

Submission RM210149 Kapiti Gateway

Introduction

My name is Murray Guy and I am a trustee of two family trusts that own the residential property at 56 Marine Parade, Paraparaumu Beach, used as our second family home. I hold a Masters degree in Agricultural Science, and I am a retired Regional Councillor (Horizons) and a retired Hearing Commissioner (RMA). Whilst I have a good general knowledge of environmental, planning and RMA issues, I am not giving evidence as an expert in these subject areas.

We have owned 56 Marine Parade since 2002.

Application RM210149

I am generally in favour of a Gateway project, but consider this application to be flawed in a number of major areas, and should therefore be **Declined**. There are many aspects of this proposal that are non-complying, and many adverse effects that are more than minor. The decision to limit notification and appeals to only a few residents is wrong when there is large public interest and the application is **non-complying**. It is a huge burden for those few of us identified as affected parties to be the only scrutineers of this public asset consent application. This is against "natural justice and fair process".

Building site

I restrict my comments to the irrational decision to propose the main building to be located in a natural hazard flood/ponding zone, and to be adjacent to a build line restriction(1999) in a coastal environment. This beggars belief given that the applicant is KCDC, and the vulnerability of buildings in such locations, climate change, coastal retreat, and new build line restrictions have been prominent concerns for the last 10 years, and promoted by KCDC (2012).

Car Parking-General

There is a wide range of opinion as to the need and requirement for car parking in relation to this application. "Only new carparking demand generated by the new buildings needs to be considered by the proposal, Parking demand for the Island Tours is an existing consented activity and parking associated with this(up to the existing concession limit) is permitted within the existing environment. The National Policy Statement for Urban Development 2020(NPS-UD) which does not require carparking for development" Tomkin & Taylor Traffic Impact Assessment (TIA) pg3 Review Scope. Cuttriss in their application pg 48 state " 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"...."A more formal carparking study was undertaken in August 2020 and found that during the week that Marine Parade was at a maximum 34% occupied and 50% occupied during the weekend"

My point is that the case for the need of a new carpark in area C6, Maclean park, has not been demonstrated, given the existing carparking capacity available(demonstrated by the studies), and the increase in parking spaces from the reconfiguration of the southern carpark , and the low statutory requirements. Also the lack of alternatives fully investigated, lack of reporting, and a review of the excessive parking removal from the extensive proposed building features/entrance/decking at the Gateway.

Carparking – Specific

We are an adversely affected party due to the proposed new Carpark directly opposite our house at 56 Marine Parade, front and centre of our main north-western view out to Kapiti Island and the setting sun. This coastal foredune strip is afforded environmental protection by the Resource Management Act(RMA), NZ Coastal Policy Statement, , and the Kapiti Coast District Plan.

In 2002, when we bought, the District Plan (1999) zoned the coastal foredune strip on the western seaward side of the street as 'Outstanding Landscape', and we personally have always viewed it as an outstanding landscape. The current Operative District Plan (2021) now has this foredune strip zoned in 2 parts, as 'General Residential' adjacent the street, and 'Natural Open Space' to the seaward.

This proposed carpark with its adverse effects are contrary to-

1 RMA s6(a) "the preservation of the natural character of the coastal environment.." The proposed carpark will adversely affect the natural character of the Natural Open Space, with proposed earthworks affects being more than minor.

s6(b) "the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development" The foredune has highly valued natural features which will be impacted by the proposed physical earthworks, the new tarseal "built" environment, and the adverse effects of the visual imposition of vehicles of all sizes, freedom campers and associated noise. These adverse effects are more than minor.

s7 "In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources shall have regard to....

7(aa)" the ethic of stewardship" KCDC is conflicted as applicant and by its

regulatory function to which it is severely lacking in stewardship, by proposing this application which is **non-complying** in multiple aspects. The most significant lack of stewardship by KCDC would arguably be the decision to propose to build a Gateway centre, and a new carpark to the south, both in flood zones, and adjacent to build line restrictions set in 1999, while currently and for the last 15 years, been promoting new build setback lines and discussing managed retreat.

