

Assessment of Environmental Effects

CHAPMAN-LINDSAY DEVELOPMENTS LIMITED

162 & 164 Esplanade
Kaikoura

Proposed Multi-Unit Development

July 2024



Quality Control

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Limitations:

The report has been prepared for Chapman-Lindsay Developments Limited according to their instructions, to support a resource consent application. This report has been prepared on the basis of information provided by various other consultants. CLD Ltd has not independently verified the provided information and has relied upon it being accurate and sufficient for use by CLD Ltd in preparing the report. CLD Ltd accepts no responsibility for errors or omissions in the provided information.

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Appendix A – Location Plan

Appendix B – Record of Title

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Introduction

1. This assessment is provided in accordance with the requirements of Section 88 of the Resource Management Act 1991 and the Fourth Schedule to the Act. It is in support of this resource consent application made by Chapman-Lindsay Developments Limited for a land use consent for a multi-unit development at 162 & 164 Esplanade, Kaikoura. Consent is required from the Council for a **restricted discretionary activity** as follows:

Standard not met	Reason	Matters of discretion	Notification clause
Site Coverage Area	Exceeds the 35% site area coverage at 37%.	Minimal overall impact.	Shall not be notified
New residential development exceeding two residential units	Nine residential units are proposed	Residential design principles Minimum unit size and unit mix	No clause
Outdoor living space	Outdoor areas for Houses 1 - 3 are less than 70m ² .	Outdoor living space	Shall not be notified
Daylight recession planes	Development breaches recession plane on boundary	Impacts on neighbouring properties	No clause

Description of the Proposal

Plans and Documentation

2. The following plans and documentation are attached as appendices:
 - Appendix A – Location Plan
 - Appendix B – Record of Title
 - Appendix C – Site and Elevation Plans

The Site and Surrounds

3. The site (LOT 1 DP 1130 and LOT 2 DP 1130) is located at 162 & 164 Esplanade, Kaikoura and is 2048m² in area. The site is predominantly flat in topography and currently contains an existing Motel, consisting of 10 dwellings built in the 1950/60s.
4. The site is within the Residential Medium Density Zone of the Kaikoura District Plan and is subject to the following overlays:

- Coastal Environment;
 - Medium Density (Higher Height Limit) Overlay;
 - Liquefaction Management Area
5. The site is not listed on Environment Canterbury's Listed Land Use Register for hazardous activities and industries and is assumed not to be contaminated. An aerial photograph of the site is included in Figure 1 below.



Figure 1: Site subject to this application outlined in Red (Source: Canterbury Maps)

6. The surrounding area is predominantly residential in nature. Directly opposite the site is land zoned Open Space Coastal Zone. This zone is described as protecting the natural environment of the rocky shorelines of Kaikoura.
7. A location plan is attached in Appendix A and the Record of Title is attached as Appendix B.

The Proposal

8. The proposal is to erect nine new residential apartments on the existing site at 162 & 164 Esplanade, Kaikoura. All of the apartments will be three bedrooms with garaging. Cladding TBC, but location will be taken into consideration as has been with other developments CLD Ltd has completed in coastal locations.
9. The proposed development has been designed with urban design principles in mind. Apartments 1-3 has frontage to Esplanade and engages directly with Esplanade as access is provided to the dwelling via a path/courtyard from the street frontage.
10. Landscaping is proposed within the street frontage, around the perimeter of the site and within the development itself. Each apartment has an outdoor living space oriented towards the north of the house and a service area sufficient for each unit to have a foldable washing line located on the ground floor. Each house has a garage providing storage.

