

# **20 OMAHA BLOCK ACCESS ROAD LEIGH**

## **ASSESSMENT OF ENVIRONMENTAL EFFECTS**

*Prepared for*  
Panetiki Limited  
Auckland  
NEW ZEALAND

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## **20 OMAHA BLOCK ACCESS ROAD**

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# 1 INTRODUCTION

## 1.1 BACKGROUND

The applicant, Panetiki Limited, seeks land use consent to develop the site, 20 Omaha Block Access Road in Leigh, as visitor accommodation. Existing buildings on site are proposed to be removed and new architecturally designed accommodation and associated service buildings to be constructed, sympathetic to the site's character and location.

The proposed buildings are to be located in a manner that will ensure that they sit sympathetically within the natural landscape; to provide on-site privacy and also to enjoy the expansive views offered. The design has taken all relevant planning controls and overlays applying to the site into consideration.

The proposal, as 'visitor accommodation' is a discretionary activity in the zone. Nevertheless, the design of the proposal has taken all relevant development standards into account. While some infringements apply, as described below, it is considered that the overall built form and development respects the site location and attributes.

Existing buildings on site are to be removed. This includes the main house that was built around 1975 and associated implement sheds, within the north eastern corner of the site. This house is located generally in the same position on site as the proposed new main building. Similarly, the new visitor accommodation (05) is proposed to replace the existing cottage located near the site's southern boundary (Omaha Cove). The new development has sought, where feasible, to utilise existing building platforms.

An integral part of the overall site development, as a high end luxury visitor accommodation venue, is to upgrade and improve the existing landscaping on site. The site is characterised by the extent and condition of already established trees and shrubs. Landscape overlays (under the AUP) apply to those parts of the site on the edges where the site meets both the Hauraki Gulf and Leigh Harbour. The natural plantings on these slopes typically have established pohutukawa trees spaced far enough apart to present as significant specimens rather than densely grouped together, with the space between them heavily planted in shrub-like NZ natives.

Elsewhere on the site the pohutukawa have been left surrounded by lawn with mulching and under planting under their drip lines. This spacious arrangement is in contrast to the crowded nature of the coastal edge vegetation. It is therefore intended that the existing planting outside the overlay areas will generally be kept and enhanced. The more densely planted areas are to be thinned out to allow for better growing conditions. Where planting is removed in order to make way for buildings and driveway accessways, it will be replaced elsewhere to maintain the planting density already on the site.

## 1.2 RESOURCE CONSENT STATUS

Resource consent is sought, overall, as a **discretionary activity** for the following matters:

- Visitor accommodation with the Rural Coastal zone (H19.8.1 A34)
- Diversion and discharge of stormwater (where impervious area is greater than 5,000m<sup>2</sup>) E8.5.1 A10

Resource consent is sought as a **restricted discretionary activity** for the following matters:

- Workers accommodation within the Rural Coastal zone (H19.8.1 A29)
- Building (as part of the visitor accommodation), within the Outstanding Natural Landscape overlay (D11.4.1 A11) – Accommodation 05
- Building within the 50m coastal protection yard, Rural Coastal zone (H19.10.3) – Accommodation 05
- General earthworks greater than 2500m<sup>2</sup> (E12.4.1 A6)
- General earthworks greater than 2500m<sup>3</sup> (E12.4.1 A10)
- Buildings within the coastal erosion hazard area (E36.4.1 A4), Main building (01)
- E36.4.1 A41 and A42 (diversion of OFP entry point; and buildings located within or over an OFP).
- Discharge of treated domestic-style wastewater (E5.4.1 A5)

## 1.3 PRE - APPLICATION MEETING

A pre-application meeting was held on 22 July 2019 (ref: PRR00032061), copy provided (**Attachment 1**). The proposal was described, and advice sought in terms of likely consents required. The proposed development of the site as a luxury 'lodge', with several separate buildings comprising accommodation units, services, managers accommodation and a recreation pavilion were confirmed to fall under the activity of 'visitor accommodation'. It was also confirmed that this is a discretionary activity in the zone.

Associated activities, to be undertaken to enable construction and to support the operation of this principal use of the site, were identified as generally either permitted or restricted discretionary. This includes earthworks; vegetation removal; and servicing. These aspects of the proposal are described in this report.

As part of the operation of the proposed lodge, access was proposed to be provided to visitors by way of helicopter. Consent was originally sought on that basis. The helipad component of the application was removed in April 2021.

The pre- application meeting minutes confirm the preliminary view that *'the overall concept for the site is acceptable'*. In particular, reference is made to rural coastal zone objective H19.5.5.2(2) which states support for (specifically) tourism activities within this zone *'where they are consistent (with) the coastal landscape character and natural environment values of the area.'*

Accordingly, the detailed design of the proposal has been guided by the advice provided by Council at this initial meeting and with regard to relevant zone purpose and overlay intent.

#### **1.4 NOTIFICATION**

Notification assessment is required to be made in accordance with the provisions of section 95 of the RMA. These provisions include a 'step by step' process in determining full and then limited notification. It is considered that this application, as a discretionary activity and as a non-residential activity would therefore be subject to the tests of notification, as to whether the activity is likely to have adverse effects on the environment (section 95D).

##### ***Adverse Effects Consideration***

The site is large, occupying a prominent coastal headland in Leigh. The locational and environmental characteristics of the site have guided the design response of the proposed lodge development. The proposed buildings are predominantly single storey and are set into the landscape to ensure minimal intrusion. The main accommodation building, which is two stories (including basement), is set back from the site's coastal boundary, leaving the existing coastal pohutukawa edge in place.

New buildings will generally be located near the footprints of existing buildings on site; thereby reducing the degree of change. In determining the placement of the proposed buildings on site, consideration has been given to the views to the site from the surrounding settlements and public spaces. As a consequence, the proposed building locations will not be visually dominant within the surrounding environment. Existing building locations have been used where appropriate, with a conscious effort being made to restrict views to and from the nearby settlement of Leigh.

Increased planting is proposed, in line with and fully supporting the intent of the natural character overlays that apply to the site. The natural landscaped appearance of the site is considered to be an integral part of the proposed lodge; offering a private, peaceful experience. This feature of the site will be positively developed as part of the establishment and operation of the lodge. The existing plantings are to be weeded, upgraded and maintained. Birdlife is promoted and enhanced, with pest control measures to be employed.

Land disturbance is to be minimised by retaining all cut/ fill on site and excess being used in driveway construction and associated ancillary works on site. The placement of the proposed buildings will require site excavation to varying degrees. All excavated soils will be disposed of on site. Works within the vicinity of the cliff (primarily for the main building within the north eastern sector of the site) have been engineered to ensure minimal impact and to both retain and promote land stability.

The proposed development is to be self-sufficient, with complying on site effluent disposal; potable water supply; and power. The size of the site will enable all services to be met internally, with no adverse impact on the wider environment or immediate neighbourhood. Support services such as lighting and aural privacy will be maintained at a compliant scale. It is noted that this will be an important part of the lodge design. The overall design intent has been guided by a desire to achieve minimal impact within the immediate environment.

