

**AGENDA FOR A HEARING BY COMMISSIONERS TO BE HELD IN THE COUNCIL
CHAMBER AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD,
HENDERSON, WAITAKERE, ON WEDNESDAY, 27 OCTOBER 2010
COMMENCING AT 9.30 AM**

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A FULL COPY OF THE APPLICATION IS ALSO AVAILIABLE AT:
<HTTP://WWW.WAITAKERE.GOV.TZ/ABTCNL/PN/CONSENTS.ASP>

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RESOURCE MANAGEMENT ACT 1991 BY KAREKARE SURF LIFE SAVING
PATROL TO DEMOLISH AND REPLACE THE EXISTING LIFESAVING CLUBHOUSE
WITH A PURPOSE-BUILT BUILDING AT 34 WATCHMANS ROAD AND AN
ADJACENT AREA OF WAITAKERE RANGES REGIONAL PARKLAND**

LUC 2005-1381

WARD: Waitakere

N.B. This report sets out the advice of Consent Services to the Hearing Commissioners on the environmental issues raised by the application for resource consent. It is not the decision of the Council. The decision will be made after consideration of the application by the Hearing Commissioners.

APPLICATION DETAILS

Planner:	Nicholas Lau
Site Address:	34 Watchmans Road Waitakere Ranges Regional Parks Land
Applicant:	Karekare Surf Life Saving Patrol Inc
Date Received:	8 August 2005
Resource Consent No:	LUC 2005-1381
Legal Description:	Lot 1 Deposited Plan 28335 Pt Allotment SE45 PSH OF Karangahape
Address for Service:	C/- Craig Magee Resource Management Solutions Ltd P O Box 68 954 Newton Auckland
Site Area:	Lot 1 Deposited Plan 28335- 0.3873 hectares Pt Allotment SE45 PSH OF Karangahape- 33.5864 hectares

Operative Plan

Human Environment	Coastal Villages Environment Open Spaces Environment
Natural Area:	Protected Natural Area Riparian Margins Natural Area (20 metres)
Designation:	(ARC 1) Waitakere Ranges Regional Parkland
Landscape Elements:	Outstanding (Natural Character) Coastal Area (Map 3.5C)

	Outstanding Native Vegetation (Map 3.5A)
	Outstanding Natural Feature (Map 3.5) Ref no 33-Watchman
	West Coast Coastal Landscape (Map 3.6A)
Hazards:	None known
Roading Hierarchy:	Local Road
Proposed Plan Changes:	Plan Changes 35 and 36
Further Information Requested	Yes
Date Requested:	17 July 2009
Date Received:	18 April 2010
Site Visit:	13 July 2009

1.0 INTRODUCTION AND RECOMMENDATION

1.1 Nature of the Application

On the 8 August 2005, a resource consent was received (with the applicant subsequently requesting that the application be publicly notified) to demolish and replace the existing lifesaving clubhouse with a purpose-built building and associated on-site infrastructure which will be accessed by a new hardstand area, and to extend the existing rock wall adjacent to the Karekare Stream.

The proposal requires resource consent in relation to earthworks, vegetation alteration, construction of a new clubhouse building, on-site infrastructure and adjoining access area accommodating vehicle movements across the Karekare Stream and extending the adjacent rock wall.

Overall, the application is considered to be a **Non-Complying Activity**.

1.2 Resource Management Issues Raised

The Resource Management Act 1991 requires that, when considering an application for resource consent, a consent authority shall have regard to the environmental effects of the proposed activity, together with any relevant objectives and policies of the District Plan.

The primary resource management issues associated with this proposal are:

- The impact of development on the natural character of the coastline which is identified as an Outstanding Natural Landscape;
- The amenity, social and visual effects associated with structures and activities proposed, once established;
- The amenity and visual effects associated with the proposed development during the construction period;
- Increased wastewater generation and stormwater runoff;
- The amenity and physical effects of development upon the adjoining coastline; and
- The amenity and physical effects on the Karekare Stream resulting from extending the existing rock wall and undertaking vehicle movements across the Stream.

1.3 Planner's Recommendation

The planner who has prepared this report recommends that, subject to any contrary or additional evidence submitted at the Hearing, **consent be granted** to this application.

In this regard, it is considered that the proposal satisfies both gateway tests described in Section 104D in that the adverse effects that may be generated by the activity will be no more than minor and the proposal is not contrary to the objectives and policies of the District Plan.

2.0 LOCATION PLAN



Figure 1: Proposed area of works

3.0 PROPOSAL

The applicant seeks resource consent to demolish the existing lifesaving clubhouse and replace this facility with a purpose-built building and associated infrastructure.

The proposed works will involve the following activities and structures:

- The staged demolition of the existing lifesaving clubhouse and adjoining hardstand areas, to be undertaken in accordance with the Construction Management Plan submitted with the application;
- The construction of a purpose built building which will be located a further 5m back from the Karekare Steam edge, and generally situated within the existing building platform;
- The formation of a new hardstand/access area to the south-west of the proposed building platform; and
- The installation of infrastructure for the disposal/treatment of stormwater & wastewater generated by future activities and structures, which includes:
 - A stormwater tank and associated underground filter outlet to appropriately capture and discharge run-off from the roof of the proposed clubhouse building; and

- An underground wastewater treatment plant and associated dispersal field which would be located up-slope of the replacement clubhouse and located over 5m away from the eastern site boundary.
- The above I necessitates the removal of several juvenile coastal plants & shrubs immediately adjoining the existing building; and
- The establishment of landscape planting upon the existing dune formation to the west of the proposed building platform.

The following features of the above are noted:

- The construction of a 7.1m high (max height), 286m² three-level replacement clubhouse building which will be entirely contained within the subject property, and have its foundations set-back over 10m from the Karekare Steam edge, with the south-eastern corner of the proposed roof-line coming within 2.3m of the southern boundary at its closest point;
- The replacement building's footprint will measure approximately 20m in length, 15m in width and like the present building, would be constructed upon the lower slopes of the site, with the building's roofline being split into three separate components and gradually steeped down to mimic the sloping nature of the Watchman rock formation;
- The formation of an irregularly shaped, 10m long, 84m² concrete hardstand/access area abutting the replacement building's south-east corner, which will be viewed in conjunction with a 1.5m wide timber boardwalk adjoining its northern edge and providing pedestrian access into the ground-floor of the building;
- The western and eastern triangular-shaped roof overhangs (max width 2.5m) have been designed to minimise glare upon horizontally positioned glazing present along the ground and first-floor facades of the building, with aluminium joinery being utilised due to its relatively dull appearance;
- The exterior of the replacement building's basement and ground-floor levels will be largely composed of charcoal block, while the remaining external portions of the building's ground and first-floor levels would comprise of dark timber cladding;
- The metal roof of the replacement building will have a grey finish and vertical profile which is consistent with similar patterning along the building's exterior;
- The replacement building will be composed as follows:
 - The basement level will encompass an upgraded first aid room and increased storage area for lifesaving equipment which would be easily accessible through the provision of a roller-door adjoining the proposed hardstand/access area to the south-east;
 - The ground-floor will consist of a recreational area, dining/kitchen facilities and adjoining meeting space, with a balcony and watch tower being located at the western end of the floor; and
 - The first-floor will contain separate male/female toilets and adjoining bunk rooms which are able to accommodate a total of 32 people.
- With the exception of quad bike movements when surf patrols are in operation, it is anticipated that the use of the building would generate no more than 12 vehicle movements on and off-site per day, which is consistent with the number of traffic movements associated with operations undertaken from the existing activity.

To facilitate the construction of the replacement building and associated installation of infrastructure on-site, the following vegetation alteration works are proposed:

- The removal of a Cabbage Tree, flax, Pohutukawa Tree, Agapanthus and two Kawakawa Trees;

- Works within the dripline of a Pohutukawa Tree; and
- Pruning of three Pohutukawa Trees, which includes the pruning of a Pohutukawa Tree adjoining the vehicle entrance located to the east of the subject property (adjoining the public car park) leading onto the adjacent area of Waitakere Ranges Regional Parks Land to the south.

Both weed management and appropriate replacement planting will be undertaken to mitigate the loss of the aforementioned native vegetation.

Earthworks, both within and outside the building platform are in the order of 800m³ of cut within an earthworks area of 400m².

The development will cover the site with a total impermeable surface area of 427m², which is consistent with the present 425m² cumulative area of impermeable surfaces onsite, as detailed below:

	Building	Paving	Total
Existing	244m ²	181m ²	425m ²
Proposed	286m ²	141m ²	427m ²

The following activities and structures would be located upon the adjacent Waitakere Ranges Regional Parks Land ("Regional Park"):

- The extension of the existing foreshore wall for a distance of 6m along the Karekare Steam edge which will block-off the present concrete access ramp adjoining the clubhouse;
- The formation of a landscape bund behind the existing foreshore wall;
- The formation of a new hardstand/access area to the south-west of the subject site;
- The establishment of landscape planting adjoining the proposed hardstand/access area and Karekare Stream edge; and
- The continued use of Regional Parks Land for vehicle access both onto the subject site, and across existing vehicle access points intersecting the Karekare Steam.

3.1 Information Received

The following information has been provided and was included in the application as publicly notified on the 17 June 2010:

- Application Form, Assessment of Environmental Effects, including further information prepared by Resource Management Solutions Ltd;
- Land Registrations (Certificate of Titles);
- Architectural Drawings- Hillery Priest Architecture Ltd, 22 Feb 2008;
- Landscape Concept- Auckland Regional Council, Revision A,04-2010;
- Planting & Landscape Management Plan- Auckland Regional Council, April 2009;
- Vegetation Assessment-Chris Hinton of Katsura Tree Consultancy,27 September 2009;
- Visual & Landscape Assessments- Sally Peake of Peake Design Ltd, dated 06.06.09;
- Geotechnical Assessment- Peter Quilter of Tonkin & Taylor Ltd, dated October 2007, including supplementary Geotechnical Assessment, dated 10 March 2010;
- Wastewater and Stormwater Details- Wastewater System Design for Karekare Surf Club, dated 9 April 2010 and Hynds Up-Flo Filter for Karekae Surf Club Development, dated 24 April 2009;
- Construction Management Plan- Tonkin & Taylor Ltd, dated April 2010; and

- Archaeology Assessment- Opus International Consultants Ltd, dated 10 April 2009.

A1-A28 Following the close of submissions, the following information was provided, and can be found attached at pages A1 to A28 as Appendix I.

- Additional Geotechnical Investigations Report, 31 August 2010, prepared by Tonkin & Taylor;
- Karekare Surf Lifesaving Club Wastewater Treatment Plant- Site Plan 1 & Site Plan 2, prepared by Hynds Environmental, 29/9/10; and
- Proposed Wastewater Treatment and Disposal Peer Review, 6 October 2010, prepared by Andrew Stewart.

A138-A140 The application, including submissions received has been reviewed by the following persons (copies of all Specialist Reports are attached at pages A138 to A140 as Appendices IV to VIII) :

- Mr Mohammad Rahman – Subdivision and Consents Engineer (refer Appendix IV);
- Ms Natalie Marsden – Ecologist/Arborist (refer Appendix V);
- Mr Gordon Griffin– Council's Landscape Architect (refer Appendix VI);
- Ms Alina Wimmer – Principal Advisor, Heritage (refer Appendix VII); and
- Mr Mark Tollemache- Council's Strategic Advisor - Waitakere Ranges (refer Appendix VIII).

4.0 REASONS FOR THE APPLICATION

Consent is required under the Waitakere Operative District Plan 2003 for the following reasons:

- **34 Watchmans Road**

Protected Natural Area

Under Rule 2.5 (Vegetation Alteration), consent is required as a Non-Complying Activity for removal of native and exotic vegetation which will increase the cleared area of the site to more than 500m² of the net site area. Works within the dripline of protected vegetation, and associated pruning of selected remaining vegetation is also proposed.

