

STAFF REPORT

TO: Environment and Planning Subcommittee

FROM: Mark Morris, Co-ordinator Subdivision Consents

REFERENCE: RM080097 and RM080880

SUBJECT: **CAMDEN PROPERTIES LIMITED – REPORT EP09/07/16** - Report prepared for the hearing of 20 July 2009

LOCATION

2 Barnett Avenue, Best Island.

LEGAL DESCRIPTION

Lots 1 and 2 DP 402243 and Lot 1 DP 8350. CTs NL4A/139 and NL 4A/138

ZONING

Tasman Resource Management Plan (TRMP) Recreation;
Coastal Environment Area.

1. INTRODUCTION

1.1 The application by Camden Properties seeks a resource consent to establish and operate a resort development at western end of Best Island. The development is partly on the existing Motel site of 0.549ha and partly on the Greenacres Golf Course land.

1.2 The subdivision involves a number of allotments:

- Lot 1 of 51.88 hectares which is basically the site of the Greenacres Golf Course;
- Lot 2 of 2.07 hectares, which will contain all of the 31 unit title apartments, clustered into eight groups of buildings, admin buildings and recreation and servicing facilities.
- Lot 3 of 0.594 hectares containing the managers dwelling;
- Lot 4 of 1.98 hectares being an esplanade reserve of 20 metres width, along approximately 700m of the southern side of the Greenacres Gold course.
- Lots 5 -7 of 0.554 hectares in total area, are areas that will vest in the crown as Seabed.

- 1.3 Lot 2 is to be subdivided into 31 individual unit titles, each with their own auxiliary unit (AU) containing parking and outdoor living areas. The Units 31 and 33 will be used for administration and staff accommodation. The balance of Lot 2 will be "Common Property" which will be managed by Body Corporate. This will contain the access, additional parking and administration and servicing infrastructure for the proposed units.
- 1.4 The resort is proposed to be serviced for wastewater by treatment plant located on Lot 2 and discharge by way of a drainage easement on to a small area of lot 1. The effects of the proposed wastewater discharge consent (RM080889) are dealt with Mike MacKiggan's report which is attached to this report.
- 1.5 Stormwater will be dealt with by a series of stormwater basins, that will eventually discharge into the coastal marine area by way of an excavated intertidal inlet in the south-eastern corner of the site. The effects of the stormwater discharge (RM080891) are dealt with Mike Mackiggan's report which is also attached to this report
- 1.6 The applicant has sought consent to carry out earthworks within the coastal environment area to form building sites to a level of at least 3.9m amsl. The effects of this (RM080890)are dealt **with under separate report by Mike MacKiggan, which is attached to this report.**
- 1.7 The application involves a coastal permit to allow for construction of a timber boardwalk in the coastal marine area (CMA) and to carry land disturbance within the CMA as coastal enhancement project . The effects of this development (RM080892) are dealt with by Rosalind Squires' report which is attached to this report.

2. SITE DESCRIPTION

The present site contains the Greenacres Golf Course which is owned by the Greenacres Golf Club, being an Incorporated Society. It is by understanding that that Golf Course has existed on the site since the 1950s. In 1973 a small area of 0.549 hectares was subdivided off the Golf Course to allow for small motel development of six units. This is owned by the McKenna's.

3. NOTIFICATION AND SUBMISSIONS

The application was notified on 28 February, 2009.

A total of twelve submission were received, one of which (Nelson Regional Sewage Business Unit (NRSBU), was later withdrawn. A summary of the submissions is set out in the following table.

3.1 Submissions

Submitter and Submission number Address	Comments	Wish to be heard	Decision requested
1. Brian and Natalie Charlett 177 Landsdowne Rd.	Supported the application <ul style="list-style-type: none"> • Concerned about the Landsdowne Road access to the site which has very tight bend which has a number of accidents. 	No	Approve
2. William McKenna Greenacres Motel Best Island.	Supported the application. Have run the Greenacres Motels for the last six years. <ul style="list-style-type: none"> • The natural values of the are will be respected within the framework of the proposal. • Endorses the native enhancement of the proposal. • Ideal location for a tourism. • The large size will make it more viable from a commercial point of view.' • It will provide a high quality of accommodation • The enlarge reserve will help greater public use of the foreshore are. 	Yes	Approve
3. Archibald Barclay 142 Best Island Rd	Supported the application. Resident of Best Island. <ul style="list-style-type: none"> • The project will be a sensible project related to the Golf Course. 	No	Approve
4. Rodney Hayes 11 Ranfurly St, Christchurch	Supported the application. <ul style="list-style-type: none"> • It will improve the landscape quality of the area. • It will improve the Golf Course. • It will bring added revenue to the local economy. • It will help reduce human damage to the estuary edge. 	No	Approve
5. Greenacres Golf Club (Incorporated) PO Box 3096 Richmond	Supports the application. <ul style="list-style-type: none"> • The proposal will financially benefit the club which at present struggles to break even. • The project will provide funds for the Club to replace equipment and carry out river protection work. • The land being sold has limited potential for any other use. • The recycled storm water and wastewater will help provide valuable irrigation water for the golf course. • The club want all possible storm water to be redirected onto the course as a first option before it is directed into the estuary. 	Yes	Approve

Submitter and Submission number Address	Comments	Wish to be heard	Decision requested
	<ul style="list-style-type: none"> The access road should be vested in Council. The Club want to be compensated for the loss of land resulting from the TDC reserve being vested along the southern edge of the course. 		
6. Nelson Regional Sewage Business Unit (NRSBU)	Submission withdrawn 20 May 2009.	N/A	N/A
7. William Cook Eden's Road Hope	<p>Opposed to the application.</p> <ul style="list-style-type: none"> This is another example of unplanned development that is taking place around the Waimea Inlet. Any development in this area should be held back until a complete management plan for the Waimea Inlet is developed. This, and the Ruby Bay Bypass development at the end of Trafalgar Road and Dominion Road are examples of "nibbling" development around the estuary edges of Waimea Inlet. 	Did not indicate	Oppose
8. Nelson Tasman Branch Royal Forest and Bird Protection Society. PO Box 7126 NELSON 7042	<p>Opposed to the application.</p> <ul style="list-style-type: none"> The application is an ad hoc development that should not be allowed to occur in the sensitive estuarine environment. The Waimea Inlet is a Wetland Site of International Importance for wading birds. It does not meet the purpose of Section 5 of the RMA to promote the sustainable management of natural and physical resource and does not constitute an appropriate process for managing this internationally important site. The development could create a precedent that could lead to further resource consent applications of a similar nature being lodged. The increase in human based activities resulting from the development, has the potential to of pollution of land, sea and air, and introduce more predators to the area. A development of this size should not be considered until the proposed strategic plan for the Waimea Inlet has been fully completed. Concerned about the adverse effect of the proposal on the natural character of the coastal environment and its margins and the protection of natural habitats. 	Yes	Oppose
9. Department of	Neutral on the application.	No	Neutral

Submitter and Submission number Address	Comments	Wish to be heard	Decision requested
Conservation. Private Bag 5 NELSON 7042	<ul style="list-style-type: none"> The Waimea Inlet is an area of high conservation value for wading birds. The application does address the effects of lighting within the development. These potential effects could be mitigated by the use of low level lighting and appropriate screen between lit areas and the coastal margin. 		
10. Trevor Palmer 832 Lower Queen ST	Supported the application. <ul style="list-style-type: none"> The resort has been designed to be sympathetic to the special character of the area. Support the low impact building designs and the re-use of stormwater. Support the enhancement of public access, in particular the proposed boardwalk. Support the dual use of both residential and tourism accommodation.. 	No	Approve
11. Albert Aubrey 1 Centenary Place, Richmond	Supported the application. <ul style="list-style-type: none"> Long term member of the Greenacres Golf Club. Concerned about the right-of-way access to the site, which will seriously restrict further development of the Golf Club. The extension of Barnett Ave as a public road should be an integral part of the development. The Greenacres Golf Club is a very important component of the recreation resource of the District and it is important that this resource is protect for future generations. 	Yes	Approve
12. Bruce Gillespie 115 Best Island Rd	Supported the application. <ul style="list-style-type: none"> The development will benefit the region. The impact on the other Best Island residents will be minimal. Wish to see that the stormwater and treated waste water is utilised by the golf course rather than discharged into the estuary. 	No	Approve
13. Wilkes Construction (LATE) PO Box 3223 RICHMOND	Supported the application. <ul style="list-style-type: none"> This type of development will enable the Nelson/Tasman community to provide for its economic and social well being. It is important, that given the current global and economic climate, that projects such as this are supported. 	No	Approve.

3.2 Late Submissions

One late submission (13) (Wilkes Construction) was received. Although the submission is outside the formal submission period, the Council's Consents Manager has extended the time frames for submission under Section 37 of the RMA, to allow for this submission to be accepted as a formal submission.

4. ASSESSMENT

The proposed land uses that have been applied for and described in the preamble to this report that are being considered by the Committee today are a non complying activity, as defined by the Resource Management Act and the provisions of the Tasman Resource Management Plan (TRMP). The Transitional District Plan (Waimea Section) has no relevance to the application any more. The Tasman Resource Management Plan has progressed through the Plan process and is now operative in relation to Part II of the Plan, including the relevant objectives and policies and the Zone and Area Rules that apply to this site. The Tasman Resource Management Plan is the appropriate plan to use, when considering this application.

The Committee may grant or decline an application for a Non Complying Activity, pursuant to Section 104 of the Resource Management Act 1991 (RMA) and if consent is granted, conditions may be imposed pursuant to Section 108.

In making such a decision, you are required to first consider the matters set out in Section 104(1) of the Act, in addition to the matters set out in Section 7. Primacy is given to Part II of the Act, "the purpose and principles of sustainable management of natural and physical resources.

The decision should therefore be based on:

- i) "The actual and potential effects of allowing the activity;
- ii) Any relevant provisions of national or regional policy statements;
- iii) Relevant objectives, policies, rules or other provisions of a plan or proposed plan; and
- iv) Any other matters the Committee considers relevant and reasonably necessary to determine the application".

Because in this case the application is a non-complying activity it is also necessary to consider the provisions of Section 104(B) and also Section 104(D) which requires the application to pass one of the two threshold tests before consent can be granted.

Under Section 104(D) these are; either

- the adverse effects of the activity on the environment will be minor; or
- the application is for an activity that will not be contrary to the objectives and policies of the relevant Plan.

It is also appropriate to note Section 104D (2) of the RMA which confirms that Section 104(2) applies to the determination of an application for a non complying activity. Section 104(2) indicates when considering any actual and potential effects on the environment of allowing an activity, a consent authority may disregard an adverse effect of the activity on the environment if the Plan permits an activity with that effect.

5. RESOURCE MANAGEMENT ACT

The purpose and principle of the Act is to promote the sustainable management of natural and physical resources. Sustainable management means:

“Managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people, and communities to provide for their social, economic and cultural well-being and for their health and safety while:

- a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;
- b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems;
- c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment”.