This also applies to proposed access arrangements to the site. There is access by road, with anticipated traffic movements being relatively low. It is considered that the proposed site development, as a luxury lodge, provides an opportunity to both utilise the land in a manner that complements the values of the coastal location, while enhancing existing site attributes with conservation planting; pest control; and landscape maintenance. Effects on the environment will be no more than minor, with positive outcomes envisaged.

There is no requirement therefore for the application to be fully notified. Effects will be less than minor on the environment. Consideration has been given to the possibility of special circumstances. In this case it is considered that there are no special (or out of the ordinary) circumstances.

### ***Limited Notification Assessment***

Where the application is not publicly notified the Council must decide if the application should be limited notified (section 95B of the RMA). This is also a 'step by step' process. In this case there is an adjoining urupa site which has recently been identified as a 'site of significance to Mana Whenua' under Proposed Plan Change 22 (having legal effect). To the northwest (14 Omaha Block Access Road) the land is used as a local marae. This land is accessed via a right of way across the subject site. As acknowledged in the pre-application meeting minutes, notification to these parties may appropriately be undertaken utilising Council's iwi consultation service. In addition, as neighbours, it is understood that the applicant will engage in informal consultation. There is also a pa on the headland at the tip of the site (R09/124). Since lodgement of the application for consent the Applicant has engaged an expert archaeologist. The Archaeological report identifies the location of the pa and makes recommendations accepted by the Applicant.

The remaining immediate neighbours to the property are located at some distance (to the north) at 10 Omaha Block Access Road. This site extends the width along the site's northern boundary and is owned and used by the Danish Society for gatherings within their community. Buildings on this site are located at a distance from the proposed building platforms on site, being to the west of the road. This is shown on the aerial (**Attachment 2**).

It is considered that the proposal can be undertaken without adverse effects on these neighbouring properties given the distance, topography and landscape. The proposed lodge will operate with minimal intrusion into the surrounding neighbourhood. It will be a private facility, designed to enjoy views to the southeast, away from adjoining sites. The activities undertaken on the site as part of the proposed lodge will largely be internalised as a result of the site size. It is therefore considered that there will be no adverse impacts on the amenity of the surrounding environment or on immediate neighbouring properties. It is considered that no persons are affected by the proposal. It is acknowledged that a CVA (and update) prepared by iwi raise issues, some of which have been addressed by amendments made, while others are, from an iwi perspective, unresolved. It is

considered that any effects will be less than minor and would not therefore qualify as requiring 'affected parties' approval in terms of section 95 RMA. No approvals have been sought. It is considered that in accordance with Section 95 (E) the application can, appropriately, be considered on a non-notified basis.

## 2 SITE DESCRIPTION

### 2.1 THE SITE

The site is located at the southern end of Omaha Block Access Road within a peninsula that fronts the settlement of Leigh to the west. It has frontage to the coast to the east and south, with its southwestern boundary extending landward adjoining urupa and marae land. Both of these sites are accessed through the subject site. The land is in pasture and bush, with residential buildings, most of which have recently been removed.

The site enjoys extensive views to the coast, both to the Hauraki Gulf (to the east) and across Omaha Cove to the Leigh township (to the southwest). The site has been used, until its recent sale to the current landowners / applicants, as a rural residential retreat with a three bedroom house; studio accommodation; and garaging and implement sheds. The house was constructed around 1975, as was the cottage located at the southwestern extent of the site, within proximity to the coastal boundary (as shown on Building Permit, **Attachment 3**).

A driveway, which starts at the southern end of Omaha Block Access Road, links the buildings on site, looping around the northern portion of the site in proximity to the site's western boundary. The marketing material available at the time the property was for sale in early 2019 provides detail of the site and its wider context (**Attachment 4**).

As shown in these photographs and those of the Site Context (**Attachment 5**), there are various open grassed spaces available as suitable building platforms. These have been used in the proposed development, with mature trees maintained. Access is available from the site to the foreshore.

The site has an area of 9.0421 hectares (Omaha 3 Block ML 14815, NA26D/297). It is subject to right of way easements for both access over the site (NAPR29A/828) and access to the site through the adjoining site (Transfer 347607.2 and Easement Instrument 11388687.1).

### 2.2 NEIGHBOURHOOD

The neighbouring area is primarily of rural character, but comprising a combination of rural residential blocks and small farming units (**Attachment 6**). Many of these properties have been developed with large homes, taking advantage of the expansive coastal views. The land opposite Omaha Cove, to the southwest and west, is the well-established coastal community settlement of Leigh. As shown in the Google Maps presentation (**Attachment 7**), the site is located at the southern extent of the coastline that extends from Mangawhai Heads in the north. To the south are the settlements of Omaha and Matakana. The area is enjoyed by an increasing resident population, and is also a popular holiday destination,

particularly for those from the south (Auckland), taking advantage of the attractive coastal environment.

The adjoining property to the north (10 Omaha Block Access Road) is similarly a large site, spanning the peninsula, with coastal frontages to the west and east. As noted previously, this site is owned by the Danish Society and used by this community. Buildings on this site are located within the western portion of the property. The road to access the subject site cuts through this neighbouring site.

To the south and having right of way access through the subject site is local marae and urupa land, shown in site context.

## **3 THE PROPOSAL**

### **3.1 VISITOR ACCOMMODATION**

The site is to be developed as a venue for 'high end' luxury visitor accommodation. The facility will comprise a number of buildings, located at strategically identified building platforms within the site. Most of these new building platforms utilise the siting of existing buildings within the site. Those buildings that are proposed to be constructed within new platform locations include the four unit accommodation building; the recreation pavilion; and the services / managers accommodation building.

The main building (Accommodation 01) is to be sited in generally the same location as where the main house was. Accommodation 05 is in generally the same location as the existing cottage towards the site's southwestern coastal boundary.

The facility will accommodate up to 22 guests; with supporting facilities which include short stay accommodation for a duty manager and a utilities building. This services building will house on- site maintenance equipment, leisure equipment storage and service, a laundry, a staff kitchen, lunch room, toilet and bathroom facilities. A separate recreation pavilion is designed to hold gatherings for guests and small special events, in conjunction with the adjacent tennis court.

The accommodation buildings comprise:

- Accommodation 01: Main building, with six suites. The communal dining and lounge spaces are within this main building, as described below
- Accommodation 02: Supplementary building, with four suites
- Accommodation 05: Individual, secluded unit for one couple

Provision is made for on- site under cover vehicle parking for guests and lodge service vehicles.

Essentially the lodge has been designed to offer a very private and self- contained luxury accommodation experience that takes advantage of the site's ambience of peace and tranquillity within a spectacular coastal setting.

Accordingly, the buildings have been designed and located on the site so as not to impact on the natural features of the site, and to utilise existing building areas and grassed areas.