Under Rule 3.4 (Earthworks), consent is required as a Non-Complying Activity for earthworks (outside the building platform) equating to 100m³ over a plan area of 79m².

***Note:** Works required to install effluent systems do not constitute earthworks under the District Plan.*

Under Rule 4.2 (Impermeable Surfaces), consent is required as a Non-Complying Activity for approximately 11% impermeable surface coverage of the site.

Riparian Margins Natural Area

Under Rule 2.5 (Vegetation Alteration), consent is required as a Non-Complying Activity for the removal of native vegetation to accommodate an extension to the existing building platform on-site. Works within the dripline of protected vegetation, and associated pruning of selected remaining vegetation is also proposed.

Under Rule 3.4 (Earthworks), consent is required as a Non-Complying Activity to undertake earthworks over a plan area of 286m² for the purpose of creating a building platform to accommodate the replacement clubhouse on-site.

Under Rule 4.2 (Impermeable Surfaces), consent is required as a Non-Complying Activity for approximately 50% impermeable surface coverage of the riparian margin zoning on-site.

Under Rule 7.3 (Buildings), consent is required as a Discretionary Activity to construct a new building.

Coastal Villages Environment

Under Rule 4.3 (Building Height), consent is required as a Discretionary Activity due to the replacement clubhouse building exceeding the permitted 6.0m height limit by a maximum of 1.1m over a length of 12m.

Under Rule 5.2 (Height-in-Relation to Boundaries), consent is required as a Discretionary Activity due to the replacement clubhouse building infringing the southern recession plane by a maximum of 0.3m over a length of 5.48m

Under Rule 6.2 (Yards), consent is required as a Discretionary Activity due to the replacement clubhouse building infringing the permitted 3.0m setback by a maximum of 0.7m over a length of 5.48m

Under Rule 7.2 (Building Coverage), consent is required as a Limited Discretionary Activity due to the replacement clubhouse building exceeding a 200m² area on-site, with the proposed building footprint equating to 286.05m².

Under Rule 8.3 (Non-Residential Activities), consent is required as a Non-Complying Activity to construct a replacement clubhouse building which will accommodate a non-residential activity.

Under Rule 9.2 (Traffic Generation-(Non-Residential Activities)), consent is required as a Non-Complying Activity to accommodate a non-residential activity which will generate more than 20 vehicle (quad bike) movements per day when surf patrols are in operation.

Under Rule 10.2 (Car Parking and Driveways), consent is required as a Controlled Activity to construct a concrete vehicle access area which will need exceed a gradient of 1 in 5.

Note: *Subsequent to the provision of application documentation, the above-ground stormwater detention tank has been classified as a 'Connection' under the District Plan, and therefore its installation on-site would constitute a Permitted Activity under Rule 15.1 of the Infrastructure Rules.*

- **Waitakere Ranges Regional Parks Land**

Protected Natural Area Riparian Margins Natural Area

Under Rule 3.4 (Earthworks), consent is required as a Limited Discretionary Activity to undertake earthworks for the purpose of constructing a 5m long extension to the existing rock wall, and forming a 35m² concrete hardstand/vehicle access area which will result in approximately 3m³ of excavated material being taken off-site.

Note: *Works required to cultivate plants for landscaping purposes do not constitute earthworks under the District Plan.*

Also, subsequent to the provision of application documentation, the rock wall has been classified as 'Parks Infrastructure' under the District Plan. The proposed extension complies with all relevant rules applicable within the Open Space Environment.

Overall, the application is considered to be a **Non-Complying Activity**.

Note: Under Rule 1.2 (Temporary Activities) of the City-Wide Rules consent, it is considered that the proposal falls within the perimeters of 1.1 Construction, Maintenance and Demolition Noise. As such, this aspect is considered a Permitted Activity.

Plan Changes

The resource consent application was lodged prior to the notification of Plan Changes 35 and 36 and no council decision has been made. Plan Change 35 introduces the objectives of the Waitakere Ranges Heritage Act into the District Plan, pursuant to Objective 5B.1.2, while Plan Change 36 seeks to provide for the social, cultural and economic wellbeing of people, communities and visitors to the Heritage Area, and includes recognition of existing activities that support wellbeing, as detailed under Objective 5B.4.2. The application will be processed, considered, and decided as an application at the time the application was first lodged. Rules associated with the Plan Changes do not have legal effect pursuant to Section 86G of the RMA 2009.

Note: Under Plan Changes 35 and 36 as notified, the overall activity status would remain as Non-Complying Activity for matters beyond the scope of these plan changes which mainly deal with the status of non-residential activities within the Foothills and Waitakere Ranges Environments.

5.0 THE SITE AND NEIGHBOURHOOD DESCRIPTION

The application site encompasses the 3873m² rectangular shaped property at 34 Watchmans Road (Lot 1 Deposited Plan 28335) which is owned by Karekare Surf Lifesaving Club incorporated who occupy the present clubhouse on-site, and an adjacent section of Waitakere Ranges Regional Parks Land (Pt Allotment SE45 PSH OF Karangahape) which is owned by the Auckland Regional Council. The site adjoins the Karekare Stream to the south and falls under designation (ARC 1) with the designated purpose being the Waitakere Ranges Regional Parkland

The subject property is located at the end of Watchmans Road, and is surrounded by the Regional Park to the north and west. The wider character of the area at present is largely defined by a rugged coastal landscape that is dominated by the pohutukawa clad Watchman rock formation which dictates the steep topography of both the subject site and surrounding coastal environment.

Apart from being characterised by Pohutukawa covered slopes and gullies, the wetland areas and dune formations surrounding the Karekare Stream to the south provide for low-lying coastal vegetation which predominantly consists of native reed, sedge and flax species.

The presence of residential development in the area is subservient to the natural character of the surrounding coastal landscape, which is characterised by a sparse scattering of single-storey dwellings adjoining the southern edge of Watchmans Road, with the road being situated along the top of the Watchman rock formation. It is noted that the property immediately east of the subject site which adjoins the Karekare Stream remains undeveloped, with the nearest residential dwelling being located over 80m to the north-east of the clubhouse.

Since 1962, the primary use of the subject property has been for the purpose of undertaking surf lifesaving activities along Karekare Beach, with the original building being built in 1980 to accommodate the present 7.0m high, 244m² clubhouse building which consists of a concrete-block basement and timber-clad ground-floor (both painted pale green) which is covered by a grey corrugated iron roof.

The basement level is used as a storage area for lifesaving equipment which is accessible through the provision of a roller-door adjoining the existing concrete ramp and hardstand area located next to the building's south-eastern corner.

Access into the building's ground-floor is provided by a set of timber stairs which have been constructed upon an existing 10m long rock wall which abuts the hardstand area to the south.

The ground-floor entry immediately adjoins the clubroom's main lounge room, with separate male/female toilets and adjoining bunk rooms being located within the northern half of the floor which accommodate a total of 38 people. A balcony and watch tower facility is also provided for along the ground-floor's western facade.

The Surf Club currently has a membership of 186, which includes 118 seniors, 47 juniors and 21 supporters.

It is noted that the present clubhouse building straddles the southern site boundary, with an 11m long, 2.0m wide portion of the building's southern edge, along with most of the associated access/hardstand area being located within the Regional Park that adjoins the Karekare Stream. This also provides vehicle access to the clubhouse from the east that passes along a sheltered wetland area to the north of the stream.

Surf patrol vehicles presently access the beach by utilising approved crossing points at various locations along the Karekare Stream, although it should be noted that with the exception of quad bike movements during summer months, vehicle movements generated by the use of the clubhouse buildings exceed no more than 12 on any given day (vehicle access enabled under existing licence agreement with the Auckland Regional Council).

Within the Regional Park, there is a stone wall situated alongside gabion baskets adjoining the foreshore, and which is intersected by a concrete ramp providing access for lifesaving boats entering/exiting the subject property.

It is noted that the application documentation, including attached specialist reports provides a more detailed site description and surrounds. A number of Council Specialist(s), with particular regard to the assessment by Mr.Griffin has also provided a description of the site and surrounds.

6.0 ISSUES IDENTIFIED THROUGH THE SUBMISSION PROCESS

The application was publicly notified on the 17 June 2010 with the period of submissions closing on the 15 July 2010.

A37-A137

In total, 39 submissions were received, 37 submissions supported the application, 1 submission opposed the application, and 1 which supported the application with concerns. Copies of these submissions are attached at pages A37 to A137 as Appendix III.

Further to the above, three additional submissions were received from the following persons on the 16 of July 2010:

John McLarin	Support
John Linderman & Stephanie Overton	Oppose
NZ Historic Places Trust	Neutral

Section 37 Assessment

The Hearing Commissioners needs to resolve whether to accept these late submissions, pursuant to Section 37 of the Act. In making this decision, the Council is required to consider the provisions set out in Section 37A(1), being:

- (a) *The interests of any person who, in its opinion, maybe directly affected by the extension or waiver, and*
- (b) *The interests of the community in achieving adequate assessment of the effects on any proposal, policy statement , or plan, and*
- (c) *Its duty under Section 21 of the Act, to avoid unreasonable delay.*

Section 37A(2)(a) also requires that the extension of time shall not have the effect of exceeding twice the maximum period specified in the Act. It is noted that the late submissions from John McLarin, John Linderman & Stephanie Overton and the NZ Historic Places Trust were received 1 working day after submissions closed.

In accordance with Section 37A(1), the acceptance of the submissions has not resulted in unreasonable delay, and their acceptance will ensure the interests of the community are met No one is considered would be unduly prejudiced by its acceptance. It is therefore recommended that these late submissions be received.

A37-A137 Copies of the above submissions are attached at pages A37 to A137 as Appendix III.

A29-A36 A summary of all submissions can be found at pages A29 to A36 as Appendix II.

6.1 Submissions

6.1.1 Summary of Submissions

The submissions in support of the application raised the following matters:

- **Provision and enhancement of Community facilities/services;**
 - The development will support the continuation and enhancement of an essential surf lifesaving service which benefits both the local community and greater Auckland Region;
 - The development will allow for the continued provision and augmentation of recreational benefits to the families of local residents; and
 - The proposed clubhouse building will provide a much-needed venue for local community activities and functions.
- **Present state of existing clubhouse building;**
 - The present clubhouse is deteriorating and does not adequately provide for the storage of vital lifesaving equipment.
- **Design and locality of proposed clubhouse building & associated landscape planting;**
 - When compared to the existing clubhouse, the proposed clubhouse will be setback further from the Karekare Stream, and shall be adequately screened by the provision of landscape planting along the foreshore.
- **Consultation;**
 - Over the last five (5) years, the applicant has consulted the local community regarding the proposed development.

- **General;**
 - General support subject to further geotechnical investigation confirming suitability of proposed on-site wastewater system, and imposition of conditions requiring remediation works at either end of existing foreshore wall to prevent scouring, and provision of sand ladders along stream crossing points during construction period.

The submissions that are neutral to the application raised the following matters (in summary):

- **Heritage;**
 - Provision of advice note detailing the appropriate protocols to be implemented on-site if archaeological remains are discovered during the construction period (NZ Historic Places Trust).

The submissions in opposition to the application raised the following matters (in summary):

- **Discharges/Contamination;**
 - Discharge of effluent onto adjacent properties.
- **Vehicle Access across stream;**
 - Wet vehicle crossings across stream are inappropriate and it is preferred that they are replaced by dry crossings.
- **Built form;**
 - Proposed lifesaving clubhouse building should be entirely constructed of timber to cope with changes to the surrounding landform;
 - Rear wall of proposed clubhouse building is too high and should be reduced.

6.2 Organisations

- Auckland Regional Council;
- Department of Conservation;
- Karekare Resident and Ratepayers Association;
- New Zealand Historic Places Trust*; and
- Waitakere Ranges Protection Society*.

The above organisations were notified of this application. The ones which have been denoted with an * made a submission with regard to the proposed development.

6.3 Iwi

- Te Kawerau A Maki; and
- Ngati Whatua O Orakei Corporate Ltd.