5.1 Matters of National Importance – Section 6 of RMA

The matters of National Importance are set out in Section 6 of the Resource Management Act. In this case the following matters are seen to be relevant to this application:

- a) The preservation of the natural character of the coastal environment (including the coastal marine area) and its margins, and the protection of it from inappropriate subdivision, use and development; (*edited*)
- b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development;
- d) The maintenance and enhancement of public access to and along the coastal marine area; (*edited*)
- e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga;
- f) The protection of historic heritage from inappropriate subdivision, use and development.

In the case of this particular application, sub sections a) and e) of Section 6 are particularly relevant.

The Waimea Inlet, inspite of recent rural residential development , has retained a high level of natural character.

The preservation of the natural character of the coastal environment is a matter of national importance under 6(a) and it is also a matter of national importance to protect it from inappropriate subdivision use and development.

It is considered that the proposed development in this location will not adversely affect the natural character of the coastal environment and in the context of the existing Golf course and motel development is considered to be appropriate in this particular coastal location.

Annexure E to the original application provides comprehensive information in relation to the archaeological significance of this site. This matter is discussed further under the "Actual and Potential Effects" section of this report.

5.2 Other Matters – Section 7 of RMA

Section 7 of the Resource Management Act sets out the other matters that any person exercising powers or functions must have regard to in relation to managing the use, development and protection of natural and physical resources. Matters that are relevant to this application are as follows;

- a) kaitiakitanga;
- aa) the ethic of stewardship;
- b) the efficient use and development of natural and physical resources;
- c) the maintenance and enhancement of amenity values;
- d) intrinsic values of ecosystems;
- f) maintenance and enhancement of the quality of the environment;
- g) any finite characteristics of natural and physical resources;

These other matters have direct relevance and in particular those relating to amenity values and the quality of the environment. These are reflected in the policies and objectives in the Tasman Resource Management Plan and other planning instruments.

6. STATUTORY PLANNING DOCUMENTS

6.1 Tasman Regional Policy Statement

The Tasman District Council has prepared a Regional Policy Statement in accordance with the provisions of the Resource Management Act and this became fully operative in July 2001. The Statement takes national policies and refines and reflects them through to the local area, making them appropriate to the Tasman District. Council is required to have regard to the Regional Policy Statement as an overview of resource management issues.

The policies that are considered relevant to this application are set out in Appendix A to this report.

6.2 The Tasman Resource Management Plan

The Tasman Resource Management Plan has been prepared and has progressed to the point that Part II is now operational. The Plan sets out a range of policies and objectives that are pertinent to sustainable development in the Coastal Environment Area and in particular those that relate to site amenity, margins of the coast, natural hazards and cultural heritage are considered to be particularly relevant to this application.

The land use must be deemed to be in accordance with relevant objectives and policies pursuant to Section 104(1)(b)(iv) of the Act. The appropriate Plan is considered to be the Tasman Resource Management Plan and this is used in the assessment. Because this was developed to be consistent with the Regional Policy Statement, the assessment would also be considered to satisfy an assessment under the Regional Policy Statement.

The following table summarises the most relevant plan matters and provides brief assessment commentary. The objectives and policies that are particularly relevant to this application relate to the use of land in the coastal environment and site amenity. The

Summary of Objectives and Policies – Proposed Tasman Resource Management Plan

Chapter 5 – Site Amenity Effects

Council must ensure that the character and amenity values of a site and the surrounding environment are protected, and any actual or potential adverse effects of the proposed land use must be avoided remedied or mitigated so they are minor.

Objectives 5.1.2, 5.2.2, 5.3.2 and 5.4.2

Management of the effects of the proposed use must protect the use and enjoyment of other land in the area, including how such a complex can be integrated into a community and retain the amenity of the area. The effects of a land use can have the potential to add or detract from the use or enjoyment of other properties in an area. The density of development can influence the degree of some effects and the expectations of the amenity in an area such as Best Island can be quite different from that in a larger urban environment such as Motueka or Richmond.

Policies: 5.1.3.1, 5.1.3.2, 5.1.3.4, 5.1.3.5, 5.1.3.6, 5.1.3.8, 5.1.3.9, 5.1.3.11, 5.1.3.12, 5.1.3.13, 5.2.3.1, 5.2.3.3, 5.2.3.4, 5.2.3.6, 5.2.3.7, 5.2.3.8, 5.2.3.13, 5.3.3.1 (nyo), 5.3.3.3, 5.3.3.4, 5.3.3.5 and 5.4.3.1

Chapter 6 – Urban Environment Effects

While the site is not zoned residential, the density of the development has potential to create effects that are associated with an urban environment, rather than a rural.

Objectives: 6.2.2, 6.3.2 and 6.4.2

The provision of servicing infrastructure for development for urban type development is a necessary component to ensure there is the ability to address such issues as water supply, roading/traffic flows, wastewater and stormwater systems. In areas where these do not exist there is some potential for adverse effects to be created. Those effects are also considered within other reports associated with this application

Policies 6.2.3.4, 6.3.3.1, 6.3.3.2, 6.4.3.1, 6.4.3.2 and 6.4.3.3

Specific policies for Best Island are set out in 6.19.3.

Chapter 8 – Margins of the coast

The Waimea Inlet is a particularly valuable asset that needs to be protected from inappropriate use and development. The use and enjoyment of these coastal margins is a matter of national importance under the RMA so these objectives and policies are very relevant and should be weighed accordingly.

<i>Objectives 8.1.2 and 8.2.2</i>	The provision of access along the coastal margin can be obtained through the subdivision process and the land is usually vested in Council and managed via a reserves management plan
<i>Policies 8.1.3.1, 8.1.3.4, 8.1.3.5, 8.2.3.1, 8.2.3.4 (nyo), 8.2.3.5, 8.2.3.6, 8.2.3.7(nyo), 8.2.3.8, 8.2.3.11, 8.2.3.12, 8.2.3.16, 8.2.3.17, 8.2.3.18, 8.2.3.20 and 8.2.3.21</i>	
<i>Chapter 9 – Landscape Effects</i>	The protection of the landscape and natural features, particularly in rural areas and along the coast, is very important for the Tasman District as it is those values that contribute to the District's uniqueness and diversity.
<i>Objective 9.1.2</i>	The Waimea Inlet landscape is an important regional feature, particularly recognising the openness and amenity values it has. The use and development of land in the District should not compromise that value and where appropriate, mitigation measures can be used to help protect and manage those landscape values.
<i>Policies 9.1.3.3, 9.1.3.4, 9.1.3.5, 9.1.3.6 and 9.1.3.7 (nyo)</i>	
<i>Chapter 10 – Significant Natural Values and Cultural Heritage</i>	The combination of natural and cultural features in the District contribute to a rather unique set of values that are of national, regional and local significance. Many of these areas are also of great significance to Maori and they form part of the cultural heritage of the District.
<i>Objective 10.2.2</i>	The use and development of sites in sensitive areas can have some effect on ecosystems and biodiversity, including indigenous flora and fauna in the area of development. While there are obligations under the Historic Places Act in relation to archaeological sites in the District, the TRMP also contains a range of policies to help protect those values.
<i>Policies 10.2.3.1, 10.2.3.2, 10.2.3.3, 10.2.3.4, 10.2.3.6 and 10.3.3.3</i>	
<i>Chapter 11 – Land Transport Effects</i>	The provision of a safe and efficient transport system is a important matter in assessing the effects of the proposed development.
<i>Objective 11.1.2</i>	The District's transport system should be appropriate for the use it receives and to provide a safe and efficient means of accessing the various parts of the District. An increase in traffic movements can be expected from the additional development that is proposed and there can be some effect on the Districts roading infrastructure.
<i>Policies 11.1.3.1, 11.1.3.2, 11.1.3.3, 11.1.3.4, 11.1.3.6 and 11.1.3.7,</i>	
<i>Chapter 13 – Natural Hazards</i>	The coastal margin of the District is subject to natural coastal processes and there is an identified hazard from coastal inundation at this site along with many other parts of the District. This risk can be aggravated by natural coastal processes such as sea level rise and where it is appropriate, mitigation measures can be adopted to help address this risk.
<i>Objective 13.1.2</i>	The risk associated with development on the coastal margin needs to be assessed and measures adopted to avoid or mitigate any such risk. Coastal protection can be considered as a mitigation measure but this also has the potential to produce adverse effects beyond the actual area that is protected.
<i>Policies 13.1.3.1, 13.1.3.2, 13.1.3.3, 13.1.3.4, 13.1.3.7, 13.1.3.8, and 13.1.3.13</i>	
<i>Chapter 14 – Reserves and Open Spaces</i>	Reserves and open space provide for amenity values, recreational interests and protection of coastal landscapes. Such an area provides a buffer between built development and the coast and is an important mitigation measure with a development of this scale and intensity.
<i>Objectives 14.1.2, 14.2.2 and 14.4.2</i>	Esplanade reserves provide a linkage along the margin of the coast for general public access and also contribute to the openness and amenity of an area.
<i>Policies 14.1.3.2, 14.1.3.4, 14.1.3.7, 14.2.3.1, 14.4.3.1, 14.4.3.2 and 14.4.3.3</i>	

The objectives and policies that relate to site amenity and the coastal environment area are particularly relevant to this application.

In particular Objectives 5.1.2 and 5.2.2, supported by Policies 5.1.3.1, 5.1.3.4 and 5.1.3.12 seeks to protect the amenity of the area and to control built development. Equally Objective 8.2.2 supported by Policies 8.2.3.4 and 8.2.3.7 (both not operative as yet) and Policies 8.2.3.6 and 8.2.3.16 provides guidance as to the management, use and development of land on the coastal margins of the District.

Overall, it is considered that this particular development which is centred around an existing recreational and tourism facility and has been designed to blend in with the existing coastal environment, is not considered to be contrary to the policies and objectives of the TRMP.

6.3 New Zealand Coastal Policy Statement

An assessment against the NZCPS is contained within Ros Squire's report on the Coastal consents.

Much of the policies of the NZCPS have been carried through into the policies and objectives of the District Plan, in particular those in Chapter 8- Margins of the Coast and Chapter 13- Natural hazards.

7. ACTUAL AND POTENTIAL EFFECTS OF ALLOWING THE ACTIVITY

7.1 Permitted Baseline

The land is zoned Recreation under the Tasman Resource Management Plan and the permitted baseline can be considered in relation to buildings in a Recreation Zone that is located in the Coastal Environment Area.

Section 17.10.2.1 allows for a limited amount of permitted activities mainly in relation to indoor or outdoor sport activities and buildings that might be associated with these activities such as a club house or maintenance buildings. Outside the coastal environment area, buildings are allowed up to 10 metres in height and site coverage of up to 20%. This means that up to 200m back from the coast, extremely large buildings could be established as a permitted activity, though these would be limited to buildings directly associated with a recreational use. No dwellings are allowed in the recreational zone as a permitted activity.

7.2 Landscape and Amenity Values

A development of this scale and intensity clearly has the potential to adversely affect landscape and amenity values. The Waimea Inlet has level of natural character and it is important that the open space amenity of the area is maintained.