### ***Main accommodation building***

The main building comprises six suites grouped in two lots of three on the ground floor. These suites are divided to take advantage of the two distinctly different views available from this part of the site where the building is to be sited. There is a view to the east and Little Barrier Island through existing trees and down to the beach below. The other view is over the site towards the peninsula at the mouth of Leigh Harbour and to the south towards Omaha and beyond. Both views are private and unspoilt by development elsewhere.

A restaurant and kitchen are provided along with reception and generous lounge spaces to enable guests to enjoy the extensive views offered from this site.

The basement level accommodates garaging; plant rooms for services; and a lift to the first floor. The swimming pool complex (comprising swimming pool and spa pools in a room in order to better control the environment; a gym, sauna and massage facilities) is located within the basement area and accessed via stairs from the main guest level.

The garage is accessed from the main driveway. The public spaces on the first floor (reception, circulation, dining and lounges) have views and access out to the large landscaped area on the northern side of the building. An outdoor swimming pool is located within this northern space, for outdoor relaxation. Shelter from the southerly wind is provided by the main building itself, making this outdoor space useable for much of the year.

### ***Accommodation 02***

Four guest suites are provided within a building separate to the main building, located to the south, midway between the main building and the accommodation to the south (Accommodation 05). This building offers accommodation along with shared kitchen, dining, living and library spaces. These suites are based on the same design as those in the main accommodation building. This building is located further down the site with 360 degree views of the coast, Leigh Harbour and the surrounding bush.

It is intended that greater privacy will be available within these suites than is available within the main accommodation area. These four suites are traditionally designed for private groups of up to four couples wishing to rent the building. Outdoor balconies are located off the kitchen, dining and living areas for the use of guests with each guest suite having a covered outdoor balcony designed to admit sunlight and daylight through adjustable louvers to ensure private use.

Guests can use the main accommodation facilities as they wish or can be separately catered for Accommodation 02. A swimming pool and outdoor facilities space for outdoor dining and relaxing form part of this building. This space will be screened to provide privacy.

This building design reflects a similar form to that of the main accommodation building but with a different overall plan arrangement and a different palette of

materials. Concrete and dark stained timber exterior cladding with copper roofing settle the building into the surrounding planting.

### ***Utility building***

A farm building, already constructed as a permitted activity, is to be remodelled as the utility building. This will accommodate plant and equipment necessary for the successful operation of the entire lodge facility. Outdoor machinery and associated tools and equipment for maintaining the landscape and gardens will be housed and serviced in this building. Electric golf carts for the on-site use by staff and guests will be serviced, cleaned and recharged in the building.

A laundry suitable for meeting all the housekeeping requirements of the lodge is housed in this building. Staff facilities include a kitchen, bathrooms and indoor and outdoor dining areas. All facilities are accessible from the driveway on the northern side of the building, away from the view of the guests and the rest of the grounds.

A basement plant room is incorporated to house the controls for all services including a standby generator. By internalising the generator, the noise from its operation is kept to a minimum.

The roof structure on the northern face of this building has been designed to carry the load of either solar heating panels or photo voltaic cells should the need arise.

The building is proposed to be clad in copper sheeting with the south facing side of the building having only three small windows facing the main grounds of the lodge. The main driveway will be located to the southern side of the building. The building design is based on a simple striking form is striking but not of ostentatious appearance.

### ***Managers Accommodation***

In order to provide 24 hour on-site service, separate short stay accommodation has been provided. This avoids relying on vacancies in guest suites which may not be available or be unpredictable. The manager's accommodation is a stand-alone small building adjacent to the utility building next to the driveway entrance. Its location is close to the entry to the property providing a "gate house" function.

While this small bedsit accommodation, which is to be used by the lodge manager, may fall within the overall 'visitor accommodation' definition, a conservative approach has been taken by including this as part of the consent required, as 'workers accommodation'.

The definition of this use (as amended by Plan Change 16) reads as:

*A dwelling for people whose duties require them to live onsite, and in the rural zones for people who work on the site or surrounding rural area.*

*Includes:*

- *Accommodation for rangers;*
- *Artists in residence;*
- *Farm managers and workers; and staff*

### ***Pavilion***

The pavilion provides for shelter and convenience for guests using the adjoining tennis court. This building contains bathroom and toilet facilities. It will also provide space for both covered and outdoor entertaining, dining and socialising. The design is a simple open plan allowing for all weather use and enjoyment, with extensive views of the property and the coast beyond to the south and east.

The building is proposed to be of a striking but simple form using concrete, glass and stone, being materials also used in the main accommodation building. The intention is to architecturally link the design of all buildings on site, demonstrating an overall theme.

### ***Accommodation 05***

This building is to be located in the vicinity of, and replacement for, the existing cottage which was sited near the site's southwestern coastal boundary (shown in **Attachment 5, Site Context**). As was the cottage, the new building will be located within the 50m coastal protection yard that applies. As a result of the coastal setting of this new building, this accommodation unit will also be located within the Outstanding Natural Landscape overlay, but is clear of the High Natural Character overlay, as shown in application plans.

The same palette of materials will be used in the new building as is used in that existing. The form of the building will not be highly visible from Leigh or Leigh Harbour.

### ***Services and Access***

The lodge will be accessed by road. The private road into the site is currently being upgraded, with a new bridge under construction. Within the site the existing gravel driveway is also to be upgraded to enable efficient access to the accommodation buildings, pavilion and utility shed; with minimal impact on the natural values of the site.

Effluent disposal has been assessed at an estimated daily design volume of 5,900 litres. As this exceeds the permitted status (of 2,000 litres) under Rule E5.6.2.1, consent has been sought. A separate discharge consent application (under E5.4.1 A5) has been made. The site is more than adequate in size to accommodate the proposed scale and methodology of discharge.

It is considered that the proposal, as described above, clearly and appropriately falls within the AUP definition as 'visitor accommodation'. The facility is to provide accommodation for tourists and short stay visitors and includes, as part of the amenities on-site, dining and recreational spaces exclusively for the lodge guests.

## **3.2 CONSTRUCTION AND SITE DEVELOPMENT**

### ***Excavation***

The main building (Accommodation 01) comprises a basement level which will require excavation below the existing ground level. This work is to be undertaken in accordance with the design parameters identified from the site geotechnical investigations, as described in the geotechnical report (Deane Consultancy Ltd). This refers to previous 'extensive cut earthworks' undertaken years ago to form the platform for the existing buildings on site. This report identifies that the new excavation works required for the proposed new accommodation building can be undertaken without affecting the stability or integrity of the nearby coastal cliff. The cliff in this location is described as a 'well vegetated slope of between 30 and 45 degrees to the horizontal' and is confirmed as being in a stable state with no sign of slippage in the vicinity of the proposed new building.

