

BEFORE THE WELLINGTON CITY COUNCIL

IN THE MATTER OF of the Resource Management Act 1991

AND

IN THE MATTER OF the Wellington City Proposed District Plan

**STATEMENT OF EVIDENCE BY KIRSTY O’SULLIVAN ON BEHALF OF
WELLINGTON INTERNATIONAL AIRPORT LIMITED
(SUBMITTER 406, FURTHER SUBMITTER 36)**

HEARING STREAM 8
12 APRIL 2024

INTRODUCTION

Qualifications and experience

- 1 My name is Kirsty O’Sullivan. I am a Partner at the resource management and environmental consultancy Mitchell Daysh Limited.

- 2 I have appeared before the Independent Hearings Panel with respect to Hearing Stream 5, 6 and 7 of the Proposed Wellington City District Plan (“**Proposed Plan**”) on behalf of Wellington International Airport Limited (“**WIAL**”). Within my brief of evidence for Hearing Stream 5,¹ I set out, my qualifications and experiences as an expert planning witness. I do not repeat that here.

Code of Conduct Statement

- 3 While this is not an Environment Court hearing, I nonetheless confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. I agree to comply with the Code and I am satisfied that the matters which I address in my evidence are within my field of expertise. I am not aware of any material facts that I have omitted which might alter or detract from the opinions I express in my evidence.

Scope of Evidence

- 4 In this brief of evidence, I will:
 - a. Provide brief context around WIAL’s interest in the Coastal Environment;

 - b. Provide a high level summary of WIAL’s submissions with respect to the Coastal Environment and Public Access chapters of the Proposed Plan; and

¹ Statement of evidence of Kirsty O’Sullivan on behalf of Wellington International Airport Limited, 18 July 2023, paragraphs 2.1 – 2.4 and Appendix A.

- c. Provide a detailed analysis of WIAL’s key submission points, the section 42A reporting officer recommendations and my response to those recommendations.

- 5 I note that I do not address every submission point raised in the submission or further submission in relation to the Coastal Environment or Public Access chapters of the Proposed Plan. My evidence instead focuses on those key matters which will have the greatest bearing on WIAL’s existing and future operations and therefore warrants further discussion. The absence of discussion with respect to a particular submission point should not be taken as agreement (tacit or otherwise) with the recommendations set out in the section 42A report.

- 6 In preparing this statement of evidence, I confirm that I have read the following documents:
 - a. Part 2 General District Wide Matters – Coastal Environment and Part 2 District Wide Matters Public Access as notified, as well as other chapters as referenced in my evidence;

 - b. WIAL’s submission and further submission;

 - c. The Proposed Plan Hearing Stream 8 report prepared under section 42A of the Resource Management Act 1991 (“**the section 42A report**”) relating to the Coastal Environment and Public Access and the associated appendices;

 - d. The Section 32 Evaluation Report relating to the Coastal Environment and Public Access (“**the section 32 evaluations**”);

 - e. Ms J Lester’s Hearing Stream 7 Evidence;

 - f. The New Zealand Coastal Policy Statement (“**NZCPS**”); and,

 - g. Key provisions of the Greater Wellington Regional Policy Statement (“**RPS**”).

PLANNING CONTEXT

Wellington International Airport

- 7 Under the Proposed Plan, Wellington International Airport is zoned “Airport”. It is also subject to a number of overlays of relevance to this hearing, including the Coastal Environment overlay as well as two areas adjoining the Airport which are identified as “significant natural areas” in Schedule 8 of the Proposed Plan (refer to Figure 1).
- 8 WIAL also has a number of assets and undertakes activities within the adjacent “Natural Open Space” zone located between Lyall Bay and Moa Point Road. Notably, this includes the current western and southern seawalls – on land owned by Wellington City Council and maintained by WIAL. Other assets such as meteorological equipment and navigational aids (owned by third parties) are also located within this area.
- 9 While the “Coastal Margin” is not currently mapped in the Proposed Plan, I understand that it is defined as being the area of land located 10m landward of the Coastal Marine Area (“**CMA**”). I also understand, based on the section 42A report, that the seaward boundary of the “Coastal Environment” is based on the CMA boundary. The section 42A reporting officer has recommended that the “Coastal Margin” be mapped in the Proposed Plan.² In my view, this would be particularly helpful as at present, it is difficult to know with any certainty where that line rests and thus the extent of effects the rules in the Proposed Plan could have on WIAL’s operations.
- 10 With respect to the seawalls, I note Ms Lester has previously presented evidence regarding the role and function of these seawalls, including WIAL’s imminent plans for their renewal/ upgrade. Ms Lester is available to answer any questions relating to her Hearing Stream 7 statement of evidence, particularly for the benefit of the Hearing Commissioners that did not sit on that hearing stream.

² Paragraph 52, Hearing Stream 8 Coastal Environment, Natural Character and Public Access section 42A report, dated 27 March 2024.



Figure 1: Zoning and overlays surrounding Wellington International Airport (as relevant to Hearing Stream 8). Grey shading = Airport Zone, dark green shading = Natural Open Space Zone, dark purple shading = Significant Natural Areas, blue stripes = Coastal Environment Overlay.

OVERVIEW OF WIAL'S SUBMISSIONS

- 11 WIAL filed a number of submissions on the District Wide Coastal Environment and Public Access chapters of the Proposed Plan. At a high level, these submissions sought:
- a. To ensure that the Proposed Plan gives effect to all relevant parts of the NZCPS, including those provisions that recognise the functional and operational requirements of activities (such as infrastructure) to locate within the coastal environment and the associated management of effects.
 - b. That the area of Natural Open Space zoned land between Lyall Bay and Moa Point be treated in a similar way to the Port and City Centre zones, which recognise that these areas are heavily modified and thus the coastal margin provisions should not apply.
 - c. That the provisions recognise and provide for the existing hard engineering structures located between Lyall Bay and Moa Point Road which support regionally significant infrastructure as well as local roads and network utilities.
 - d. That the provisions are amended to more appropriately recognise the highly urbanised nature of much of the mapped "Coastal Environment".
 - e. That repetition and the layering of controls within the Proposed Plan are simplified and streamlined.
 - f. That the Proposed Plan appropriately recognise that public access to parts of the coast may need to be discouraged and/or restricted in the interest of public health and safety and to protect the security and safety of regionally significant infrastructure.
- 12 These submissions in addressed in turn below.