The applicant has provided comprehensive landscape assessment of the proposal by Tony Milne Peter Rough Landscape Architects, which is was included as Annexure C to the application.

Mr Milne accepts in 9.6 of his report that the proposal will: "*change the landscape character of the application site and its immediate surrounds, but the effect on the wider coastal environment will be less.*"

He also states in 9.5 of the report that the proposal is *“in keeping with the prevailing characteristics of the wider landscape, while enhancing the natural character of its coastal setting.”*

Because of the scale of the development and the potential effects on a sensitive coastal environment, the applicant's landscape report was peer reviewed by Landscape Architect Tom Carter. His review is appended to this report as Attachment 4.

Mr Carter concludes in section 41 of his report :

“The overall picture is one of net picture is one of a net increase in landscape values provided appropriate control are put in place to ensure that the stated environmental outcomes regarding natural character are achieved.”

Mr Carter did bring some matters that needed clarification in terms of mitigation measures, set out in Section 47 of his report but if these were able to be dealt with, he states in Section 46 that overall, he was able to support the application.

I would agree with conclusion of Tony Milne and Tom Carter , that although the proposed development will result in some changes to the immediate environment of the site, that, subject to the proposed mitigation measures being fully implemented, the overall natural character will still be retained.

It is worth noting that as part of the notification of the proposal, the application was sent to all residents of Best island and the properties that can view the site from the south.

No submissions opposing the application were received from any of these residents, which does indicate that from local community perspective there is acceptance of the amenity effects of the proposal.

7.3 Cultural Heritage / Archaeological Issues

Annexure E of the original application provides detailed and comprehensive information about the site. The report by Amanda Young dated 26 February 2008, concludes in:

“The site assessment indicates that it is unlikely that any archaeological sites will be adversely affected by the development.”

7.4 Management of Coastal Margins.

These matters are dealt with by Ros Squire in her memorandum which is appended to this report as Attachment 3.

7.5 Natural Hazards

The effects of coastal inundation hazards are dealt with in Eric Verstappen's report which is appended to this report as Attachment 2.

Mr Verstappen's conclusion is that in order to mitigate the long term risk of coastal inundation, a minimum ground level of 4.86m amsl is required.

7.6 Effects on the Coastal Marine Area.

The applicant has provided a ecological assessment of the proposal by Rob Davidson of Davidson Environmental as Annexure F.

Mr Davidson states in his conclusion on page 8 of the report that:

“The proposed development along the southern shoreline of bests island will have little impact on the adjacent Waimea Inlet.”

He goes on to states: *“The proposed rehabilitation and enhancement of the estuary edge would result in improvement to the estuary edge habitats in this area.”*

It is my conclusion, that providing the proposed mitigation measures are carried out the adverse effects of the proposal on the coastal marine area will be no more than minor.

7.7 Traffic Effects

The applicant has provided a traffic assessment report(annexure D) by Urbis Consultants, which concludes in section 45 of their report, that: *“Overall it is considered that the traffic related effects of the proposal will be no more than minor.”*

Council’s Development Control Engineer, Dugald Ley, whose report is appended to this report as Attachment 1, accepts that the “additional traffic movement can be accommodated on existing roads.

7.8 Servicing Infrastructure

The effects of wastewater and stormwater servicing are dealt with in Mike MacKiggan’s report on the wastewater and storm water discharge consents.

The applicant’s proposed to connect to Council’s water reticulation which connects to the eastern boundary of the site. Dugald Ley advises in his report (Attachment 1) that there will limitations on pressure from the water supply connection and therefore additional tank storage will be required to provide a reliable water supply for fire fighting for the proposed development.

7.9 Other Matters

There are some other matters that have been raised by submitters that should be considered within the actual and potential effects section of this report and some other matters that require comment as a point of clarification. These are as follows:

7.10.1 Precedent

The matter of precedent has been raised and there is a perception that approving this application could result in other similar applications that could potentially affect other parts of the District.

I acknowledge that approval of this proposal, could result in other similar applications being applied for in the district. However it is unlikely that other proposals would have a similar characteristics as the Greenacres site, which is well screened from most other properties, and has an existing established tourism facility.

7.10.2 Waimea Inlet Management Plan

This is still very much at a conceptual stage and with no published documents available, no weight can be given to this.

8. CONCLUSIONS

It is acknowledged that the proposed development will result in a change to the immediate amenity of the site. However, in the context of the overall coastal environment of the area, subject to the mitigation measures being implemented, the adverse effects on amenity value will be no more than minor.

It is virtually impossible to provide specific zonings for tourism developments such as this one. Instead they need to be dealt with on a site specific basis, taking in to account the existing environment, servicing and effects on local amenity. In this regard the overall effects of the development on the environment are considered to be no more than minor.

The lack of opposing submissions from local residents does indicate a local acceptance of the amenity effects of the proposal.

The creation of unit titles, does create the possibility of individual ownership of units and long term residential use. This is in line with other similar developments around the country, and I do not see this greatly changes the overall effects of the proposal.

Overall, it considered that the proposal is not considered to be contrary to the policies and objectives of the Proposed Tasman Resource Management Plan and is considered to be in accordance with the sustainable management of natural and physical resources that is sought by the Resource Management Act.

9. RECOMMENDATION

Pursuant to Section 104(B) and 104(D) of the Resource Management Act 1991, I recommend that the application by Camden Properties Ltd for the following resource consents be **APPROVED**:

Subdivision consent	RM080097
Land Use Consent	RM080880
Land use Consent	RM080890
Discharge Consent	RM080891
Discharge Consent	RM080889
Coastal Permit	RM080892
Coastal Permit	RM080915

9.1 Conditions

(Subdivision Consent RM080097 and Land Use Consent RM080880).

Should the Environment and Planning Subcommittee decide to grant consent to the proposed subdivision and Land Use application, I recommend that the following conditions be imposed:

RM080097

Stage 1 Conditions

1. General Accordance

That the proposal shall be in accordance with the Staig and Smith Ltd Plan titled; " Lots 1-7 being Proposed Subdivision of Lot 1 and 2 DP 402243 and Lot 1 DP 8350", and dated 3 February 2009 (shown as "Plan A " attached to this consent) except for the following amendments:

- Lots 5 and 6 shall vest as esplanade reserve
- The proposed right-of-way A shall be replaced by road to vest, with a road reserve width of at least 16 metres.

2. Esplanade reserves

The esplanade reserves (Lots 4-6) shall be finished in accordance with Section 12.2 of the Council's Engineering Standards and Policies 2008.

3. Road to Vest

- a) The existing road reserve along the frontage of Lots 2 and 3 shall have a minimum width of 16 metres. The road reserve shall extend to the Golf Course (Lot 1) boundary.
- b) The applicant shall provide written confirmation from a Chartered Professional Engineer (CPE), that the road formation and its foundation, within the proposed road reserve meets the type 13 access road standard in accordance with Council's Engineering Standards 2008. Resealing and additional foundation work may be required to achieve this.
- c) A license to occupy, shall be required from Council's Engineering Department for any structures that are within the road reserve.

4. Building Platforms

That prior to the issue of a completion certificate pursuant to Section 224(c) of the Resource Management Act 1991 for Stage 1, raised earth platforms, shall be provided with a minimum ground height of 4.85m amsl for each of the building sites.

5. Existing Buildings and Structures

Any existing buildings and structures that are contained within the esplanade reserve required under condition 2, or straddling the boundary of the reserve, shall be removed prior to the vesting of the reserve, unless they are allowed to remain by the Council's Reserves Manager.

6. Landscaping

- a) Prior to any landscaping work commencing, an amended landscape plan shall be provided to Council's Reserves Manager for approval. The plan shall outline the landscaping proposed for the Esplanade reserve, the screening of the buildings from the road and the landscaping required for each of the unit title stage. The landscape plan shall take into account the required finished ground level to ensure that the visual effects of buildings when viewed from the coast are mitigated as much as practicable.
- b) The landscaping shall include a 2m wide landscaping screening of the Lo 3 boundary with the Bells Island access road.
- c) The landscaping plan shall include species planting plans, and proposed soil cover preparation, fertilization, mulching and future maintenance and plant replacement.
- d) The landscaping for the esplanade reserves, road frontage, shall be fully completed and approved by the Council Reserves Manager, prior to the signing of the section 224 certificate for Stage 1. Any plantings within the road reserve shall be subject to the approval of Council's Engineering Manager.
- e) The consent holder shall be required to maintain the landscape plantings for a period of two years following the issue of the Section 224 certificate. A \$10,000 bond shall be taken to cover this period.

7. Easements

Easements are to be created over any services located outside the boundary of the allotment that they serve. Reference to easements is to be included in the Council resolution on the title plan and endorsed as a Memorandum of Easements.

The Memorandum of Easement shall include easements to discharge effluent as set out in the Staig and Smith Plan dated 3/2/2009 attached to this consent as Attachment A.

8. Access

A sealed vehicle crossing shall be formed to service Lots 2 and 3 in accordance with Council engineering standards 2008, or to the satisfaction of the Council's Engineering Manager.

- a) The access crossing shall be sealed in accordance with Tasman District Engineering Standards 2008;
- b) A road crossing permit shall be required from Council's Engineering Department. All works required under this permit shall be fully completed.

The existing access road to the Bells Island sewage treatment plant, along the eastern boundary shall be sealed for the first 170m from the intersection with Barnett Ave. The seal width shall be at least 4 metres and shall be sealed in accordance with Council's Engineering Standards 2008.

9. Financial Contributions (Stage 1)

The Consent Holder shall pay a financial contribution for reserves and community services in accordance with following:

- a) the amount of the contribution shall be 5.5 per cent of the total market value (at the date of the consent decision) of a 2500 square metre notional building site within Lot 3 ;
- b) the Consent Holder shall request in writing to the Council's Consent Administration Officer (Subdivision) that the valuation be undertaken. Upon receipt of the written request the valuation shall be undertaken by the Council's valuation provider at the Council's cost;
- c) if payment of the financial contribution is not made within two years of the granting of the resource consent, a new valuation shall be obtained in accordance with (b) above, with the exception that the cost of the new valuation shall be paid by the Consent Holder, and the 5.5 per cent contribution shall be recalculated on the current market valuation. Payment shall be made within two years of any new valuation.

Advice Note:

A copy of the valuation together with an assessment of the financial contribution will be provided by the Council to the Consent Holder.

Advice Note:

Council will not issue a completion certificate pursuant to Section 224(c) of the Act in relation to this subdivision until all development contributions have been paid in accordance with Council's Development Contributions Policy under the Local Government Act 2002.

The Development Contributions Policy is found in the Long Term Council Community Plan (LTCCP) and the amount to be paid will be in accordance with the requirements that are current at the time the relevant development contribution is paid in full.