11. In terms of fencing, a new 1.8m high timber fence will be erected on the internal boundaries of the site in between the outdoor living areas of each unit. The road boundary fencing in front of Apartments 1-3 will remain transparent to allow passive surveillance of the street. A Landscaping Plan will be included in concept plans.
12. Vehicle access will be provided to all houses via a single accessway on the Eastern boundary of the site. One garage able car park space will be provided for apartments 1-8 and a parking space/carport for Apartment 9. There is sufficient area for all vehicles to manoeuvre within the site and exit onto Esplanade in a forward direction.
13. All services will be provided to each unit, and this will be detailed as part of the building consent application. Site plan and elevation will be included in concept plans.

Kaikoura District Plan

14. The Plan rule interpretation in this application is that of CLD Ltd and is not in substitution of the Council’s own assessment of the proposal, nor is it a restriction on the matters resource consent is being sought for. Resource consent is applied for the proposal described in the “Description of the Proposal” section, including any plans and other information submitted. Resource consent is applied for the rule infringements described in this application, and any other resource consents necessary, whether specifically identified or not, to allow the proposal to be established, maintained and operated.
15. The site is located in the Residential Medium Density Zone of the Kaikoura District Plan and is also subject to the Coastal Environment, Medium Density (Higher Height Limit) and Liquefaction Management Area overlays. The following provisions are relevant to the application:

Chapter GRZ-S1 Residential Medium Density Zone

16. The erection of two or more residential units in the Residential Medium Density Zone is a **restricted discretionary activity** with Council’s discretion restricted to residential design principles and minimum unit size and unit mix. The following built form standards are relevant to the activity:

Rule	Compliance
<p>GRZ-S1 – Site Density</p> <p><i>No Residential Unit shall be located on a site having a net site area less than the following:</i></p> <p><i>1. Medium Density Residential Precinct - 500m2 minimum, except that for multi-unit</i></p>	<p>Non-Compliant</p> <p><i>Multi-Unit Development of 9 apartments over 2048m2.</i></p>

<p>developments of two or more units, the average net site area of all units shall not be less than 500m².</p> <p><i>See attached site plan.</i></p>	
<p>GRZ-S2 – Building Height</p> <p>Residential Medium Density Higher Height Limit Overlay at 162 & 164 Esplanade – 5.5 metres.</p> <p><i>See attached shading plan.</i></p> <p><i>See attached photo of current building and shading.</i></p>	<p>Non-Compliant</p> <p>The height of the rear development is 6.8m. The height of apartment 9 is 6.3m. The height of the front development is 7m. All apartments are double level.</p> <p>The current structure sits at approximately 6.7m in height at the peak.</p> <p>The apartments have been designed so the peak of the height is centred on the site to ensure minimal, if any, shading.</p>
<p>GRZ-S8 Site Coverage</p> <p>a. The maximum percentage of the net site area covered by buildings shall be 35%.</p> <p><i>See attached site plan.</i></p>	<p>Non-Compliant</p> <p>The site coverage is 37%.</p>
<p>GRZ-S9 Outdoor Living Space</p> <p>a. For residential units with two or more bedrooms outdoor living space shall be provided on site for each residential unit, and shall not be occupied by parking areas or access. The required outdoor living space shall be within the following dimensions:</p> <p>i. Minimum total area – 70m²</p> <p><i>See attached site plan.</i></p>	<p>Partially Complies</p> <p>a. Outdoor living space will be provided on site for each residential unit:</p> <p>i. The outdoor areas for Houses 1, 2 and 3 are less than 70m².</p> <p>ii. The outdoor areas for apartments 4 - 9 are more than 70m².</p> <p>Have compromised on space, utilising the land at the front to achieve the maximum internal layout but still having a good sized outdoor area.</p>
<p>Daylight Recession Planes</p> <p><i>Please see shading plan.</i></p>	<p>Partially-Complies</p>
<p>GRZ-S4 Minimum Internal Building Setbacks</p> <p><i>See attached site plan.</i></p>	<p>Complies</p> <p>All apartments comply with the setbacks.</p>
<p>GRZ-S5 Road Boundary Setback</p>	<p>Complies</p>

<i>See attached site plan.</i>	
Complies New water meters will be added during construction.	