Foundations for Accommodation building 01 are proposed to be piled where in proximity of the cliff face, and conventional strip footings where slabs are on grade. While this location falls within the AUP definition as "Coastal Erosion Hazard area"<sup>1</sup> it is considered that the proposed building construction will not adversely affect this cliff stability. The foundations will be set back sufficiently to ensure land stability and will sit directly on sandstone rock, enhancing the factor of safety against ground instability.

The remaining buildings on site are single storey and to be located clear of potential land instability areas. The extent of excavation is shown on the application plans (TP.5); ranging from 35m<sup>2</sup> (Accommodation 05) to 2541m<sup>2</sup> (Accommodation 01).

### ***Erosion and Sediment Control***

An integral part of the construction works is the management and implementation of erosion and sediment control measures. This will be undertaken in accordance with best practice regulations and specifications, as described in the Erosion and Sediment Control Concept plan (J K Construction).

### ***Stormwater Management***

All stormwater generated by the site development is proposed to be treated on site so that only clean discharges are made into the existing natural channels on site, including the OFP. Stormwater from paved areas on minimal slopes will be shaped to fall to the surrounding ground while runoff from steeper areas and side drains from the driveway will be channelled to stilling ponds on site. It is considered that given the site size and vegetated composition, stormwater will be readily accommodated by treatment and discharge on the site. The project engineer is confident that rules E8.6.1 and E8.6.2 are readily achievable, as a permitted activity.

### ***Landscaping***

#### ***Existing***

The site is characterised by the significant extent and condition of already established trees and shrubs. These include pohutukawa (*Metrosideros excels*),

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<sup>1</sup> Being within a horizontal distance of 20m landward from the top of any coastal cliff with a slope angle steeper than 1 in 3 (18 degrees)

ngaio (*Mysporum laetum*), griselinia, cabbage trees (*Cordyline Australis*), corokia, flax (*Phormium*), toi toi (*Cordyline indivisa*), kanuka, manuka, karaka (*Corynocarpus laevigatus*), kawakawa (*Macropiper excelsium*), swan plant, and duck weed (*Wolffia*).

Densely planted, many of the plants have reached for the sunlight and are spindly. The density of planting has also provided a habitat for predators, which has probably reduced the abundance of birdlife that a property of this size would normally be expected to support.

Both of the overlays (Outstanding Natural Landscapes and High Natural Character) focus on the edges of the site where the site meets both the Pacific Ocean and the Leigh Harbour. Generally, the site slopes from north to south descending to the adjacent shoreline.

The grassed areas on the western half of the property have established pohutukawa trees spaced far enough apart from each other to have grown into significant specimens. They have been mulched out to their drip lines and form a significant feature within the landscape. The peninsula coastline is intensely vegetated up to 5 or 6 metres back from the shoreline, with the shrubs / trees listed above and the remaining land in grass.

### *Proposed*

It is intended that outside of the overlay areas on the site, existing planting will generally be retained, maintained and enhanced with the more densely planted areas thinned out to allow for better growing conditions for the individual specimens. Where planting is removed in order to make way for buildings and driveways, it will be replaced elsewhere on the site to maintain the extent of planting already established on site.

Boundary planting along the site adjoining the marae and urupa boundaries will be increased to provide greater privacy between both sites with tall growing species such as titoki (*Alectryon excelcius*), nikau palms (*Rhopalostylis sapida*) and kohuhu (*Pittosporum tenuifolium*); all growing to heights of 10 metres. Vegetable, flower and herb gardens (in addition to citrus and stone fruit orchard planting) will be established in areas with a favourable climate to ensure that they thrive.

An important aspect of the landscape concept for this site is to ensure that the current bird and insect life is maintained and enhanced, with pest control measures employed to reduce the numbers of rodents and pests which are currently evident.

Concept images are provided (**Attachment 8**) to show the scale and form of the site landscaping intended.

### **3.3 COASTAL PROTECTION YARD**

A 50m coastal protection yard applies to the site's western, southern and eastern boundaries (as shown on sheet TP.4, application plans). The existing cottage is located within this yard, relative to the site's south western boundary.

It is proposed that this cottage be replaced with an accommodation unit of similar scale and will therefore be within this yard. The remaining proposed buildings are clear of both of the side yard and the coastal protection yard setbacks.

As described in this report, extensive landscape and conservation planting is proposed as part of the overall site development. This is particularly the case in the vicinity of Accommodation 05 given its proximity to the coastal boundary. Planting along the site's boundary in this area is proposed to include hedge form (titoki) along the site adjoining both the marae and urupa. This is intended to increase privacy for both sites.

### **3.4 BUILDING WITHIN THE ONL OVERLAY**

Accommodation 05, by replacing the existing cottage, will be located within the Outstanding Natural Landscape overlay. No other buildings are located in these overlays.

The proposed cottage replacement (Accommodation 05) will increase the building coverage in this location by approximately 40m<sup>2</sup> (shown sheet TP.10). It will remain single storey construction and similar in its overall bulk and location. .

### **3.5 VEGETATION REMOVAL AND LAND DISTURBANCE**

#### ***Vegetation Removal***

Some vegetation removal and change, together with land disturbance by way of earthworks, is inevitable with future use and development of the site. The intention of the proposal is, however, to limit the extent of this disruption and to undertake those works within areas of the site that are either currently modified or are considered to be suitable for new built forms. The location and scale of new buildings on site has been carefully considered as part of the overall site design.

Given the site size, it is considered that the scale of building on site (at 0.047% coverage) is well within site capacity and will not adversely impact the natural character values of the site. Compliance is achieved with vegetation removal controls, within both the overlays and areas of 'contiguous indigenous vegetation', the latter as defined in the AUP:

*"Vegetation with a continuous or near continuous canopy, or sub canopy or ground cover and any adjacent individual plants or groups of plants that connect to the continuous area in terms of species, structure or ecological gradient. It does not include vegetation planted as a crop, garden or pasture or the understorey in forests."*

Within the site, existing planting will generally be kept, with enhancement made by way of thinning out and weed control of the more densely planted areas to enable improved growing conditions. Where planting is removed in order to make way for buildings and access ways, it will be replaced elsewhere to maintain the planting density existing on the site. Within the overlay and coastal protection areas of the site, conservation planting is to be made. This includes, in particular, planting for soil and water conservation; waste water disposal and purification; landscape

preservation or enhancement; and conservation for ecological value; in accordance with standard E15.6.3 (2).

### ***Land Disturbance***

The construction of the accommodation buildings, services and facilities will necessitate varying degrees of land disturbance on the site. At a total area of excavation of approximately 4393m<sup>2</sup> and volume of 5743 m<sup>3</sup>, this is greater than the general earthworks permitted (of 2500m<sup>2</sup> and 2500m<sup>3</sup>) under E12.4.1 A6 and E12.4.1 A10, respectively.

The location of the main building (Accommodation 01), within proximity to the coastal cliff, is deemed to be a building and associated earthworks within the “coastal erosion hazard area”. The geotechnical report addresses this aspect of site development with foundation design recommendations which will increase the factor of safety against instability in this location for this design.