This consent will attract a development contribution on one allotment in respect of roading and water

10. Engineering Certification

- a) At the completion of works, a suitably experienced chartered professional engineer or surveyor shall provide Council with written certification that the works have been constructed to the standards required.
- b) Certification that Lots 2 and 3 are suitable for the erection of residential buildings shall be submitted from a chartered professional engineer or geotechnical engineer experienced in the field of soils engineering (and more particularly foundation stability). The certificate shall define on the lot an area suitable for the erection of buildings.
- c) Where fill material has been placed on any part of the site, a certificate shall be provided by a suitably experienced chartered professional engineer, certifying that the filling has been placed and compacted in accordance with NZS 4431:1989.

Stage 2-4 Conditions: (Unit Titles)

11. General Accordance

That the proposal shall be in accordance with the Staig and Smith Ltd Plan titled; "Proposed Unit Title Subdivision of Lots 2 and 3 ", and dated 12 February 2009 (shown as "Plan B " attached to this consent) as amended by the following conditions of consent.

12. Staging (Unit Titles)

The following stages are approved:

Stage 2:
Units 6-14

Stage 3:
Units 1-5,15-20, 32 and 33

Stage 4:
Units 21-31

14. Effluent Disposal

All works required under Discharge consent RM080889, shall be fully completed, prior to the issuing of the Section 224 certificate for any of the unit titles.

Full sewer reticulation complete with any necessary manholes and a connection to the building site of each lot shall be provided with a connection to the approved treatment and discharge system required under RM080889.

15. Telephone and Power

Live telephone and power connections shall be provided to each unit and all wiring shall be underground as per the requirements of Tasman District Council. Written confirmation of connection will be required from the relevant authorities.

16. Stormwater

Stormwater shall be managed in accordance with the requirements of RM080891.

17. Water Supply

A firefighting water supply shall provided for each unit title stage in accordance with NZS PAS 4509:2003.

As-built plans and a water supply producer statement from a chartered professional engineer confirming that the unit titles within each stage comply with NZS PAS 4509:2003 – NZFS Firefighting Water Supplies Code of Practice shall be provided to the Council's Environment & Planning Manager prior to Section 224 approval for each stage.

18. Access and Carparking

All access and carparking areas shall be sealed in accordance with Council's Engineering Standards or a surface approved by Council's Engineering Manager.

Each of the residential units shall be provide with at least two sealed car parks per unit.

19. Engineering Plans

- a) Engineering plans covering the works set out in conditions 14-18 are required to be submitted for approval by Council's Engineering Manager prior to the commencement of any works. All engineering details are to be in accordance with the Council's Engineering Standards 2008.
- b) As-built plans detailing completed access works and all stormwater and sewage reticulation shall be provided for each stage of the development, for approval by Council's Engineering Manager. The as-built plans shall be in accordance with Council's Engineering Standards 2008.

20. Completion of Building Work for each Unit Title

The Section 224 certificate and Section 5 (1) (g) certificate under the Unit Titles Act shall not be signed off until the Code Compliance Certificate has been issued for the respective apartments.

21. Landscaping

The landscaping for each of the unit title stages, required under condition 6 of this consent shall be fully completed to the satisfaction of the Council's Reserves Manager. The consent holder shall be responsible for the maintenance of the landscaping for period of two years and a \$10,000 cash bond shall be taken for each unit title stage to cover this maintenance period.

22. Earthworks

All earthworks that may be required as part of this consent shall comply with the requirements and conditions of consent of RM080890.

23. Commencement of Works and Inspection

The Engineering Department shall be contacted in writing, five working days **PRIOR** to the commencement any engineering works.

24. Engineering Certification

- a) At the completion of works for each stage, a suitably experienced chartered professional engineer or surveyor shall provide Council with written certification that the works have been constructed to the standards required.
- b) Where fill material has been placed on any part of the site, a certificate shall be provided by a suitably experienced chartered professional engineer, certifying that the filling has been placed and compacted in accordance with NZS 4431:1989.

25. Financial Contributions (Unit Titles)

The Consent Holder shall pay a financial contribution for reserves and community services in accordance with following:

- a) the amount of the contribution for each unit title shall be 5.5 per cent of the total market value (at the date of the consent decision) of the land area of each the unit title(including the accessory parking unit) plus 1/30 of the value of the remaining common area ;
- b) the Consent Holder shall request in writing to the Council's Consent Administration Officer (Subdivision) that the valuation be undertaken. Upon receipt of the written request the valuation shall be undertaken by the Council's valuation provider at the Council's cost;
- c) if payment of the financial contribution is not made within two years of the granting of the resource consent, a new valuation shall be obtained in accordance with (b) above, with the exception that the cost of the new valuation shall be paid by the Consent Holder, and the 5.5 per cent contribution shall be recalculated on the current market valuation. Payment shall be made within two years of any new valuation.

Advice Note:

A copy of the valuation together with an assessment of the financial contribution will be provided by the Council to the Consent Holder.

Advice Note:

Council will not issue a completion certificate pursuant to Section 224(c) of the Act in relation to this subdivision until all development contributions have been paid in accordance with Council's Development Contributions Policy under the Local Government Act 2002.

The Development Contributions Policy is found in the Long Term Council Community Plan (LTCCP) and the amount to be paid will be in accordance with the requirements that are current at the time the relevant development contribution is paid in full.

This consent will attract a development contribution on each of the unit titles created in respect of roading and water.

RM080880**Landuse Consent**

1. All buildings shall be constructed in accordance with the plans supplied with the application RM080880.
2. Units 1-30 shall have maximum height of 5.5 metres measured from the minimum ground level required under the subdivision consent RM080097.
3. Unit 31 shall have a maximum height of 4.4 metres measured from the minimum ground level required under the subdivision consent RM080097.
4. The admin building (Units 32 and 33) shall have a maximum height of 6.5 metres measured from the minimum ground height required under RM080097.
5. The proposed dwelling on Lot 3 shall have maximum height of 6.2 metres measured from the minimum ground height required under RM080097.
6. The exterior cladding of the proposed buildings and walls shall be in either natural wood or stone, that blends in with the surrounding coastal environment.
7. Each residential unit shall be connected to the wastewater disposal system required under RM080889 and for stormwater in accordance with RM080891.
8. Each residential unit shall be provide with a minimum of two carparks.

ADVICE NOTES**Council Regulations**

1. This is not a building consent and the Consent Holder shall meet the requirements of Council with regard to all Building and Health Bylaws, Regulations and Acts.

Other Tasman Resource Management Plan Provisions

2. This resource consent only authorises the activity described above. Any matters or activities not referred to in this consent or covered by the conditions must either: 1) comply with all the criteria of a relevant permitted activity rule in the Tasman Resource Management Plan (TRMP); 2) be allowed by the Resource Management Act; or 3) be authorised by separate resource consent.

Consent Holder

3. This consent is granted to the abovementioned Consent Holder but Section 134 of the Act states that such land use consents “attach to the land” and accordingly may be enjoyed by any subsequent owners and occupiers of the land. Therefore, any reference to “Consent Holder” in the conditions shall mean the current owners and occupiers of the subject land. Any new owners or occupiers should therefore familiarise themselves with the conditions of this consent, as there may be conditions that are required to be complied with on an ongoing basis.

Development Contributions

4. The Consent Holder is liable to pay a development contribution for roading & water in accordance with the Development Contributions Policy found in the Long Term Council Community Plan (LTCCP). The amount to be paid will be in accordance with the requirements that are current at the time the relevant development contribution is paid.

Council will not issue a Code Compliance Certificate until all development contributions have been paid in accordance with Council’s Development Contributions Policy under the Local Government Act 2002.

Monitoring

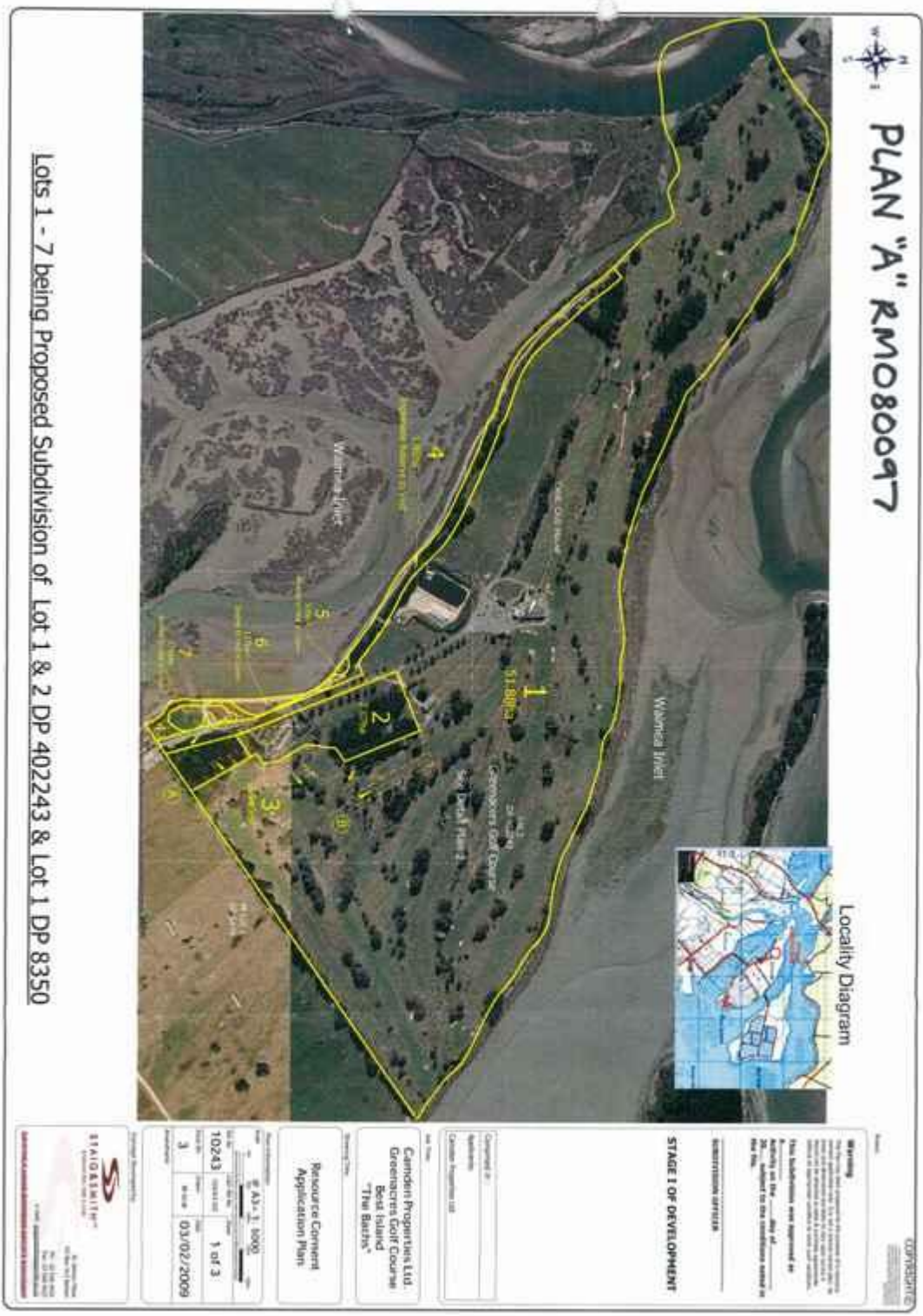
5. Monitoring of this resource consent will be undertaken by the Council as provided for by Section 35 of the Act and a one-off fee has already been charged for this monitoring. Should the monitoring costs exceed this fee, the Council reserves the right to recover these additional costs from the Consent Holder. Costs can be minimised by consistently complying with conditions, thereby reducing the necessity and/or frequency of Council staff visits.