COASTAL ENVIRONMENT

Introduction

- 13 WIAL filed submissions seeking amendments to the introduction section of the Coastal Environment chapter. These amendments sought to better recognise that the NZCPS includes enabling provisions that relate to the operational and functional requirements of infrastructure and to also recognise the existing seawalls located between Lyall Bay and Moa Point Environment.³
- 14 The section 42A reporting officer has recommended accepting and rejecting in part WIAL's submission. While the section 42A reporting officer agrees that it would be useful for the introduction to recognise the functional and operational needs of infrastructure in the coastal environment, WIAL's recommended references to higher order documents is not supported.⁴
- 15 On further review of the Coastal Environment chapter, I note the first sentence of the introductory section states:

The purpose of this chapter is to manage the effects of activities and development on the landward extent of the coastal environment.

- 16 The introduction then provides a description of the coastal environment and tacitly summarises, at a high level, various key matters⁵ set out in the NZCPS, including how and where the Proposed Plan manages activities in the coastal environment (particularly infrastructure, subdivision and earthworks which are addressed in Policy 6 of the NZCPS), indigenous biodiversity (addressed in Policy 11 of the NZCPS), natural character (addressed in Policy 13 and 15 of the NZCPS) and public access (addressed in Policy 18 and 19 of the NZCPS).

³ Submission 406.284-285.

⁴ Paragraphs 134 to 135, Hearing Stream 8 Coastal Environment, Natural Character and Public Access section 42A report, dated 27 March 2024.

⁵ Noting that my evidence focusses on Policies 6, 11, 13, 14, 15, 18 and 19 for the sake of brevity only. The absence of discussion on other matters should not be taken in any way as diminishing their relevance in the context of the Proposed Plan or the Wellington City District more broadly.

- 17 The subsequent provisions contained in the Coastal Environment chapter then focus primarily on the natural character of the coastal environment,⁶ despite the introduction suggesting its purpose is much broader.
- 18 I have no particular issue with the provisions of the Coastal Environment chapter focussing on natural character as it would appear that for the most part, other key matters of relevance are already addressed in other chapters of the Proposed Plan, namely:
- a. The Ecosystems and Indigenous Biodiversity chapter (generally gives effect to Policy 11 of the NZCPS);
 - b. The Natural Features and Landscapes chapter (generally gives effect to Policy 15 of the NZCPS);
 - c. The Energy, Infrastructure and Transport chapter and Airport and Port Zones (generally gives effect to Policy 6(1)(a) and 2(c) of the NZCPS insofar as it relates to infrastructure); and,
 - d. The Public Access chapter (generally gives effect to the Policies 18 and 19 of the NZCPS).
- 19 The NZ Planning Standards also anticipates that the Coastal Environment chapter may cross reference back to other chapters (presumably to avoid repetition), by stating: ⁷

If the district has a coastline, a Coastal environment chapter must be provided that:

- a. sets out the approach to managing the coastal environment and giving effect to the NZCPS*
- b. sets out provisions for implementing the local authorities functions and duties in relation to the coastal environment, including coastal hazards*

⁶ Acknowledging that coastal natural hazards are also addressed in this chapter, however they are generally set out separately to the “coastal environment” provisions and have been subject to a separate hearing stream, therefore are not discussed further in this statement of evidence.

⁷ Refer to paragraph 28(c) of chapter 7 of the National Planning Standards.

c. *provides cross-references to any other specific coastal provisions that may be located within other chapters.*

- 20 In my view, however, the Coastal Environment chapter would benefit from further and more overt references to the NZCPS and to the relevant chapters of the Proposed Plan that give effect to it. Such amendments are necessary to provide clarity to plan users that while the Coastal Environment chapter primarily focuses on natural character, that is because the other matters are addressed elsewhere in the Proposed Plan and not because natural character is being given some higher precedence over other matters set out in the NZCPS. I anticipate that this approach may also address some of the concerns raised by submitters who sought to introduce additional elements into the Coastal Environment chapter (such as consideration of matters around indigenous biodiversity), as it would clarify that they are relevant, albeit addressed elsewhere in the Proposed Plan.⁸
- 21 In light of the above, I have proffered alternative drafting to the introductory chapter of the Coastal Environment chapter. While I note that this departs from the specific relief sought in Annexure A of WIAL's submission, it comprises "alternative" or "consequential amendments" that seek to address WIAL's original submission around including the relevant enabling provisions within the NZCPS into the chapter.⁹
- 22 My recommended drafting would also address some of the issues raised in WIAL's submission with respect to the following provisions:
- a. CE-O1 Coastal Environment
 - b. CE-O3 Coastal margins and riparian margins
 - c. CE-P2 Use and development within the coastal environment
- 23 I do recommend however, a minor amendment to the headings of the aforementioned provisions to clarify their primary focus and intent. This will

⁸ Such as Submission 345.291-293, 345.308 and 345.310.

⁹ Paragraph 49 of WIAL's primary submission on the Proposed Plan.

again have the effect of ensuring it is clear to plan users that the provisions only relate to natural character in the coastal environment. For example:

CE -01 Natural character within the Ecoastal environment

CE-O3 Natural character within Ecoastal margins and riparian margins

CE-P2 Use and development effects on natural character within the coastal environment

CE-P3 Restoration and enhancement of natural character within the coastal environment

- 24 I also note that this approach is consistent with the headings used in other chapters and thus is not without precedence, for example (my emphasis added):

ECO-P5 Significant natural areas within the coastal environment

NRL-P5 Use and development within outstanding natural features and landscapes within the coastal environment

CE-P10 Inappropriate activities within the coastal environment

- 25 WIAL filed a submission seeking to delete Policy CE-P10. WIAL submitted that it is appropriate for such a directive “avoid” policy to apply to such a large and generally urbanised area, with highly variable levels of “natural character and quality”.¹⁰
- 26 The section 42A reporting officer agrees in part with WIAL (and Meridian Energy Limited) that CE-P10 does not provide any detail on the type of activities considered to be “inappropriate” in the coastal environment or the extent to which an activity is “incompatible with or detrimental to” the surrounding environment. Despite this, the section 42A reporting officer considers the policy needs to be retained due to the policy support it offers

¹⁰ Submission 406.315.