## **4 RESOURCE MANAGEMENT ACT 1991**

The purpose of the Act as set out in Part II is the sustainable management of natural and physical resources whilst protecting the health and wellbeing of people and communities, and avoiding, remedying and mitigating adverse effects of activities on the environment. The proposal, to establish and operate a luxury lodge (visitor accommodation) on the site, 20 Omaha Block Access Road, Leigh is considered to be fully consistent with the purpose and principles of the Resource Management Act 1991.

Section 104 of the Act sets out the matters to which a consent authority must have regard when considering an application. These matters include:

- actual and potential effects on the environment
- policy statements
- the objectives, policies and rules of a Plan

These matters are addressed throughout this report, with specific consideration given to effects in section 7.

## **5 RELEVANT LEGISLATION**

### **5.1 NEW ZEALAND COASTAL POLICY STATEMENT (NZCPS)**

The NZCPS is relevant to this application to the extent that the location of the site is adjacent to the coastal marine area; and forms part of the site zoning description. However, no works are proposed to be undertaken within the coastal marine area and no coastal consents are triggered.

It is therefore considered that the proposal is entirely consistent with the policies and objectives of the NZCPS as the project will not compromise the existing

coastal character of this section of the foreshore; no vegetation will be adversely affected; there will be no impact on the function of the coastal environment; and proposed works related to building construction have been designed to ensure coastal edge stability. Overall, it is considered that the proposal is an appropriate development in this location; and is of a scale that will not compromise the values and character of the coastal margin.

## 5.2 HAURAKI GULF MARINE PARK ACT 2000 (HGMPA)

Similarly, the proposal is required to be considered with regard to the HGMPA given its location adjacent to the Hauraki Gulf. For the reasons detailed above, it is considered that the proposal will not be contrary to this legislation. There will be no discharges and all works will be managed to ensure that there are no adverse effects on the receiving marine environment.

# 6 AUCKLAND UNITARY PLAN

## 6.1 ZONE OBJECTIVES AND POLICIES

The site is zoned Rural - Rural Coastal Zone, Whangateau to Waiwera coastal area, with a Coastal - General Coastal Marine Zone applying within the marine area, as shown on the zoning context (**Attachment 9**).

The site is subject to the following overlays:

- *Natural Resources: Significant Ecological Areas Overlay - SEA-M1-85b, Marine 1*
- *Natural Heritage: Outstanding Natural Landscapes Overlay [rcp/dp] - Area 28, Coastline from Pakiri River to Omaha Cove*
- *Natural Heritage: High Natural Character Overlay [rcp/dp] - AREA 48, Te Arai and Pakiri Beach*

These overlays are shown (**Attachment 10**).

The following controls apply:

- *Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise*
- *Macroinvertebrate Community Index - Native*
- *Macroinvertebrate Community Index - Rural*
- *Surf Breaks [rcp] - ID 6, Boulders (Leigh)*

The Rural - Rural Coastal Zone is one five rural zones in the AUP. The Whangateau to Waiwera coastal area is one of seven subareas within this coastal zone. While most of the general rural policies and objectives relate to rural

production activities and effects, the following are considered to be of relevance to this proposal:

**Objective H19.2.1**

- (1) *Rural areas are where people work, live and recreate and where a range of activities and services are enabled to support these functions.*

**Policies H19.2.2**

(5) *Enable a range of rural production activities and a limited range of other activities in rural areas by:*

- (e) *providing for tourism and activities related to the rural environment.*

**H19.2.3.Objectives –rural character, amenity and biodiversity values**

- (1) *The character, amenity values and biodiversity values of rural areas are maintained or enhanced while accommodating the localised character of different parts of these areas and the dynamic nature of rural production activities.*
- (2) *Areas of significant indigenous biodiversity are protected and enhanced.*

**H19.2.4.Policies –rural character, amenity and biodiversity values**

- (1) *Manage the effects of rural activities to achieve a character, scale, intensity and location that is in keeping with rural character, amenity and biodiversity values, including recognising the following characteristics:*
- (a) *a predominantly working rural environment;*
- (b) *fewer buildings of an urban scale, nature and design, other than residential buildings and buildings accessory to farming; and*
- (c) *a general absence of infrastructure which is of an urban type and scale.*

**H19.2.5.Objectives –rural industries, rural commercial services and non-residential activities**

- 3) *The rural economy and the well-being of people and local communities are maintained or enhanced by social, cultural and economic non-residential activities, while the area’s rural character and amenity is maintained or enhanced.*

**H19.2.6.Policies –rural industries, rural commercial services and non-residential activities**

- 2) *Manage rural industries, rural commercial services and other non-residential activities to:*
- (a) *avoid creating reverse sensitivity effects;*
- (b) *contain and manage adverse effects on-site; and*

*(c) avoid, remedy or mitigate adverse effects on traffic movement and the road network.*

In addition to the general rural policies and objectives, a specific policy framework applies to this rural coastal zone (H19.5). The purpose of this zone is stated as:

*...to retain and enhance the rural character and amenity values, local coastal character and biodiversity values of rural areas along Auckland's harbours, estuaries and coastline. It is also to enable rural production activities, local non-residential activities, maintain recreational opportunities and manage the effects of existing scattered rural lifestyle development. The zone also provides opportunities to access the coastal marine area and support marine-related activities.*

It is recognised that this zone is 'under significant development pressure' for a variety of non-rural activities, including coastal settlement, rural lifestyle opportunities and tourism and visitor activities.

Objectives and policies of this zone, considered of particular relevance to this application include:

### **H19.5.2.Objectives**

- (2) The development and operation of activities that provide recreational and local non-residential services are enabled where they maintain and enhance the zone's rural and coastal character, amenity values, landscape and biodiversity values.*
- (3) Buildings are of a scale and intensity that do not detract from the zone's rural and coastal character and amenity values.*
- (5) The significant relationship between land, freshwater bodies and the coastal marine area and their contribution to Auckland's rural and coastal character is maintained and enhanced.*

### **H19.5.3.Policies**

- (1) Manage activities and development to maintain the distinctive rural and coastal character of the zone which include:
  - (b) rural character and amenity values, biodiversity values, values based on particular physical and natural features such as beaches, ridgelines, estuaries, harbours, indigenous vegetation, wetlands, or similar features;**
- (5) Maintain the rural and coastal character and amenity values in the coastal environment by controlling the number, location, size and visual impact of dwellings and other non-residential buildings and their curtilage and accessways.*
- (6) Require the location and design of buildings and other significant structures to:
  - (a) avoid locating on the top of ridgelines so their profile does not protrude above the natural line of the ridge;**

*(b) minimise building platforms and accessways and earthworks associated with these; and*

*(c) avoid locating buildings and other significant structures in coastal yards and riparian margins, except for fences and structures with operational need for such a location.*