The above iwi groups were notified of this application and did not make a submission.

7.0 STATUTORY REQUIREMENTS

7.1 Non-Complying Activities

A161-A174 The relevant policies and objectives which apply under the District Plan and the Resource Management Act 1991 are set out in more detail attached at pages A161 to A174 as Appendix IX. This should be referred to as the legal framework within which the application should be addressed.

The matters to be considered when assessing an application for resource consent are set out in Section 104 of the Resource Management Act 1991. Amongst other things, these matters require consideration of any actual and potential effects on the environment arising from the proposal, together with an assessment as to whether the application is consistent with relevant objectives, policies and rules of the District Plan. All considerations are subject to the provisions of Part II of the Resource Management Act 1991, which sets out the purpose and principles that guide this legislation.

As the proposal requires consideration as a non-complying activity under the provisions of the Resource Management Act 1991. Section 104D of the Resource Management Act 1991 sets a threshold test which all resource consent applications for non-complying activities must pass before a consent authority has jurisdiction to grant consent, having regard to the matters specified in Section 104. In short, the proposal must be able to establish and operate without generating more than minor adverse effects on the environment, or must not be contrary to the relevant objectives and policies of the Operative District Plan. Council may disregard an adverse effect of an activity on the environment if the Plan permits an activity with that effect. Furthermore, no regard to any person who has provided their written approval to the proposed activity.

8.0 Evaluation In Accordance With Section 104 Of The RESOURCE MANAGEMENT ACT 1991

In order to make a decision in terms of Section 104B of the Act it is necessary to undertake an analysis and assessment to determine whether the purpose and principles of the Act are being met (Part II) having regard to the matters set out in Sections 104, 104B and 104D as relevant, the Fourth Schedule and any other statutory considerations.

Section 104(1) of the Act requires that Council have regard to any actual or potential effects on the environment, any relevant objectives, policies, rules or other provisions of a plan or proposed plan and any relevant regional policy statement and regional plan or proposed plan, and any other matters the consent authority considers relevant and reasonably necessary to determine the application.

When considering an application Council must not have regard to any effect on a person who has given their written approval to the application (section 104 (3)(b)) and may disregard an adverse effect of an activity on the environment if the Plan permits an activity with that effect (section 104(2)).

8.1 Assessment of Environmental Effects (104(1)(a)): Actual and Potential Effects on the Environment.

Effects permitted by the Plan

Pursuant to Section 104(2), Council may disregard an adverse effect on the environment if the plan permits an activity with that effect.

In terms of No.34 Watchmans Road, an underlying Coastal Villages Environment applies in terms of the Human Environment. Non-residential activities, as permitted, allows for home occupations although **any** traffic generated by the non-residential activity requires consent.

In terms of the Natural Area, the southern portion of the site is zoned Riparian Margin Natural Area. As such, any buildings / earthworks requires consent. Any removal and /or works within the dripline(s) of native vegetation also requires consent. Where the Protected Natural Area rules apply, earthworks within an approved building platform are permitted.

In terms of the Regional Park, any earthworks requires consent (unless for Parks Furniture) then resource consent is required.

Given the nature of the activity, the adverse effects sit noticeably above those adverse effects permitted by the Plan.

Receiving Environment

The receiving environment for the purposes of s104(1)(a) includes existing permitted activities, activities that have existing use rights, existing activities expressly authorised by resource consent, and unimplemented resource consents (where likely to be implemented).

The adverse effects of a proposed activity, at this point in the analysis, will be those effects that are not already impacting upon the receiving environment.

The present building and associated use of the adjoining Regional Park to provide vehicle access from the foreshore onto 34 Watchmans Road forms an established and integral part of the existing environment. The existing environment and its surrounds has been extensively covered in the application documentation and referred to in Section 5 of this report.

In terms of the subject site and immediate surrounds, there are no known unimplemented resource consents.

The proposal, however, does introduce effects over and above that which already impact upon the receiving environment.

8.1.1 Construction (Temporary) Effects

o Sediment Loss / Runoff

Earthworks are proposed as follows:

- The erection of the building, associated infrastructure and adjoining hardstand/access area on-site would involve approximately 800m³ of earthworks over an estimated area of 500m², with half of this area and 700m³ of excavated material being generated by the undertaking of earthworks within the existing building platform.

The application is supported by a Construction Management Plan that includes the erection of sediment control fences, monitoring of vehicle movements by Regional Council Officers and the formation of cleanwater runoff diversion channels to ensure that adverse effects are adequately mitigated.

I agree with the measures being proposed and subject to the implementation of measures as stated in the Construction Management Plan it is considered that any adverse effects associated with the earthworks proposed, would be no more than minor in nature and will be temporary and localised.

○ **Construction Traffic / Generation**

The Construction Management Plan, in particular Section 6 of the Plan, details the anticipated type and number of traffic movements which would be generated during the six-month construction period. Given the number of traffic movements which are predicted to occur on-site during this time, both the Plan and any associated temporary licence to occupy the Regional Park would be subject to various land use controls so as to ensure that such vehicle movements do not detract from the water quality or natural landforms which shape the Karekare Stream. The implementation of such controls will be regularly monitored by Council Officers during the six-month construction period, and where necessary, specific monitoring visits will be undertaken in response to complaints raised by neighbouring residents, as detailed under Section 7 of the Construction Management Plan.

I agree with the land use controls being proposed, and subject to such measures being appropriately implemented and monitored by Council Officers, consider that traffic movements undertaken during the construction period on-site would have no more than a minor adverse effect on the water quality and natural landforms which characterise the Karekare Stream.

○ **Construction Noise / Dust**

The development has the potential to generate noise and dust effects during the construction phase of the development, particularly as a number of vehicles and machines will be required at the site in order to carry out site works. The proposed area of works will be located over 80m away from the nearest residential dwelling, and when combined with the steep topography separating the subject site from dwellings along the top of Watchmans Road, it is considered that noise and dust effects generated by the proposal would have a no more than a minor adverse effect on the residential amenities of surrounding properties. This outcome will be further ensured by limiting the permitted hours for undertaking construction works on-site to times which generally correspond with daylight hours, as detailed under Section 3.2 of the Construction Management Plan.

Notwithstanding the above determination, it is noted that noise and dust levels will be regularly monitored by Council Officers during the six-month construction period, and where necessary, specific monitoring visits will be undertaken in response to complaints raised by neighbouring residents, as detailed under Section 7 of the Construction Management Plan.

○ **Health and Safety**

The development has the potential to impact upon public health and safety due to the recreational nature of the subject site which is readily accessible for public use from Karekare Road. The Construction Management Plan details the erection of fences where possible around the proposed works area and 'approved contractor's area' on-site so as to ensure that the public is excluded from accessing such areas for the duration of the construction period.

In summary the overall effects of proposed construction will be localised and temporary in nature. Any effects generated by the construction can be mitigated by recommended conditions of consent including the implementation of working methodologies detailed within the Construction Management Plan submitted in support of the application.

It is therefore considered that surrounding amenities will be adequately protected for the duration of the construction period and any effects would be no more than minor in nature.

8.1.2 Water Quality and Quantity

The subject site lies within a particularly sensitive receiving environment, and will result in increased stormwater runoff and generation. The majority of the proposed development will occur upon existing and modified portions of the site. As a consequence, impermeable surfaces will only increase by 2m².

As part of the application, the following reports were provided:

- Wastewater and Stormwater Details- Wasterwater System Design for Karekare Surf Club, dated 9 April 2010 and Hynds Up-Flo Filter for Karekare Surf Club Development, dated 24 April 2009.

A138-A140 The application documentation has been reviewed by Mohammad Rahman, Council's Drainage Engineer (the report is attached at pages A138 to A140 as Appendix IV) who notes that wastewater disposal (including quality treatment) is dependent on systems subject to the discharge consent being considered by the Auckland Regional Council.

The minimal increase in the total area of impermeable surfaces on-site, Mr Rahman has concluded that the proposed stormwater treatment and disposal system, which consists of a stormwater tank and associated underground filter outlet will, appropriately capture and discharge run-off from the roof of the proposed building, thereby ensuring that the activity does not have a detrimental effects on stormwater runoff and generation into the wider receiving environment

I concur with this finding, and subject to the required infrastructure being appropriately installed on-site, consider that the replacement building would have no more than a minor adverse effect on stormwater runoff and generation into the wider receiving environment.

8.1.3 Native Vegetation, Vegetation and Fauna Habitat

The subject site and the immediate surroundings is identified in the District Plan as follows:

- Outstanding Fauna Habitat (Map 3.5B); and
- Significant Vegetation (Map 3.5A).

The Green Network relates to the overall healthiness of the Network's constituent parts and their ability to survive. Biodiversity relates to the overall diversity of genes species of vegetation and fauna and biological communities that exist within the City, the Green Network or an ecosystem. This diversity, which is best served by maintaining the range of native species and genetic stock in the City, contributes to the stability and resilience of the City's environment.

The application has been supported by an Arboricultural Assessment undertaken by Mr Chris Hinton of Katsura Tree Consultancy Ltd, dated 27 September 2009, which describes the terrestrial vegetation affected by the construction of the replacement clubhouse and installation of associated on-site infrastructure, as detailed on pg's 9 & 10 of the aforementioned report.

The following salient points were made:

- The affected forms of vegetation are not considered to be significant examples of their species or contribute significantly to the coastal character of the site as individuals or as a group;
- The removal of a Cabbage Tree, flax, Pohutukawa Tree, Agapanthus and two Kawakawa Trees;
- Works within the dripline of a Pohutukawa Tree; and
- Pruning of three Pohutukawa Trees, which includes the pruning of a Pohutukawa Tree adjoining the vehicle entrance located to the east of the subject property (adjoining the public car park) leading onto the adjacent area of Waitakere Ranges Regional Parks Land to the south.

A141-A145 The application has been assessed by Council's Ecologist Ms Natalie Marsden (the report is attached at pages A141 to A145 as Appendix V) who concurs with the description; quality and extent of vegetation affected.

Vegetation to be removed is not considered to be significant examples of their species or contribute significantly to the coastal character of the site as individuals or as a group. This view is affirmed by the juvenile nature of the vegetation to be removed, with all but one of the trees identified for removal exceeding an above-ground height of 1.5m.

The removal of such juvenile vegetation is therefore considered to have a negligible adverse effect on the visual amenity of the subject site and wider coastal landscape. In addition, appropriate replanting and weed management upon the adjacent strip of the Regional Park adjoining the Karekare Stream would contribute to improving the overall visual amenity of the subject property and surrounding foreshore area over time.

It is noted that small-scale excavation works will need to be undertaken within the driplines of various coastal shrubs and a protected Pohutukawa Tree to accommodate the construction of a timber boardwalk along the top of existing rock wall on-site. Furthermore, the installation of an above-ground wastewater dispersal field will require minor works within the driplines of several protected Pohutukawa Trees located up-slope of the building. Due to the sensitive nature of such works, significant care will be required during construction/installation phase to ensure that existing vegetation to be retained on-site is adequately protected. Ms Marsden recommends conditions of consent which reflect construction methodology to ensure the health of the vegetation is maintained during that period.

In light of the nature and extent of the clearance and associated works within the driplines of protected vegetation on-site, any adverse effects are considered to be no more than minor in nature and will noticeably diminish over time.

The proposal does not impact upon any notable vegetation, and weed clearance is considered to enhance the biodiversity and resilience of the Green Network. Proposed re-planting in the long-term utilising native species will improve its integrity.

Ms Marsden has recommended conditions of consent relating to the implementation of appropriate replanting, weed management and the utilisation of appropriate arboricultural methodologies when working in the vicinity of protected retained vegetation.

Subject to the implementation of Ms Marsden's recommended consent conditions, I consider that the adverse effects of the proposal on protected vegetation would be no more than minor, with such effects noticeably diminishing over time.

8.1.4 Site Stability

The application is supported by a Geotechnical Investigation Report prepared by Tonkin & Taylor Ltd (dated October 2007) and supplementary Geotechnical Assessment prepared by Peter Quilter of Tonkin & Taylor Ltd (dated 10 March 2010).

