must be assessed in accordance with NZS6802:2008 Acoustics – Environmental Noise. 4. The following activities are exempt from standard 1 above: 	<p>Will comply</p>

	<ul style="list-style-type: none"> a. any residential activity (excluding visitor accommodation which is not temporary residential rental accommodation) including non-commercial private gatherings, spontaneous social activities and non-commercial children's play; b. any warning device used by emergency services for emergency purposes; c. noise from fixed plant that is used solely for emergency purposes. Examples of such equipment are alarms, standby generator sets that are used to supply electricity only at times of electrical supply failure, or for plant used only during life threatening situations such as smoke fans or sprinkler pumps and is not used to generate power for the national grid; and d. vehicles on public roads or trains on rail lines, including at railway yards, railway sidings or stations and level crossing warning devices. 	
Signs		
<p>SIGN-R1 Signs in all zones meeting the general permitted activity standards and the relevant zone-specific permitted activity standards.</p>	<ul style="list-style-type: none"> 1. All signs must be displayed on the subject site on which the activity will be undertaken on, and must not be allowed within the legal road, except: <ul style="list-style-type: none"> a. street name, directional and enforcement signs authorised by the road controlling authority and erected by or on behalf of the road controlling authority including signs authorised under any applicable bylaw; b. road marking, regulatory and warning signs, and any signs relating to the management of traffic within the District authorised by the road controlling authority and erected by or on behalf of the road controlling authority; c. decorative, festive, information or advertising signs, banners, or flags erected within legal road authorised by the road controlling authority and 	<p>Complies – all signs are within the site where the activity will be undertaken.</p>