Rule CE-R11 (relating to non-complying mining, quarrying and plantation activities).¹¹

- 27 While I understand the policy support CE-P10 provides to the non-complying activity in Rule CE-11, in my view, its broad reach extends well beyond the directive of the NZCPS which seeks to (my emphasis added):

*avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment;*¹²

- 28 Without guidance as to what activities are considered "inappropriate" or "detrimental to" the natural character values, CE-P10 also runs the risk of being contrary to Policy 6 of the NZCPS.

- 29 In my view, the policy support that the section 42A reporting officer is seeking for non-complying activities can be found within the proposed amendments to Policy CE-P2. That is, if an activity has significant adverse effects on natural character, then that activity must be avoided.

- 30 Furthermore, it is inefficient to subject all activities within the coastal environment to CE-P10 if its intent is to manage the discrete set of activities listed in Rule CE-R11 (those activities being quarrying, mining and plantation forestry). In my view, CE-P10 would look quite different if the efficacy and costs of such a broad-brush approach had been appropriately evaluated in terms of section 32.

- 31 I therefore consider that retention of the broadly framed Policy CE-P10 is unnecessary, inefficient and could result in undue resource consenting costs for activities that are not captured by Rule CE-R11. While my preference is for CE-P10 to be deleted for the reasons set out above, if the policy is to be retained, it should be refined to specifically identify those activities that the section 42A reporting officer is expressly concerned with – mining, quarrying and plantation forestry.

¹¹ Paragraph 302 and 303, Hearing Stream 8 Coastal Environment, Natural Character and Public Access section 42A report, dated 27 March 2024.

¹² Policy 13(1)(b), NZCPS.

- 32 As all “other” activities will still subject to Policy CE-P2, such an approach would not result in any policy gaps and would still ensure that the overall objectives of the chapter (and policy directives of the NZCPS) are being given effect to.

Policies CE-P6 and CE-P7 Use and development within the coastal margins in the coastal environment and associated Rule CE-R8

- 33 As part of its submission WIAL sought that Policies CE-P6 and P7 either be deleted or amended to ensure that the coastal environment chapter recognises and provides for the existing seawalls located between Lyall Bay and Moa Point Road.¹³
- 34 In light of WIAL’s submission, the section 42A reporting officer has recommended amendments to both CE-P6 and CE-P7 to ensure a more enabling consenting pathway for the maintenance and repair to the existing seawalls in the Coastal Environment chapter.¹⁴
- 35 As noted earlier, Ms Lester has provided evidence regarding the importance of the existing seawalls between Lyall Bay and Moa Point Road and has detailed their pending renewal. In light of this evidence, I support WIAL and the section 42A reporting officer’s recommended amendments to these provisions and consider it is appropriate for a consenting pathway to be made available for the ongoing maintenance, repair and upgrade of the seawalls.
- 36 As a consequential amendment, the section 42A reporting officer has also recommended amending Rule CE-R8 which relates to activities not otherwise listed as permitted, restricted discretionary or non-complying within the coastal environment and within the coastal or riparian margins. Specifically, the section 42A reporting officer has recommended including the area of Natural Open Space Zone located between Lyall Bay and Moa Point Road in the rule, with an associated new matter of discretion that relates back to Policy CE-7.1 and 7.2. The section 42A reporting officer

¹³ Submission 406.309-311 and 406.312-314.

¹⁴ Psragraph 255 – 256 and 263 to 264, Hearing Stream 8 Coastal Environment, Natural Character and Public Access section 42A report, dated 27 March 2024.

considers this new matter of discretion strikes a balance between recognising the highly modified environment and the protection of regionally significant infrastructure, whilst still forming part of the coastline where public access may be appropriate and future upgrades should at least consider incorporation of natural design elements.¹⁵

- 37 I am somewhat confused by the section 42A reporting officer's recommendation. Given that the section 42A reporting officer has recommended supporting WIAL's amendments to Policy CE-P7 which seek to expressly exclude its application to the area between Lyall Bay and Moa Point Road, it seems somewhat counterintuitive and inefficient to subsequently bring the matter back into consideration as a matter of discretion. The concerns raised by the section 42A officer (being that public access and natural design elements should be considered) have also been addressed in other sections of the Proposed Plan,¹⁶ albeit in a more nuanced and more appropriately balanced way. I therefore do not support the inclusion of this matter of discretion and consider it is unnecessary and inefficient.
- 38 If the matter of discretion is to be retained, in my view it needs to be qualified, as set out in **Appendix A**, to acknowledge that there will be instances where the outcomes sought in the policy cannot be met.
- 39 For the same reasons as above, I do not support the addition of CE-P7.1 and P7.2 as a matter of discretion with respect to Rules CE-R12, R14 and R15.

PUBLIC ACCESS

- 40 WIAL filed two submissions and one further submission regarding the Public Access provisions of the Proposed Plan. These submissions sought to ensure there is a clear objective and policy link between Policy PA-O2 and Policy PA-P3 (5) and (11) by ensuring PA-O2 recognises there may be

¹⁵ Paragraph 365, Hearing Stream 8 Coastal Environment, Natural Character and Public Access section 42A report, dated 27 March 2024.

