



New World Car Park

26 Ganges Road, 3 Dekka Street,
31-33 Nicholson Road, Khandallah

Assessment of Environmental Effects and Statutory Analysis

11 October 2023

B&A

Urban & Environmental

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Foodstuffs North Island Ltd

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Prepared by:



Evita Key

Senior Associate, Barker & Associates Limited

Reviewed by:



Matt Norwell

Director, Barker & Associates Limited

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1.0 Applicant and Property Details

To:	Wellington City Council
Site Address:	26 Ganges Road, 3 Dekka Street, 31-33 Nicholson Road, Khandallah
Applicant Name:	Foodstuffs North Island Ltd
Address for Service:	Barker & Associates Ltd PO Box 547 Wellington 6140 Attention: Evita Key
Legal Descriptions:	Lot 42 DP 1828, Pt Lot 44 DP 1828, Pt Lot 45 DP 1828, Pt Lot 46 DP 1828 (refer to Records of Title as Appendix 1)
Site Area:	5,317m ² and $\frac{4}{6}$ share of 81m ²
Site Owner:	Foodstuffs Properties (Wellington) Ltd
District Plan:	Wellington City District Plan (WCDP) Wellington City Proposed District Plan (PDP)
WCDP Zoning:	Centre Outer Residential
PDP Zoning:	Local Centre Medium Density Residential
Overlays & Controls:	WCP - Secondary Frontage (26 Ganges Road) PDP - 22m and 14m Height Control Areas PDP - Non-Residential Activity Frontage (26 Ganges Road) PDP - Flood Hazard Overlay - Inundation Area (31-33 Nicholson Road)
Designations:	Wellington international Airport - Obstacle Limitation Surface
Locality Diagram:	Refer to Figure 1
Brief Description of Proposal:	Extension of the existing supermarket car park to provide 67 new parking spaces together with associated site works and landscaping
Summary of Reasons for Consent:	WCDP: Refer to Section 4 below

2.0 Site Context

2.1 Background

The existing New World supermarket at 26 Ganges Road in Khandallah has a gross floor area (GFA) of 1,317m². This is made up of 800m² of retail trading area, 304m² of back of house service and storage areas, a 60m² foyer and 153m² mezzanine level staff facilities. There are 38 car parking spaces and an unenclosed loading bay, both accessed from Ganges Road.

In January 2004, resource consent was granted for supermarket alterations and additions to extend the ground floor area, provide a mezzanine office level, reorganise the internal layout and service delivery area, reconfigure the site access and parking layout, construct of a retaining wall on the Dekka Street road reserve, and modernise the facades and signage (**Appendix 7**). These works have since been undertaken.

Foodstuffs owns the neighbouring sites at 3 Dekka Street and 31-33 Nicholson Road and this proposal seeks to remove the existing dwellings and replace these with additional car parking spaces to increase customer capacity, along with associated car park signage, landscaping, lighting, fencing and other enabling works.

2.2 Site Description

The irregularly shaped site has frontages to Ganges Road, Dekka Street and Nicholson Road (see **Figure 1**) and contains four properties.



Figure 1: Locality photo with the site outlined in red (Source: WCSP Map)

26 Ganges Road is located on the southern corner of Ganges Road and Dekka Street. The New World supermarket is located at the southern end of the site with a north facing shop frontage and loading from the southern end. The northern portion of the site accommodates car parking with vehicle and pedestrian access from Ganges Road as well as two sets of pedestrian stairs in the northern corners of the site. There is a large retaining wall at the northern end of the site fronting

Dekka Street which provides for a number of car parking spaces that extend across the boundary and are provided for via a lease with the Council. There are established trees and vegetation along Nicholson Road, Ganges Street and Dekka Street frontages. There is existing bicycle and motorcycle parking near the Ganges Street access.

3 Dekka Street and 31-33 Nicholson Road are located to the west of the existing supermarket and accommodate three residential dwellings. There is an 81m² strip of land along their eastern boundaries that is jointly owned between six properties (see **Figures 9 and 10**). Details of the site areas for each property are in **Table 1** below.

Table 1: Site Details

Address	Legal Description	Site Area
26 Ganges Road	Lot 42 DP 1828	2,519m ²
	Part Lot 44-46 DP 1828	1/6 share of 81m ²
3 Dekka Street	Pt Lot 46 DP 1828	1,163m ²
	Part Lot 44-46 DP 1828	1/6 share of 81m ²
31 Nicholson Road	Pt Lot 45 DP 1828	717m ²
	Part Lot 44-46 DP 1828	1/6 share of 81m ²
33 Nicholson Road	Pt Lot 44 DP 1828	918m ²
	Part Lot 44-46 DP 1828	1/6 share of 81m ²

The streetscape views of the site are shown in the photographs below in **Figures 2-10**.



Figure 2: Streetscape view of the supermarket’s existing customer entrance as viewed from Ganges Road



Figure 3: Streetscape view of 26 Ganges Road and 3 Dekka Street

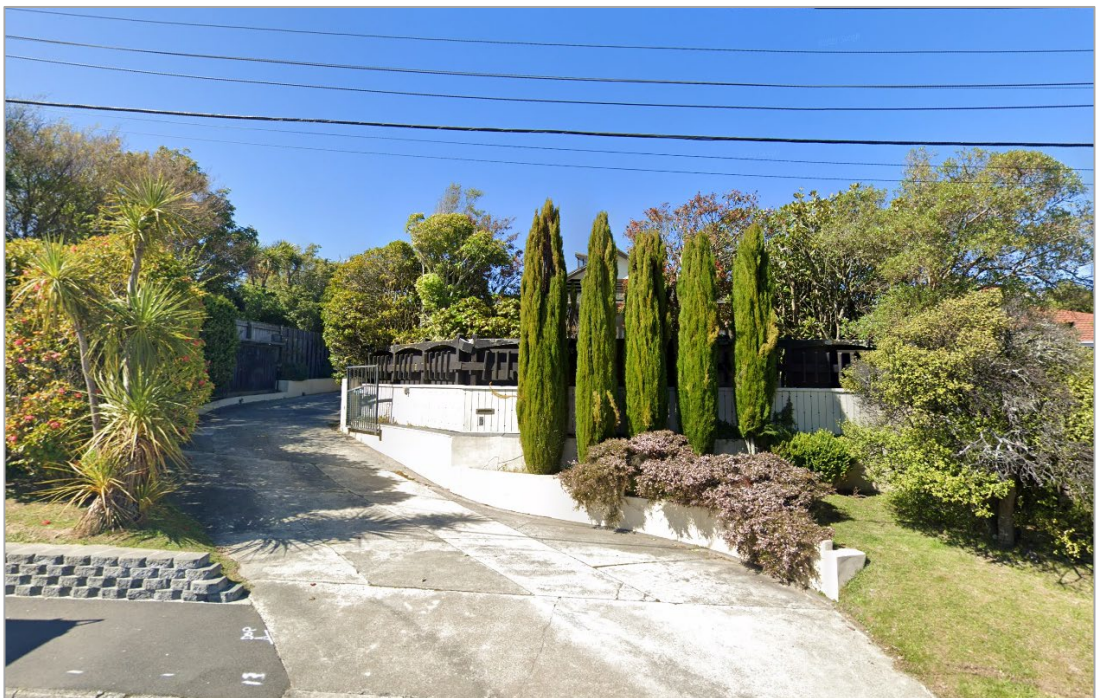


Figure 4: Streetscape view of 3 Dekka Street



Figures 5 and 6: Streetscape views of 29 and 31 Nicholson Road



Figures 7 and 8: Streetscape views of 33 and 35 Nicholson Road



Figures 9 and 10: Jointly owned strip

As illustrated in the topographical survey (**Appendix 2**), the site generally slopes up from the road boundaries with a change of approximately 7m in elevation across the site.