The sub area (Whangateau-Waiwera) is further described (**H19.5.5.Rural–Rural Coastal Zone East Coast area Whangateau-Waiwera**) as being:

*“...characterised by an indented and variable coastline with steep headlands, small coves, sheltered beaches and harbours, and extensive sandy beaches.”*

It is identified that much of the coastal edge of this area is subject to the high natural character and outstanding natural landscape overlays. Accordingly the policies and objectives include:

#### **H19.5.5.2.Objectives**

- (1) The open, high-quality natural character, coastal landscape and natural environmental values are retained.*
- (2) Recreational, marine transport, tourism and home occupation activities are supported where they are consistent the coastal landscape character and natural environmental values of the area.*

#### **H19.5.5.3.Policies**

- (1) Require buildings, including dwellings, greenhouses and buildings for intensive farming and their curtilage and access to be located sensitively in the landscape with particular consideration to their size, location, scale and density, ability to sit into the landscape.*
- (2) Avoid locating dwellings and other significant buildings on ridgelines and the construction of visually prominent accessways up or across visually significant slopes.*
- (5) Concentrate larger scale tourist facilities, including tourist accommodation, in rural and coastal towns.*

#### **Comment:**

As a rural zoned site, the AUP recognises that while rural production is the primary purpose of this land, other supporting and service activities may be appropriate. These include, specifically, tourism and activities related to the rural environment. Accordingly provision is made, as a discretionary activity, for “visitor accommodation” in the zone; and, in particular, ‘supported’ as appropriate activities in the Rural Coastal Zone East Coast area Whangateau-Waiwera. Assessment of buildings and services associated with tourism activities must clearly give consideration to the effects on the environment and the rural character, amenity and biodiversity values. Of particular relevance to this proposal is that the buildings and associated services (such as driveway access) have been designed to sit lightly within the coastal landscape.

This design fully recognises the various natural character overlays and the coastal protection yard that apply to the site. This has been achieved by buildings that are

sited in locations on the property that respect the coastal character and visual amenity of the site within its wider context. The scale of the lodge as visitor accommodation has sought to be consistent with the natural environmental values; being the very reason for this form and scale of venue. It is not suited to a township location; as it is seeking to provide the luxury accommodation market with a high end experience of privacy and seclusion within an outstanding natural coastal environment.

## 6.2 OUTSTANDING NATURAL LANDSCAPE AND HIGH NATURAL CHARACTER OVERLAYS

The coastal margins of the site have been identified as being of Outstanding Natural Landscape (ONL) and High Natural Character (HNC) value by way of these respective overlays. These two locations are detailed (Schedules 7 and 8, AUP), as to their respective values and characteristics:

### Schedule 8

- **Natural Heritage: High Natural Character Overlay [rcp/dp] - AREA 48, Te Arai and Pakiri Beach**

**Location:** *Arai and Pakiri Beach, East coast north of Leigh*

**Description:** *An extensive unit comprising remote beaches, sand dunes and dramatic coastal cliffs and scarps which descend to rock shoals and coves. Very little development is evident throughout the unit, which adds to the feeling of remoteness. Natural vegetation is variable – being influenced to the north by adjacent forestry vegetation – but is extensive in the upper reaches of the Pakiri River, with the regenerating native forest on the ridges above Pakiri Road and the remnant native forests on the coastal scarps between Leigh and Pakiri.*

#### **Bio-physical characteristics:**

- *Geomorphological / landform features & characteristics*
- *Vegetation type, cover & patterns Habitat / ecological values*
- *Water bodies & the movement of water & sediment*

#### **Perceptual Values:**

- *The CMA & wider coastal 'context' / setting*
- *Experiential attributes*

### Schedule 7

- **Natural Heritage: Outstanding Natural Landscapes Overlay [rcp/dp] - Area 28, Coastline from Pakiri River to Omaha Cove**

**Location:** *Coastline from Pakiri River to Omaha Cove, North East Rodney*

**Description:** *Coastal Wild nature (coastal )Highly dramatic and dynamic landscape comprising steep coastal cliffs and a main ridge line descending to rock*

*shoals and coves, including Goat Island, that face the open waters of the outer Hauraki Gulf. Cape Rodney is a major point of transition between Auckland's more sheltered Gulf waters and the open seas of the Pacific Ocean.*

*Coastal landforms with remnant indigenous vegetation cover. Interplay between remnant vegetation and rural pasture, reinforcing topography.*

**Values:**

*Very high: Very steep and clearly defined amalgam of cliffs and steep slopes above a rocky coastline and shoals.*

*High: High ecological values in relation to the waters around Goat Island Marine Reserve but not in relation to the landward area.*

*Very high: Dramatic confluence of land and water at, and either side of, Cape Rodney including the main cliff/ridge sequence that affords a backdrop to southern Pakiri Beach.*

*Very high: Arising from the dramatic landform and its dynamic interaction with the open waters of the Pacific Ocean (very exposed).*

*Very high: Highly expressive landform and interaction with the sea; strong backdrop to the southern end of Pakiri Beach and also to the settlement of Leigh.*

*High: Interplay of coastline and the open waters of the Hauraki Gulf, including variation resulting from atmospheric conditions, time of day/year, tide and wildlife. Wading and sea birds prevalent.*

Where activities are proposed within these overlays, the policies and objectives of D11 apply. The objectives being:

**D11.2 Objectives**

- (1) The natural characteristics and qualities of areas with outstanding natural character, or high natural character values are preserved and protected from inappropriate subdivision, use and development.*
- (2) Where practical areas with outstanding natural character or high natural character values in the coastal environment, including areas in the Waitākere Ranges Heritage Area and the Hauraki Gulf/To Moana Nui o Toi/Tīkapa Moana, are enhanced.*

The associated policies, all of which are considered relevant to this proposal, require the avoidance of adverse effects on the natural characteristics and qualities of these overlay areas from inappropriate subdivision, use and development. Significant landforms and indigenous vegetation and habitats are specifically recognised as requiring maintenance and enhancement. Guidance as to the manner in which this may be assessed and promoted is given by way ten considerations under D11.3 (1)(c). These include the scale and location of proposed buildings; and changes to landform, vegetation and coastal processes.

**Comment:**

The proposed visitor accommodation use and development of this site will not compromise the values of the property where subject to natural character overlays. No subdivision is proposed and there will be no change to coastal processes or significant landform elements. Rather, the intention is to enhance and protect the values for which the land is identified under the AUP. The coastal context (sandy coves, coastal cliff headland and pohutukawa edge) are all important values that the proposal seeks to support, maintain and enhance.

### **6.3 COASTAL PROTECTION YARD**

The coastal protection yard applies to the coastal boundaries of the site and is, in this case, a 50m setback from MHWS. All buildings except the Accommodation 05 building comply with this yard setback. This building is to replace that existing which is already located within this yard setback.