¹⁶ Refer to Policies P13 and P14 of the Independent Hearing Panel recommendations version of the Earthworks chapter and Policy CE-P28 of the Independent Hearing Panel recommendations version of the Coastal Hazards chapter. While not yet subject of a decision, it is also anticipated that the Natural Open Space Zone and Public Access chapters will address these matters.

scenarios where public access (to the coast) needs to be managed for health and safety reasons.¹⁷

- 41 The section 42A reporting officer has recommended accepting in part, WIAL's submission and further submission, acknowledging that there needs to be a stronger direction within PA-O2 to support the resultant policy PA-P3. In response to WIAL's submissions (and others), the section 42A reporting officer has recommended changes to PA-O2 and PA-P3 to ensure that any public access restrictions are expanded to apply to regionally significant infrastructure more broadly.¹⁸
- 42 In my view, this amendment is consistent with Policy 53 of the Greater Wellington Regional Policy Statement which recognises that public access may not be appropriate where, among other things, it is necessary to protect *(f) the integrity and security of regionally significant infrastructure.*
- 43 I therefore support the section 42A reporting officer's recommendations with respect to these provisions.

CONCLUSION

- 44 Wellington International Airport comprises regionally and nationally significant infrastructure which plays a critical role in providing for the economic and social wellbeing of the Wellington Region.
- 45 The majority of WIAL's landholdings are located within the Coastal Environment, with some of its assets and supporting infrastructure located within the Coastal Margins. It is for this reason that WIAL has a specific interest in the Coastal Environment chapter of the Proposed Plan.
- 46 On review of the broader Proposed Plan provisions, it is clear to me that the Coastal Environment is one of many chapters that seek to give effect to the NZCPS. Due to the drafting of the introductory section and the following objective and policy suite, this is not immediately apparent in my view and could potentially result in plan users giving precedence or prominence to

¹⁷ Submission 406.252-253 and Further Submission FS36.80-81.

¹⁸ Paragraph 546, Hearing Stream 8 Coastal Environment, Natural Character and Public Access section 42A report, dated 27 March 2024.

matters around natural character without given proper regard to matters highlighted in other Plan chapters.

- 47 In my view, further clarification around this matter will resolve a number of the submission points raised by WIAL, with my recommended amendments directing plan users to the relevant sections where the key NZCPS directives are addressed. In my view, this approach is efficient and effective, and it provides clarity without duplicating the provisions in the Proposed Plan.

Kirsty O’Sullivan

12 April 2024

Appendix A: Coastal Environment chapter – Tracked Changes

Red underline and strike-out: show additions and deletions to the notified Taiao Takutai Coastal Environment Chapter as recommended in the section 42A Report dated 27 March 2024.

Blue underline and strike-out: show further additions and deletions recommended by Kirsty O'Sullivan to the section 42A Report version of the Taiao Takutai Coastal Environment Chapter, dated 27 March 2024.

Grey shading indicate provisions for which WIAL does not have an interest.

Parts of this chapter have been notified using either a Part One Schedule 1 process ([P1 Sch1](#)), or as part of an Intensification Planning Instrument using the Intensification Streamlined Planning Process ([ISPP](#)). Please see notations.

Taiao Takutai

Coastal Environment

CE	Coastal Environment
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P1 Sch1

Introduction

Coastal Environment

The purpose of this chapter is to manage the effects of activities and development on the landward extent of the coastal environment.

Wellington City's coastal environment includes the coastal marine area (CMA) as well as the inland extent of the coastal environment. The CMA extends up to 12 nautical miles out to sea and falls under the jurisdiction of the Greater Wellington Regional Council (GWRC). The landward extent of the coastal environment represents the area inland from mean high water springs where coastal processes, influences or qualities are significant. The extent of the landward portion of the coastal environment has been determined by applying Policy 1 of the New Zealand Coastal Policy Statement [2010](#) (NZCPS).

This chapter only applies to the inland extent of the coastal environment, which is identified on the District Plan maps. Any activities within the coastal marine area fall within the responsibility of Greater Wellington Regional Council.

Wellington City's coastline extends for over 100 ~~kilometers~~ [kilometres](#). The western and southern parts of this coastline are largely undeveloped. Narrow shore platforms and steep escarpment and cliff faces are typical along this part of the coastline, where exposure to rigorous environmental conditions has helped shape rugged landforms. [Parts of the rural environment above the coastal escarpments have been modified by development. At the same time](#) the urban areas of [the coastal environment](#) have been heavily modified, with public roads present nearly the entire length of the coastline around the harbour from Sinclair Head to Petone, with residential and commercial development having modified the natural character throughout this area. [There has also been development of large scale infrastructure within the coastal environment, such as turbines, quarrying, roads and other built facilities.](#)

Wellington's coastline contributes to the character and identity of the City, and while exposed to natural hazards it also provides amenity, recreation opportunities, cultural and social value to the community, and is a place of importance to tangata whenua.

The direction in the [New Zealand Coastal Policy Statement NZCPS](#) is to preserve and restore the natural character of the coastal environment (Policies 13 and 14). Within the landward extent of the coastal environment in the Wellington District, High Coastal Natural Character Areas have been identified using the criteria of the NZCPS and the [Wellington Regional Policy Statement for the Wellington Region](#) (RPS). This chapter introduces provisions to protect identified High Coastal Natural Character Areas from inappropriate use and development. These areas are shown on the District Plan maps and the identified values can be found in SCHED12. [APPX](#)

[provides more information on how natural character in the Coastal Environment has been evaluated and provides guidance for landscape assessments that address natural character.](#)

The [New Zealand Coastal Policy Statement 2010 NZCPS](#) also requires development to be set back from the coastal marine area and other water bodies, where practicable and reasonable (Policy 6). For this reason, within the landward extent of the coastal environment, riparian margin setbacks and a coastal margin setback are applied. Within these coastal margins and riparian margins within the coastal environment, activities are restricted to ensure that these sensitive areas are managed in a way that protects the natural character, open space, public access and amenity values of the coastal environment. Activities are still able to be undertaken within these areas, however activities such as new buildings will require consent to ensure the effects are minor and consider the character of the area. The coastal and riparian margin provisions do not apply in highly modified areas like the Port Zone or the City Centre Zone.