The Council’s GIS indicates that there is a possible risk of flooding over a small portion of 31-33 Nicholson Road nearest the road frontage however the depth is only 10-50mm.

The application site is located within the Centre and Outer Residential zones (see **Figure 11**). There are no known heritage items/places or significant indigenous habitat or vegetation on the site.



Figure 11: Wellington City District Plan zoning with the site outlined in red (Source: WCSP Map)

2.3 Surrounding Locality

Khandallah is located 4 kilometres northeast of the city centre, on hills overlooking Wellington Harbour. Residential properties are located adjacent to the western and southern site boundaries. The properties on the opposite side of Ganges Road and Dekka Street to the north and east are zoned Centre and contain commercial activities, with the exception of the Khandallah Presbyterian Church located at 33 Ganges Road and the Khandallah Medical Centre located at 8 Dekka Street. The centre also contains a library and town hall. There is a bus stop located in front of the site on Dekka Street.

3.0 Proposal

This application seeks resource consent for an extension to the existing car parking area of Khandallah's New World supermarket.

A summary of the key elements of the proposal are set out below. More detailed descriptions on particular aspects of the proposal are set out in the specialist reports and drawings (see **Appendices 3-10**) accompanying this application.

3.1 Site Works

It is proposed remove the existing three residential dwellings at 3 Dekka Street and 31-33 Nicholson Road and undertake earthworks to create appropriate gradients for vehicular accesses and car parking. These works are detailed in Section 3 of the Infrastructure Report prepared by Calibre Group (see **Appendix 4**).

Calibre Group have prepared proposed cut and fill, contour, retaining wall, accessway and drainage plans as well as an erosion and sediment control plan. The earthworks proposed will involve approximately 2,540m³ of cut and 90m³ of fill. The maximum cut depth is 3.5m and maximum fill depth is 1m.

The following erosion and sediment control measures are proposed:

- Installation of a stabilised construction entrance from Dekka Street;
- Silt fencing;
- Earth bunds and channels to collect the dirty water runoff and discharge from site; and
- Clean water diversion channel.

Cut to waste material will be removed from the site to an approved landfill. All sediment control devices will remain in place until the contribution catchment is fully stabilised.

It is proposed that a detailed construction and traffic management plan (CTMP) will be prepared and submitted to Council for approval prior to commencement of works which will address the timing and number of vehicle movements and any required mitigation requirements.

3.2 Car Parking, Vehicle Access and Manoeuvring

There are 38 existing car parking spaces at 26 Ganges Road. Four of these spaces will be removed to provide for a connecting internal accessway between 26 Ganges Road and 3 Dekka Street. 67 new parking spaces are proposed at 3 Dekka Street and 31-33 Nicholson Road which will result in a total of 101 supermarket parking spaces.

Trolley bays will be interspersed throughout the parking area as indicated on the plans with collection back to the supermarket entrance being carried out by staff.

All parking spaces have been developed in accordance with the WCDP parking space standards with compliance shown in Sections 6-8 of the Traffic Assessment (see **Appendix 5**).

In terms of access to and from the site, the following is noted:

- Ganges Road - The supermarket's existing two-way vehicular access from Ganges Road and the pedestrian access on the corner will both be retained;
- Dekka Street - The existing vehicular access of 3 Dekka Street will be widened and upgraded to provide two-way access to the new car parking area; and
- Nicholson Road - The two existing vehicular accesses from 31-33 Nicholson Road will be removed and a new central access is proposed to provide two-way access to the new carpark.

In terms of circulation, sufficient turning area is available within the carpark to ensure vehicles do not need to reverse exit onto the road carriageways.

3.3 Pedestrian Access

Following discussions with WCC officers, a 1.2m wide pedestrian path has been added to provide a separated access from Nicholson Road through to the supermarket. Due to the site's topography it was not possible for this path to be accessible however to ensure that the path is pedestrian friendly and easy to navigate, the number of steps and gradient (max 1:12) has been minimised where possible with landing spaces between the runs of stairs.

3.4 Landscaping

The proposal includes landscape documentation which provides details of the vegetation to be retained, proposed new landscaping arrangements, planting schedule and fencing (see **Appendix 3**). These include:

- A mixture trees (7 Māpou, 5 Five Finger and 12 Kowhai), hedges (Taupata, Kāpuka and Cypress Hebe), low planting (Shrubby Tororaro and Dwarf Mountain Flax), grasses and tussocks;
- Retention of the street tree on Nicholson Road;
- Where possible, retention of on-site and street trees at the frontage of 3 Dekka Street and the western boundary adjacent to 7 Dekka Street and 29 Nicholson Road;
- Car parking lighting to include poles and bollards; and
- Timber acoustic fencing adjacent to the neighbouring residential properties. The fencing will be externally clad in feather edge vertical timber boards that will be stained black.

3.5 Other Structures

Other structures proposed in the development include:

- Four x car-park wayfinding signage measuring 1m in height and 0.8m wide (see **Appendix 9**);
- Trolley bays; and
- Retaining walls.

3.6 Servicing

The servicing details of the proposal are outlined within the Infrastructure Report and plans (see **Appendix 4**). The existing residential water and utility connections will be capped at the mains connection points or at the property boundaries and the sections of pipe removed or abandoned.

Stormwater runoff from the proposed car parking area will be collected, treated via stormwater filters and then, either discharged to kerb along Dekka Street or, piped to a detention tank at the Nicholson Road carpark entrance before being discharged to the public drainage system.

4.0 Reasons for Consent

A rules assessment against the provisions of the WCDP is attached as **Appendix 8**. The site is located within both the Centre and Outer Residential zones. The proposal requires consent for the matters outlined below.

4.1 Wellington City District Plan

Rule 5.4.1 (Chapter 5 - Residential Area)

- The proposal is for car parking ancillary to a retail activity and includes retaining wall structures which is a non-residential activity and structure that is not specifically provided. In accordance with Rule 5.4.1, this is a discretionary activity (unrestricted).

Rule 5.3.1.3 (Chapter 5 - Residential Area)

- The proposal includes a 7m wide access to Dekka Street and a 6.6m wide access to Nicholson Road. The access widths do not comply with the 6m maximum width of standard 5.6.1.4. In accordance with Rule 5.3.1.3, this is a discretionary activity (restricted).
- The proposal includes 4 x wayfinding signs (0.8m x 1m) at the Dekka Street and Nicholson Road accesses. In accordance with Rule 5.3.11, this is a discretionary activity (restricted).