7(b) “the efficient use and development of natural and physical resources”. Proposing a new carpark, that is arguably not required, located in this Natural and highly valued public space is contrary to this section of the RMA.

7(i) “the effects of climate change”. There is no commentary in the application with respect to the impending effects of climate change, with increasing frequencies and intensities of storm events, and sea level rises. The foredune is our front line of physical defence and should be preserved and encouraged to grow in physical size naturally and with good vegetative cover. Earthworks associated with the carpark, and the cutting/battering of dune slopes increases the vulnerability of the foredune to withstand the future adverse effects of climate change and foredune erosion.

2 District Plan (2021)

This consent application is contrary to some of the District plan’s objectives, in particular, DO-04 Coastal Environment “ To have a coastal environment where:

1. “areas of outstanding natural character and high natural character, outstanding natural features and landscapes...are identified and protected” The construction of a carpark with associated earthworks is not protecting this natural dune landscape feature.
- 3 “the effects of inappropriate subdivision, use and development are avoided, remedied, or mitigated” The adverse effects of this new carpark construction could be avoided as it is arguably not necessary, or it could be located in a less environmentally sensitive area.

DO-05 Natural Hazards “To ensure the safety and resilience of people and communities by avoiding exposure to increased levels of risk from natural hazards, while recognising the importance of natural processes and systems” Building a carpark (and a gateway building) in an identified flood zone ,and at the same time damaging the foredune during construction is contrary to this objective.

DO-09 Landscapes, Features and Landforms “To protect the District’s identified outstanding natural features and landscapes from inappropriate subdivision, use and development; and

1 maintain or enhance the landscape values of special amenity landscapes and identified significant landforms: and

2 avoid, remedy or mitigate adverse effects of earthworks on natural features and landforms” The foredune area is a natural feature and landscape and warrants protection from the proposed new carpark.

Maclean Park Te Uruhi Reserve Management Plan 2017

The location of the proposed new carpark is a significant deviation from the Reserve Management Plan which was publicly consulted on, and ratified by KCDC. In particular the proposed new carpark location is now in the Residential zone as opposed to the Town Centre zone, where one would naturally expect a public carpark to be located, given that it primarily services the Town centre needs. The result is that we will now have a greater adverse visual effect, from carparks in the residential zone, of what now appears to be almost a continuous strip of carparks along this residential zone of Marine Parade, in a natural environment. The cumulative adverse effects of this are more than minor. This new addition is not required for general public beach access, as the existing carparks more than adequately fill that function. The general public have been excluded from having a voice, in this consent application, on this matter.

Conclusions-

This consent application is **contrary to** -

- 1 “natural justice and fair process” and should have been publically notified, given the level of public interest.
- 2 Sections of the RMA
- 3 NZ Coastal Policy statement
- 4 Policies and objectives of the District Plan
- 5 Maclean Park Reserve Management Plan.

and the adverse environmental effects are cumulative and are deemed to be **“more than minor”**

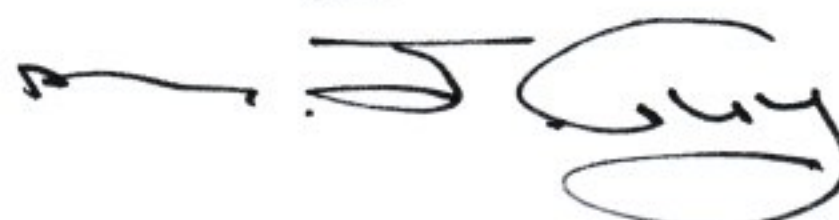
Therefore the required gateway test of a non -complying consent application against RMA s104(d), with adverse environmental effects “more than minor” supports our request for this consent to be **Declined**

Murray Guy (Trustee)



27 June 2022

Michelle Guy (Trustee)



27 June 2022