Summary

- 17. The development is a restricted discretionary activity as it will result in two or more residential units.

- 18. The Council's discretion shall be limited to the following matters:
 - Residential design principles
 - Minimum unit size and unit mix
 - Impacts on neighbouring property
 - Minimum building setbacks
 - Outdoor living space and

Liquefaction Hazard

- 21. *Refer to Geotechnical Report from Geotago.*

Coastal Environment

- 22. There are no specific rules relating to activities in the Coastal Environment, however activities within this environment that require approval under zone or district wide rules are assessed against the Coastal Environment objectives and policies. This assessment is included in the objective and policies assessment below.

Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

- 23. The site is not listed on Environment Canterbury’s Listed Land Use Register for hazardous activities and industries (HAIL) and a review of available desktop information suggested that no HAIL listed activities have occurred on the site.

Assessment of Environmental Effects

24. As the proposal is a restricted discretionary activity, Council's discretion is restricted to the following matters:
- Residential design principles
 - Minimum unit size and unit mix
 - Impacts on neighbouring property
 - Minimum building setbacks
 - Outdoor living space
 - Street scene – road boundary building setback, fencing and planting
 - Manoeuvring for parking areas and loading areas

Town Context and Character

25. The site is located in an area of single and double storey dwellings on single allotments. The area is residential in nature and directly opposite the site is land zoned Open Space Coastal, which consists of coastal vegetation and provides access to Gooch's Beach.
26. The proposal will result in a new multi-unit development within an area of both newer and older style housing, consisting of nine two storey dwellings with attached garages. The District Plan assessment matters provide for consideration of the scale and character of development anticipated for the surrounding area. The description of the Residential Medium Density Zone states, "Residential intensification is anticipated through well-designed redevelopments of existing sites, and more particularly through comprehensive development of multiple adjacent sites". The proposal is a high quality architecturally designed development which results in intensification of existing sites. It is also noted that the District Plan permits development to 5.5m in height in this zone and we recognise that the proposed development will exceed this, however also noting that the current dwelling sits over this limit. All steps in the design process have been to mitigate as much shading as possible on neighbouring sites. The site coverage requirements are also vastly complied with. It is considered that new development of the proposed scale is anticipated in this location.
27. While there are a number of breaches of the built form standards, the effects of these are considered to be less minor and are discussed in more detail below. There is good provision for landscaping and space to allow new planting to establish and grow.

Relationship to the street and public open spaces

28. The development will engage with the Esplanade. Apartments 1-3 have doors which face the Esplanade and will be accessed by a footpath of a material TBC, leading directly off the street. No block-out fencing is proposed in front of the dwelling and the garages are located behind the apartments.
29. A single accessway will provide access to all apartments. The garage doors for Apartment 4-8 face into the accessway, with just the garage/carport/carpark for Apartment 9 being visible from

the street. Landscaping is proposed down the accessway. This will break up views of the sealed areas from the street.

30. The proposed design for apartments 1-3 is predominantly glass. This enables passive surveillance of the street and views over the coastal open space and beach on the opposite side of Marine Parade.

Built form and appearance

31. The development is one continuous building, however there are steps in the plan to avoid a long or bulky building form and limit the length of continuous rooflines. The design avoids blank elevations and facades dominated by garage doors. Apartments 1-3 elevation which faces the street has a large percentage of glazing on both floors and is proposed to used differing materials. It is considered that the development achieves visual interest and a sense of human scale and space.

Residential Amenity

32. It is considered that the proposed development will provide a high level of internal and external residential amenity for the occupants and neighbours. All apartments will have good access to sunlight and daylight. All houses have access to a private outdoor living space.
33. As noted above, there is good provision for landscaping around the development which will include specific plants for the location.