The purpose of the yard setbacks within the rural zones is stated (H19.10.3) as being:

*“to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise:*

- *Adverse effects of building on the character and amenity values enjoyed by occupiers of adjoining properties;*
- *Opportunities for reverse sensitivity effects to arise; and*
- *To ensure buildings are adequately setback from streams and the coastal edge to maintain water quality and provide protection from natural hazards”*

It is considered that the replacement of the existing cottage with a building of similar proportions, in a similar footprint, is consistent with the purpose of the coastal protection yard. There are no triggers for natural hazard concerns in this location, with the site sloping gently to the cove beach. The design of the accommodation building (05) in this location has had regard for the protection of this coastal edge.

### **6.4 LAND DISTURBANCE**

In considering works that require consent for earthworks as part of this proposal, regard has been made to the relevant policies and objectives of E12 (Land Disturbance). Land disturbance is sought to be undertaken in a manner that protects the safety of people and mitigates adverse effects on the environment (E12.2 (1)). This is to be achieved by managing the amount of land being disturbed (E12.3 (2)); but also recognising that land disturbance necessary for activities that provide for people and their economic and cultural well-being are enabled (E12.3 (3)).

#### **Comment:**

The AUP provides for use and development of land with some land disturbance and vegetation removal where it is of an appropriate form and adverse effects can be mitigated. It is acknowledged in the AUP that development will inevitably require earthworks and likely some vegetation change but that these activities are

to be managed to ensure that they are undertaken in a manner that supports the environment in which they are to take place.

In this case, the degree of change by way of earthworks is, relative to the site, not large. Only that work which is necessary to provide for building platforms and services / driveway is proposed and is to be undertaken in conjunction with mitigation and management measures in place, such as erosion and sediment control. Most buildings are single storey and there is reuse of a number of existing building platforms on site which reduces the effect of earthworks and vegetation removal required.

## **6.5 COASTAL EROSION HAZARD AREA**

The AUP defines 'Coastal erosion hazard area' (Chapter J). In this case parts of the site within which new building is proposed to be constructed fall within this definition by way of being:

*'within a horizontal distance of 20m landward from the top of any coastal cliff with a slope angle steeper than 1 in 3 (18 degrees)'*

This is confirmed in the geotechnical assessment. Consideration to relevant policies and criteria in E36 is required. This section of the AUP seeks to manage risks from natural hazards on the environment, people and property. Coastal hazards, including land instability, are tested in respect of natural hazard risk. In this case, the construction of the main building within the coastal erosion hazard area has been designed to take into account relevant policies of E36; with the avoidance of hard protection structures (E36.3 (7)); location of structures landward to retain the natural coastal buffer (E36.3 (12a)); and building design avoiding potential adverse effects of land instability (E36.3 (33)).

As part of the site is subject to an overland flow path, this aspect has also been taken into consideration in proposed building and driveway design; with the capacity for this overland flow path to safely retain unimpeded stormwater flow.

## **6.6 REGIONAL POLICY STATEMENT**

The overlays applying to the site are of regional significance. Consequently the regional policy framework of chapters B4 (Natural heritage), B7 (Natural resources) and B8 (Coastal environment) are of relevance.

The overarching intent of these chapters is the protection of the regionally significant landscapes; coastal areas; and indigenous vegetation and habitat (as identified by way of overlays that apply to this site) from inappropriate use and development.

Specifically, the ONL is acknowledged and factors contributing to the value of these places is described (objectives and policies, B4.2.1 and B4.2.2). The protection of the physical and visual integrity of the ONL overlays is reiterated (B4.2.2 (3)). Guidance is given as to the manner in which new development should be undertaken within this overlay (B4.6); with sensitivity to the values of significance.

Similarly, the protection of indigenous vegetation from inappropriate use and development is described in B7.2 and B7.3. Restoration and enhancement of existing biodiversity values is sought.

The value of the region's coastal environment is further described with supporting policies and objectives in chapter B8. The preservation of coastal values is identified while recognition is also given to the possibility that some use and development may be appropriate, such as where coastal environment areas are restored or rehabilitated (B8.2.1 (3) and E8.2.2 (5)).

**Comment:**

The design of the proposed accommodation facility acknowledges the finite resource nature of the site's coastal location and the associated values of the visual and physical natural character of the site. The intent is that the proposal will co-exist without compromising these values and that there will be no discernible change to the natural character of this coastal environment. Measures are proposed that seek to enhance and maintain the vegetative values of the property. The scale and siting of buildings on site seek to avoid potential adverse effects on the land form and the visual values of the peninsular location. It is considered that the proposal is consistent with the regional policy statement and is of a design and form that is an appropriate use and development for this site.

## **7 PLANNING ASSESSMENT**

### **7.1 VISITOR ACCOMMODATION**

While the proposal, as 'visitor accommodation' is a discretionary activity in the zone, guidance as to assessment has been taken from H19.12.1 and H19.12.2 (matters of discretion and assessment criteria for restricted discretionary activities in the rural zones) where visitor accommodation is provided for as a restricted discretionary activity in the Mixed Rural zone; and workers accommodation is a restricted discretionary activity in the Rural Coastal zone.

The proposal is described above in this report and supported by the application plans. The design has sought to provide a private, quality luxury lodge within a location of acknowledged high landscape and natural character value. This natural significance is integral to the prestige and appeal of the lodge facility. For this reason, numerous measures are proposed to support, maintain and enhance the identified values of this property. The lodge is designed to be a very private, exclusive retreat. Accordingly the design, construction and on-going operation is commensurate with the acknowledged value of the environment.

The site is remote from its surrounding neighbours. The rural character and amenity values of the neighbourhood will not be adversely affected. Rather, supplementary planting and screening will promote privacy and maintain amenity. All effects from noise, lighting and vehicular access will be contained on site and, due to the nature of the proposed operation, will be kept to a low scale. The proposed buildings are designed to enjoy views to the coast, avoiding direct views back to Leigh (to the south) or neighbours to the north and west. Visually privacy will be maintained and enhanced.

The design and location of all buildings on site has had regard to both the ONL and HNC overlays. The flat roof design; use of natural materials; and strategic positioning of buildings within the site have ensured that the proposal is unobtrusive within the landscape. The option to construct a number of small buildings, rather than one concentrated facility, has resulted in a small footprint on the site where the natural features of the land can be enhanced and protected.

Only a small portion of one proposed building (Accommodation 05) steps into an overlay. This is a replacement building. The effects are considered to be less than minor and can be fully mitigated. The small scale of the buildings on the site, together with the landscaping proposals will ensure that the rural coastal character and amenity remains untarnished.

Construction methodologies of the buildings and associated services have sought to reduce landform modification, with the proposed main building resulting in increased stability factor of safety. The proposed use is akin to that existing, albeit in a more prestigious luxury form. The land is not being used for any productive rural activity. The proposal offers the opportunity to enhance that which is existing and to establish an increased level of protection for the character values of the land.