Interests Registered on Property Title

6. The Consent Holder should note that this resource consent does not override any registered interest on the property title.



M D Morris
Co-ordinator Subdivision Consents



Lots 1 - 7 being Proposed Subdivision of Lot 1 & 2 DP 402243 & Lot 1 DP 8350

PLAN "A" RM080097



Locality Diagram

WARNING
 This plan is not intended to be used as a title deed or as a basis for any claim of title. It is intended only to show the location and boundaries of the lots shown on this plan. The boundaries and areas shown on this plan are subject to the conditions stated in the plan.

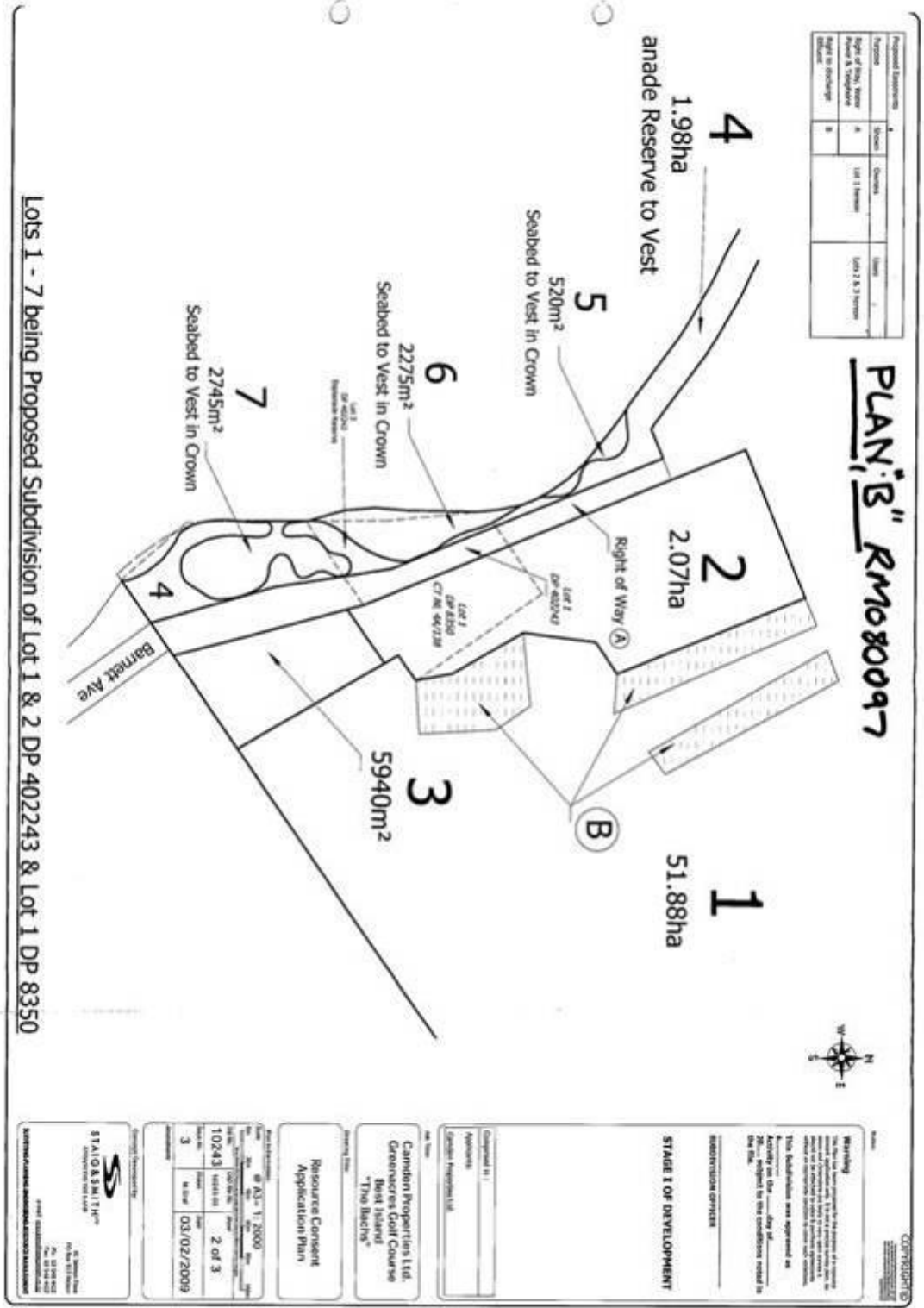
STAGE 1 OF DEVELOPMENT

Resource Comment Application Plans

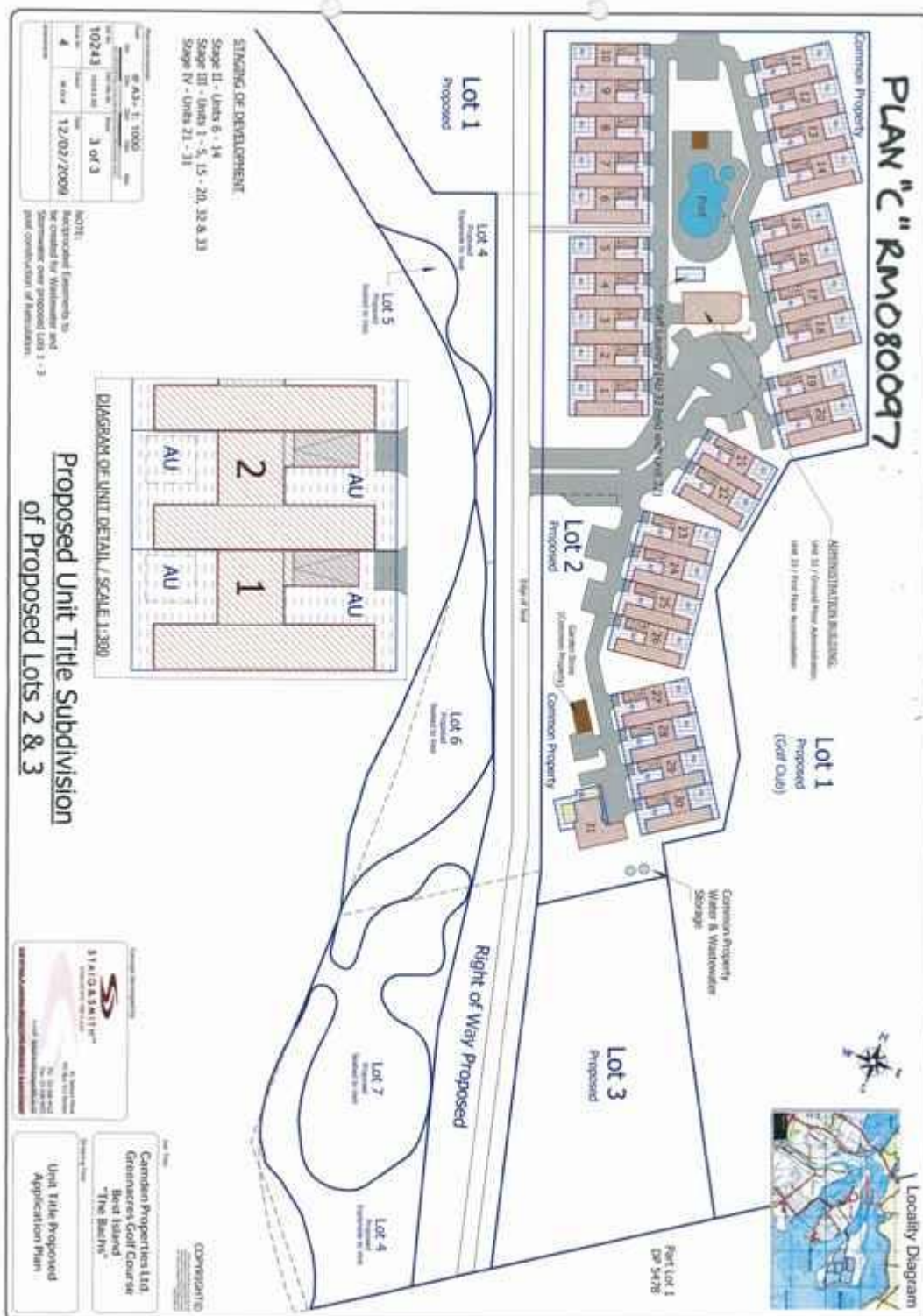
Camden Properties Ltd
 Greenwood Golf Course
 Belfry Island
 The Belfry

STANDARD PLAN
 10243
 1 of 3
 03/02/2009

STANDARD PLAN
 10243
 1 of 3
 03/02/2009



Lots 1 - 7 being Proposed Subdivision of Lot 1 & 2 DP 402243 & Lot 1 DP 8350



STAFF REPORT

TO: Environment & Planning Subcommittee
FROM: Dugald Ley, Development Engineer
DATE: 1 July 2009
REFERENCE: RM080097
**SUBJECT: CAMDEN PROPERTIES LTD – BARNETT AVENUE
(GREENACRES GOLF COURSE)**

1. INTRODUCTION

The above proposal is to create 31 residential units (via unit title) on land owned by the Greenacres Golf Course located off the end of Barnett Avenue which runs off Best Island Road.

2. BACKGROUND

2.1 Rooding

Access to the site is via the existing access track servicing the Greenacres Golf Club. The access track runs off the end of Barnett Avenue (which terminates at the inferred entrance to the golf club).

Barnett Avenue is an access road of 6.5 metres seal width carrying predominantly golf course traffic being 280 vehicles per day.

Best Island Road is an access road of 7.2 metres seal width and carries approximately 1000 vehicles per day.

Although Best Island Road has two 90-degree corners which reduce speed, these corners are appropriately signed and local drivers are aware of the curve limitations. It is not possible, as part of this application, to improve these curve characteristics as land required is either in the estuary or on land owned by a third-party.

As this application will create 31 new residential units there is potential for an additional 200 (approximate) vehicles per day on adjoining roads. It is my view that the extra traffic movements can be accommodated on existing roads.

Access on the golf course land (to the club house) is an approximate 5-6 metre sealed track with unknown foundations and limited side drain disposal. With the applicant proposing to vest significant areas of esplanade reserve and seabed in the Crown together with the potential 31 extra residents, it is felt that the access track from Barnett Avenue to at least the entrance to the complex be vested as road with Tasman District Council. This would generally take the form of area A on the applicant's plan together with a turning head.