Rule 7.3.1 (Chapter 7 - Centres)

- The proposal includes 67 new parking spaces resulting in a total of 101 supermarket parking spaces which exceeds 70 parking spaces for an activity in the Centre zone. In accordance with Rule 7.3.1, this is a discretionary activity (restricted).

Rule 30.2.1 (Chapter 30 - Earthworks)

- The proposal involves approximately 90m³ of earthworks fill, 2,540m³ of earthworks cut, to a depth of 3.5m. The earthworks that do not comply with the permitted activity conditions under 30.1.1. In accordance with Rule 30.2.1, this is a discretionary activity (restricted).

4.2 Activity Status

Overall, this application is for a discretionary activity (unrestricted).

5.0 Public Notification Assessment (Sections 95A, 95C and 95D)

5.1 Assessment of Steps 1 to 4 (Sections 95A)

Section 95A specifies the steps the council is to follow to determine whether an application is to be publicly notified. These are addressed in statutory order below.

5.1.1 Step 1: Mandatory public notification is required in certain circumstances

Step 1 requires public notification where this is requested by the applicant; or the application is made jointly with an application to exchange of recreation reserved land under section 15AA of the Reserves Act 1977.

The above does not apply to the proposal.

5.1.2 Step 2: If not required by step 1, public notification precluded in certain circumstances.

Step 2 describes that public notification is precluded where all applicable rules and national environmental standards preclude public notification; or where the application is for a controlled activity; or a restricted discretionary, discretionary or non-complying boundary activity.

In this case, the applicable rules do not preclude public notification, and the proposal is not a controlled activity or boundary activity. Therefore, public notification is not precluded.

5.1.3 Step 3: If not required by step 2, public notification required in certain circumstances.

Step 3 describes that where public notification is not precluded by step 2, it is required if the applicable rules or national environmental standards require public notification, or if the activity is likely to have adverse effects on the environment that are more than minor.

As noted under step 2 above, public notification is not precluded, and an assessment in accordance with section 95A is required, which is set out in the sections below. As described below, it is considered that any adverse effects will be no more than minor.

5.1.4 Step 4: Public notification in special circumstances

If an application is not required to be publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified.

Special circumstances are those that are:

- Exceptional or unusual, but something less than extraordinary; or
- Outside of the common run of applications of this nature; or
- Circumstances which make notification desirable, notwithstanding the conclusion that the adverse effects will be no more than minor.

In our view, there are no special circumstances surrounding the application. The proposal is for the construction and operation of an extension to the existing New World car park. While located on residentially zoned land, the WCDP does anticipate some non-residential activities, albeit that they required consent. Furthermore, there are no limits on car parking and effects beyond the adjacent neighbouring sites will be less than minor. Moreover, aside from the retaining walls and fencing there are no further structures proposed, and the proposal meets all the residential zone standards (subject to acoustic fencing mitigation) except for the widths of the vehicular accesses (6m permitted and 6.6-7m proposed) and signage which have been assessed below as being acceptable.

5.2 Section 95D Statutory Matters

In determining whether to publicly notify an application, section 95D specifies a council must decide whether an activity will have, or is likely to have, adverse effects on the environment that are more than minor.

In determining whether adverse effects are more than minor:

- Adverse effects on persons who own or occupy the land within which the activity will occur, or any land adjacent to that land, must be disregarded.

The land to be excluded from the assessment is listed in section 5.3 below.

- Adverse effects permitted by a rule in a plan or national environmental standard (the 'permitted baseline') may be disregarded.

In this case there is no relevant permitted baseline that should be applied.

- Trade competition must be disregarded.

This is not considered to be a relevant matter in this case.

- The adverse effects on those persons who have provided their written approval must be disregarded.

No persons have provided their written approval for this proposal.

The sections below set out an assessment in accordance with section 95D, including identification of adjacent properties and an assessment of adverse effects.

5.3 Land Excluded from the Assessment

In terms of the tests for public notification (but not for the purposes of limited notification or service of notice), the adjacent properties to be excluded from the assessment are shown in **Figure 12** below, and include:

- 15, 33, 34, 35, 43 and 43A Ganges Road;
- 2, 5, 6 and 7 Dekka Street; and
- 29, 32, 35, 35A and 37 Nicholson Road.



Figure 12: Adjacent properties in relation to subject site shaded blue (Source: WCSP Map)

5.4 Assessment of Effects on the Wider Environment

The following sections set out an assessment of wider effects of the proposal, and it is considered that effects in relation to the following matters are relevant:

- Construction effects;
- Character and amenity;
- Traffic, access and parking;
- Noise;
- Infrastructure provision; and
- Signage.

These matters are set out and discussed below.

5.4.1 Construction Effects

5.4.1.1 Silt and Sediment Control

As set out in Section 3.1, the proposal involves the remove of the existing buildings and approximately proximately 2,540m³ of cut and 90m³ of fill over the site. It is expected to occur over a four-month period.

Prior to the commencement of construction, it is proposed to install sediment and erosion control measures to avoid any significant adverse environmental effects. An engineering report with earthworks and erosion and sediment control plans has been prepared by Calibre Group (**Appendix 4**). All proposed sediment and erosion control measures will be designed in accordance the *Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region*. Key elements of the erosion and sediment control plans include installation of a stabilised construction entrance from Dekka Street, earth bunds and channels and silt fencing as well as minimising the amount of land disturbance at any one time by completing and stabilising areas before moving onto the construction of the next area.

Cut to waste material will be removed from the site to an approved landfill. All sediment control devices will remain in place until the contribution catchment is fully stabilised.

On the basis of the above, it is considered that any adverse effects associated with silt and sediment runoff, as well as resulting effects on water quality, will be less than minor.

5.4.1.2 Retaining Walls

With respect to the proposed retaining walls, due to the close proximity to some of the boundaries, Calibre Group have prepared a construction methodology (Appendix C of **Appendix 4**). This will ensure there are no significant adverse stability effects on neighbouring properties. The retaining walls will be of a similar scale to residential retaining walls.

5.4.1.3 Construction Traffic

As noted in Section 3.1, a CTMP will be prepared to manage the traffic effects associated with construction activities. A stabilised construction entrance will be installed to the Dekka Street access only and all construction traffic shall utilise this access. There shall be no construction traffic from Nicholson Road. Subject to appropriate conditions of consent, it is considered that construction traffic effects can be appropriately managed.

5.4.1.4 Construction Noise

It is anticipated that due to the close proximity of residential neighbours, there is likely to be some exceedances of the construction noise limits. A construction noise exemption will be applied for prior to starting any works on site¹.

In order to appropriately control any adverse effects on neighbours to reasonable and acceptable levels, a Construction Noise and Vibration Management Plan (CNVMP) will be prepared and approved by the Council in advance of any commencement of works. Details of proposed conditions are set out in the Section 7 of the Acoustic Assessment prepared by Marshall Day (**Appendix 6**).