Mr Quilton has stated that although the development will require significant retention works to maintain the stability of the sand slope behind the existing building platform on-site, he is satisfied that foundation conditions are adequate, subject to appropriately retaining the sand slope by utilising permanent ground anchors into the underlying Piha rock formation.

For the reasons stated above, I consider that any adverse effects would be no more than minor, subject to undertaking the proposed works in accordance with the recommendations detailed in the aforementioned Geotechnical Investigation Report and supplementary Geotechnical Assessment.

8.1.5 Amenity Values - Health and Safety, Landscapes, Local Areas and Neighbourhood Character

Amenity Values is defined in the Resource Management Act as:

“Those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attribute”.

The District Plan has also defines Amenity Values as follows:

“These are those natural and physical characteristics of an area that contribute to people’s enjoyment of it ...”

The District Plan also provides a definition of Neighbourhood Character:

“Neighbourhood is that small local area, usually the same number of streets around a dwelling or workplace that a person identifies with and knows most thoroughly of all parts of the City. Usually people have strong sense of belonging and place associated with a neighbourhood. It is the most localised, personal and intense expression of the relationship of people with their environment.

Such neighbourhoods reflect the general amenity values of the surrounding landscape or local area but have distinctive versions of those general features that allow inhabitants to see them as unique and special. This is a neighbourhood character that defines a neighbourhood as unique. Often the particular streetscape contributes strongly to the local neighbourhood, although it is personal perceptions of residents that ultimately define the nature of that neighbourhood”.

The existing neighbourhood character of the immediately surrounding coastal area can be described as comprising of a relatively quiet coastal settlement that is largely defined by a sparse scattering of single-storey dwellings adjoining the southern end of Watchmans Road & Karekare Road respectively, with the existing building upon the subject site being the only community facility in the neighbourhood.

The subject site and the immediate surroundings are identified in the District Plan has follows:

- Outstanding (Natural Character) Coastal Area;
- Outstanding Natural Features - The Watchman dacite dome and crater;

- Sensitive Ridgeline, this extends across the northern portion of the site. No works are proposed within this notation;
- Natural Landscape Element -1 Native Vegetation;
- Natural Landscape Elements 2;
 - H2- Farley Point; and
 - D1- Karekare sand dunes.
- Outstanding Landscape identified in Map 3.6(B).

In terms of Regional Documents, the following is noted:

- Auckland Regional Plan: Coastal- Outstanding Landscape (Karekare Coastal Edge)

The subject site lies immediately adjacent to the coast adjoining the Tasman Sea to the west, and comes within a coastal strip area, extending from Te Henga to Huia, which is identified as an Outstanding Coastal Area within Waitakere City, and in particular, West Coast Coastal.

The District Plan described an Outstanding Coastal Area as being:

“These are areas where the natural landscapes and landforms are largely intact, some or all of the native coastal vegetation remains and the coastal water quality is generally of better quality than the coastal waters elsewhere around the City.”

The existing building and activities is an established and unique feature in the landscape. The immediate surroundings support the use of the site for this purpose, with the adjoining foreshore wall having been constructed along the Karekare Stream to ensure that the structural integrity of the existing building would not be compromised by coastal erosion processes.

- Visual Effects and Landscape Character

The proposed activity would result in a change to both amenity values and landscape character.

Landscape and visual impacts result from natural or induced change in the components, character and quality of landscape. Usually these are a result of landform or vegetation modification or the introduction of new structures, activities or facilities into the landscape. Changes in a landscape does not of itself, constitute an adverse landscape or visual effect.

In support of the application, a visual and landscape assessment has been undertaken by Sally Peake of Peake Design Ltd (dated 06.06.09) with regard to the proposed development. A further assessment undertaken by Rob Pryor of LA4 (dated February 2009) was also included in the application documentation.

Below is a summary of Ms Peake's comments, by identifying key public viewpoints along the coastline from which the proposed development would be visible.

The main viewing audience comprises visitors and residents walking along the stream and through the dunes to the beach. In addition, there are brief views available from Lone Kauri Road on the descent towards the bay, and potential views from houses overlooking the bay. There are also views from the beach and on the return journey. Representative photographs of these views are attached.

Views of the development for drivers on Lone Kauri Road will be brief and part of a sequence of contained views that include the natural scenery and other buildings in the settlement. The surf club will be an incidental feature of available views and will not be a prominent feature within those views. The proposal will therefore have no or low impact and effects will be benign.

Views from the car park are limited by surrounding landform and vegetation, and it is difficult to discern the surf club from this location so that again there will be no-low effects.

Primary views are from the main approach to the beach along the stream, and clearly for many people appreciation of the natural character and values on the approach to the beach are important. A building in this location is therefore, necessarily, incongruous. At the same time, the activity has a visual connection with the beach and sea (more particularly in summer), and the new building will not be dissimilar from the existing.

In these views where the focus of view is toward the bay, the building and associated activities (including car parking) form a prominent feature of the view and large numbers of visitors will experience the view. The proposal has a number of improvements over the existing development, however, including the fact that it is set back farther from the stream and access, and nestled into the base of the vegetated talus slopes of the Watchman.

Ms Peake goes on to state that the built form of proposed building will be subservient to the natural character of the surrounding coastal landscape, and that the scale and visual impact of the building would be mitigated through a variety of measures, including:

- *Extending the dune system and vegetation from the west in front of the building so that it is integrated into the landscape and separated from the stream environment physically and visually;*
- *Defining and reducing the hardstand and access areas to the east of the building;*
- *The use of low horizontal patterns and elements with dark colours to 'ground' the building and integrate it into the landscape; and*
- *Screen planting and other planting that enhances the natural landscape over the manmade.*

Ms Peake concludes that:

"...although the building has the potential to have a high impact, the actual visual impact, when comparing the existing and new from available viewpoints, will be moderate and result in positive effects once construction is completed."

A146-A153 This assessment has been peer-reviewed by Council's Landscape Architect, Gordon Griffin (the report is attached at pages A146 to A153 as Appendix VI), who concurs with the conclusions detailed in the assessment, and considers that the design parameters of the proposed buildings and its surrounds will allow for its effective integration into the surrounding coastal landscape. These design parameters include the use of cladding materials which would fit the location, discrete signage, and landscape treatment that would screen the lower floor of the proposed clubhouse building.

When compared to the existing environment, the proposed activity will be of a similar scale and height. Furthermore, the exterior of the building will be comprised of charcoal block work, dark timber cladding and a profiled metal roof with grey finish which shall assist in terms of integrating the clubhouse into the wider vegetated landscape.

The integration of the building into the surrounding coastal landscape will be further enhanced by the provision of a landscape bund in front of the building (located on the Regional Park) would screen the basement level of the proposed building from public vantage points along the stream edge and surrounding beach land to the south, while landscape planting upon the bund will ensure that built development on-site blends in with the backdrop of surrounding dune formations.

To accommodate the creation of a landscape bund in front of the proposed clubhouse building, the existing concrete access ramp/hardstand area adjoining the southern site boundary will be planted over, with the adjoining foreshore wall along the Karekare Steam edge being extended to block-off vehicle access from the ramp onto the subject property.

The removal and replacement of present concrete areas with landscape planting along the southern site boundary will serve to further integrate the proposed development into the surrounding coastal landscape, while it is also considered that the extension to the existing foreshore wall would effectively blend in with neighbouring dune formations when viewed against the proposed landscape bund.

Views will undoubtedly change, but the proposal, having regard to the existing environment, will not introduce a building that is obtrusive nor does it compromise the visual landscape qualities of the immediate locality.

In light of the above comments, I consider that the adverse effects on the natural character of the subject coastal strip and the greater West Coast Coastal Area would be no more than minor because the location, scale and form of the proposed building and associated development will assist in integrating its built form into the wider coastal landscape, with the provision of a landscape bund in front of the proposed building ensuring that it blends in with neighbouring dune formations.

In summary, the proposed development would not result in a notable change, in terms of adverse effects, to both amenity values and neighbourhood character.

- Scale of Non-Residential Activities (including Noise)

The scale and intensity of non-residential activities to be undertaken is considered to be consistent with the existing activity.

The present activity currently provides sleeping accommodation for 38 people. In comparison, the replacement building would provide sleeping accommodation for 32 people within separate male/female bunk rooms, while the proposed use of the basement level, apart from incorporating a new first aid facility, would be consistent with the current use of the present clubhouse's basement level which encompasses a storage area for surf lifesaving equipment/vehicles. The provision of meeting/recreational rooms and adjacent outdoor deck area within the replacement building's ground-floor would also be similar to the existing use of the present clubhouse's upper floor which encompasses a sizeable lounge room and adjoining outdoor deck area.

- Adjacent and Nearby Amenities

The replacement building will be generally situated within the building platform currently occupied by the present clubhouse, and would therefore maintain a 20m separation distance from the adjacent eastern site at 30 Watchmans Road which is presently vacant. The nearest residential dwelling would be located over 80m to the north-east of the clubhouse, with the building not being visible to dwellings along the top of Watchmans Road due to the steeply rising topography of the Watchman rock formation.

The replacement building would be of a similar scale and height to the present building, there is a greater degree of physical separation between the building and the Karekare Stream, with its foundations to be located over 10m away from the active stream edge. This would therefore ensure that any adverse overshadowing or physical dominance effects resulting from the presence of the building would be of a lesser scale to those generated by the present building.

When combined with the replacement building's external appearance, and the provision of landscape bund along the southern site boundary (to be formed over the existing concrete vehicle ramp and adjoining hardstand area serving the present clubhouse), it is considered that the replacement building will have a no more than minor adverse physical dominance effects on the adjacent Regional Park, and would not be visually obtrusive when viewed against the landscape qualities of adjacent localities.

- Traffic Generation, Vehicle Access and Parking

Traffic generated by the proposed activity will be comparable with that which presently exists.

Vehicle access and the parking of vehicles outside the clubhouse can only be achieved on the Regional Park.

As a consequence, vehicle access and parking arrangements outside the clubhouse are subject to a licence to occupy agreement with the Auckland Regional Council which presently restricts the number of vehicle movements on-site to no more than twelve in any one day.

Although the applicant is currently in the process of renewing the licence agreement with the Auckland Regional Council, it is anticipated that the new agreement will not materially alter or increase the number of daily vehicle movements from that which presently exists.

8.1.6 Archaeological, Heritage and Cultural Values

A154-A156 In support of the application, an archaeological assessment has been undertaken by Opus International Consultants Ltd (dated 10 April 2009) with regard to the proposed development (attached as Appendix 11 to the application), which has also been reviewed by Council's Principal Heritage Advisor, Alina Wimmer (the report is attached at pages A154 to A156 as Appendix VII).

The archaeological assessment identifies two recorded archaeological sites which come within the vicinity of the proposed area of works; Te Kaka Pa (ref: Q11/62) which is located along the top of the Watchman rock formation, approximately 120m to the east of the present clubhouse, and the Karekau Tramline Extension (ref: Q11/369), also recorded as an archaeological site under the Waitakere City District Plan (ref: 1533), which is situated circa 100m to the east of the clubhouse. Ms Wimmer concurs with these findings, but in addition has noted that the Karekau Mill Tip (ref: Q11/366) appears to come within the vicinity of the proposed works due to its proximate location upon dune areas to the east.

The archaeological assessment has concluded that there is a low likelihood of any sub-surface archaeology being uncovered during the course of physical works based on a field inspection of the site, a review of historical photographs and a desk-top assessment. Notwithstanding this determination, it is acknowledged that there is a possibility that earthworks undertaken as part of the proposed development may expose archaeological sites which extend beyond the recorded scope of remains detailed under existing archaeological records. As a consequence, the assessment recommends that where earthworks expose evidence of archaeological remains, Accidental Discovery Protocol shall be immediately employed and the New Zealand Historic Places Trust contacted for the purpose of securing the site for further investigation. Ms Wimmer concurs with this recommendation and has provided an Accidental Discovery Protocol to be employed on-site if necessary which will form a condition of consent, and it is therefore considered that the proposed development would have no more than a minor adverse effect on the archaeological aspects of the site. It is therefore considered that the proposal would have generated adverse effects on the heritage and cultural aspects of the site.