[Protecting natural features and natural landscape within the coastal environment from inappropriate subdivision, use and development and protecting indigenous biodiversity is also a key focus of the NZCPS \(Policy 15 and 11 of the NZCPS respectively\).](#) Council has [therefore also](#) identified areas of outstanding natural features and landscapes (ONFL), special amenity landscape (SAL), and significant natural areas (SNA) within the district using the relevant criteria of the RPS. These overlays are identified on the planning maps and the relevant values are listed in SCHED8, SCHED10 and SCHED11. Some of the identified ONFL, SAL and SNA are located within the coastal environment. The relevant provisions that apply to these areas within the coastal environment are located in the NFL and ECO chapters. Council has also identified areas of outstanding natural features and landscapes (ONFL), special amenity landscape (SAL), and significant natural areas (SNA) within the district using the relevant criteria of the RPS. These overlays are identified on the planning maps and the relevant values are listed in SCHED8, SCHED10 and SCHED11. Some of the identified ONFL, SAL and SNA are located within the coastal environment. The relevant provisions that apply to these areas within the coastal environment are located in the NFL and ECO chapters.

Public access is to be encouraged and managing activities within coastal margins allows for the consideration of the effects of proposals on existing or future public access. [The Public Access provisions that apply within the coastal environment \(and address the matters in Policy 18 and 19 of the NZCPS\) are primarily located within the PA chapter.](#)

Provisions relating to infrastructure within the coastal environment are located in the INF-CE sub-chapter [and in the Special Purpose Port Zone and Airport Zone](#). The provisions in the INF-CE sub-chapter apply in addition to the general provisions of the infrastructure chapter [and generally give effect to NZCPS Policy 6\(1\)\(a\) and \(2\)\(c\).](#)

Provisions relating to renewable electricity generation within the coastal environment are located in the REG chapter.

Provisions relating to subdivision within the coastal environment are located in the SUB chapter.

Provisions relating to earthworks within the coastal environment are located in the EW chapter.

Coastal Hazards

Wellington City's coastal environment is susceptible to a range of coastal hazards, which are mapped as Coastal Hazard Overlays. These include:

1. Tsunami; and
2. Coastal inundation including sea level rise.

This Chapter's objectives, policies and rules provide the framework for ensuring that the risks of coastal hazards that threaten people and property are recognised and provided for, while also

taking into account climate change effects over time. Given the continued uncertainty associated with the rate of sea level rise, the different sea level rise scenarios as outlined in the Ministry for the Environment ‘Preparing for Coastal Change’ (2017) guidance have been used to form the basis of the mapping of these hazards.

The Natural Hazards Chapter (NH) provides a comprehensive assessment of the risk-based approach including a break-down of the susceptibility of different activities and the corresponding sensitivities to natural hazards. The assessment against the risk-based approach within the natural hazard chapter is equally applicable to coastal hazards, and therefore is not duplicated in this chapter. The hazard ranking of coastal hazards is set out below:

Coastal Hazard Overlay	Respective Hazard Ranking
Tsunami – 1:100 year scenario inundation extent	High
Existing coastal inundation extent with a 1:100 year storm	
Tsunami – 1:500 year scenario inundation extent	Medium
Coastal inundation extent – with 1.49m sea level rise scenario and 1:100 year storm	
Tsunami 1:1000 year scenario inundation extent	Low

The framework below provides a specific pathway for any development within either the City Centre Zone, ~~or the Wellington Airport Zone, and~~ operational port activities, passenger port facilities and rail activities ~~within the Port Zone. Any activities Airport and port activities undertaken within and outside of these zones the City Centre Zone or are associated with the Wellington Airport, operational port activities, passenger port facilities and rail~~ are assessed against their own specific objectives, policies and rules ~~in this chapter and the relevant zone chapter~~. This is in recognition of the social and economic benefits these activities have, ~~their functional and operational need to be located where they are~~, and that their position in the City is largely fixed.

Many of the key resource management issues that arise within the Coastal Environment are addressed in other chapters of the District Plan. For this reason, this chapter focuses on those key matters that are not addressed elsewhere in the District Plan. The matters in this chapter should therefore not be interpreted as creating primacy or elevating the matters identified in this chapter over other provisions that apply to the Coastal Environment in other chapters of the District Plan.

Other relevant District Plan provisions

P1 Sch1

It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide chapters also contain provisions that may be relevant for your activity, including:

- **Ecosystems and Indigenous Biodiversity** - Provisions relating to significant natural areas in the Coastal Environment are located in the Ecosystems and Indigenous Biodiversity Chapter.
- **Natural Features and Landscapes** - Provisions relating to outstanding natural features and landscapes and special amenity landscapes in the coastal environment are located in the Natural Features and Landscapes Chapter.
- **Public access** – the Public Access Chapter contains additional policy direction relating to public access within the coastal environment.
- **Subdivision** - Provisions relating to subdivision in the coastal environment are located in the Subdivision Chapter.

- **Earthworks** - Provisions relating to earthworks in the coastal environment are located in the Earthworks Chapter.
- **Infrastructure - Coastal Environment** - Provisions relating to infrastructure in the coastal environment are located in the Infrastructure - Coastal Environment Chapter.
- **Renewable Electricity Generation** - Provisions relating to renewable electricity generation in the coastal environment are located in the Renewable Electricity Generation Chapter.

Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule or in this chapter, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

Objectives

P1 Sch1

CE-O1

Natural character within the Coastal environment

The natural character and qualities that contribute to the natural character within the landward extent of the coastal environment are maintained and, where appropriate, rehabilitated, restored or enhanced.

P1 Sch1

CE-O2

High coastal natural character areas

~~The identified characteristics and values of areas of high~~ coastal natural character areas in the landward extent of the coastal environment are preserved and protected from inappropriate subdivision, use and development.

P1 Sch1

CE-O3

Natural character within the Coastal margins and riparian margins

Coastal margins and riparian margins in the landward extent of the coastal environment are protected from inappropriate subdivision, use and development.

P1 Sch1

CE-O4

Customary Harvesting

Tangata whenua are able to exercise customary harvesting within the landward extent of the coastal environment.