Access, parking and servicing

34. The development provides good access which is safe and convenient for both pedestrians and vehicles. Access to all houses is via a single vehicle crossing, with parking provided in the garage of each house. All vehicles will be able to manoeuvre within the site so that they can exit in a forward direction, noting that apartment 9 will need to undertake more than one reverse manoeuvre due to its location at the end of the accessway. Secure bicycle parking will be provided for each house within the garage.
35. As noted above, the parking spaces are located in garages and for Apartments 1-3, they face onto the accessway at the rear to ensure they don't dominate the development when viewed from the street. The garage/carport/carpark for Apartment 9 faces down the driveway towards the street, however it is setback at the rear of the site and landscaping is proposed down the side of the space to soften the built form when viewed from the street.

Safety

36. The development incorporates Crime Prevention through Environmental Design principles to achieve a safe and secure environment. The living room window and frontage of Apartments 1-3 all face the Esplanade, which allows for good passive surveillance of the street. The front doors of Apartments 4-9 all face the accessway. The living areas are proposed to face towards the

outdoor areas on the second floor, which provides for passive surveillance of adjacent communal spaces. Fencing on the road boundary in front of the outdoor living areas for Apartments 1-3 is proposed, however this will be 50% visually transparent. Motion activated security lighting is proposed in front of each unit to assist occupants with accessing the units at night-time.

37. Overall, it is considered that the proposal is consistent with the principles of good residential design.

Minimum Unit Size and Mix

38. These assessment matters relate to developments where under sized units are proposed. In this instance, all units comply with the minimum size requirements.

Impacts on Neighbouring Property and Minimum building setbacks

39. Minimum setbacks have been achieved for this development.
40. **Please refer to bulk and location plan and shading plan.**
You will note on the shading plan there is minimal difference between the maximum height build at 5.5 meters (blue line) and what is being proposed (black line) The mono pitch roof design allows the development to have maximum internal spacings, allowing for foundation heights, midfloor and still achieving a 2.4 metre minimum internal cavity on each level, whilst minimising shading by the positioning each apartment on the site.

Outdoor Living Space

41. The Kaikoura District Plan states that each dwelling is to have 70m² of outdoor living space.
42. Relevant matters of discretion are as follows:
 - a. *The extent to which outdoor living spaces provide useable space, contribute to overall on-site spaciousness and enable access to sunlight throughout the year for occupants.*
43. The outdoor living spaces for Houses 1 - 3 are between 49.66m² and 50.21m² in area and Apartments 4-9 are compliant with the district plan and are between 70.64m² and 85.24m². All apartments are proposed to have a balcony on the first floor to provide additional outdoor living space. It is considered that all apartments have a useable outdoor living space which enable access to sunlight throughout the year. The easy access to the beach across the road extends the outdoor living possibilities for occupants of this development.
 - b. *The accessibility and convenience of outdoor living space for occupiers.*

44. The outdoor living spaces are more than sufficient in size for each dwelling and the use they will provide to the occupiers. All houses step out onto a deck and landscaped yard.
- c. Whether the size and quality of communal outdoor living space or other open space amenity compensates for any reduction in private outdoor living space.*
45. There are no communal outdoor living spaces provided.
- d. The extent to which a reduction in outdoor living space will result in retention of mature on-site vegetation.*
46. It is not proposed to retain any mature on-site vegetation, however replacement landscaping will be completed.
47. Overall, it is considered that all houses have sufficient areas for outdoor living. The only concern from our perspective is maintenance of areas of this size in a development.