¹ <https://wellington.govt.nz/report-a-problem/noise-control/exemptions>

Overall, it is considered that the construction noise and vibration levels will not be unreasonable for the scale and type of works proposed. The proposed duration and mitigation that is to be provided to neighbouring occupants will ensure that construction noise and vibration effects of adjacent land uses are minimised and mitigated as far as practicable.

5.4.1.5 Summary

On the basis of the above, and subject to a CTMP and CNVMP being prepared, it is considered that any adverse effects associated with earthworks and construction will be less than minor. Furthermore, there are no known geotechnical constraints that would preclude the type of development proposed.

5.4.2 Character and Amenity

The site has a split Centre and Outer Residential zoning where demolition or removal of buildings are permitted and non-residential activities require consent in the Residential zone.

The proposal includes the clearance of the existing residential buildings and structures and site works to provide for additional supermarket car parking. The proposed site excavations (up to 3.5m in depth) will ensure that the car parking is located either at a similar level or lower than the surrounding sites and streetscape.

The proposal includes the retention of the majority of existing street trees and, where possible, the on-site boundary vegetation. Furthermore, extensive landscaping is proposed as detailed in Section 3.3 above and illustrated on the landscaping plans (**Appendix 3**). This will soften the overall impact of the new car parking and create generous green entrances and neighbour boundaries.

Lastly, vertical timber fencing (stained black) is proposed adjacent to the neighbouring residential properties. There is a generous setback from the neighbouring sites to the west with landscaping proposed between the fencing and the common boundary. This will assist in ensuring that the proposed car park is effectively screened from view from the residential neighbourhood and maintains a residential-type character when viewed externally. Overall it is considered that any adverse character and amenity effects from the proposed car park on the wider environment will be appropriately mitigated.

5.4.3 Traffic, Access and Parking

Commute Transportation Consultants (“Commute”) have prepared a transportation assessment for the proposal and this is enclosed as **Appendix 5**. This report provides an appropriately detailed assessment of the proposal with respect to the existing environment, effects on traffic generation and distribution, parking and access arrangements, and access visibility.

Commute’s analysis demonstrates that the proposal achieves compliance with all the relevant parking, loading and access standards of the WCDP except for the maximum 6m access width. Their assessment considers that the 7m wide Dekka Street access and the 6.6m Nicholson Road access are appropriate based on the vehicle tracking.

Given the assessment and conclusions from Commute’s assessment, the proposed trip generation, parking, and access arrangements, it is considered that the development is appropriate and will not compromise the function, efficiency, capacity or safety of the surrounding roading network. Overall, it is considered that any adverse effects with respect to traffic, access and parking related matters will be less than minor.

5.4.4 Noise

The noise generated from the proposed car park activity has been assessed by Marshall Day in their Acoustic Assessment (**Appendix 6**). This assessment predicts that the noise levels generated from the proposal will not exceed the noise limits set out in the WCDP provided the proposal includes the following noise mitigation measures:

- Acoustic fencing to be constructed around the carpark perimeter;
- Only one truck delivery with associated loading/unloading is carried out in any 15-minute period between 10pm and 7am the following day; and
- Staff arriving to the site prior to 7am via a vehicle are to park at least 10m from any property zoned residential and used for residential purposes.

Overall, taking into account the above specialist comments and the mitigation measures proposed, the noise generation arising from the operation of the proposed car parking is considered to have less than minor adverse effects on the surrounding environment.

5.4.5 Stormwater Provision

Details of the proposed stormwater infrastructure are outlined in Section 3.5 above and further detailed in Calibre's Engineering Report and Plans (see **Appendix 4**). This report confirms that stormwater runoff is collected, treated via stormwater filters and ultimately discharged to the public drainage system

Based on the findings within the Engineering Report, it is considered that the proposed development can be adequately serviced and that the stormwater runoff will be appropriately treated and, if required, attenuated to ensure that there are no adverse upstream or downstream effects on the surrounding environment and neighbouring properties.

5.4.6 Wayfinding Signage

It is proposed to include two entry and two exit signs at the car park accesses to Dekka Street and Nicholson Road. These signs will perform a wayfinding function for supermarket customers while remained small in scale being 0.8m wide and 1.0m high (see **Appendix 9**). An example of the proposed signage is illustrated in **Figure 13** below.

It is considered that due to the small scale, the proposed signage will not have any adverse effects on traffic and pedestrian safety or generate any adverse visual clutter effects within the suburban streetscape.



Figure 13: Example of New World car park entry sign in situ

5.5 Summary of Effects

Overall, it is considered that any adverse effects on the environment relating to this proposal will be no more than minor.

5.6 Public Notification Conclusion

Having undertaken the section 95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is not mandatory;
- Under step 2, public notification is not precluded;
- Under step 3, public notification is not required as it is considered that the activity will result in minor adverse effects; and
- Under step 4, there are no special circumstances.

Therefore, based on the conclusions reached under steps 3 and 4, it is recommended that this application be processed without public notification.

6.0 Limited Notification Assessment (Sections 95B, 95E to 95G)

6.1 Assessment of Steps 1 to 4 (Sections 95B)

If the application is not publicly notified under section 95A, the council must follow the steps set out in section 95B to determine whether to limited notify the application. These steps are addressed in the statutory order below.

6.1.1 Step 1: Certain affected protected customary rights groups must be notified

Step 1 requires limited notification where there are any affected protected customary rights groups or customary marine title groups; or affected persons under a statutory acknowledgement affecting the land.

The above does not apply to this proposal.

6.1.2 Step 1: Certain affected protected customary rights groups must be notified

Step 2 describes that limited notification is precluded where all applicable rules and national environmental standards preclude limited notification; or the application is for a controlled activity (other than the subdivision of land).

In this case, the applicable rules do not preclude limited notification and the proposal is not a controlled activity. Therefore, limited notification is not precluded.

6.1.3 Step 3: If not precluded by step 2, certain other affected persons must be notified

Step 3 requires that, where limited notification is not precluded under step 2 above, a determination must be made as to whether any of the following persons are affected persons:

- In the case of a boundary activity, an owner of an allotment with an infringed boundary;
- In the case of any other activity, a person affected in accordance with s95E.

The application is not for a boundary activity, and therefore an assessment in accordance with section 95E is required and is set out below.

Overall, it is considered that any adverse effects in relation to some adjacent properties will be minor, and accordingly, that persons at 5 and 7 Dekka Street, 29, 35, 35A and 37 Nicholson Road and 34 Ganges Road are adversely affected.

6.1.4 Step 4: Further notification in special circumstances

In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined as eligible for limited notification.

In this instance, having regard to the assessment in section 5.1.4 above, it is considered that special circumstances do not apply.

6.2 Section 95E Statutory Matters

If the application is not publicly notified, a council must decide if there are any affected persons and give limited notification to those persons. A person is affected if the effects of the activity on that person are minor or more than minor (but not less than minor).