Objectives – Coastal hazards

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Policies – Coastal environment

P1 Sch1

CE-P1

Identification of the coastal environment and of high coastal natural character areas within the coastal environment

		<ol style="list-style-type: none"> 1. Identify and map the landward extent of the coastal environment. 2. Identify and map areas of very high and high natural character within the coastal environment and list the identified key values in SCHED 12 – High Coastal Natural Character Areas.
P1 Sch1	CE-P2	<p>Use and development <u>effects on natural character</u> within the coastal environment</p> <p>Provide for use and development in the landward extent of the coastal environment where it:</p> <ol style="list-style-type: none"> 1. Consolidates existing urban areas; and 2. Does not establish new urban sprawl along the coastline; and 3. <u>Avoids any significant adverse effects on the natural character of the coastal environment and avoids, remedies or mitigates any other adverse effects on the natural character of the coastal environment.</u>
P1 Sch1	CE-P3	<p>Restoration and enhancement <u>of natural character</u> within the coastal environment</p> <p>Provide for restoration or rehabilitation of the natural character values and coastal and riparian margins within the landward extent of the coastal environment by:</p> <ol style="list-style-type: none"> 1. Recognising the values present that could be enhanced; 2. Encouraging natural regeneration of indigenous species, including where practical the removal of pest species; 3. Rehabilitating dunes or other natural coastal features or processes; 4. Restoring or protecting riparian and coastal margins; 5. Removing redundant structures that do not have heritage or amenity value; 6. Modifying structures that interfere with coastal or ecosystem processes; or 7. Providing for mana whenua to exercise their responsibilities as kaitiaki to protect, restore and maintain <u>values in the coastal environment</u> areas of indigenous biodiversity.
P1 Sch1	CE-P4	<p>Customary harvesting within the coastal environment</p> <p>Recognise and provide for tangata whenua to exercise customary harvesting within the landward extent of the coastal environment in accordance with tikanga Māori and traditional cultural practices.</p>
P1 Sch1	CE-P5	<p>Use and development in high coastal natural character areas</p>

	<p>Only allow use and development in high coastal natural character areas in the coastal environment where:</p> <ol style="list-style-type: none"> 1. Any significant adverse effects on the identified values described in SCHED12 are avoided and any other adverse effects on the identified values described in SCHED12 are avoided remedied or mitigated; 2. It can be demonstrated that: <ol style="list-style-type: none"> a. The particular values and characteristics of the high coastal natural character areas <u>including but not limited to the key values</u> as identified in SCHED12 are protected from inappropriate use and development, <u>including by</u> considering the extent to which the values and characteristics of the area are vulnerable to change including the effects of climate change and other natural processes; b. Any proposed earthworks, building platforms and buildings or structures are of a scale and prominence that <u>respects maintains</u> the identified values and the design and development integrates with the existing landform and dominant character of the area; c. The duration and nature of adverse effects are limited; d. There is a functional or operational need for the activity to locate in the area; e. There are no reasonably <u>practical practicable</u> alternative locations that are outside of the high coastal natural character areas or are less vulnerable to change; and f. Restoration or rehabilitation <u>measures, including, where practicable</u> planting of indigenous <u>vegetation species</u> will be incorporated to mitigate any adverse effects <u>on natural character</u>.
<p>P1 Sch1</p>	<p>CE-P6 Use and development within coastal margins and riparian margins in the coastal environment – located inside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone, City Centre Zone, or Evans Bay Marine Recreation Area <u>or the Natural Open Space zone between Lyall Bay and Moa Point</u></p> <p>Provide for use and development within coastal margins and riparian margins in the coastal environment where it is located in the highly modified Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or City Centre Zone, or Evans Bay Marine Recreation Area <u>or the area of Natural Open Space Zone located between Lyall Bay and Moa Point.</u></p>
<p>P1 Sch1</p>	<p>CE-P7 Use and development within coastal margins and riparian margins in the coastal environment – located outside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone, City Centre Zone and, or the Evans Bay Marine Recreation Area <u>or the Natural Open Space zone between Lyall Bay and Moa Point</u></p> <p>Only allow use and development within coastal and riparian margins in the coastal environment outside of the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone, City Centre Zone, or the Evans Bay Marine Recreation Area, <u>or the area of Natural Open Space Zone located between Lyall Bay and Moa Point</u></p> <p>where:</p>

	<ol style="list-style-type: none"> 1. Any significant adverse effects on the natural character of the coastal environment are avoided and any other adverse effects on the natural character of the coastal environment are avoided, remedied or mitigated; and 2. It can be demonstrated that: <ol style="list-style-type: none"> a. Any proposed earthworks, building platform, building or structure are able to integrate with the existing landform, do not dominate the natural character of the area and <u>where appropriate</u> do not limit or prevent public access to, along or adjacent to the coast and waterbodies; b. There is a functional or operational need for the activity to locate within the coastal or riparian margin; c. There are no reasonably practical alternative locations that are outside of the coastal or riparian margins or are less vulnerable to change; and d. Restoration or rehabilitation <u>measures, including, where appropriate</u> planting of indigenous species will be incorporated to mitigate any adverse effects <u>on natural character</u>.
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P1 Sch1

<p>CE-P8</p>	<p>Vegetation removal within the coastal environment</p> <p>Manage the removal of vegetation in the coastal environment as follows:</p> <ol style="list-style-type: none"> 1. Allow for the removal of vegetation in the coastal environment: <ol style="list-style-type: none"> <u>a.</u> outside of high coastal natural character areas, <u>and</u> <u>b.</u> <u>outside coastal and riparian margins;</u> 2. Allow for the removal of exotic vegetation in the coastal environment within high coastal natural character areas, <u>or within coastal and riparian margins;</u> and 3. Only allow for the removal of indigenous vegetation in the coastal environment within high coastal natural character areas, <u>or within coastal and riparian margins</u> that: <ol style="list-style-type: none"> <u>a.</u> Is of a scale that maintains the <u>existing natural character identified values;</u> or <u>b.</u> <u>Is necessary for the safe and efficient operation, maintenance and repair of public accessways, or infrastructure; or</u> <u>c.</u> <u>Is necessary to avoid an imminent threat to the safety of people, or significant damage to property.</u> <p><u>b.</u> Is associated with ongoing maintenance of existing public accessways.</p>
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P1 Sch1