8.1.7 Positive Effects

The proposed activity is considered to generate a number of positive effects and in particular the following is noted:

- When compared to the existing clubhouse, the proposed clubhouse will be setback further from the Karekare Stream, and incorporate a step-level design which will ensure that its profile is consistent with the sloping nature of the Watchman rock formation, and therefore allow for the building to be effectively integrated into the surrounding coastal landscape. This outcome will be further ensured by the appropriate use of recessively coloured building materials, and the provision of native replanting in front of the replacement building which would cover the existing concrete ramp and adjoining hardstand area on-site;
- The provision of a landscape bund along the southern site boundary will strengthen ecological linkages between native vegetation present within neighbouring dune systems and riparian wetland areas along Karekare Stream;
- The replacement building will provide for modern surf lifesaving requirements, and in turn, enhance the standard of lifesaving service available to recreational users of the Karekare Beach by encompassing an increased storage area for surf lifesaving equipment/vehicles, and containing a new first aid facility to deal with emergency situations. As a consequence; and
- Given that the present clubhouse is in a state of disrepair and showing signs of stress, the structural integrity of the replacement building will ensure that the health and safety of surf life saving club members is protected on-site.

8.1.8 Summary

In accordance with Section 104(1)(a) of the Act, it is considered that overall and subject to the recommended conditions, any adverse effects of the proposed development on the environment will be no more than minor.

The proposed activity does not compromise people's appreciation of the pleasantness, aesthetic, coherence and cultural and recreational attributes of the subject coastal environment.

It is considered that the use and perimeters of the activities proposed have been appropriately designed and located. Of particular note is the following:

- The built form maintains the characteristic components of the surrounding environment and does not introduce an activity which could be considered to be incongruous within the established neighbourhood fabric;
- The proposal avoids significant indigenous vegetation and replanting to be undertaken on-site will improve the biodiversity and resilience of the Green Network, and enhance the ecological integrity of the surrounding coastal environment;
- The size and scale of earthworks associated with the proposal is deemed necessary and consistent with the development being undertaken;
- The replacement building, which will be of a similar scale to the present clubhouse and generally situated within the existing building platform on-site, would incorporate a step-level design which will ensure that its built form further enhances the sloping nature of the surrounding landform;
- The replacement building will be composed of appropriate building materials which blend in with the vegetated slopes of the Watchman, thereby ensuring that its presence on-site remains subservient to the natural character of the surrounding coastal environment and shall be appropriately designed to ensure that it does not undermine the amenities and landscape qualities associated with this identified outstanding natural landscape;
- The proposal would be adequately accommodated by infrastructure provided on site; with stormwater runoff and generation not causing detriment to the wider receiving environment;
- Construction will be managed through the implementation of a Construction Management Plan that will not unduly affect nearby amenities by residents, workers, the operation of non-residential activities and visitors. These effects are temporary in nature and will be of a limited duration; and
- The proposal is of a scale, intensity and character appropriate to ensure that the proposal did not compromise people's appreciation of the pleasantness, aesthetic, coherence and cultural and recreational attributes of this coastal environment.

It should be noted that the assessment above considers the effects in isolation; however, the definition of *effect* within Section 3(d) of the Act also refers to:

“Any cumulative effect which arises over time or in combination with other effects – regardless of scale, intensity, duration or frequency of the effect...”

All of the effects above are intrinsically linked, and on reflection in this instance the effects of the proposal are cumulatively considered to have no more than minor.

The proposal will not detract from the outstanding character of the surrounding environment.

The size and scale of the activity has regard to its surroundings, and responds accordingly.

The conditions of consent would further control aspects such as temporary construction effects, earthworks and vegetation alteration, and ensure that other mitigation measures would be appropriately undertaken and maintained.

It is considered that the actual and potential adverse effects of the proposed activity are no more than minor or can be adequately mitigated through appropriate conditions of consent.

8.2 Any Relevant Provisions of the District Plan 104(1)(b))(iv)

Part 5 of the District Plan contains the objectives, policies and methods by which the effects of activities on natural and physical resources are to be managed. The majority of the objectives and policies are concerned with managing the effects of activities on the natural environment including water, native vegetation and air. The objectives and policies that relate to the built environment focus on the effects of activities on amenity values.

Part 6 of the District Plan contains an explanation of the strategic direction of the District Plan.

A161-A174 Comments are provided below in relation to the relevant provisions under the headings which they appear in Part 5 of the Plan. Full copies of the relevant plan provisions (where not referred to in full) are attached at pages A161 to A174 as Appendix IX.

Plan Weighting

Before a Proposed Plan Change becomes operative, any resource consent application is considered in terms of the provisions of both the Operative Plan and the Proposed Plan Change.

Based on case law, more weight should be placed on the provisions of the Operative District Plan until such time as the Proposed Plan Change has made sufficient advances through the public notification and hearing process that a governing degree of weight can be placed on its controls.

Of particular relevance is Plan Change 35 & 36 as this directly impacts upon the subject site and the wider surrounds.

Plan Changes 35 & 36 were publicly notified on **Wednesday, 10 February 2010**. Submissions closed on **Friday, 12 March 2010**.

The Further Submission period was publicly notified on Wednesday, 28 April 2010. Submissions were due to close on Wednesday, 12 May 2010 but were extended to **Friday, 4 June 2010 at 5.00pm**.

In light of its timing, significant weight remains with the Operative District Plan.

8.2.1 District Plan Objectives and Policies

The relevant objectives and policies in relation to this proposal are discussed below:

OBJECTIVE	1 – Managing effects on water quality and quantity
POLICIES	1.5, 1.6, 1.7, 1.8, 1.9, 1.10, 1.11, 1.14, 1.19.

Objective 1 is concerned with the life-supporting capacity of the City's water resource being safeguarded. The great emphasis placed by the City's residents on the City's waterways and coastal waters, and the strong role that the streams play in shaping the eastern part of the City are highly valued.

The proposal will not present a flooding hazard as the majority of the proposed development will occur upon existing impermeable areas within the subject property, thereby ensuring that current levels of stormwater run-off from the property will not be materially altered by the proposed activity.

To ensure appropriate stormwater treatment and disposal, a stormwater tank and associated underground filter outlet will be installed on-site to appropriately capture and gradually discharge run-off from the roof of the proposed clubhouse building, with the installation of the filter ensuring that any potential contaminants contained in run-off are prevented from entering the Karekare Stream.

Whilst there may be some potentially adverse effects on the quality of the coastal water whilst construction is occurring, it is noted that the applicant has submitted a Construction Management Plan in support of the proposal which details the erection of sediment control fences, monitoring of vehicle movements by Regional Council Officers and formation of cleanwater runoff diversion channels to ensure that potential silt and sediment runoff created by the proposed construction works is adequately mitigated.

By constructing the replacement building within the existing building platform, minimal vegetation clearance is required to undertake the proposed building development. The retention of existing vegetation together with proposed planting along the edge of Karekare Stream would ensure the role of vegetation in assisting the control of stormwater runoff.

I therefore consider that the proposed development would not be contrary to the fore-mentioned objective and associated policies.

OBJECTIVE	2 – Protecting the City's native vegetation and fauna habitat
POLICIES	2.4, 2.12

Karekare has significant native vegetation and fauna habitat which forms part of the integral character of the area. Both of the subject sites contain vegetation that provides both onsite amenity and landscape character.

Vegetation will be required to be removed to facilitate the proposed development. The area and level of clearance proposed has been kept to a minimum and thus helps maintain the integrity of remaining vegetation.

Re-placement planting and weed management of the sites has been proposed which will mitigate the loss of vegetation while enabling remaining vegetation to regenerate in a more sustainable manner. It is considered that the level of removal will not undermine the prominent natural character of Karekare.

I therefore consider that the proposed development would not be contrary to Objective 2 and associated Policies, subject to the imposition of consent conditions such as appropriate replanting and tree work methodologies.

OBJECTIVE	3 – Management of land as a resource
POLICIES	3.2, 3.4

A geotechnical report supports the application and confirms that subject to specific design, including the use of ground anchors underneath the replacement clubhouse's basement wall which would retain existing dune formations on-site, the potential effects of land instability can be satisfactorily mitigated.

Given the site's proximity to the coast, there is the potential for sediment runoff to enter the sea while construction works are taken place for the duration of the proposed building development. The application is supported by a Construction Management Plan prepared by Tonkin & Taylor Ltd (dated April 2010, ref: 25398) which recommends measures for mitigating any potential silt and sediment runoff. I consider that the implementation of such measures would prevent any silt and sediment runoff from entering Karekare Stream.

In addition, it is noted that the works involved in forming a landscape bund adjacent to the proposed building, and extending the adjoining foreshore wall along the Karekare Stream edge will generate minimal sediment runoff. This is because such development will be undertaken upon existing concrete access ramp/hardstand areas which shall be retained on-site, thereby ensuring that minimal excavation works would be required to accommodate the proposed landscape bund and adjoining wall extension.

I therefore consider that subject to the imposition of appropriate conditions relating to the implementation of appropriate silt and sediment control measures and other specified methodologies contained within the submitted Construction Management Plan would ensure that any adverse effects would be no more than minor.

I consider that the proposed development is not contrary to Objective 3 or the associated Policies.

OBJECTIVE 5 – Effects on ecosystem stability

POLICIES 5.3, 5.4, 5.6, 5.7,

The subject site is zoned 'Protected Natural Area' which is over-laid by a 20m Riparian Margin zoning which covers the existing building. Existing activities has resulted in a degree of fragmentation between the Pohutukawa covered slopes and gullies to the north, and low-lying coastal dune vegetation to the south.

Notwithstanding the present degree of vegetation fragmentation on-site, it is proposed to undertake landscape planting utilising native species in front of the replacement building. It is deemed that such planting will improve the biodiversity and resilience of the Green Network and enhance the ecological integrity of the surrounding coastal environment.

I therefore consider that subject to the imposition of appropriate consent conditions detailing landscape planting and weed management to be carried out on-site.

The proposed development would not be contrary to Objective 5 and its associated policies.

OBJECTIVE 6 – Effects on outstanding natural features

POLICIES 6.2

The wider character of the area is largely defined by a rugged coastal landscape that is dominated by the pohutukawa clad Watchman rock formation which dictates the steep topography of both the subject site and surrounding coastal environment. It is noted that the Watchman's volcanic rock formations are identified as being of both regional and national significance, and it is therefore classified as an outstanding natural feature under the Waitakere District Plan.

In comparison to the existing building, the replacement building will be of a similar scale and height and generally situated within the existing building platform currently. Furthermore, the exterior of the building will be comprised of charcoal block work and dark timber cladding, with slots and openings being incorporated into the building's facade to reflect the rock-forms and crevasses contained within the Watchman rock formation.

In light of the scale, locality and design for the replacement building, I therefore consider that the proposed development would not be contrary to Objective 6 and associated Policies.

OBJECTIVE

7 – Effects on natural character of coast, wetlands, lakes and rivers
9 – Effects on Outstanding Landscapes

POLICIES

7.2, 7.3, 7.4, 7.5, 7.6
9.3, 9.4, 9.5, 9.8, 9.9, 9.10, 9.11, 9.12

It is acknowledged that the presence of built development in the area is subservient to the natural character of the surrounding coastal landscape, with the present neighbourhood within the immediately surrounding coastal area being comprised of a relatively quiet coastal settlement that is largely defined by a sparse scattering of single-storey dwellings adjoining the southern end of Watchmans Road & Karekare Road respectively.

The existing building has been on-site since 1962 and is the only community facility in the neighbourhood.