	<p>erected by or on behalf of the Council;</p> <ul style="list-style-type: none"> d. signs under verandahs provided for in rule SIGN-R8 as 'Sign type' (7) in SIGN-Table 2 'Additional standards for signs in the Working Zones; e. sandwich board signs provided for in rule SIGN-R8 as 'Sign type' (10) in SIGN-Table 2 'Additional standards for signs in the Working Zones; f. election signs in areas specified by resolution of Council; and g. community purpose event/charity event signs provided for as a permitted activity in rule SIGN-R5. <p>2. All free-standing signs within 10 metres of a vehicle access must be setback at least 1.5 metres from the road boundary. This setback does not apply if the sign:</p> <ul style="list-style-type: none"> a. is less than 1 metre in height, measured from the height of the kerb closest to the sign; or b. is clear and unobstructed (except for up to 2 posts necessary to structurally support the sign) up to at least 2.5m in height above the level of the kerb closest to the sign. <p>3. In addition to Standard 2 above, all free-standing signs on a corner subject site must be set back at least 10 metres from the intersection of the two roads, measured from the edge of the intersecting kerbs to the nearest edge of the sign. This setback does not apply where such signs are clear and unobstructed (except for up to 2 posts necessary to structurally support the sign) up to at least 2.5m in height above the level of the kerb closest to the sign.</p> <p>4. All signs must have any external lighting permanently fixed (i.e. not flashing, blinking or changing) and directed solely at the sign.</p> <p>5. Signs, other than official road controlling and traffic management signs located within legal road and authorised by the road controlling authority, must not incorporate any reflective material.</p>	<p>Complies – the free-standing sign proposed is located 2m from the road boundary.</p> <p>Not applicable – the site is not a corner site.</p> <p>Will comply</p> <p>Not applicable – no signs are located within legal road</p>
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	<p>6. Signs must not be located and positioned for the purpose of being viewed from the airspace.</p> <p>7. Signs must not emit any sound.</p> <p>8. The total area of digital/electronic signs must not exceed 0.6m² and shall be limited to 2 non-moving or changing words, for example, 'We're Open' or 'Closed', or equivalent terminology, or 'Vacancy' or 'No Vacancy', or equivalent terminology.</p> <p>Note: Digital/electronic signs that contain moving or changing text are a non-complying activity under SIGN-R17.</p> <p>9. Electronic/digital signs located within the Airport Zone or within 20 metres of the Airport Zone must not:</p> <ol style="list-style-type: none"> be flashing; or be blinking; or be rotating; or contain moving or changing text, symbols or graphics; or be turned on between the hours of 10pm and 7am (inclusive). <p>Note: for all types of signage proposed to be located in the Airport Zone or within the vicinity of the Airport Zone, please refer to the Permitted Activity Standards for the Airport Zone for maximum height standards.</p> <p>10. Electronic/digital signs located within the Residential Zones or on a subject site adjacent to or adjoining (and facing) a Residential Zone must not be:</p> <ol style="list-style-type: none"> be flashing; or be blinking; or be rotating; or contain moving or changing text, symbols or graphics; or be turned on between the hours of 7pm and 7am (inclusive). <p>11. Within 50 metres of any intersection with a Strategic Arterial Route, signs must not:</p> <ol style="list-style-type: none"> be free-standing; exceed a maximum of 1 sign per road frontage of any subject site; incorporate any reflective material; be flashing or blinking, illuminated, or contain moving or changing text; or 	<p>Complies</p> <p>Complies</p> <p>Does not comply – digital signs will be located within the proposed pick up area for online orders. They exceed at permitted area by 0.2m² being 0.8m² in size and the signs will have changeable messaging.</p> <p>Complies – the signs identified above are located approximately 75m from the Airport Zone</p> <p>Complies – the site is not adjoining <i>and</i> facing a Residential Zone</p> <p>Not applicable – no signs are within 50m of a Strategic Arterial Route</p>
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	<p>e. mimic the design, wording, graphics, shape or colour of an official road sign.</p> <p>12. Signs located within 75 metres of a Strategic Arterial Route with a speed limit of 80-100km/hr must not:</p> <ol style="list-style-type: none"> be free-standing; exceed a maximum of 1 sign per road frontage of any subject site; incorporate any reflective material; be flashing or blinking, illuminated, moving or changing; or mimic the design, wording, graphics, shape or colour of an official road sign. <p>Note: Consultation with the New Zealand Transport Agency (NZTA) is recommended for signs that do not comply with standards 11 or 12 above.</p> <p>13. The activity must comply with all relevant permitted activity standards within INF-PNU.</p> <p>14. The activity complies with all other relevant permitted activity rules and permitted activity standards in all other chapters (unless otherwise specified).</p>	<p>Not applicable – no signs are within 75m of a Strategic Arterial Route</p> <p>Complies – no network utilities are proposed or located within close proximity to the site with the exception of Council reticulated water and wastewater pipes which will not be impacted by the proposal.</p> <p>Does not comply – as outlined in this table, not all other relevant permitted activity standards in other chapters are met.</p>
<p>SIGN-R8 Signs in the Working Zones.</p>	<ol style="list-style-type: none"> The maximum total area of signage per business premises/tenancy shall not exceed 5m² excluding sale of property/for lease signs, community purpose event/charity event signs, election signs and moveable footpath signs. In addition to the signage provisions set out in standard 1 above, subject sites may have a maximum of 1 free-standing sign per road frontage provided that: <ol style="list-style-type: none"> each free-standing sign must not exceed 6 metres in height (above original ground level); each free-standing sign must not exceed 5m² in area; and lettering and symbols on each free-standing sign are limited to: <ol style="list-style-type: none"> name and logo of the subject site or business complex (if relevant); and names and logos of businesses operating 	<p>Does not comply – the on-building signage proposed for the supermarket has a combined area of 49.2m² while the proposed trade retail premises have on-building signage proposed of 10.512m² each.</p> <p>Does not comply – the free-standing sign proposed for the supermarket is 9m in height and 29.7m² in area, exceeding the permitted activity standards by 3m and 24.7m² respectively.</p>