<p>CE-P9</p>	<p>Mining and quarrying activities within the coastal environment</p> <p>Manage mining and quarrying activities within in the coastal environment as follows:</p> <ol style="list-style-type: none"> 1. Allow for established mining and quarrying activities in the Coastal Environment; 2. Only allow for the extension of established mining and quarrying activities or new quarrying and mining activities where it is: <ol style="list-style-type: none"> <u>a.</u> located outside of high coastal natural character areas and outside of coastal and riparian margins;
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		<p><u>b. and-avoids</u> any <u>potential significant</u> adverse effects <u>on natural character of the coastal environment; and</u></p> <p><u>c. any other adverse effects on natural character can-be</u> are avoided, remedies or mitigated;</p> <p>3. Avoid the extension of established mining and quarrying activities and the establishment of new mining and quarrying within high coastal natural character areas and within coastal and riparian margins in the coastal environment; and</p> <p>4. Avoid the establishment of new mining and quarrying activities within the coastal environment.</p>
P1 Sch1	CE-P10	<p>Inappropriate activities within the coastal environment</p> <p>[Note first preference is to delete the Policy. Second preference is the amendments shown below]</p> <p>Avoid the establishment of <u>quarry, mining or plantation forestry</u> activities that are incompatible with, or detrimental to, the natural character and qualities within the landward extent of the coastal environment.</p>

Policies – Coastal hazards		
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Rules: Land use activities		
P1 Sch1	CE-R1	Customary harvesting by tangata whenua within the coastal environment
	All Zones	1. Activity status: Permitted
P1 Sch1	CE-R2	Restoration and enhancement activities within the coastal environment:
		<ol style="list-style-type: none"> 1. Outside of high coastal natural character areas; and 2. Outside of coastal and riparian margins.
	All Zones	1. Activity status: Permitted
P1 Sch1	CE-R3	Restoration and enhancement activities within the coastal environment:
		<ol style="list-style-type: none"> 1. Within high coastal natural character areas; or 2. Within coastal or riparian margins.
	All Zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> The works are for the purpose of restoring or maintaining the coastal natural character by: <ol style="list-style-type: none"> Planting eco-sourced local indigenous vegetation; Carrying out pest animal and pest plant control activities; Carrying out activities in accordance with a registered protective covenant under the Reserves Act 1977, Conservation Act 1987 or Queen Elizabeth II Second National Trust Act 1977; or Carrying out activities in accordance with a Reserve Management Plan approved under the Reserves Act 1977; or The works are undertaken by mana whenua in accordance with the principle of kaitiakitanga.

	All Zones	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of CE-R3.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The matters in CE-P3.</p>
P1 Sch1	CE-R4	<p>Vegetation trimming or removal within the coastal environment:</p> <ul style="list-style-type: none"> • outside of high coastal natural character areas; and • outside of coastal or riparian margins.
	All Zones	<p>1. Activity status: Permitted</p>
P1 Sch1	CE-R5	<p>Exotic vegetation trimming or removal within the coastal environment, within high coastal natural character areas but outside of an significant natural area</p>
	All Zones	<p>1. Activity status: Permitted</p>
P1 Sch1	CE-R6	<p>Indigenous vegetation trimming or removal within the coastal environment, within high coastal natural character areas but outside of significant natural area</p>
	All Zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance with CE-S1 is achieved.</p>
	All Zones	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of CE-R6.1.a cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard; and</p> <p>2. The matters in CE-P8.</p> <p><u>Section 88 information requirements for applications:</u></p> <ul style="list-style-type: none"> - <u>Applications under this rule must provide the following in addition to the standard information requirements:</u> - <u>An assessment by a suitably qualified landscape architect to assess the proposal against the identified natural character values of the coastal environment in accordance with APPX.</u>

P1 Sch1

<p>CE-R7</p>	<p>Any activity not otherwise listed as permitted, restricted discretionary, discretionary or non-complying within the coastal environment but:</p> <ul style="list-style-type: none"> • Outside of high coastal natural character areas; and • Outside of coastal or riparian margins. 	
<p>All Zones</p>	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. <u>The land use activity is a permitted activity in the underlying zone and c</u>Compliance is achieved with the rules and relevant standards for activities in the underlying zones.</p>	
<p>All Zones</p>	<p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of CE-R7.1.a cannot be achieved or</p> <p>b. <u>The land use activity is a restricted discretionary activity in the underlying zone.</u></p> <p>Matters of discretion are:</p> <p>1. The matters in CE-P2 and CE-P10.</p>	
<p>P1 Sch1</p>	<p>CE-R8</p>	<p>Any activity not otherwise listed as permitted, restricted discretionary or non-complying within the coastal environment, within coastal or riparian margins</p>
<p>Airport Zone Port Zone Stadium Zone Waterfront Zone City Centre Zone Evans Bay Marine Recreation Area</p> <p><u>The area of Natural Open Space Zone located between Lyall Bay and Moa Point</u></p>	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. <u>The land use activity is a permitted activity in the underlying zone and c</u>Compliance is achieved with the rules and relevant standards for land use activities in the underlying zones.</p>	
<p>Airport Zone</p>	<p>2. Activity status: Restricted Discretionary</p>	

<p>Port Zone</p> <p>Stadium Zone</p> <p>Waterfront Zone</p> <p>City Centre Zone</p> <p>Evans Bay Marine Recreation Area</p> <p><u>The area of Natural Open Space Zone located between Lyall Bay and Moa Point</u></p>	<p>Where:</p> <p>a. Compliance with the requirements of CE-R8.1.a cannot be achieved;</p> <p>Matters of discretion are:</p> <p>1. The matters in CE-P6, PA-P1, PA-P2 and PA-P3-; <u>and</u></p> <p>2. <u>CE-P7.1 and CE-P7.2 for the the area of Natural Open Space Zone located between Lyall Bay and Moa Point only</u></p>
<p>All other Zones</p>	<p>3. Activity status: Discretionary</p>
<p>P1 Sch1</p>	<p>CE-R9</p> <p>Any activity not otherwise listed as permitted, restricted discretionary or discretionary within the coastal environment, within high coastal natural character areas</p>
<p>All Zones</p>	<p>1. Activity status: Discretionary</p> <p><u>Section 88 information requirements for applications:</u></p> <p>- <u>Applications under this rule must provide the following in addition to the standard information requirements:</u></p> <p>- <u>An assessment by a suitably qualified landscape architect to assess the proposal against the identified natural character values of the coastal environment in accordance with APPX.</u></p>
<p>P1 Sch1</p>	<p>CE-R10</p> <p>Extension of existing mining and quarrying activities within the coastal environment</p>
<p>All Zones</p>	<p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. It is located outside of high coastal natural character areas and outside of coastal and riparian margins in the coastal environment.</p> <p>Matters of discretion are:</p> <p>1. The effects of the activity on the natural character of the coastal environment;</p> <p>2. Whether there is a functional or operational need for the activity to be located within the coastal environment; and</p>