In deciding who is an affected person under section 95E:

- Adverse effects permitted by a rule in a plan or national environmental standard (the ‘permitted baseline’) may be disregarded;

- Only those effects that relate to a matter of control or discretion can be considered (in the case of controlled or restricted discretionary activities); and
- The adverse effects on those persons who have provided their written approval must be disregarded.

These matters were addressed in section 5.2 above and no persons have given their written approval to the proposal.

Having regard to the above provisions, an assessment is provided below.

6.3 Assessment of Effects on Adjacent Properties

Adverse effects in relation to amenity, privacy, acoustic or reverse sensitivity effects on adjacent properties are considered below.

6.3.1 2 and 6 Dekka Street

These neighbouring sites, located to the north of the application site (see **Figure 14**), are zoned as District Centre and accommodate single-storey retail shops that front Ganges Road, a real estate office and a vehicle repair garage, as well as on site car parking.

It is considered that the proposed development will not give rise to adverse amenity, acoustic or reverse sensitivity effects to persons at these neighbouring properties given:

- The separation distance created by the width of Dekka Street (approximately 20m);
- That these neighbouring sites are zoned for commercial activities and currently accommodate commercial uses; and
- The proposal is compliant with the noise standards.



Figure 14: Adjacent commercial properties to the north shaded blue (Source: WCDP Map)

6.3.2 15 and 33 Ganges Road

These neighbouring sites, located to the east of the application site (see **Figure 15**), are zoned as District Centre and accommodate two/three storey retail shops, a medical centre, a real estate office and a church, as well as on site car parking.

It is considered that the proposed development will not give rise to adverse amenity, acoustic or reverse sensitivity effects to persons at these neighbouring properties given:

- The separation distance created by the width of Ganges Road (approximately 20m);
- That these neighbouring sites are zoned for commercial activities and currently accommodate commercial uses; and
- The proposal is compliant with the noise standards.



Figure 15: Adjacent commercial properties to the east shaded blue (Source: WCDP Map)

6.3.3 35, 43 and 43A Ganges Road

These neighbouring sites, located to the east of the application site (see **Figure 16**), are zoned as residential. 35 Ganges Road accommodates eight x unit title attached dwellings and 43 and 43A Ganges Road accommodates two detached dwellings.

It is considered that the proposed development will not give rise to adverse privacy, amenity, acoustic or reverse sensitivity effects to persons at these neighbouring properties due to:

- The separation distance created by the width of Ganges Road and the existing supermarket resulting in the works being at least 60m away from the dwellings;
- Due to the topography and the existing supermarket, the proposed car parking will not be visible from these neighbouring sites; and
- The proposal is compliant with the noise standards.



Figure 16: Adjacent residential properties to the east shaded blue (Source: WCDP Map)

6.3.4 32 Nicholson Road

This neighbouring site, located to the west of the application site (see **Figure 17**) is zoned residential and accommodates a detached dwelling.

It is considered that the proposed development will not give rise to adverse privacy, amenity, acoustic or reverse sensitivity effects to persons at this neighbouring property as it is located on the opposite side of the road to the application site which creates a separation distance of approximately 15m. The dwelling at 32 Nicholson Road is setback from the street frontage by 10m.



Figure 17: Adjacent residential property to the west shaded blue (Source: WCDP Map)

6.3.5 5 and 7 Dekka Street, 29, 35, 35A and 37 Nicholson Road and 34 Ganges Road

These neighbouring sites adjoining the western and southern boundaries of the application site (see **Figure 18**), are all zoned residential and accommodate detached dwellings.

It is considered that the proposed development will not give rise to adverse privacy, amenity, acoustic or reverse sensitivity effects to persons at these neighbouring properties as:

- Acoustic fencing is proposed along the western and southern boundaries of the site. This will ensure that any noise from the car parking activity is compliant with the noise standards ensuring that there are no significant adverse effects on privacy or noise to these neighbouring properties. The fencing will be externally clad in feather edge vertical timber boards that will be stained black. This will ensure that the proposed car park is effectively screened from view of these neighbouring sites and a residential-type character is achieved;
- On the western boundary, landscaping is proposed between the acoustic fencing and site boundary (see **Appendix 3**) which will further screen the car parking area from view from these neighbouring properties and ensure that there are no significant adverse effects on their privacy; and
- Proposed excavations and retaining walls will result in the car parking being located up to 3.5m lower than the sites to the south. This height difference, as well as the acoustic boundary fencing, will ensure that the car parking area is largely screened from view from these properties and prevent any adverse loss of privacy; and

Notwithstanding, while some residentially zoned sites do accommodate a non-residential use, these activities generally operate from existing dwellings or purpose-built buildings such as churches, schools, etc. In this case, it is acknowledged that these directly adjoining neighbours would not have anticipated a commercial car park being located next door to them. Given this change in character, it is considered that effects on their amenity will be noticeable and adversely affected. Given the aforementioned acoustic fencing and landscaping, it is considered that the proposal will not give rise to incompatible adverse effects that are more than minor.



Figure 18: Adjoining residential properties to the west and south shaded blue (Source: WCDP Map)

6.3.6 Summary of Effects

Taking the above into account, and noting the screening proposed, it is considered that any adverse effects on persons at the aforementioned properties will be less than minor in relation to privacy, acoustic or reverse sensitivity effects.

With regards to residential character and amenity, it is considered that there will be minor adverse effects from the proposal on the sites that directly adjoining the western and southern boundaries of the application site (5 and 7 Dekka Street, 29, 35, 35A and 37 Nicholson Road and 34 Ganges Road).

6.4 Limited Notification Conclusion

Having undertaken the section 95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory;
- Under step 2, limited notification is not precluded;
- Under step 3, limited notification is required to the sites that directly adjoining the western and southern boundaries of the application site; and
- Under step 4, there are no special circumstances.

Therefore, it is recommended that this application be processed with limited notification to 5 and 7 Dekka Street, 29, 35, 35A and 37 Nicholson Road and 34 Ganges Road.

7.0 Consideration of Applications (Section 104)

7.1 Statutory Matters

Subject to Part 2 of the Act, when considering an application for resource consent and any submissions received, a council must, in accordance with section 104(1) of the Act have regard to:

- Any actual and potential effects on the environment of allowing the activity;
- Any relevant provisions of a national environmental standard, other regulations, national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement; a plan or proposed plan; and
- Any other matter a council considers relevant and reasonably necessary to determine the application.

As a discretionary activity, section 104B of the Act states that a council:

- (a) may grant or refuse the application; and
- (b) if it grants the application, may impose conditions under section 108.

7.2 Weighting of Proposed Plan Changes: Wellington City Council District Plan

WCC are currently undertaking a review of its existing District Plan. This review is being set against a significant number of changes to the statutory planning processes in New Zealand. WCC is

preparing this review under requirements to implement national planning standards, the National Policy Statement - Urban Development (NPS-UD) and changes to the underlying Acts on urban development. The NPS-UD is also one of the most significant statutory changes ever introduced in New Zealand.