In comparison to the existing building, the proposed building will be located a further 5m back from the Karekare Steam edge, and generally situated within the existing building platform, thereby minimising the clearance of coastal vegetation and ensuring that built development on-site does not interfere with natural coastal processes along the foreshore. A similar outcome will be achieved in regards to the installation of the underground wastewater treatment system, with only a small area of low-lying dune vegetation needing to be removed to accommodate the system on-site.

The integration and visual enhancement of the proposed building when viewed against built residential development along the top of Watchmans Road and wider coastal landscape will be achieved by the use of appropriate building materials which blend in with the vegetated slopes of the Watchman, while the provision of a landscape bund in front of the building will ensure that built development is visually consistent with the backdrop of surrounding dune formations.

The presence of the landscape bund will be accompanied by an extension to the adjoining foreshore wall along Karekare Steam, which will result in the present vehicle access onto the subject property being blocked-off from the stream. It is considered that such works would provide for the structural integrity of built development on-site by providing added protection against coastal erosion processes, while also ensuring that such development effectively blends in with neighbouring dune formations when viewed against the proposed landscape bund.

The only signage associated with the replacement building will be limited to identifying the Karekare Surf Club in copper or steel lettering on the eastern side of the building, thereby ensuring that such signage is visually discrete when viewed in the context of the surrounding coastal landscape.

The scale and nature of lifesaving activities generated by the proposal will be consistent with present lifesaving operations, and it is therefore anticipated that the proposed building development would not materially alter current vehicle movements to and from the subject site, which are presently limited to a relatively small number.

I therefore consider that subject to the imposition of appropriate consent conditions regarding the design, scale and locality of the replacement building and associated landscape planting to be undertaken on-site the proposed development would not be contrary to Objectives 7 & 9 and associated Policies.

OBJECTIVE 8 – Effects on Mauri

POLICIES 8.1, 8.4

The application is supported by a Construction Management Plan prepared by Tonkin & Taylor Ltd (dated April 2010, ref: 25398) which recommends measures for mitigating any potential silt and sediment runoff, with adherence to the details of the plan being included as a condition of consent. I consider that the implementation of such measures, when combined with the monitoring of vehicle movements by Regional Council Officers and formation of cleanwater runoff diversion channels, as required under the Construction Management Plan, will ensure that potential silt and sediment runoff created by the proposed construction works is adequately mitigated.

In light of the above comments, it is considered that any adverse effects on the mauri of the coastal area where the development is proposed would be no more than minor, and therefore the proposed development is deemed to be consistent with Objective 8 and associated policies.

OBJECTIVE 10 – Effects on Amenity Values: Health and Safety

POLICIES 10.6, 10.10, 10.13, 10.14

Objective 10 relates to the maintenance and enhancement of amenity values which contribute to the wellbeing of residents and workers.

The development has the potential to generate noise and dust effects during the construction phase of the development, particularly as a number of vehicles and machines will be required at the site in order to carry out site works. The proposed area of works will be located over 80m away from the nearest residential dwelling, and when combined with the steep topography separating the subject site from dwellings along the top of Watchmans Road, it is considered that noise and dust effects generated by the proposal would have no more than a minor adverse effect on the residential amenities of surrounding properties. This outcome will be further ensured by undertaking construction works in accordance with the Construction Management Plan submitted in support of the application, which places limits on the permitted hours for undertaking works on-site, and provides a schedule for regularly monitoring construction noise and dust levels for the purpose of confirming compliance with permitted standards under the District Plan.

The development also has the potential to impact upon public health and safety due to the recreational nature of the subject site which is readily accessible for public use from Karekare Road. The Construction Management Plan details the erection of fences where possible around the proposed works area and 'approved contractor's area' on-site so as to ensure that the public is excluded from accessing such areas for the duration of the construction period.

The replacement clubhouse, which will be the subject of specific geotechnical design, would be located 10m back from the Karekare Stream edge and constructed upon existing impermeable areas within the subject property, thereby ensuring that its presence on-site does not create a flooding hazard or exacerbate land instability within the surrounding coastal environment. The adjoining foreshore wall extension will be limited to blocking-off vehicle access from the existing concrete access ramp onto the subject property, and would not alter the present flow of water along Karekare Stream.

I therefore consider that subject to the imposition of appropriate consent conditions regarding the design and locality of the replacement clubhouse building and associated structures on-site, the proposed development would not be contrary to Objective 10 and associated Policies.

OBJECTIVE

11 – Effects on Amenity Values- landscapes, local areas and neighbourhood character

POLICIES

11.7, 11.8, 11.9, 11.10, 11.11, 11.12

Human communities, and individuals that make up these communities, are defined under the Resource Management Act as being an integral part of the environment. As such, the effects of activities on those elements, and characteristics of the environment that contribute to human enjoyment of it, are a concern under the Act.

The separation of activities has occurred largely because of past planning controls and because the resulting amenity of these areas is the result of regulation. Allowing a greater mix of activities at local level would contribute to a reduction of vehicle trips and associated adverse affects on amenity. However, such a change must be carefully managed so that the mix of activities contributes to the enhancement of local neighbourhoods, and does not undermine their amenities.

Objectives and Policies seek to protect those aspects that are particularly valued by the community, but that does not mean that change cannot occur in that there is an opportunity for flexibility and change that allows an area to evolve and respond to changing circumstances.

Objective 11 is concerned about the quality and nature of the change, within a framework of commonly accepted values about what contributes to the amenity of an area to ensure the maintaining and enhancing particular elements and characteristics that define various neighbourhoods.

Adverse effects can be tangible or intangible and both are valid resource management considerations. Tangible adverse effects often associated with non-residential developments can include: increased noise and traffic generation, traffic generation, dust and fumes. Intangible adverse effects can include a perception that the character of the neighbourhood is changing.

As already discussed in Section 8.1.5, non-residential activities (namely the existing activity) forms part of the established 'visual' character of the area and an integral part of the neighbourhood character. The proposal, whilst changing the visual appearance of the non-residential activity, it will still be of a size, scale, intensity and character that will not further erode the prevailing character of the area to the extent that the safety of residents or the overarching neighbourhood character is undermined.

The proposal, therefore, will not be contrary to the fore-mentioned objectives and policies.

OBJECTIVE 12 – Effects on heritage

POLICIES 12.5, 12.8, 12.9

A154-A156 In support of the application, an archaeological assessment has been undertaken by Opus International Consultants Ltd (dated 10 April 2009), which has also been reviewed by Council's Principal Heritage Advisor, Alina Wimmer (attached at pages A154 to A156 as Appendix VII).

The archaeological assessment identifies two recorded archaeological sites which come within the vicinity of the proposed area of works; Te Kaka Pa (ref: Q11/62) which is located along the top of the Watchman rock formation, approximately 120m to the east of the present clubhouse, and the Karekau Tramline Extension (ref: Q11/369), also recorded as an archaeological site under the Waitakere City District Plan (ref: 1533), which is situated circa 100m to the east of the clubhouse. Ms Wimmer concurs with these findings, but in addition has noted that the Karekau Mill Tip (ref: Q11/366) appears to come within the vicinity of the proposed works due to its proximate location upon dune areas to the east. If earthworks undertaken as part of the proposed development happen to expose archaeological sites, accidental discovery protocols will be immediately implemented on-site which shall form a condition of consent.

I therefore consider that subject to the imposition of appropriate consent conditions, the proposed development would not be contrary to Objective 12 and associated Policies.

8.2.2 Proposed District Plan Policies and Objectives

8.2.3.1 Plan Changes 35 & 36

OBJECTIVE 5B.1.2- Waitakere Ranges Heritage Area
5B.4.2- Wellbeing of People & Communities in the Waitakere Ranges Heritage Area

POLICIES 5B.4.3

Council's Strategic Advisor - Waitakere Ranges, Mark Tollemache, who has been involved with the development and implementation of the WRHAA and therefore has an intimate knowledge of its interpretation, has assessed the proposal and confirmed that the relevant objectives and polices of Plan Changes 35 & 36 illustrate a paradigm shift in the manner in which wellbeing is balanced with the imperatives of protecting the natural environment from inappropriate use and development. Mr Tollemache goes onto state that *"If these Plan Changes were more significantly advanced, they would in my opinion directly support the intent of the application. They would also place a significant onus on the application to protect, restore and enhance the significant natural and physical features of the Heritage Area"*.

A157-A160 I agree with the assessment provided by Mr Tollemache (the report is attached at pages A157 to A160 as Appendix VIII) and consider that the proposed development would not be contrary to Objectives 5B.1.2 & 5B.4.2 and its associated policies.

8.2.3.2 Assessment Criteria

The District Plan Assessment Criteria have been developed to address the issues covered in the objectives and policies and are a useful guide in assessing the effect of an activity. The proposal has been assessed comprehensively against the relevant objectives and policies and as discussed in Section 8.2.1. It is considered that the relevant Assessment Criteria has been addressed accordingly.

8.3 Auckland Regional Policy Statement, Plan or Proposed Regional Plan (104(1)(b)(iii) and (iv))

8.3.1 Auckland Regional Policy Statement

The Auckland Regional Policy Statement (ARPS) sets out the broad resource management issues, objectives, policies for the Auckland Region to achieve the integrated management of its natural and physical resources. The Policy Statement functions as an umbrella policy document for environmental planning and policy development within the region under which the Waitakere District Plan has been prepared. The focus is on major natural and physical resources and regionally significant activities. The ARPS became operative in 1999.

The ARC released decisions with respect to Proposed Change 6 and matters now lie within the appeal process. Given the stage in the statutory process that Proposed Change 6 is at, it is considered that some weighting should be given to the decision version of Plan Change 6 although the proposal must also be assessed against the operative policy statement. Plan Change 6 incorporates references to the Waitakere Ranges Heritage Area. Outstanding Appeals to Plan Change 10 relating to Natural Hazards do not materially affect the Decision associated with this Plan Change and significant weight is afforded to this aspect.

The assessment undertaken as part of the AEE is generally concurred with.

Of relevance to this site are the objectives and supporting policies listed under Sections 7.3 & 7.4 of the ARPS which discusses the Coastal Environment and acknowledges that *"...the greatest pressure on coastal resources is concentrated in a relatively narrow band of land and water either side of Mean High Water Springs (MHWS)."* This has particular relevance given the characteristics of the development proposed under this application. The ARPS recognises that Auckland's coastal environment is diverse and covers a broad spectrum of characteristics from the rugged and isolated West Coast beaches to the extensively modified beaches found in Auckland City. In addition, the ARPS recognises that there are a number of regionally significant activities which support the social, cultural and economic wellbeing of communities that are dependent on a coastal location for their ongoing operation. The ARPS supports the ongoing operation of such activities on the premise that they allow for the sustainable management of the coastal environment's natural and physical resources.

The replacement building will support the continuation and enhancement of an essential surf lifesaving service which benefits both the local community and greater Auckland Region.

In comparison to the existing building, the proposed building will be located further back from the Karekare Steam edge, and generally situated within the building platform currently occupied by the present clubhouse, thereby minimising the clearance of coastal vegetation and ensuring that built development on-site does not interfere with natural coastal processes along the foreshore.

In light of the above comments, it is considered that the proposed building development will be consistent with the relevant objectives and policies outlined in the Auckland Regional Policy Statement.

8.3.2 Proposed Auckland Regional Plan: Air, Land and Water

The Proposed Auckland Regional Plan: Air, Land and Water (PARP: ALW) applies to the ARC's management of air, land and water resources in the Auckland Region, in terms of its functions under Sections 30 (1) (c), (e), (f) and (g) of the RMA. The Auckland Regional Plan: Coastal (ARP: C) establishes the boundaries between the coastal marine area and land and freshwater areas. The PARP: ALW relates to the land and freshwater areas upstream of these boundaries and landward of MHWS and was prepared to enable the ARC to implement ARPS policy through its statutory responsibilities under Section 30 of the RMA.