	<p>from the subject site; and</p> <p>iii. hours of operation.</p> <p>3. The following sign-specific standards listed in SIGN-Table 2 apply:</p> <p>Free standing directional signs directing vehicles into/out of a subject site.</p> <p>1. Free-standing signs for the purpose of directing traffic into/out of a subject site must:</p> <ol style="list-style-type: none"> not exceed 1.0 metre in height (above original ground level); not exceed 0.5m² in area; and be limited to directional arrows and the words 'Entry' or 'Exit' or equivalent terminology. <p>Wall or window signs on the ground floor level of any building.</p> <p>1. Signs parallel to walls or windows shall:</p> <ol style="list-style-type: none"> have a maximum area of 20% of the wall or window area or the maximum area of signage provided for in the 'General Permitted Activity Standards for signs in the Working Zones', whichever is the lesser; and not protrude more than 50mm from the wall to which it is attached. <p>2. Signs protruding out from a wall at a 90° angle must:</p> <ol style="list-style-type: none"> be located a minimum of 2.5 metres above the level of the footpath; and not protrude more than 500 millimetres from the wall to which it is attached; and not exceed 1m² in area. <p>Signs above the ground floor level of any building.</p> <p>1. There shall be a maximum of one* sign above ground floor level per wall/facade which can be either:</p> <ol style="list-style-type: none"> a single-sided sign parallel to the wall of the building which shall not exceed the maximum area of signage provided for in the 'General Permitted Activity 	<p>Complies – one exit sign is proposed at the western access to the site and one entrance sign is proposed at the eastern access to the site. These signs will meet the required standards.</p> <p>Does not comply – the wall signs for the pick-up area have a total size of 5.1m², more than the maximum area allowed under the general permitted activity standards and more than the 4m² which is 20% of the size of the wall. The signs do not protrude out from the wall.</p> <p>Not applicable – none of the wall signs for the pick-up area protrude out from the wall</p> <p>Not applicable – no signs above ground floor level are proposed</p>
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	<p>Standards for signs in the Working Zones'; or</p> <p>b. a 2-sided sign located above and perpendicular to the ground floor verandah (if there is one) which shall not exceed the maximum area of signage provided for in the 'General Permitted Activity Standards for signs in the Working Zones'.</p> <p>Signs attached to roofs of single storey buildings.</p> <ol style="list-style-type: none"> 1. The total area of signs attached to roofs per subject site must not exceed the maximum area of signage provided for in the 'General Permitted Activity Standards for signs in the Working Zones'. 2. The maximum height of any sign attached to a roof shall be 4 metres above original ground level. <p>Signs under verandahs.</p> <ol style="list-style-type: none"> 1. Signs must not be located under a verandah where the distance between the footpath and veranda is less than 2.6 metres. 2. The minimum clearance under the sign must be 2.3 metres. 3. Any sign can protrude a maximum of 300 millimetres below the verandah. 4. The number of signs mounted under the verandah must not exceed one sign per business premise, except where: <ol style="list-style-type: none"> a. the business premise has frontage to more than one road in which case there shall be a maximum of one under verandah sign per road frontage, per business premise; b. the business premise has more than one entrance in which case there shall be a maximum of one under verandah sign per entrance, per business premise; or c. the business premise has a road frontage in excess of 10 metres in which case there shall be a 	<p>Not applicable – no signs attached to the roof are proposed</p> <p>Not applicable – no signs under verandahs are proposed</p>
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	<p>maximum of one under verandah sign for each additional 10 metres of road</p> <p>Parapet Signs</p> <ol style="list-style-type: none"> 1. The total area of parapet signs per building (regardless of the number of tenancies/business premises within that building) shall be no more than 50% of the parapet area or the maximum area of signage provided for in the 'General Permitted Activity Standards for signs in the Working Zones', whichever is the lesser. <p>Fascia Signs</p> <ol style="list-style-type: none"> 1. The sign must be parallel to the fascia; and 2. The sign must not extend beyond the surface area of the fascia. 	<p>Does not comply – the total area of parapet signage is 70.2m²</p> <p>Complies – the signs for car parking in the pick up area are parallel to the fascia</p> <p>Does not comply – the signs do extend beyond the surface area of the fascia</p>
<p>SIGN-R10 The following types of signs are permitted activities:</p>	<ol style="list-style-type: none"> 1. The use of corporate colours painted on buildings as a means of identifying a premise, unless subject to a design guide or design standards; 2. Signs that may be erected under the Resource Management Act and Regulations for the purpose of public notification; and 3. Any text, symbols or graphics painted on or attached to any vehicle or trailer with a current registration and warrant of fitness, provided that it is not parked for the primary purpose of directing attention to any subject site, business premise, person, company, activity, political/topical issue or vehicle sale 	<p>Will comply</p>
<p>Restricted Discretionary Activity</p>		
<p>TR-R10 Vehicle movements that do not meet the permitted activity standards under TR-R2 (therefore deemed a major traffic activity(ies)).</p>		
<p>NH-FLOOD-R11 In a ponding or shallow surface flow area, earthworks which do not comply with one or more of the permitted activity standards under NH-FLOOD-R4.</p>		
<p>EW-R5 Earthworks not complying with one or more of the permitted activity standards in EW-R2 or EW-R3.</p>		
<p>SIGN-R11 Except as provided for under SIGN-R11 to SIGN-R13, any sign that is expressly provided for as a permitted activity in this chapter but does not meet one or more of the general permitted activity standards or the relevant zone-specific permitted activity standards.</p>		
<p>Discretionary Activity</p>		
<p>TR-R11 Any activity which is not a permitted, controlled, restricted discretionary or non-complying activity.</p>		