### ***Policies and objectives***

It is considered that the form and scale of the proposed lodge is entirely consistent with the zone policies and objectives which support tourism activities in appropriate locations and of an acceptable format. The proposed lodge is designed to sit within the site topography, avoiding views to Leigh or its neighbours; and be of an appropriate scale and appearance within the coastal location. All effects from the construction and operation of the lodge will be internalised, with no adverse effects impacting the wider environment.

## **7.2 BUILDING WITHIN THE OUTSTANDING NATURAL LANDSCAPE OVERLAY**

The replacement building to the existing cottage lies within the ONL overlay. As a restricted discretionary activity (D11.4.1 A11) criteria for assessment are detailed in D11.8. These assessment criteria require consideration of a number of specified effect considerations, as addressed below.

### ***Accommodation building 05***

This building replaces that existing, increasing the footprint by 40m<sup>2</sup>. The new building is to be located no closer to the coastal boundary than that existing, with this increased coverage being to the west and east of the existing footprint (shown on Sheet TP.10). No removal of contiguous indigenous vegetation is required; with minimal earthworks proposed and no change to the landform or coastal appearance. The land in this location of the site is not subject to any instability concerns, sloping gently to the cove beach. As the building replaces that existing (and is being setback further than that existing from the marae boundary), it is considered that there should be no effects on mana whenua.

The proposed building site is considered to be the logical and most efficient location for a new replacement building, utilising part of the existing building footprint. As such any effects in terms of the overlay applying are to a large degree

mitigated as there was a building in this location previously. The scale of the proposed building is small, being similar to that existing. The design, as a single storey building, using timber and glass, is considered to be appropriate and unobtrusive in this location. There is no change or effect on the headland or ridgelines of the site, being characteristics identified as of value as part of this ONL, as described in Schedule 7 of the AUP:

*“... . Coastal Wild nature (coastal ) Highly dramatic and dynamic landscape comprising steep coastal cliffs and a main ridge line descending to rock shoals and coves...”*

It is considered that this new building will sit comfortably within the landscape; essentially as an upgrade to that existing.

### **7.3 SITE WORKS AND DEVELOPMENT**

#### ***Land Disturbance***

Earthworks are required to provide for the proposed buildings on site. The design of the proposed earthworks, in terms of extent and location, has been considered with regard to site constraints, with a conscious decision made to ensure that earthworks are minimal and all earth displaced is retained on site. However there is some infringement of both the general earthworks control and that applying to the natural character overlays for the following reasons:

- General earthworks greater than 2500m<sup>2</sup> (E12.4.1 A6)
- General earthworks greater than 2500m<sup>3</sup> (E12.4.1 A10)

The construction of the main building, in utilising the footprint of the existing building on site near the north eastern boundary, also triggers consent required in terms of the coastal erosion hazard area:

- Buildings within the coastal erosion hazard area (E36.4.1 A4)

Chapter E12 provides assessment criteria for the consideration of these land disturbance works and chapter E36 for the construction of the building within the coastal erosion hazard area.

All earthworks on site will be controlled by way of the erosion and sediment control plan which is to be implemented in accordance with Council regulations and GD05 specifications. All activities associated with the proposed earthworks are to be contained on site. No material is to be removed from the site.

For these reasons it is considered that the earthworks design and site management are such that there will be no adverse effects on the surrounding environment and potential adverse effects on the significant ecological and biodiversity values of the site will be minimal. No earthworks are proposed which would change the landform or the natural character features of the site, with the bulk of all work contained well clear of the coastal yard. As a consequence there will be little change or visual impact of the site from the proposed works.

The proposed earthworks will be temporary; with the normal standards applying in relation to noise, vibration, odour, dust and traffic. Those works proposed to take

place within the coastal erosion hazard area have been further tested in relation to geotechnical parameters and design. The foundations proposed and the associated excavation (for the main building), have been designed to increase the factor of safety for instability within this hazard area. This location has been chosen as it utilises the existing building footprint of buildings on site and is considered to be sufficient distance from the cliff edge to avoid land instability and the need for hard protection structures (such as a palisade wall).

It is noted that in assessing and granting consent to this application, conditions including accidental discovery protocols would be accepted as appropriate.

#### **7.4 COASTAL PROTECTION YARD**

The replacement building (Accommodation 05) to the existing (cottage) is the only infringement to the 50m coastal protection yard. All other buildings comply with this yard setback. To that extent, the yard will largely remain unchanged.

Assessment is relevant in accordance with C1.9 of the AUP, as a development standard infringement. The intent of the yard setback in the coastal environment is to provide protection from natural hazards. There are no natural hazards in this case, with the site sloping gently to the beach in this location of the site. The fact that the new building is to replace that existing, which is located within this yard, is considered a relevant circumstance. It is considered that there will be no adverse effects as a result of the construction of the new building within this yard setback.

#### **7.5 POLICY ASSESSMENT: SUMMARY**

As a discretionary activity, it is considered that the construction and establishment of the proposed lodge as 'visitor accommodation' is entirely consistent with and meets the policy intent of this Rural Coastal zone. The site is large and has the capacity to accommodate the proposal which has been deliberately designed as individual small scale buildings spaced out to reduce bulk and intensity. Materials proposed comprise natural, recessive products and colours ensuring that the proposal is unobtrusive within its coastal rural setting.

As is described in this report, the locational attributes of the site are fundamental to the luxury lodge operation. Accordingly, the natural landscape character and the site's associated vegetation, biodiversity and landform are to be protected, maintained and enhanced as part of the ongoing use and development of this proposal.

While the proposed lodge development requires consent for minor development standard infringements and works associated with construction, it is considered that the proposed facility readily meets the zone policies and objectives and will not create any adverse effects on either the wider environment or any neighbouring properties.

There are no changes to coastal processes or intrusion into the coastal marine area. The proposal is of a scale, appearance and intensity that are anticipated in this zone. Further, it is considered that, for the reasons detailed in this report, this proposal meets the relevant assessment criteria for those aspects for which restricted discretionary activity consent applies; providing a luxury lodge facility that is of an appropriate use and development in this location.

## 8 CONCLUSION

Resource consent is sought to construct and operate a luxury lodge as visitor accommodation in the Rural Coastal zone. It is considered that the proposal, as designed, will sit comfortably within the coastal setting, within a site that is large and where the proposed buildings will be unobtrusive. The proposed facility can be constructed with minimal adverse effects (being temporary and most being internalised); and can operate with no adverse effects on the surrounding rural neighbourhood. The new buildings will not compromise or impinge on the established visual amenity of the area; with no loss of amenity or character resulting.

The above report provides a full assessment of this proposal in accordance with the criteria of the AUP and the RMA. It is considered that this proposal meets the intent of relevant statutory documents.

This proposal is considered to be consistent with the zone policies and objectives. No adverse effects will result and the application can be considered on a non-notified basis. For the above reasons, as detailed in this report, it is considered that the resource consent should be granted.

Cherie Lane

September 2021