However before vesting, the applicant would have to prove that the road foundation is competent. This could be done by appropriate foundation testing and the seal width and side drains meeting Council's minimum standard as set out in the Council's Engineering Standards, ie a type 13 access road standard. It is likely that the road will need to be resealed if foundation designs were found acceptable to Council.

2.2 Water Supply

Council's water supply (200mm diameter) passes via the eastern front road boundary. However, in essence this supply is the trunk servicing Mapua and environs. The golf course presently has a lateral connection but the golf course realise this supply fluctuates in pressure due to the pumping regime Council operates at its Lower Queen Street site. Therefore Council could not guarantee security of supply or pressure and the golf course have of their own accord provided storage on their site and pressure systems to meet their requirements for drinking water and other uses.

The applicants were advised of this issue early in the application and allowance has been made via the proposed unit title plan and the note "Common property Water and Wastewater Storage".

In summary, the applicant will need to use their water allocation wisely and provide the required drinking and fire fighting requirements from the existing metered supply (without upgrade).

3. OTHER REQUIREMENTS

Presently the golf club are advertising a gateway treatment at the end of Barnett Avenue These will be required to be removed from the road to vest areas.

Concept threshold treatments shown on the applicant's plan on the future road to vest are approved subject to full design being submitted with the engineering plans for the development and roading improvements.

Dugald Ley
Development Engineer

TO: Mark Morris
FROM: Eric Verstappen
DATE: 7 July 2009
FILE NO: RM080890
RE: **Minimum FGL for Flood Hazard Mitigation**

Introduction

Camden Properties Ltd has proposed the development of a 30 unit title apartment complex on the south-western shoreline of Best Island, adjacent to the Greenacres Golf Club. The site is located in the upper reaches of the Waimea Estuary, south-east of the outlet of the Waimea River to the estuary and adjacent to a major secondary river flow/tidal channel. The land levels over the development site are generally between RL 3.0-4.0m above mean sea level (amsl). The site is potentially exposed to flood hazard risk from both the river and the sea. This memo assesses the potential flood hazard risk to the development and recommends a minimum building platform level for development that, in the view of the writer, mitigates flood hazard risk to an acceptable degree over the prospective life of the development.

Assessment

The apartment complex is a reasonably substantial development that allows for permanent occupancy. The site is subject to both river and coastal influences. The flood hazard risk to the development can be mitigated by either elevating the land and/or buildings above some prescribed water level, or that the development will be protected from the potential adverse effects of flooding by some defence structure. This latter method is neither proposed, nor is it considered feasible for such a mitigation measure (eg encircling stop bank) to be readily provided, due to the proximity of built development to the title boundary. Thus flood risk can be most practicably mitigated by setting appropriate minimum finished ground level (FGL) and floor levels for the development.

The applicants acknowledge the potential flood hazard risk to the site and have engaged OCEL consultants to assess this risk. I acknowledge the work that OCEL Consultants have done to identify the various influences on, and appropriate allowances for, flood hazard risk and its mitigation. They propose that development occurs on land having a minimum FGL that takes into account predicted highest astronomical tide (HAT, taken directly from the nautical almanac, being 2.34m) and makes allowance for storm surge (0.7m), sea level rise (0.5m) and river flooding effects (0.3m). This results in a reasonable lower bound minimum ground level of RL 3.90m amsl, allowing for a modest contingency margin of 0.06m.

I acknowledge and concur with the OCEL comment that the probability of coincidence of HAT + storm surge + river flood is statistically remote. However, in the time frames we are considering for the life of the development, and considering other factors not considered or

allowed for that are relevant to appropriate flood hazard risk mitigation, I am of the view that the proposed minimum FGL for this development of 3.90m amsl is too low.

The potential influences on severe water levels in the estuary adjacent to the development incorporate HAT, storm surge (incorporating wave set and inverse barometric effect), estuarine tidal amplification effects from wave set, sea level rise, river flooding, seiche, residual tidal effects (including Interdecadal Pacific Oscillation (IPO), ENSO (La Nina-El Nino) influences, seasonal heating effects) and an allowance for freeboard of the development above this water level, for water surface disturbances, localised wave run-up etc. The time frame in consideration is to 2100, being a prospective reasonable lifetime of this development. Regarding each of these factors in turn:

(a) HAT

I concur with the OCEL allowance for HAT, being around 2.34m (NIWA HAT for Nelson is 2.36m) above the mean level of the sea. This is the highest predicted tide under standard atmospheric conditions likely to be experienced in the time period to 2100.

(b) Storm Surge

The top 5 storm surge events recorded at Port Nelson since reliable records have been collected has been 0.51m on 19 Sept 2002. However reliable records have been taken only since 1984, and have long periods of no record. There are only 10 years of complete annual record. From this record, a storm surge of 0.60m is considered to be a probable maximum in the context of an open coast shoreline in Tasman Bay. Port Nelson is effectively open coast.

(c) Storm Surge within Estuarine Environments

When wind blows persistently across a water surface, water levels increase at the "downwind" end. This is called "wave set" and is a component of storm surge. However, the effect of wave set within an estuarine setting can vary significantly from an open coast situation and can either be suppressed or enhanced, depending on the wind direction and orientation of the estuary mouth. Storm wind directions are from the northerly quarter in Tasman Bay, with consequent wave set-up almost directly into the Waimea Estuary mouth. Consequently, there is a distinct possibility that storm surge is enhanced within the estuary (compared to the open coast). This enhancement may increase the storm surge component of water elevation by as much as 50%, or around 0.3m.

(d) Sea Level Rise

The latest MfE publication "Preparing for Climate Change" March 2009 recommends that not only should a base sea-level rise of 0.5m be allowed for by 2090-2099 (compared to 1980-1999 levels), but that the consequences of sea level rise of *at least* 0.8m be considered. Research presented at the International Scientific Congress on Climate Change at the University of Copenhagen in March 2009 shows that the upper range of sea level rise by 2100 could be in the range of 1.0m, possibly more. This development almost completely occupies the site and to my mind cannot readily or easily adapt (within the site) to increases in sea level rise that exceed allowances that may be made at this time. As upper limits to sea level rise by 2100 of over 1.0m are now being seriously considered, a precautionary approach is required in reaching a sensible minimum ground level for this development. An allowance of at least 0.80m sea level rise should be taken into account.

(e) River Flooding

An allowance of 0.3m has been made by the applicant for the potential effects of river flooding over and above sea level adjacent to the site and is supported. Council records indicate a significant river flooding influence overlying the tide record within the estuary at the former Shags Roost tide recording site off Bell Island during the 1986 flood in the Waimea River. Climate change effects include a potential increase in intensity in rainfall events and therefore on flooding and flood peaks. River flooding is a possible component and outcome of storm events that also affect sea level in Tasman Bay.

(f) Tidal Residuals - Seiche, ENSO, IPO and Seasonal Effects

There are a number of tidal residual effect that occur which have not been taken into account in assessing the minimum FGL for the site. Seiche effects having a 4-7 hour period can occur in Tasman Bay and can amount to around 0.1-0.3m elevation of tide over that predicted. El Nino Southern Oscillation (ENSO) occurs over a 2-4 year cycle and can influence tidal levels as much as 0.12m. IPO influences over its 20-30 year cycle are small, but can add a further 0.05m to sea levels. Finally, seasonal sea warming effects in late summer typically add to predicted sea levels by 0.04-0.08m max. Thus tidal residuals can add up to 0.25m to predicted tide heights, with seiche adding up to 0.30m more. Collectively, an allowance of around 0.4m is not unreasonable and is not considered to be unduly cautious within the time frames being considered.

(g) Wave run-up, Water Surface Disturbances and Freeboard

Allowances for various influences on water level can and should be made when determining a prudent FGL for the development. However, included in this should be some allowance for elevation above this water level, as the water surface will not be planar or mirror flat. This takes into account that there will be some element of water surface disturbance caused by wave activity due to river flow and wind effects, including some degree of wave run-up on the shoreline. As the development is adjacent to a road, one might even consider including an "SUV bow wave effect" that might be caused by vehicles travelling through water! While freeboard might be regarded as a further "safety factor", there is nevertheless a very real element of water level disturbance that can occur and that should be allowed for so that the dwelling developments remain dry. Once built, these apartments cannot be raised, unless the design incorporates a timber pile rather than concrete slab foundation, as is presently proposed. A catch-all 0.5m for these disturbances is not unreasonable in my view.

Taking a purely accumulative approach to the various factors that may contribute to elevated sea levels, we have (above mean sea level):

HAT	2.36 (4.7 chart datum)
Storm Surge	0.60
Storm Surge (estuary)	0.30
Sea Level Rise	0.80
River Flooding	0.30
Tidal Residuals	0.40
Wave run-up/Freeboard	<u>0.50</u>
TOTAL	5.26

This approach is extremely conservative, as it is unlikely for all factors to combine in the manner described. But it does illustrate that an extremely low probability occurrence of these factors can have an alarming effect on water levels and a potentially devastating effect on the development.

An alternative assessment of future water levels and the setting of appropriate minimum ground levels for development was recently the subject of workshop leading into an Envirolink-funded NIWA investigation and report for the Nelson City Council. Using the relatively modest length of Port Nelson tidal record and extracting the annual maximum tides for analysis, a probable maximum storm surge of 0.60m was derived. This storm surge figure is considered to have little if any component of estuarine water level modification, either by wave set-up or river flooding.

However, a general extreme value analysis of the storm tide record and comparison with simulated tide record analyses indicate a probable maximum storm tide of 5.10 chart datum (2.76 amsl), or 2100 storm tide of 2.86 amsl, allowing 0.10m for the length of record (30-50 year reliability). This is only 0.1m lower than a direct addition of the separate factors for HAT and Storm Surge.

NIWA scientists then allowed 0.40m for tidal residuals, recommended consideration of at least 0.80m sea level rise (as per MfE recommendation) and acknowledged the need for additional factors as necessary. These include within-estuary influences, river flooding, wave run-up and freeboard. No analysis of coincidence of all of these factors has been undertaken.

Summary

This development is a reasonably high density urban development of 30 apartments that almost totally occupies the development site. As such, there is little room for adaption to unforeseen climate change effects in the future. This makes the setting of a minimum ground level for development all the more important as it is the primary mechanism for flood hazard risk mitigation within the site. One cannot expect or rely on any flood hazard mitigation measures being able to be taken on adjoining property that is under different ownership.

The site is located within an estuary where water levels are influenced both by the tide and river flows, and where these effects may potentially be magnified compared to an open coast setting. A future 2100 water level having a minimum 0.5–1.0% annual exceedence probability (100-200 year annual recurrence interval or return period on average) should be considered that has as a base component at least a height of:

HAT + Storm Surge + Tidal residual	3.26 (2.36+0.50+0.40)
Sea Level Rise	<u>0.80</u>
Total Base Component	4.06

PLUS some combination allowance for:

“Estuary” amplification of Storm Surge	0.10-0.30
River Flooding	0.30
Wave Run-up/Disturbance/Freeboard	0.50

Thus if a modest river effect (0.15) plus modest estuary storm surge (0.15) and water level disturbance/wave run-up/freeboard (0.5) was allowed for, then a total water level elevation

to a level of 4.86m is feasible and makes this level a pragmatic and precautionary minimum ground level for development at this site.