Part 3 – Area Specific Matters

General Industrial Zone

Permitted Activity	Standard	Compliance
<p>GIZ-R1 Any activity that is a permitted activity under the rules in this chapter.</p>	<ol style="list-style-type: none"> 1. Hours of operation for business activity adjoining or facing the Residential Zones shall be limited to Monday to Saturday 7.00am to 11.00pm except during Public Holidays when industrial activities shall not take place. 2. The following hours of operation must be observed for industrial activities on the General Industrial Zoned land adjoining the Paraparaumu Quarry: 7:00am to 11:00pm Monday to Saturday. No industrial activities shall be carried out on this land outside these times or on Sundays or Public Holidays. 3. In relation to buildings and carparks on properties adjoining a road which has a carriageway width in excess of 8.0 metres, a landscaped strip of at least 2 metres in width must be provided along the front boundary (except for vehicle crossings). Landscaping shall also be provided in side and rear yards where they adjoin a Residential or Centres Zone. Where subject sites exceed 4000m² in size, there shall be provision of at least 3 specimen trees capable of growing to 5 metres in height within 10 years of planting for every 1000m² of area landscaped. 4. The activity must not cause offensive or objectionable odour, dust or smoke at or beyond the boundary of the site on which it is occurring. 5. Light level from the activity must not exceed 10 lux, measured 1.5 metres inside the boundary of any adjoining Rural or Residential Zone. 6. Subject sites must be maintained so that they are clear of all rubbish, except waste materials which are temporarily stored pending disposal elsewhere, and all materials (including goods, machinery, vehicles, boxes, crates, pallets and waste material) must be stored in a neat and tidy manner. 7. Activities adjoining Residential Zones and storage areas 	<p>Complies – given the location of the proposed building within the site, it is considered that the business activity does not adjoin or face the Residential Zone.</p>

	containing refuse, by-products or raw materials (unless fronting a service lane) must be screened by a 2 metre high close-boarded fence or shrubs or trees of an equivalent height.	
<p>GIZ-R5 New buildings and structures (excluding minor buildings) and additions and alterations to existing buildings and structures (excluding minor buildings) except in the Ōtaki South Precinct.</p>	<ol style="list-style-type: none"> 1. The maximum height of any building and structure (excluding minor buildings) from original ground level shall be 10 metres (as determined by the height measurement criteria) except that, on Lot 2 DP 441854 (Milne Drive, Paraparaumu), the maximum height of any building and structure (excluding minor buildings) within the area identified on the Structure Plan in Appendix 18 as "8.0m Height Maximum" shall be 8 metres measured from original ground level. 2. All buildings and structures (excluding minor buildings) must fit within a height in relation to boundary envelope, which is made up of recession planes which commence at a point 2.1 metres above the original ground level at the site boundary where it adjoins the boundary of Residential Zones and inclines inwards at an angle of 45 degrees. The exception to this is that garages located in the side or rear yard and not more than 2.4 metres in height (as determined by the height measurement criteria) may infringe the height in relation to boundary envelope. 3. Buildings and structures (excluding minor buildings) shall be sited a minimum of 4 metres from the boundary of a Residential Zone. 4. A building entrance must be visible from the legal road boundary. 	Complies
<p>GIZ-R7 Retail activities.</p>	<ol style="list-style-type: none"> 1. Retail activities are limited to: <ol style="list-style-type: none"> a. retail which is ancillary to an industrial activity on the site and which is limited to whichever is the lesser of the following: <ol style="list-style-type: none"> i. maximum retail floor space of 100m²; or ii. maximum building coverage of 20%. b. service stations; c. trade supply retail and yard based retail which has a maximum retail floor space of 500m²; or 	Does not comply – the supermarket is not an ancillary retail activity to an industrial activity.

	<ul style="list-style-type: none"> d. food and beverage outlets that: <ul style="list-style-type: none"> i. are not off-license licensed premises; ii. sell food that is prepared on-site (only) and beverages (which may or may not be prepared on-site); iii. have a maximum retail floor space of 100m²; and iv. have a maximum building coverage of 20%. 	
GIZ-R8 Offices.	<ul style="list-style-type: none"> 1. Office activities must be ancillary to the industrial activity on the site and limited to whichever is the lesser of the following: <ul style="list-style-type: none"> a. maximum gross floor area of 300m²; or b. maximum building coverage of 20%. 	Does not comply – an industrial activity is not being undertaken on the site and 200m ² of office space is proposed within the supermarket building.
Restricted Discretionary Activity		
GIZ-R14 Offices which do not comply with one or more of the permitted activity standards in GIZ-R8.		
Non-Complying Activities		
GIZ-R20 Off-license premises.		
GIZ-R22 Retail activities, except for trade supply retail and yard based retail, that do not comply with the permitted activity standards.		