Notwithstanding, at this time there is no proposed notified plan change which has statutory force against which this application should be assessed. Therefore, it is considered that with respect to all matters that the proposal can be assessed against the WCDP provisions only.

8.0 Effects on the Environment (Section 104(1)(A))

Having regard to the actual and potential effects on the wider environment of the activity resulting from the proposal, it was concluded in the assessment above that any adverse effects will be less than minor in relation to construction activities, character, amenity, traffic, access, parking, noise, and infrastructure provision however there are some minor adverse residential character and amenity effects on the directly adjoining residential neighbours which require limited notification.

Furthermore, it is considered that the proposal will also result in positive effects including:

- The extension of the existing supermarket carpark will provide benefits to the social and economic wellbeing of the Khandallah community and visitors by increasing accessibility to the local supermarket; and
- The proposal will ensure that the existing supermarket is retained within the District Centre thereby assisting in the ensuring that the viability and vitality of the Khandallah shopping centre is maintained and enhanced.

Overall, it is considered that when taking into account the positive effects, any actual and potential adverse effects on the environment of allowing the activity are acceptable.

9.0 District Plan and Statutory Documents (Section 104(1)(B))

9.1 Objectives and Policies of the Wellington City District Plan (WCDP)

The relevant key objectives of the WCDP are to:

- Generally contain development within the established edges of the city;
- Encourage more intensive development within existing residential areas;
- Maintain a pleasant living environment in residential areas;
- Encourage non-residential activities (such as schools and shops) that are easily accessible from residential areas; and
- Improve the quality of development.

The relevant objectives and policies of Chapters 4 (Residential Area), 6 (Centres) and 29 (Earthworks) are assessed below.

9.1.1 Residential Areas (Chapter 4)

The site has a split zoning with the majority of works being undertaken within the Outer Residential zone. This zone provides for residential activities, certain schools, early childhood centres and some non-residential activities.

It is considered that the proposal is not contrary to the residential objectives, policies and outcomes sought in the WCDP for the following reasons:

<p><i>Objective</i> 4.2.1</p>	<p><i>To enhance the City’s natural containment, accessibility and residential amenity by promoting the efficient use and development of natural and physical resources in Residential Areas.</i></p>	<p>The proposed car parking will support an existing supermarket in an existing urban area which will assist in providing for better use of transport, infrastructure and energy thereby promoting the notion of a compact and more sustainable city.</p>
<p><i>Policy</i> 4.2.1.1</p>	<p><i>Encourage consolidation of the established urban area.</i></p>	
<p><i>Objective</i> 4.2.3</p>	<p><i>Ensure that new development within Residential Areas is of a character and scale that is appropriate for the area and neighbourhood in which it is located.</i></p>	<p>The proposed car parking is effectively an extension of the existing supermarket car parking which is located in the Khandallah District Centre. It will provide car parking overflow for an existing supermarket which is an essential service.</p> <p>The removal of the residential dwellings on the site is a permitted activity and no new buildings are proposed on the site.</p> <p>To assist in maintaining a residential character, where possible, existing vegetation is to be retained as well as providing additional mitigation planting and externally clad timber boards which will assist in screening the car parking from the streetscape and neighbouring properties.</p>
<p><i>Policy</i> 4.2.3.1</p>	<p><i>Ensure that new developments in the Inner and Outer Residential Areas acknowledge and respect the character of the area in which they are located.</i></p>	
<p><i>Policy</i> 4.2.3.6</p>	<p><i>Minimise hard surfaces by encouraging residential development that increases opportunities for permeable open space areas.</i></p>	
<p><i>Policy</i> 4.2.3.7</p>	<p><i>Encourage the retention of mature, visually prominent trees and bush in association with site redevelopment</i></p>	<p>The majority of the existing established tree and vegetation along the street frontages, as well as the vegetation within the jointly owned strip, will be retained as part of the development. Some selected vegetation near the vehicle accesses will need to be removed/pruned to ensure appropriate sightlines are provided for.</p> <p>Where possible, the existing on-site trees and vegetation at the Dekka Street frontage and the western boundary adjacent to 7</p>

		<p>Dekka Street and 29 Nicholson Road will be retained.</p> <p>While the remainder of the trees and vegetation on site will be cleared, a number of trees, hedges, shrubs, grasses and tussocks are proposed as detailed in the landscaping plans (Appendix 3).</p>
Objective 4.2.4	<i>Ensure that all residential properties have access to reasonable levels of residential amenity.</i>	<p>No buildings are proposed. While the proposal is not a new residential development, the acoustic report (Appendix 6) predicts that the noise levels generated from the proposal will not exceed the noise limits set out in the WCDP provided that acoustic fencing around the carpark perimeter is provided and there are limits on the arrival of any staff vehicles on site. Conditions of consent can be utilised to secure these mitigation measures which will ensure that an appropriate level of residential amenity is maintained.</p>
Policy 4.2.4.1	<i>Manage adverse effects on residential amenity values by ensuring that the siting, scale and intensity of new residential development is compatible with surrounding development patterns.</i>	
Objective 4.2.5	<i>To encourage the energy efficiency and sustainability.</i>	<p>The proposal will support the existing supermarket which is located in the Khandallah District Centre thereby ensuring that customers are able to undertake multiple visits to shops and services in the centre and optimised multiple transport modes.</p> <p>There are existing bicycle and motorcycle parking spaces and the addition of four electric vehicle charging stations is proposed to be provided.</p>
Policy 4.2.5.3	<i>Support the uptake of new vehicle technologies by enabling supporting infrastructure in order to reduce reliance on fossil fuels.</i>	
Objective 4.2.7	<i>To facilitate a range of activities within Residential Areas provided that adverse effects are suitably avoided, remedied or mitigated, and amenity values are maintained or enhanced.</i>	<p>The proposed car parking activity has the potential to result in adverse acoustic and amenity effects therefore, as detailed above, acoustic fencing and landscaping has been proposed to suitably mitigate these effects.</p> <p>Furthermore, no additional retail activity being proposed within the Residential Area, simply an extension of the car parking area.</p>
Policy 4.2.7.2	<i>Control adverse noise effects within Residential Areas.</i>	
Policy 4.2.7.3	<i>Provide for a range of non-residential activities within Residential Areas, provided character and amenity standards</i>	