The PARP: ALW sets out the Objectives, Policies and Rules governing development on a "macro" scale which includes bulk earthworks, discharges to air, land and water and integrated catchment management plans associated with the disposal of wastewater and stormwater. This is distinguished from District Plans which is the governing framework for development on a more "micro" scale and involves smaller scale earthworks, vegetation alteration and bulk and location controls for example which require resource (either land use or subdivision) consent from territorial authorities. Any non-compliances relating to the PARP: ALW will be addressed by the ARC.

Note: *The ARP:C, which governs those activities which take place within the coastal marine area, will not be addressed under this report as the proposed building development is outside the coastal marine area.*

8.4 National Policy Statement (104(1)(b)(i)(ii))

8.4.1 New Zealand Coastal Policy Statement (NZCPS)

The purpose of the NZCPS is set out in Section 56 of the RMA which states:

"The purpose of a New Zealand coastal policy statement is to state policies in order to achieve the purpose of this Act in relation to the coastal environment of New Zealand."

Policy 1.1.1 of the NZCPS states that:

"it is the national priority to preserve the natural character of the coastal environment by:

- a) *Encouraging appropriate subdivision, use and development in areas where the Natural Character has already been compromised and avoiding sprawling or sporadic subdivision, use or development in the coastal environment.*
- b) *Taking into account the potential effects of subdivision, use or development on the values relating to the natural character of the coastal environment, both within and outside of the immediate location.*
- c) *Avoiding cumulative adverse effects of subdivision, use and development in the coastal environment.*

The intention of the NZCPS is that development in the coastal environment should be located in areas where the natural character has already been compromised to some degree. Development should therefore be located in coastal settlements or other areas where there will be no more than minor adverse effects. As referred to in Policy 3.2.2 of the NZCPS, plans should define what form of development would be appropriate in these areas.

With regard to the proposed development, the replacement building will be of a similar scale and height to the existing clubhouse, and generally situated within the same building platform on-site.

The integration and visual enhancement of the proposed building when viewed against the wider coastal landscape will be achieved by the use of appropriate building materials which blend in with the vegetated slopes of the Watchman, while the provision of a landscape bund in front of the clubhouse will ensure that built development on-site is visually consistent with the backdrop of surrounding dune formations.

In addition, the adverse effects associated with the proposed development are able to be appropriately avoided, remedied or mitigated by the imposition of consent conditions.

In light of the above comments, it is considered that the proposed building development will be consistent with the relevant policies of the National Coastal Policy Statement.

8.5 Any Other Matters the Consent Authority considers relevant and reasonably necessary to determine the Application (104(1))(c))

8.5.1 The West Coast Plan

The West Coast Plan evolved from a Council-community initiative and is a strategic plan for the West Coast beaches and Waitakere Ranges. It sets out what people want the West Coast to be like in the future and although a non-statutory document, it is a relevant consideration with regards to this resource consent application.

Goal Two of the West Coast Plan ('WCP') relates to the built environment, and seeks to ensure that human activities and structures are in keeping with the local character of each community and the parkland. Actions 7.1 of this goal read as follows:

"7.3 Encourage innovative designs that ensure buildings fit in with the surrounding environment."

The integration and visual enhancement of the replacement clubhouse when viewed against the wider coastal landscape will be achieved by the use of appropriate building materials which blend in with the vegetated slopes of the Watchman, while the provision of a landscape bund in front of the clubhouse will ensure that built development on-site is visually consistent with the backdrop of surrounding dune formations.

Goal Sixteen of the West Coast Plan ('WCP') deals with ensuring that the lifesaving, ranger and emergency service needs of communities are effectively address through adequate resourcing, with Actions 16.6 & 16.7 of this goal reading as follows:

"16.6 Ensure the needs of the surf lifesaving clubs are being met to the extent where they are always able to provide the level of service needed to run effective patrols, e.g. adequate funding and meeting places.

16.7 Increase recognition of surf lifesaving as an emergency service and resource it accordingly."

Given that the present clubhouse building is deteriorating and does not adequately provide for the storage of vital lifesaving equipment, it is proposed to construct a replacement building which will accommodate modern surf lifesaving requirements, such as the presence of a modern medical facility on-site and increased storage room for a greater range of lifesaving equipment.

Other targets contained within the WCP that have indirect implications for the proposed building development include the following:

- *Target Two: Water quality in streams, lakes, lagoons and the sea is good enough to support the local ecosystems;*
- *Target Three: Diverse native flora and fauna are supported by healthy ecosystems;*
- *Target Five: Restore native ecosystems; and*
- *Target Eleven: Communities have a place to gather.*

Overall and for the reasons stated above, it is considered that the proposal is consistent with the intent and targets of the West Coast Plan.

8.5.2 Precedent Effect

The proposed activity is non-complying for a number of aspects and includes:

- Construction of a replacement clubhouse building to accommodate the continuation of an existing non-residential activity on-site which would generate more than 20 vehicle movements per day from the subject site when the full surf patrol is operating during summer months; and
- Vegetation alteration, earthworks and the creation of impermeable surfaces associated with the construction of a replacement clubhouse building and adjoining hardstand/access area on-site.

For a consent authority to grant consent to a non-complying activity there should generally be some unusual element to the proposal. If such unusual circumstances do not exist, then the proposal could potentially compromise the integrity of the District Plan, and public confidence in the consistent administration of the Plan may be undermined.

It is not considered that this proposal is necessary unusual as the proposed activities and structures are those which are normally associated with the coastal environment although acknowledgment of the existing environment is integral to the assessment of this application.

In terms of vegetation being removed, the planned building development does not impact upon any notable vegetation, while replanting to be undertaken on-site will improve the biodiversity and resilience of the Green Network, and enhance the ecological integrity of the surrounding coastal environment

As such, the proposal is not considered in this instance to give rise to matters of District Plan integrity or generate an unwelcome precedent effect.

8.6 Other Issues Raised by Submitters Not Covered Elsewhere in Report

Some submitters have raised concerns with regard to the suitability of present stream crossings for vehicles accessing the clubhouse from adjoining Regional Parkland, and the need to ensure that such crossings are adequately protected throughout the construction period for the proposed building development. These matters are the subject of separate consent and licence applications to the Auckland Regional Council which have been publicly notified, with similar issues of concern being raised by submitters. In this respect, it is considered that the aforementioned concerns regarding the present stream crossings upon Regional Parkland will be separately addressed by the Auckland Regional Council during the relevant hearings processes.

8.7 Bonds/Reserve Contributions/Development Levy/Financial Contributions

Under the Local Government Act 2002, Council's were permitted to take development contributions towards the costs that capital growth imposes on the community. The financial contribution policy of the Waitakere City Council's Long Term Council Community Plan incorporates a development contribution based on the City's capital expenditure for infrastructure and community facilities for that ten year period. The development contribution estimated for this proposal is \$1,573.37 (incl. GST).

The development contribution will be calculated at the time of payment and will be payable upon issue of building consent.

8.8 Monitoring

The performance of the activities under this consent will be subject to Council's standard monitoring procedures. These procedures include scheduled inspections to ascertain compliance with conditions of consent, together with periodic inspections as and when required to establish whether conditions are being complied with on an ongoing basis. In particular, attention is likely to be directed toward the implementation of conditions relating to vegetation alteration, earthworks and the provision of plans as required for site management during the construction period for the proposed building development.

8.9 Lapsing of Consent

Under Section 125 of the Act, unless given effect to earlier, a consent lapses either on the date that is specified within the consent or, if no date is specified, five (5) years after the date of commencement of the consent.

There is no known reason to either decrease or increase the timeframe.

9.0 PART II OF THE RESOURCE MANAGEMENT ACT 1991

The purpose and principles of the Resource Management Act 1991 have primacy over all other considerations that are set out in section 104 of the legislation.

Section 5 in Part II of the Act identifies the purpose of the Act as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being whilst: sustaining those resources for future generations; protecting the life supporting capacity of ecosystems; and avoiding, remedying or mitigating adverse environmental effects.

The proposal, primarily by its location needs to be considered having regard to the following matters of natural importance (Section 6) which are impacted upon to varying degrees:

- (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;
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna; and
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.

In this regard the following points are made:

- The proposal avoids significant indigenous vegetation and replanting to be undertaken on-site will improve the biodiversity and resilience of the Green Network, and enhance the ecological integrity of the surrounding coastal environment;
- Since 1962, the primary use of the subject property has been for the purpose of undertaking surf lifesaving activities along Karekare Beach. The proposal seeks to continue such activities by replacing the existing building with a similarly sized building, and has been appropriately designed to ensure that it does not undermine the amenities and landscape qualities associated with this identified outstanding natural landscape; and
- The applicant has undertaken consultation with local iwi, Te Kawerau a Maki, who have not expressed any concerns regarding the proposal. The applicant has stated that consultation with local iwi will be ongoing as development progresses, with the possibility of a sculpture commissioned by Te Kawerau a Maki being placed on-site at a later stage.

It is considered that the proposed development is consistent with sustainable resource management. The replacement lifesaving clubhouse building will enable people to provide for their social, cultural and economic well-being whilst also protecting the community's health and safety.

Section 7 of the Act identifies "other matters" to be given particular regard by Council in the consideration of any assessment for resource consent, and includes the efficient use of natural and physical resources, and the maintenance and enhancement of amenity values.

With the imposition of the recommended conditions it is considered that any adverse effects of the proposal on the environment can be avoided, remedied and mitigated.

Sections 7(c) and (f) require that particular regard be had to the maintenance and enhancement of amenity values and the quality of the environment. As discussed extensively in this report, it is considered that the proposal would not adversely affect amenity values associated with this neighbourhood.

The proposed development does not raise any section 8 (Treaty of Waitangi) issues

Overall, it is considered that the granting of this application would not be contrary to the purpose of the Act. The proposal will enable people and communities to provide for their economic, social and cultural well-being and their health and safety without significantly compromising the needs of future generations or the life supporting capacity of natural resources such as air, water and soils. Through the imposition of appropriate conditions of consent, it is considered that the proposed activity can sufficiently avoid, remedy or mitigate any adverse effects on the environment.

It is concluded that the granting of this consent would promote the sustainable management of natural and physical resources and would achieve the purpose of the Act.

10.0 EVALUATION IN ACCORDANCE WITH SECTION 104D OF THE RESOURCE MANAGEMENT ACT 1991

The threshold test in Section 104D of the Resource Management Act 1991 states that a consent authority must not grant consent to a non-complying activity unless it is satisfied that the adverse effects on the environment will be minor (104D (a)) or the activity will not be contrary to the objectives and policies of a plan or proposed plan (104D(b)).

It is considered that the threshold test for a non-complying activity has been met as the proposal satisfies section 104D(a), in that subject to appropriate conditions of consent requiring mitigation the adverse effects on the environment of the proposal will be no more than minor.

The ability to grant consent has therefore been established.

11.0 CONCLUSION

It is considered that the proposal **meets** the criteria for granting consent as the potential adverse environmental effects are no more than **minor** and **can** adequately be mitigated through the imposition of appropriate conditions of consent. The proposal also introduces a number of positive effects.

In summary, the proposal:

- Maintains and enhances those natural and physical characteristics (amenity values) that contribute to the wellbeing of residents;
- Provides for built development and associated activities within each of the City's Human Environments which are sympathetic to, and protect and enhance, the dominant natural and physical features which contribute to the amenity value and the neighbourhood character of the area;
- Manage the effects of land use on the environment and in particular avoid, remedy or mitigate effects on the quantity and quality of the City's water resources;
- Protect and enhance the amenity of the local coastal settlement by providing for built development which does not detract from the single-storey form of adjoining residential dwellings, and enables communities to provide for their social well-being through the ongoing operation of surf lifesaving activities on-site;
- Protect the City's native vegetation and fauna habitat;
- Protect processes of natural regeneration within the City, and promote and maintain links between areas of significant and outstanding native vegetation and fauna habitat, so that their resilience is protected and enhanced and;
- Protection of the environment for the long term benefit of future generations.

The proposal is consistent with a range of statutory documents, including the Objectives and Policies of both the Operative and Proposed Plan, but also the Regional Policy Statement.