Street Scene – road boundary building setback, fencing and planting

48. All Apartments fall within the boundary setback guidelines.
49. Relevant matters of discretion are as follows:
- (b) The ability to provide adequate opportunity for garden and tree planting in the vicinity of road boundaries.*
50. Landscaping is proposed within the front boundary of the site. In front of Apartments 1-3, this will include hedging and a shrub mix. Landscaping is also proposed for the side of the accessway. All of these plants will be visible from the street and it is considered there is adequate opportunity for garden and tree planting. The landscaping requirement will be considered to be minor, particularly given the site is opposite the Open Space Coastal Zone.
- (c) The ability to provide passive surveillance of the street.*
51. There will be good opportunity for passive surveillance given the amount of glazing on the apartments.
- (e) For fencing, whether solid fencing is appropriate to provide acoustic insulation of living spaces where the road carries high volumes of traffic.*
52. Solid fencing is not proposed along the road boundary. The Apartments have been designed to include appropriate noise attenuation.

Liquefaction Overlay

53. Refer Geotechnical Report from Geotago.

Transport

54. Transport is relevant to this proposal as follows:

The proposal is considered to have no noticeable effect on the surrounding transport network or on the efficiency or safety of the Esplanade. The vehicle accessway and manoeuvring is anticipated to operate safely, given the low traffic generation, low speed environment and familiarity of occupants with the site.

Subdivision, Development and Earthworks

Objective

- a. *Earthworks facilitate subdivision, use and development, the provision of utilities, hazard mitigation and the recovery of the district.*

Water quality

- a. *Ensure earthworks do not result in erosion, inundation or siltation, and do not have an adverse effect on surface water or groundwater quality.*

Benefits of earthworks

- a. *Recognise that earthworks are necessary for subdivision, use and development, the provision of utilities, hazard mitigation and the recovery of the district.*

Amenity

- a. *Ensure, once completed, earthworks do not result in any 'significant' shading, visual impact, loss of privacy or other significant detracting from the amenity values enjoyed by those living or working in the locality.*

55. The earthworks will facilitate the use and development of the site and will be undertaken in a manner that does not result in erosion or have adverse effects on groundwater quality. Due to the topography of the site, volume and location of the earthworks, it is considered the earthworks will not result in any shading, visual impact or loss of privacy for adjoining neighbours.

Earthworks health and safety

- a. *People and property are protected during, and subsequent to, earthworks.*

Land stability

- a. *Avoid earthworks that will create a significant risk to people and property through subsidence, rockfall, cliff collapse, erosion, inundation, siltation or overland flows.*

Nuisance

- a. *Ensure that earthworks avoid more than minor adverse effects on the health and safety of people and their property and detract from their amenity values, and do not generate continuous or persistent noise, vibration, dust or odour nuisance.*

Vehicle movement

- a. *Ensure that the transportation to and from a site of earth, construction or filling material is safe and minimises adverse transport network and local amenity value effects.*

56. The earthworks will be undertaken in a manner to ensure that there are no effects on land stability or nuisance. The transportation of soil will occur at reasonable hours during the day to minimise nuisance to neighbouring properties.

Coastal Environment

57. Coastal Environment is relevant to this proposal as follows:

- a. *People and communities are able to provide for their social, economic and cultural wellbeing and their health and safety, while maintaining and protecting the values of the coastal environment, including:*
 - i. *indigenous biodiversity and the maintenance of the ecological function and habitats;*
 - ii. *natural features and landscapes;*
 - iii. *natural character;*
 - iv. *historic heritage;*
 - v. *Ngāi Tahu cultural values;*
 - vi. *visual quality and amenity; and*
 - vii. *recreation values.*

Effects of activities on the coastal environment

- b. *Ensure that subdivision, use and development is of a scale, and located, to maintain and protect the values of the coastal environment, including:*
 - i. *indigenous biodiversity and the dynamic, complex and interdependent processes of ecosystems;*
 - ii. *natural features and landscapes;*
 - iii. *natural character, including the natural integrity and functioning of contributing and associated coastal processes;*
 - iv. *historic heritage, recognising that historic heritage may span the line of mean high water springs;*
 - v. *Ngāi Tahu cultural values;*
 - vi. *visual quality and amenity values; and*
 - vii. *recreation values.*

58. The proposed development is located within an existing residential environment, approximately 40m from the coast and will not affect any values of the coastal environment as identified above.