Finally, one might take into account the a minimum floor level clearance of around 0.15m (generally 0.225m) above ground level and absorb this into the “freeboard” figure. This would effectively reduce a potential floor level freeboard above water level influences to near zero and would reduce any future buffer to underestimated effects on water levels into the future. Thus a FGL of 4.70m results and is regarded as being an absolute minimum FGL for development at this site, for apartments having a concrete slab floor. This position is not supported, given the mounting research into climate change indicating an increased possibility of sea level rise of a metre or more by 2100.

Recommendation

A minimum FGL for this development be set at RL 4.86m amsl, with any reduction below this figure contingent on the outcome of assessments into estuary storm surge and river flooding effects being less than allowed for in this figure.

MEMORANDUM

Environment & Planning Department

To: Mark Morris
From: Rosalind Squire, Forward Planner, Reserves
Date: 20 July 2009
Subject: RM080097 – Camden Properties, Best Island.

Introduction

The scope of this memorandum is confined to the vesting of the esplanade reserve in relation to the subdivision application RM080097 and the works to be undertaken within the reserve in association with the Coastal permits RM080915 (Occupation) and RM080892 (Disturbance) and land use consent RM080880 (Land Disturbance).

Background

The existing boundaries of Best Island Esplanade Reserve are shown in Figure 1. The Reserve was created when the adjoining title was subdivided from the balance area. There has been an ongoing concern that the main access road to the Greenacres Golf Course has continued to traverse through the reserve. This was rectified by agreement between the TDC and Golf Club and the subsequent partial closure of that part of the Reserve occupied by the access road and the vesting of a new area of esplanade reserve immediately to the south (Refer Figure 2). The writer understands that new titles for these areas have yet to be issued.

Proposal

Community Services staff undertook a pre application site visit with the applicants and representatives from the Greenacres Golf Club in May 2008. At that meeting we walked over the existing esplanade reserve and along the coastline immediately to the north in order to consider a possible extension to the existing esplanade reserve (Council has the discretion to decide whether or not to set land aside as an esplanade reserve or strip for any of the purposes in section 229 of the Act).

It was concluded that an extension to the existing reserve would benefit public access and enhance Council's ability to further restore the margins of the Waimea Estuary (Photograph 1 was taken at the southern end of the proposed esplanade reserve extension). However, the northern extent of the reserve was potentially limited by the presence of the golf course. This was taken into consideration in the discussions.

The subdivision application shown in Figures 3 and 4 reflected our discussion with respect to the extension of the esplanade reserve to the north.