	<i>are maintained, and any adverse effects are appropriately avoided, remedied, or mitigated.</i>	
<i>Policy 4.2.7.4</i>	<i>Ensure that non-residential activities in Residential Areas do not compromise the role and function of centres.</i>	
<i>Objective 4.2.12</i>	<i>To enable efficient, convenient and safe access for people and goods within Residential Areas.</i>	<p>The proposal relates to an existing supermarket which is located in the Khandallah District Centre. The additional car parking will support the retention of the supermarket within the Centre which is ideally located to service the wider surrounding residential catchment.</p> <p>The proposal provides for additional car parking spaces which will help to alleviate pressure in the existing supermarket car parking and assist in the avoidance of customers seeking alternative parking in the surrounding streets.</p> <p>Parking spaces are appropriately dimensioned and with sufficient manoeuvring space to ensure vehicles do not need to reverse exit onto the road carriageways.</p> <p>There are currently two existing residential access to 3 Dekka Street and 1-33 Nicholson Road. The Dekka Street access will be widened to 7m and appropriately upgraded to provide two-way access to the new car parking area. The Nicholson Road access will be relocated and provide for two-way access with a 6.6m width. The upgraded/new accesses have been assessed by Commute who consider that while they exceed the permitted 6m width, this exceedance is appropriate based on the vehicle tracking.</p> <p>There are no changes proposed to the previously consented loading bay and there is no loading proposed from the new car parking area.</p>
<i>Policy 4.2.12.1</i>	<i>Seek to improve access for all people, particularly people travelling by public transport, cycle or foot, and for people with mobility restrictions.</i>	
<i>Policy 4.2.12.2</i>	<i>Manage the road network to avoid, remedy or mitigate the adverse effects of road traffic within Residential Areas.</i>	
<i>Policy 4.2.12.4</i>	<i>Require appropriate parking, loading and site access for activities in Residential Areas.</i>	

<p><i>Objective</i> 4.2.14</p>	<p><i>To achieve signage that is well integrated with and sensitive to the receiving environment, and that maintains public safety.</i></p>	<p>It is proposed to include directional signage at the proposed car park accesses to perform a customer wayfinding function. These signs are proposed to be small in scale with an example illustrated in Figure 13 above.</p>
<p><i>Policy</i> 4.2.14.1</p>	<p><i>Control the erection of signs within Residential Areas.</i></p>	<p>It is considered that the proposed signage will not have any adverse effects on traffic and pedestrian safety due or generate any adverse visual clutter effects within the suburban streetscape. The applicant is accepting of a condition of consent to provide the signage locations and details prior to installation.</p>

9.1.2 Centres (Chapter 6)

While the majority of the works are being undertaken with the Outer Residential zone, the proposed car parking relates to the existing supermarket at 26 Ganges Road which is located in the Khandallah District Centre. The WCDP anticipates that District Centres contain a moderate retail offer and generally service the day-to-day convenience needs of their surrounding suburb

The proposal is considered to be consistent with the centre objectives, policies and outcomes sought in the WCDP for the following reasons:

<p><i>Objective</i> 6.2.1</p>	<p><i>To provide a hierarchy of accessible and appropriately serviced Centres throughout the City that are capable of providing goods, services and facilities to meet the day to day needs of local communities, residents and businesses, and of accommodating anticipated population growth and associated development whilst maintaining Wellington’s compact urban form.</i></p>	<p>The existing New World supermarket is to be maintained, with the proposal providing for additional car parking capacity to meet the needs of the local community. This will continue to ensure:</p> <ul style="list-style-type: none"> • that the viability and vitality of the Khandallah District Centre is not undermined; • a compact urban form is maintained; • multiple visits to shops and services are supported;
<p><i>Policy</i> 6.2.1.2</p>	<p><i>Allow for the outward expansion of existing Centres when they are required to accommodate growth and where they:</i></p> <ul style="list-style-type: none"> • <i>are compatible with adjoining landuses; and</i> • <i>improve access to goods and services, reduce congestion on the road networks; and</i> 	<ul style="list-style-type: none"> • customers are able to undertake multiple visits to shops and services in the centre; and • transport to the centre via multiple modes is optimised.

	<ul style="list-style-type: none"> • are accessible by a variety of transport modes including public transport, walking and cycling; and • do not generate more than minor adverse effects on the roading network and the hierarchy of roads (Maps 33 and 34) from potential trip patterns, travel demand or vehicle use; and • make the best use of existing infrastructure. 	
Policy 6.2.1.4	Promote the intensification of activities and buildings in and around Centres.	
Policy 6.2.2.4	Control the adverse effects of noise within all Centres.	It is anticipated that there will be no additional noise effects within the portion of the site that is located within a centre zone (26 Ganges Road) as there are no proposed changes to the previously consented enclosed loading bay (refer to Appendix 7).
Objective 6.2.5	To maintain an efficient and sustainable transport network to enable the provision of convenient and safe access for people and goods to and within Centres.	Refer to comments under Objective 4.2.12 and Policies 4.2.12.1-4 above.
Policy 6.2.5.1	Ensure that activities and developments are designed to be accessible by multiple transport modes.	The Khandallah District Centre is serviced by good public transport.
Policy 6.2.5.2	Support the uptake of new vehicle technologies by enabling supporting infrastructure in order to reduce reliance on fossil fuels.	The addition of four electric vehicle charging stations is proposed.

9.1.3 Earthworks (Chapter 29)

The proposal is considered to be consistent with the earthworks objectives, policies and outcomes sought in the WCDP for the following reasons:

<p><i>Objective 29.2.1</i></p>	<p><i>To provide for the use, development and protection of land and physical resources while avoiding, remedying or mitigating any adverse effects of earthworks and associated structures on the environment.</i></p>	<p>Earthworks are a prerequisite for most forms for development and in this case, the earthworks proposed (approximately 2,540m³ of cut and 90m³ of fill) are not anticipated to result in any significant adverse effects as they will be appropriately managed via the measures outlined in Section 3.1 above. Furthermore, there are no waterbodies on the site or surrounding environment.</p>
<p><i>Policy 29.2.1.3</i></p>	<p><i>Ensure that earthworks are designed to minimise the risk of instability</i></p>	<p>To ensure any stability risks are minimised, Calibre Group have prepared a construction methodology for the proposed retaining walls that are in close proximity to some neighbouring sites (Appendix C of Appendix 4).</p>
<p><i>Policy 29.2.1.4</i></p>	<p><i>Require earthworks to be designed and managed to minimise erosion, and the movement of dust and sediment beyond the area of the work, particularly to streams, wetlands and coastal waters.</i></p>	<p>As per the reporting and plans prepared by Calibre Group (Appendix 4), it is proposed to install sediment and erosion control measures to ensure that any significant adverse sediment and erosion effects are avoided. Dust effects can be well managed by a CTMP condition.</p> <p>Key elements of the erosion and sediment control plans include installation of a stabilised construction entrance from Dekka Street, earth bunds and channels and silt fencing. In addition, the amount of land disturbance at any one time will be minimised by completing and stabilising areas before moving onto the construction of the next area. All sediment control devices will remain in place until the contribution catchment is fully stabilised.</p>
<p><i>Policy 29.2.1.7</i></p>	<p><i>Ensure that earthworks and associated structures are designed and landscaped (where appropriate) to reflect natural landforms and to reduce and soften their visual</i></p>	<p>It is considered that the proposed earthworks and retaining walls will not result in any significant adverse visual impacts as the site is located within a highly modified urban context with proposed landscaping</p>

	<i>impact having regard to the character and visual amenity of the local area.</i>	and fencing to assist in screening the car parking area.
<i>Policy 29.2.1.11</i>	<i>Ensure the transport of earth or construction fill material, to and from a site, is undertaken in a way that is safe and minimises adverse effects on surrounding amenity and the roading network.</i>	A CTMP will be prepared and submitted to the Council for approval prior to commencement of works. This will address the timing and number of vehicle movements and any required mitigation requirements to ensure that any adverse effects are minimised.
<i>Policy 29.2.1.12</i>	<i>Protect koiwi (human remains), taonga, Maori and Non-Maori material and archaeological sites dated from before 1900, by advising applicants of their obligations under legislation and using enforcement powers where necessary.</i>	The site does not contain any known protected or archaeological items. Should earthworks on the site result in the identification of any previously unknown archaeological items, an Archaeological Authority from Heritage NZ Pouhere Taonga will be applied for.