Notification and Consultation

Public Notification

59. Section 95A of the RMA sets out the steps to be taken by the consent authority in deciding whether to publicly notify an application.

Public Notification Assessment

(Step 1) Mandatory Public Notification in Certain Circumstances	
<ul style="list-style-type: none"> • The applicant requests public notification; or • Public notification is required under Section 95C; • The application has been made jointly with an application to exchange recreation reserve land. 	None of these matters are triggered by this application.
(Step 2) If not required by Step 1, Public Notification precluded in Certain Circumstances	
<ul style="list-style-type: none"> • A rule or national environment standard precludes public notification of the application; • The activity is a controlled activity; • The activity is a restricted discretionary, discretionary, or non-complying activity (boundary activity only). 	None of these matters are triggered by this application.
(Steps 3 and 4) Therefore, public notification is only required if:	
<ul style="list-style-type: none"> • A rule or national environmental standard requires public notification; • The consent authority decides, in accordance with Section 95D, that the activity will have, or is likely to have adverse effects on the environment that are more than minor; or • Special circumstances apply. 	None of these matters are triggered by this application.

60. The application is for a restricted discretionary activity, and there are no rules requiring or precluding public notification. The activity is not likely to have adverse effects on the environment that are more than minor, therefore, public notification is not required.

Limited Notification

61. Section 95B relates to limited notification of a consent application and sets out the steps to be taken by the consent authority when deciding whether to limited notify an application. As detailed in the table below, limited notification is not required because the adverse effects on any person as a result of the proposed activity will be less than minor.

Limited Notification Assessment

(Step 1) A consent authority must determine whether there are certain affected groups and affected persons	
<ul style="list-style-type: none"> • Affected protected customary rights groups; or 	None of these matters are triggered by this application.

<ul style="list-style-type: none"> • Affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity); or • Land subject to a statutory acknowledgement. 	
(Step 2) If not Required by Step 1, Limited Notification is Precluded in Certain Circumstances	
<ul style="list-style-type: none"> • The activity is subject to a rule or national environmental standard that precludes limited notification; or • The application is for a controlled activity under the district plan (except subdivision), or a prescribed activity. 	None of these matters are triggered by this application.
(Step 3) If Not Precluded by Step 2, Certain Other Affected Persons Must be Notified	
<p>In deciding if a person or group is affected:</p> <ul style="list-style-type: none"> • A person is affected if the adverse effects of the activity on that person are minor or more than minor (but not less than minor). • Adverse effects permitted by a rule in a plan or national environmental standard (the permitted baseline) may be disregarded. • The adverse effects on those persons who have provided their written approval must be disregarded. 	None of these matters are triggered by this application.
(Step 4) Further Notification in Special Circumstances	
The consent authority must determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification.	There are no special circumstances in relation to this application.

62. It is considered that this application can proceed on a non-notified basis, as the adverse effects of the activity are considered to be less than minor and able to be adequately mitigated through conditions of consent and design solutions.

Consultation

63. No consultation has been carried out as part of this resource consent application. As the scale of the development is appropriate within the zone and actual or potential effects are considered to be less than minor, no persons are considered to be adversely affected.

Conclusion

64. Chapman-Lindsay Developments Ltd seeks resource consent as a **restricted discretionary activity** under the Kaikoura District Plan for the erection of nine residential apartments at 162

& 164 Esplanade, Kaikoura. The assessment of effects on the environment has demonstrated that potential adverse effects are less than minor, and no persons will be adversely affected from the proposed multi-unit development.

65. Accordingly, it is considered appropriate that this application be processed in a non-notified manner in terms of section 95 of the Resource Management Act 1991.

Appendix A

Location Plan



Source: Kaikoura District Plan

Appendix B

Record of Title

Please see attached

Appendix C

Site and Elevation Plans

Please see attached – Three Sixty Architecture