Figure 1: Existing cadastral alignment

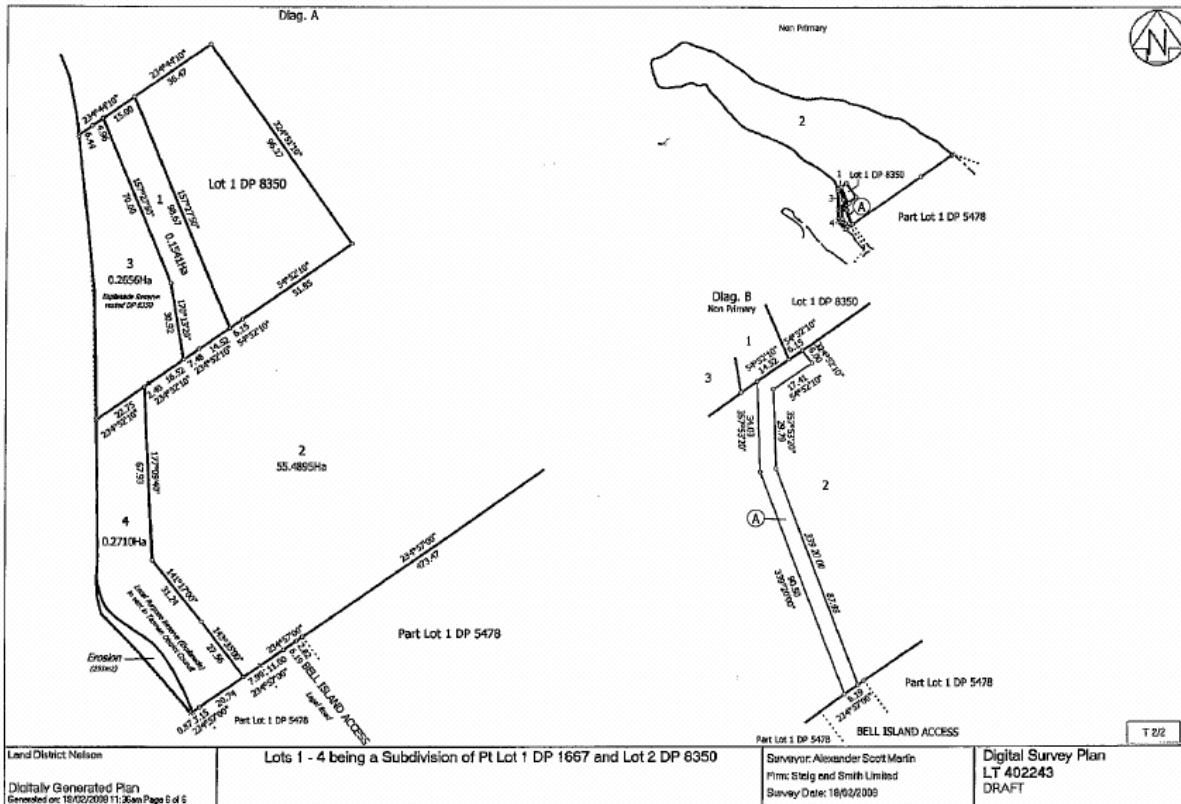


Figure 2: Approved cadastral alignment



Photograph 1: Location of proposed esplanade reserve extension

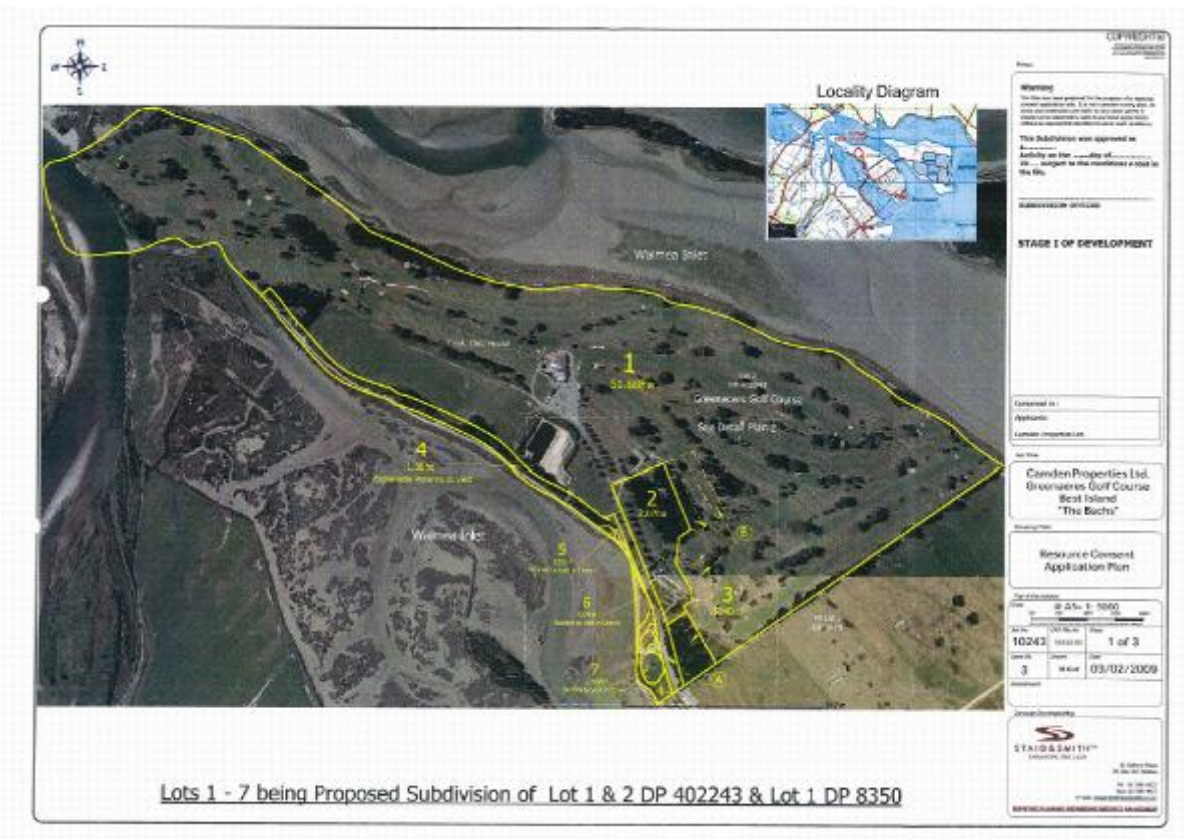


Figure 3: Proposed subdivision plan

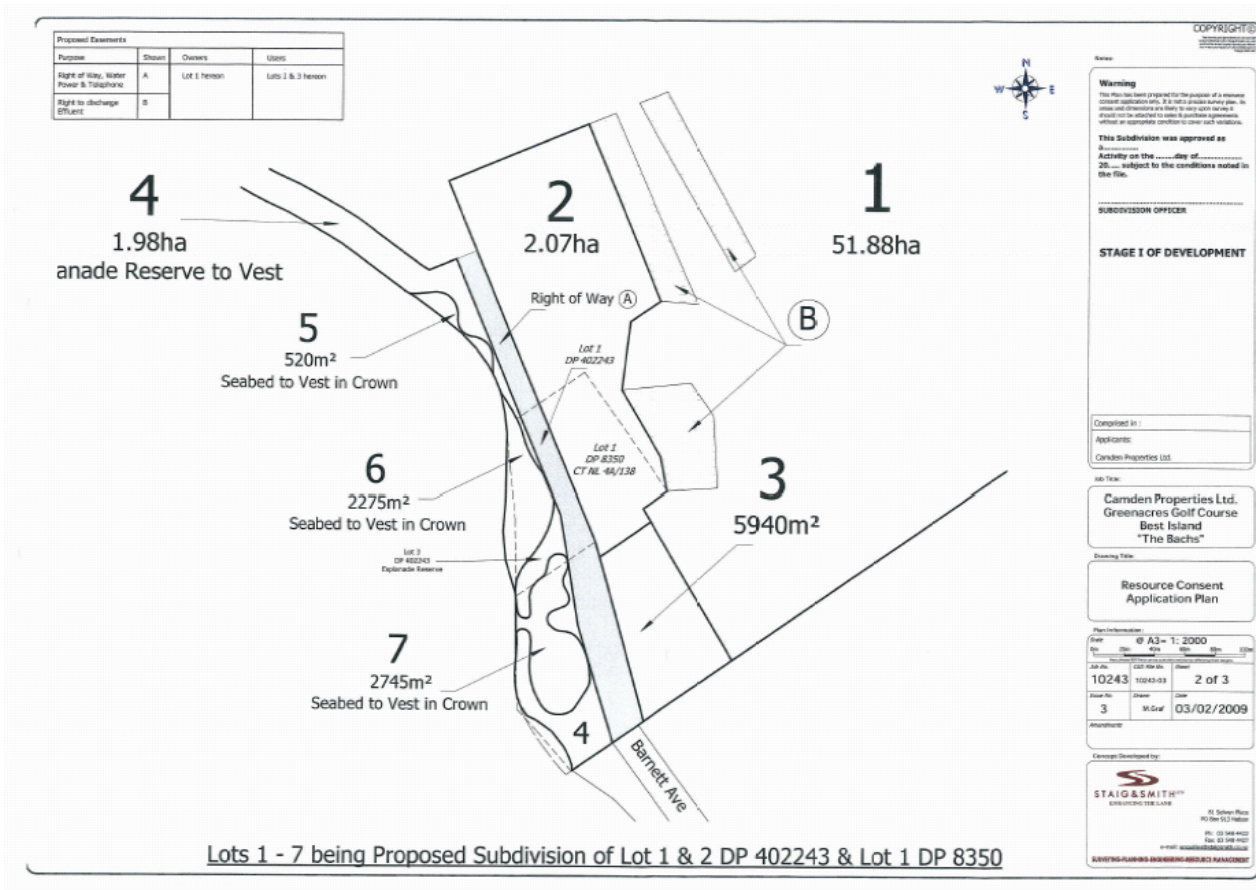


Figure 4: Detail of proposed reserves

The allotment adjoining the proposed esplanade reserve extension is greater than 4 hectares and as such compensation is payable for the setting aside of land unless otherwise agreed. At the pre application meeting staff asked if consideration could be given to volunteering the setting aside of the reserve without compensation in order to mitigate the increased intensity of development adjoining the coastal marine area.

I understand that this request was forwarded to the Golf Course and they have submitted that they want to be compensated financially for the land transfer. Staff have sought a valuation for the land which has been estimated at \$50,000.

Assessment

Vesting of Esplanade Reserve

The vesting of a 20 metre wide extension to the existing esplanade reserve as shown in the application is supported, subject to formally establishing and accepting the location of MHS. This extension will provide an attractive walkway adjoining the estuary and the opportunity for future restoration of the estuarine margin.

Estuarine Margin Land Disturbance and Rehabilitation

The benefits of the estuary edge rehabilitation proposed by the applicant within the existing esplanade reserve immediately adjoining the proposed development are acknowledged and supported, as is the proposal to enhance public access to and along the coastal marine area. However, there is only limited support for any alienation of the

existing esplanade reserve. There is a substantial area of existing esplanade reserve which is proposed to be rehabilitated and vested as seabed. Figure 5 attempts to illustrate the level of alienation proposed by the development to the north of the proposed inlet. This would compromise a significant area of reserve currently able to be used and enjoyed by the public.



Figure 5: Level of excavation proposed in the application

Figure 6 and Plan A attached to this memorandum recommend some significant amendments to the plan submitted with the application. The reasons for making the recommended amendments are to prevent loss of reserve land whilst still providing for estuarine edge rehabilitation. The amendments will have implications for the subdivision, particularly with respect to the proposed areas of land shown in the application plan to be vested as seabed (Shown as Proposed Lots 5 and 6 in Figure 4).

Photograph 2 and 3 illustrate the extent of the existing reserve and existing estuary margin vegetation. Staff are confident that the proposed amendments shown in Figure 6 will still enable restoration of the estuary margin whilst maintaining the full width of the existing esplanade reserve for public access and recreational use.

Staff acknowledge that the rehabilitation of the estuarine margins and the construction of the walkway and interpretation structures are being volunteered by the applicant and that the ongoing maintenance of these structures will be the responsibility of Council following an initial two year establishment period.



Photograph 2: Existing estuarine margin at the southern end of the rehabilitation area showing the proximity of the maintenance road to mean high water springs



Photograph 3: Existing estuarine margin at the northern end of the rehabilitation area

Recommendations

Conditions are recommended to require the following:

That a 20 metre wide extension to the existing esplanade reserve be set aside from Mean High Water Springs (MHWS) as shown on the plan submitted with the application in accordance with section 230(3) of the Resource Management Act 1991. The position of MHWS shall be formally established and agreed by Council's Consents Manager prior to approval of the survey plan under section 223 of the Resource Management Act 1991.

That the restoration of the estuary margin and development of boardwalk and walkways within the existing esplanade reserve shall be undertaken in general accordance with documents and plans submitted with the application with the exception of the amendments show on the amended Plan and notes (Walkway notes and Re-Vegetate Estuary Margin) shown as Plan A attached to this report.

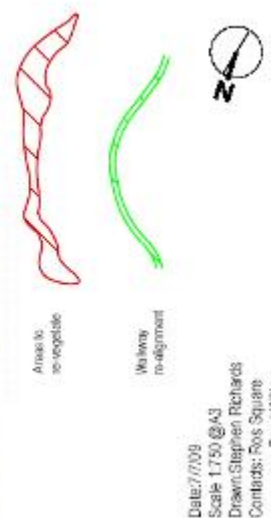
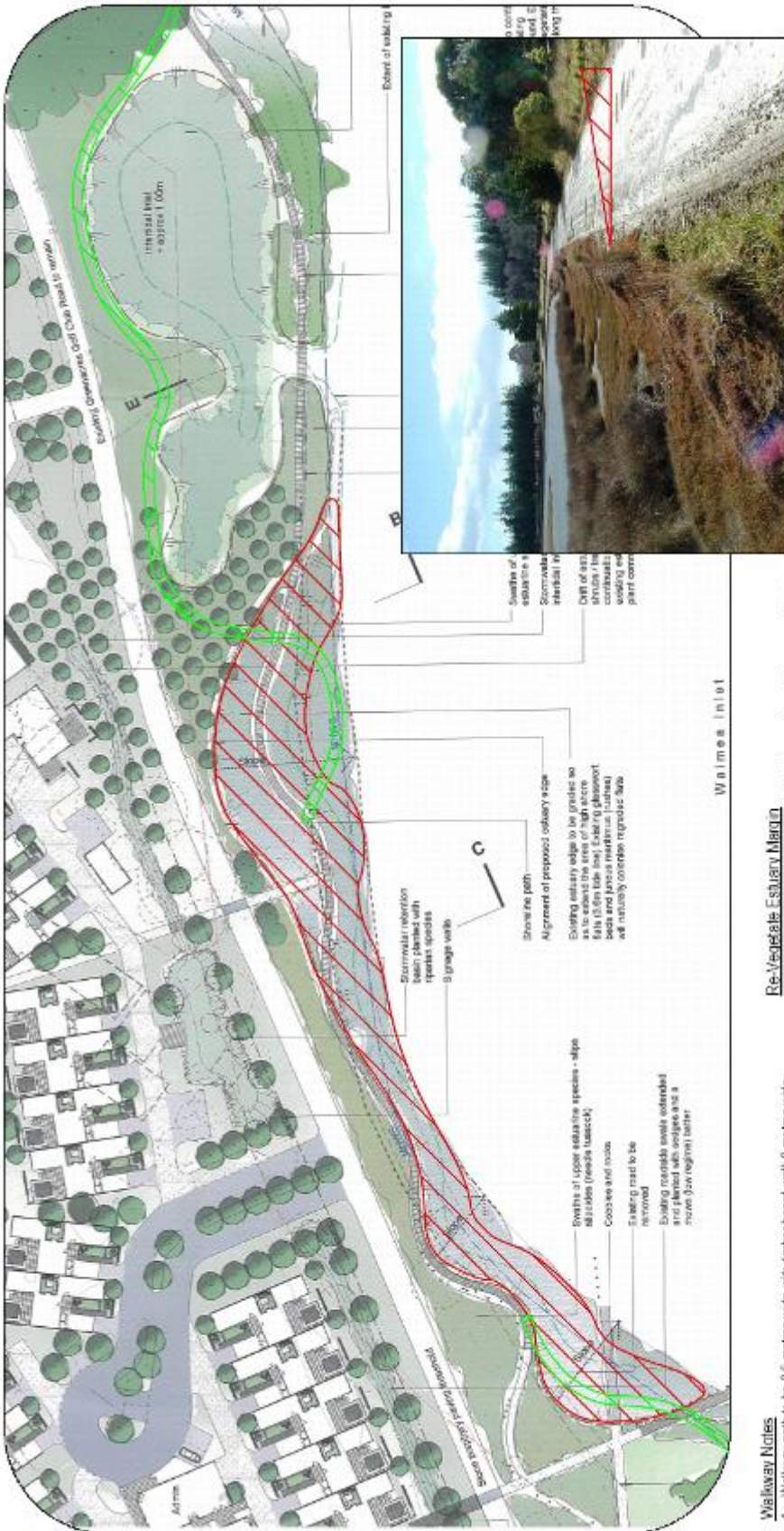
That prior to any works being undertaken or any structures being erected within the esplanade reserve, the applicant shall submit a detailed estuarine edge landscape and restoration plan for approval by the Reserves Manager. The plan shall include species planting plans, proposed soil cover preparation, fertilization, mulching and future maintenance and plant replacement.

That the landscaping of the esplanade reserve and rehabilitation of the estuarine margin shall be fully completed and approved by the Council Reserves Manager, prior to the signing of the section 224 certificate.

That the consent holder maintains the landscape plantings for a period of two years following the issue of the Section 224 certificate. A \$10,000 bond shall be taken to cover this period.

Rosalind Squire
Forward Planner, Reserves

Plan A Amended Earthworks/Boardwalk/Walkway Location



Date: 7/7/09
 Scale: 1:750 @ A3
 Drawn: Stephen Richards
 Conflicts: Ross Square
 Beryl Wilkes

Re-vegetate Esplanade Margin

1. Create a more natural margin with the formation of soft curves which will improve biodiversity values of the transitional zone.
2. Existing gravel road area to be re-vegetated with appropriate estuarine and structural plant species.
3. Priority to protect existing estuarine marshland communities
4. Remove 150 mm of existing gravel road, deep rip to reduce compaction, import 200mm of soil from the surrounding area.

Walkway Notes

1. Walkway path to be 2.5 metres wide with timber board walk 2 metres wide.
2. Walkway path surface to be formed with 40mm of 40 base course over topped with 100mm of crusher dust both layers compacted. Pathway to be finished with 2% crossfall from centre.
3. Timber boardwalk to use H5 treated piles with H5 treated bearer and joist timbers, all species and dimensions to comply with the building code.
4. Finished boardwalk surface to be 300mm above M-HWS or 2.24 above msf assumed at 2.31.



Esplanade Reserve
 Walkway Details

Greenacres
 Best Island Development