4.4 Activity Status

The non-compliance with the vehicle movements standards is a **restricted discretionary** activity under Rule TR-R10.

The non-compliance with access and landscaping is a **discretionary** activity under Rule TR-R11.

The non-compliance for earthworks in a ponding area is a **restricted discretionary** activity under Rule NH-FLOOD-R11.

The non-compliance for earthworks outside of the ponding area is a **restricted discretionary** activity under Rule EW-R5.

The non-compliances with the sign standards is a **restricted discretionary** activity under Rule SIGN-R11.

The non-compliances for retail activities within the General Industrial Zone is a **non-complying** activity under Rule GIZ-R22.

The non-compliance for offices within the General Industrial Zone is a **restricted discretionary** activity under Rule GIZ-R14.

Off-licence premises are provided for as a **non-complying** activity within the General Industrial Zone under Rule GIZ-R20.

5 NATIONAL ENVIRONMENTAL STANDARDS

There are currently six operative National Environmental Standards, these relate to the air quality, sources of drinking water, telecommunication facilities, electricity transmission activities, contaminants in soil and plantation forestry.

5.1.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS)

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) is a nationally consistent set of planning controls and soil contaminant values. It ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed - and if necessary, the land is remediated, or the contaminants contained to make the land safe for human use.

The NESCS came into effect on 1 January 2012.

The NESCS applies to assessing and managing the actual or potential adverse effects of contaminants in soil on human health from five activities: subdivision, land-use change, soil disturbance, soil sampling, and removing fuel storage systems.

As stated earlier in this report, the site is not shown in the Regional Council's Selected Land Use Register, however known current and previous uses of the site are on the Hazardous Activities and Industries List and therefore, the NESCS is relevant for consideration.

5.1.1.1 Activity Status

The proposal will result in the change of use of this portion of the site and therefore the permitted activity standards under Regulation 8(4) need to be met. A preliminary site investigation exists and was provided to Council as part of the resource consent application. The investigation *confirmed the presence of potential contamination that cannot be determined via on-site testing until the existing building on the site is demolished.*

As no onsite detailed site investigations has been undertaken as required by Regulations 9(3) and 10(2), the proposed change in use is a **discretionary** activity under Regulation 11.

6 OVERALL ACTIVITY STATUS

Overall, the proposal is a **non-complying** activity as this is the more restrictive activity status.

7 NOTIFICATION

In considering whether or not notification is required, Sections 95A to 95E of the Resource Management Act 1991 must be considered. Sections 95F and G are not relevant to this application. Sections 95 to 95E are referenced below:

95 Time limit for public notification or limited notification

95A Public notification of consent applications

95B Limited notification of consent applications

95C Public notification of consent application after request for further information or report

95D Consent authority decides if adverse effects likely to be more than minor

95E Consent authority decides if person is affected person

For the full text of the above provisions, please refer to the Resource Management Act 1991.

7.1 Determining if Notification is Required

There are two key steps in the process of determining whether an application should be publicly notified, or be processed on a limited or non-notified basis.

Step 1 requires the Council to decide if an application should be publicly notified (as set out below). If the Council determines that the activity should not be publicly notified then they revert to the next step in the process, which is to determine if there are any affected persons who need to be limited notified of the application.

A full list of the provisions for public notification is provided below. In summary, an application should be publicly notified if the adverse effects on the environment are more than minor (but not less than minor or minor) or special circumstances exist that warrant public notification.

A person is considered to be an affected party, for the purpose of limited notification, if the effects on them are minor or more than minor, but not less than minor.

The steps for determining public notification, as set out in s95A is provided below.

7.2 s95A Public Notification

(1) A consent authority must follow the steps set out in this section, in the order given, to determine whether to publicly notify an application for a resource consent.

Step 1: mandatory public notification in certain circumstances

(2) Determine whether the application meets any of the criteria set out in subsection (3) and,—

(a) if the answer is yes, publicly notify the application; and

(b) if the answer is no, go to step 2.

(3) The criteria for step 1 are as follows:

(a) the applicant has requested that the application be publicly notified:

(b) public notification is required under section 95C:

(c) the application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

3.1. Public Notification Recommendation

That pursuant to section 95A(3)(a), at the request of the Applicant, the application shall be publicly notified.



Reported and Recommended by: _____ Marnie Rydon
Consultant Planner

Decision: "That the above recommendation be adopted."



Delegated Officer: _____ Yolanda Morgan
Principal Resource Consents Planner