The proposal is considered to promote sustainable management of natural and physical resources, and is not contrary with Part II of the Act.

It is considered that the issues raised by the submitters can be adequately addressed through the imposition of appropriate conditions.

Subject to any additional or contrary evidence being presented at the hearing, it is concluded that the application **merits consent** in accordance with Section 104 of the Resource Management Act 1991.

12.0 RECOMMENDATION

- A. That pursuant to Section 37 of the Resource Management Act 1991, and subject to additional or contrary information being presented at Hearing, the following late submissions be accepted:
- John McLarin;
 - John Linderman & Stephanie Overton; and

- NZ Historic Places Trust.

As no persons will be prejudiced by the acceptance of these submissions, nor will acceptance result in unreasonable delay.

B. That pursuant to Sections 104,104B, 104D, 108 and 113 of the Resource Management Act 1991, and subject to additional or contrary information being presented at the hearing, consent be **granted** to the application by Karekare Surf Life Saving Patrol Inc to demolish and replace the existing lifesaving clubhouse with a purpose-built building and associated on-site infrastructure which will be accessed by a new hardstand area, and to extend the existing rock wall adjacent to the Karekare Stream at 34 Watchmans Road (Lot 1 Deposited Plan 28335) and adjacent area of Waitakere Ranges Regional Parks Land (Pt Allotment SE45 PSH OF Karangahape) for the following reasons:

- (i) Any actual and potential effects on the environment by the proposal are considered to be no more than minor and will be adequately avoided, remedied or mitigated by appropriate conditions of consent;
- (ii) The proposed earthworks would be consistent with the level of development being undertaken, will be temporary in duration, and are able to be controlled by the imposition of appropriate consent conditions;
- (iii) The proposal represents a continuation of the historical use of the site for undertaking surf lifesaving activities through the replacement of the present building with a similar building in terms of scale height, and locality, thereby ensuring that the visual appearance of the surrounding coastal landscape would remain largely unchanged once construction of the replacement clubhouse building has been completed on-site;
- (iv) The proposed development would be generally consistent with the amenity and character of the existing modified coastal environment;
- (v) The natural character of the locality would not be compromised by the proposed development, subject to the imposition of appropriate consent conditions;
- (vi) The proposal avoids significant indigenous vegetation and replanting to be undertaken on-site will improve the biodiversity and resilience of the Green Network, and enhance the ecological integrity of the surrounding coastal environment;
- (vii) The site can be sufficiently serviced from an infrastructural perspective and proposed re-use, detention and treatment measures are proposed to treat all stormwater runoff from the site;
- (viii) The implementation of a Construction Management Plan will ensure that any adverse effects will be adequately avoided, remedied or mitigated and will not unduly affect nearby amenities by residents, workers, the operation of non-residential activities and visitors. These effects are temporary in nature and will be of a limited duration;
- (ix) The profile of the replacement building maintains the characteristic components of the surrounding environment and does not introduce an activity which could be considered to be incongruous within the established neighbourhood fabric; and
- (x) The proposal would not be contrary to the relevant Objectives and Policies of the Waitakere District Plan;
- (xi) The proposal would not be contrary to the relevant provisions of the New Zealand Coastal Policy Statement, Auckland Regional Policy Statement or Regional Plans;

- (xii) The proposal would be consistent with the relevant objectives and policies of Plan Changes 36 and 37, although little weight can be attached to these Plan Changes; and
- (xiii) The proposal would not be contrary to Part II of the Resource Management Act 1991.

Consent shall be subject to the following conditions:

GENERAL

1. The development shall proceed in accordance with the following plans and information:

The proposal shall proceed in accordance with the application and information, including further information submitted to Council and referenced as LUC 2005-1381. A full copy of the application is available at <http://www.waitakere.govt.nz/abtcnl/pn/consents.asp> and the plans as listed below.

Prepared by Hillery Priest Architecture Ltd, issued 22 Feb 2008 unless otherwise stated:

Site Plans:

- Site Plans, RC01/D;
- Landscape Context, Revision A, Prepared by Auckland Regional Council;
- Landscape Concept Plan, Revision A, Prepared by Auckland Regional Council; and
- Landscape Planting Plan, Revision A, Prepared by Auckland Regional Council.

Plans:

- Basement Floor Plan, RC02/A;
- Ground Floor Plan, RC03/A;
- First Floor Plan, RC04; and
- Roof Plan, RC 05/B.

Elevations:

- Elevations, RC06/C.

Sections:

- Cross Sections, Revision A, Prepared by Auckland Regional Council.

Perspectives:

- Panoramas, Revision A, Prepared by Auckland Regional Council.

MONITORING CONDITIONS

2. A consent compliance monitoring fee of \$1,459.00 (inclusive of G.S.T.) shall be paid to the Council. This fee is to recover the actual and reasonable costs incurred ensuring compliance with the conditions of this consent. If, on inspection all conditions have not been satisfactorily met, a re-inspection shall be required at the relevant hourly rate applicable at the time the re-inspection is carried out.

The \$1,459.00 fee shall be paid as part of the resource consent and the resource consent holder shall be advised of any further monitoring fees if they are required.

PRE-START CONDITIONS

- 3. Prior to the commencement of any works on site**, the consent holder shall organise a pre-start meeting with Council's Environmental Monitoring Officer (EMO), appointed Arborist with suitable qualifications and experience (the 'Works Arborist') and Engineer, and all site works contractors to discuss the conditions of consent onsite. The consent holder shall ensure that their representative and all contractors' representatives are present at this meeting. The Consent Holder's representative shall also minute the meeting and circulate those minutes to all in attendance.

Inspections must be requested by calling Council's Call Centre (09 839-0400) and requesting a Monitoring Inspection. Council's response time can be up to five (5) working days.

Note: *If a pre-construction meeting is required by any ARC consent, this should be timed to coincide with that meeting as well for convenience.*

The Pre-Start Meeting shall address the following:

- Tree protection measures and the proposed works procedures relating to retained vegetation can be explained by the Consent Holder and their appointed Works Arborist to the work site supervisory staff of all contractors and sub-contractors engaged to carry out any works associated with this consent;
- The extent of the vegetation clearance (as approved by this consent) shall be agreed at this meeting and this shall be marked out on site using warning tape or equivalent;
- Ensuring the final location and design of the sediment and erosion control measures are constructed in accordance with Auckland Regional Council Technical Publication No.90 "Erosion and Sediment Control Guideline for Earthworks;" and
- The Construction Management Plan associated with the earthworks shall be provided for the approval of Council's Environmental Monitoring Officer.

EARTHWORKS

- 4.** Before the commencement of any works and until completion of exposed site works, adequate sediment and erosion control measures discussed in the Construction Management Plan prepared by Tonkin & Taylor Ltd (dated April 2010), Ref: 25398 shall be constructed and maintained by the consent holder. **The consent holder shall notify Council's Environmental Monitoring Officer when controls are in place by calling 09 839-0400. Work shall not commence until approval has been gained in writing from the Manager, Resource Consents.** The control measures must be maintained until the site has been adequately stabilised against erosion and sediment laden runoff. The construction and maintenance shall be in accordance with Auckland Regional Council Technical Publication No.90 "Erosion and Sediment Control Guideline for Earthworks."

- 5.** All development works on the site involving earthworks and the use of associated heavy machinery shall be undertaken between the following hours only:

Monday to Friday:	7.30 am to 7.00 pm
Saturday:	8.00 am to 5.30 pm
Sunday and Public Holidays:	No work

6. All dirt tracked onto the surrounding roads as a result of the earthworks associated with this consent shall be cleaned by sweeping on a daily basis at the expense of the consent holder. In cases of repeated non-compliance with this condition, Council may engage the road cleaning contractor nominated by the applicant to carry out the road cleaning. Council's Environmental Monitoring Officer may engage the road sweeping contractor to carry out road cleaning if it is the monitoring officer's opinion that the dirt on roads and/or footpath is creating an adverse effect on the environment. The road cleaning contractor shall be engaged at the cost of the consent holder.

VEGETATION ALTERATION

7. Subject to the conditions outlined below, the vegetation alteration shall proceed in accordance with the information submitted with the application referenced by Council as LUC 2005-1381. Vegetation alteration shall be limited to work within the dripline, vegetation removal and pruning as referenced and outlined within the Arboricultural Report by Chris Hinton for Katsura Tree Consultancy, dated September 2009.
8. All works pertaining to this resource consent shall be executed in accordance with the submitted information described in the above Condition, **except where superseded by the following Vegetation Alteration Conditions:**
9. Any pruning or works within the dripline of all protected vegetation within and alongside the site is to be monitored, directed and supervised by the Works Arborist, for the duration of works. Pruning shall be carried out in accordance with the principles of natural target pruning and all works shall be undertaken in the best interest of the physiological and structural welfare of protected vegetation.
10. The Works Arborist shall submit a final completion report to the Manager, Resource Consents within one month of completion of works. The Arboricultural Report will include a statement on effects of the development on the trees; that works were carried out in accordance with the provided methodology, including photographic evidence, and recommendations for any further remedial work to remedy any detrimental effects.
11. No storage of materials, cement/concrete washings and leaching of chemicals, tracking of any machinery, stockpiling of spoil, trenching or alteration of soil grade, or other contamination shall occur within any protected vegetation dripline areas.
12. If during excavations and/or activities within or adjacent to the dripline of protected vegetation which in the opinion of the Works Arborist may generate more than minor adverse effects to the health and well being of vegetation, all work shall cease and Council's Environmental Monitoring Officer shall be contacted immediately.

WEED REMOVAL, LANDSCAPING AND MANAGEMENT

13. Subsequent to the removal of weeds on-site, planting shall be undertaken in the first planting season (May until June preferred, and by 7 September at latest) immediately following completion of the proposed construction works, as per the submitted Landscape Planting Plan and in general accordance with the planting parameters detailed in the submitted Plant Species List (Revision A, dated 04-2010) and Planting & Landscape Management Plan (dated April 2009) created by the Auckland Regional Council, to the satisfaction of the Manager Resource Consents.

14. The planting shall be maintained for four years following the initial planting with all environmentally damaging species removed and plants watered as necessary in the first two summers, as per the submitted Planting & Landscape Management Plan. Any plant that dies is removed or otherwise fails to establish shall be replaced the following planting season and maintained for a further four years, all to the satisfaction of the Manager Resource Consents.

GEOTECHNICAL

15. All development shall be undertaken in accordance with the recommendations of the Geotechnical Investigation Report prepared by Tonkin & Taylor Ltd (dated October 2007) and supplementary Geotechnical Assessment prepared by Peter Quilton of Tonkin & Taylor Ltd (dated 10 March 2010), or any subsequent information as approved as part of the associated building consent processes
16. A report undertaken by a Chartered Professional Engineer (with experience of geotechnics) shall provide written confirmation that Condition 16 has been met to the satisfaction of the Manager, Resource Consents.

NOISE

17. All noise generated by construction works associated with this consent shall comply with, and be measured and assessed in accordance with NZS6803:1999, *Acoustics – Construction Noise*.

HERITAGE

18. If any archaeological sites are uncovered during physical works the Project Manager will require the contractor to adopt the following Accidental Discovery Protocol:
 - a. Work shall cease immediately at that place;
 - b. The contractor must shut down all machinery, secure the area and advise the Site Manager;
 - c. The Site Manager shall notify the Project Archaeologist (if one has been appointed), the New Zealand Historic Places Trust Regional Archaeologist Bev Parslow 307 0413 and if necessary the appropriate consent process shall be initiated;
 - d. If the site is of Maori origin the Site Manager shall also notify the appropriate iwi group(s) to determine what further actions are appropriate to safeguard the site or its contents;
 - e. If skeletal remains are uncovered the Site Manager shall advise the Police;
 - f. Works affecting the archaeological site shall not resume until the New Zealand Historic Places Trust has given the appropriate approval for work to continue.

Report prepared by: Nicholas Lau- Resource Planner.