9.2 National Policy Statement - Urban Development 2020 (NPS-UD)

The NPS-UD came into force on 20 August 2020. It is focused on enabling growth by requiring councils to provide development capacity to meet the changing needs of New Zealand’s diverse communities and to encourage well-functioning, liveable urban environments. It also requires councils to remove overly restrictive rules that affect urban development outcomes in New Zealand cities.

As noted in Policy 1, “well-functioning urban environments” are environments which, as a minimum:

- a) *have or enable a variety of homes that:

 - i) *meet the needs, in terms of type, price, and location, of different households;*
 - ii) *enable Māori to express their cultural traditions and norms;**
- b) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size;*
- c) *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport;*
- d) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets;*
- e) *support reductions in greenhouse gas emissions; and*
- f) *are resilient to the likely current and future effects of climate change.*

The NPS-UD establishes three tiers of urban environment with Wellington being in Tier 1. By 20 August 2022, all Tier 1 District Plans are required to provide for the development of three

dwellings, up to three storeys, on each site via the Medium Density Residential Standards (MDRS). It is anticipated that over time, residential intensification will occur and densities will increase which will necessitate servicing of additional customers. The proposed increase to car parking will assist in future proofing for this future intensification.

From a transportation perspective, the main characteristics of a modern supermarket are that they attract large volumes of customers, who make regular visits to purchase significant quantities of groceries and other household items. The need to transport large quantities of goods between the supermarket and (generally) home means that the private vehicle is realistically the only practical alternative for the majority of grocery shopping trips, and the use of public transport or walking and cycling is typically not a feasible option. Depending on the particular type and location of the supermarket, varying proportions of customers can and will make smaller purchases and travel by other modes (public transport, walking, cycling), but the underlying characteristic is that most supermarket visits involve the private vehicle. Realistically, this is unlikely to change greatly in the foreseeable future, although the Covid-19 pandemic did result in increased customer uptake of on-line order/delivery and click-and-collect shops.

NPS-UD notes that urban environments will need to develop and change over time in response to the diverse and changing needs of people, communities, and future generations. The existing car parking for the supermarket is currently undersized. The proposal will provide for an extension to the car parking while maintaining the supermarket within its District Centre location.

The proposal will contribute to the development of Khandallah as a well-functioning urban environment by providing for supermarket expansion within an existing urban area.

With respect to greenhouse gas emissions from customer vehicle use, this issue will only be resolved when the population moves from predominantly petrol or diesel powered vehicles, to hybrid and electric vehicles (EV). In recent times EV numbers have been growing in NZ due to the government subsidies and raising petrol costs. The supermarket includes four EV charging stations and more can be added as and when demand increases.

Notwithstanding the predominant use of private vehicles, the District Centre location is in close proximity to other retail and commercial activities which will help to assist in enabling a single trip to multiple destinations and maintaining the viability and vitality of Khandallah shopping centre.

With respect to climate change, the site is not subject to any significant flooding issues which will ensure that in extreme events there is no adverse effects on customers accessing an essential service.

Foodstuffs is committed to reducing their operational carbon emissions. They are part of the Climate Leaders Coalition and are actively working to reduce emissions in support of New Zealand's zero carbon ambitions.

Overall, in our opinion, the proposal is consistent with the outcomes of the NPS-UD.

9.3 Summary

It is considered that the proposed development is generally in accordance with the objectives and policies of the WCDP and the outcomes of the NPS-UD

10.0 Part 2 Matters

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

Section 6 of the Act sets out a number of matters of national importance including (but not limited to) the protection of outstanding natural features and landscapes and historic heritage from inappropriate subdivision, use and development.

Section 7 identifies a number of “other matters” to be given particular regard by Council and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi.

Overall, as the effects of the proposal are considered to be acceptable, and the proposal accords with the relevant WCDP objectives and policies, it is considered that the proposal will not offend against the general resource management principles set out in Part 2 of the Act.

11.0 Other Matters (Section 104(1)(C))

11.1 Street Trees

The proposal includes the retention of the majority of existing street trees. Notwithstanding, Commute’s assessment (**Appendix 5**) has identified some vegetation removal is required to ensure that sight distances from the Dekka Street and Nicholson Road vehicle accesses are acceptable. **Figure 19** identifies the vegetation on Dekka Street.



Figure 19: Dekka Street vegetation recommended for removal outlined in red

11.2 Record of Title Interests

The Records of Title for the site are subject to a number of interests (refer **Appendix 1**). None of these are anticipated to affect the resource consent application as discussed in **Table 2** below:

Table 2: Record of Title interests

Interest	Comment
Land Covenant 11457444.5	This covenant is on the titles of 26 Ganges Road (benefited land) and 3 Dekka Street (burdened land). As Foodstuffs owns both properties the no complaints covenant is of no consequence to this resource consent application.
Land Covenant 11457444.6	This covenant is on the titles of 26 Ganges Road (benefited land) and 31 Nicholson Road (burdened land). As Foodstuffs owns both properties the no complaints covenant is of no consequence to this resource consent application.
Fencing Agreement 208809	This agreement is on the title for 26 Ganges Road and prevents the owner from seeking payment from the owners of 3 Dekka Street and 31-33 Nicholson Road for the erection of boundary fencing or maintenance. As Foodstuffs owns all these properties, the agreement is of no consequence to this resource consent application.

12.0 Conclusion

The proposal involves an extension to the existing supermarket car parking provision to provide 67 new parking spaces, resulting in a total of 101 parking spaces, together with associated site works and landscaping at 26 Ganges Road, 3 Dekka Street, 31-33 Nicholson Road, Khandallah.

Based on the above report it is considered that:

- Public notification is not required as adverse effects on the wider environment in relation to construction activities, character, amenity, traffic, access, parking, noise, and infrastructure provision are considered to be less than minor. There are also positive effects including the retention of the existing supermarket within the District Centre which will ensure that the viability and vitality of the Khandallah shopping centre is maintained and enhanced;
- Limited notification is required as the proposal will have no more than minor adverse effects on persons at 5 and 7 Dekka Street, 29, 35, 35A and 37 Nicholson Road and 34 Ganges Road with respect to residential character and amenity;
- The proposal accords with the relevant WCDP objectives and policies and the NPS-UD; and
- The proposal is considered to be consistent with Part 2 of the Act.

It is therefore concluded that the proposal satisfies all matters the consent authority is required to assess, and that it can be granted on a limited notified basis, subject to appropriate conditions.