		3. The matters in CE-P9.
P1 Sch1	All Zones	2. Activity status: Non-complying Where: a. Compliance with the requirements of CE-R10.1.a cannot be achieved.
	CE-R11	New quarrying and mining activities and new plantation forestry within the coastal environment
	All Zones	1. Activity status: Non-complying
	Rules: Buildings and structures activities	
P1 Sch1	CE-R12	Construction, addition or alteration of buildings and structures, within the coastal environment: <ul style="list-style-type: none"> • Outside of high coastal natural character areas; and • Outside of coastal and riparian margins.
	All Zones	1. Activity status: Permitted Where: a. <u>The addition or alteration, building or structure is a permitted activity in the underlying zone and c</u> Compliance is achieved with the rules <u>and relevant</u> standards for buildings and structures in the underlying zones.
	All Zones	2. Activity status: Restricted Discretionary Where: a. Compliance with the requirements of CE-R12.1.a cannot be achieved; <u>or</u> b. <u>The addition or alteration, building or structure is a restricted discretionary activity in the underlying zone.</u> Matters of discretion are: 1. The matters in CE-P2, PA-P1, PA-P2 and PA-P3.
P1 Sch1	CE-R13	Construction, addition or alteration of buildings and structures within the coastal environment, within high coastal natural character areas
	All Zones	1. Activity status: Restricted Discretionary Where: a. A maximum of one building or structure per site; and b. Compliance with CE-S2 is achieved. Matters of discretion are: 1. The matters in CE-P2, CE-P4, PA-P1, PA-P2 and PA-P3; and 2. The effects on identified coastal natural character values and measures proposed to avoid, remedy or mitigate the adverse effects. Section 88 information requirements for applications:

		<p>Applications under this rule must provide the following in addition to the standard information requirements:</p> <p>An assessment by a suitably qualified landscape architect to assess the proposal against the identified values of the high coastal natural character area.</p>
	All zones	<p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of CE-R13.1 cannot be achieved.</p> <p><u>Section 88 information requirements for applications:</u></p> <p>- <u>Applications under this rule must provide the following in addition to the standard information requirements:</u></p> <p>- <u>An assessment by a suitably qualified landscape architect to assess the proposal against the identified natural character values of the coastal environment in accordance with APPX.</u></p>
P1 Sch1	CE-R14	<p>Additions and alterations to existing buildings and structures within in the coastal environment:</p> <ul style="list-style-type: none"> • Within coastal or riparian margins
	All Zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. <u>The addition or alteration is a permitted activity in the underlying zone and c</u>Compliance is achieved with the rules and relevant standards for buildings and structures in the underlying zones.</p>
	All Zones	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of CE-R14.1.a cannot be achieved; <u>or</u></p> <p>b. <u>The addition or alteration is a restricted discretionary activity in the underlying zone.</u></p> <p>Matters of discretion are:</p> <p>1. The matters in CE-P2, <u>CE-P7.1 and CE-P7.2</u>, PA-P1, PA-P2 and PA-P3</p>
P1 Sch1	CE-R15	<p>Construction of new buildings and structures within in the coastal environment and within coastal or riparian margins</p>
	Airport Zone Port Zone Stadium Zone	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. <u>The building or structure is a permitted activity in the underlying zone and c</u>Compliance is achieved with the rules and relevant standards for buildings and structures in the underlying zones.</p>

Waterfront Zone City Centre Zone Evans Bay Marine Recreation Area The area of Natural Open Space Zone between Lyall Bay and Moa Point	
Airport Zone Port Zone Stadium Zone Waterfront Zone City Centre Zone Evans Bay Marine Recreation Area The area of Natural Open Space Zone between Lyall Bay and Moa Point	2. Activity status: Restricted Discretionary Where: a. Compliance with the requirements of CE-R15.1.a cannot be achieved; <u>or</u> b. <u>The addition or alteration is a restricted discretionary activity in the underlying zone.</u> Matters of discretion are: 1. The matters in CE-P7.1 and CE-P7.2, PA-P1, PA-P2 and PA-P3.
All other Zones	3. Activity status: Discretionary <u>Section 88 information requirements for applications:</u> - <u>Applications under this rule must provide the following in addition to the standard information requirements:</u> - <u>An assessment by a suitably qualified landscape architect to assess the proposal against the identified natural character values of the coastal environment in accordance with APPX.</u>
Rules – Coastal hazards	

Standards		
P1 Sch1	CE-S1	Indigenous vegetation trimming or removal within in the coastal environment and within high coastal natural character areas
All Zones	<p>1. Indigenous vegetation removal must not exceed 50m² in total area per 12 month contiguous period per site.</p> <p>The following are exempt from the maximum permitted area of removal:</p> <ul style="list-style-type: none"> a. Vegetation removal addressing an imminent threat to people or property represented by deadwood, diseased or dying vegetation; b. Vegetation removal that is necessary to ensure the safe and efficient operation of any formed public road or access; c. Vegetation removal within 35m from the external wall of an existing building; d. Vegetation removal within 1m width either side of an existing fence or other structure; e. Vegetation removal of 2.5m in total width for maintenance of public access track (where undertaken by WCC, GWRC or their agents); f. Vegetation removal that is required in accordance with sections 43 or 64 of the Fire and Emergency New Zealand Act 2017; and g. Customary harvesting. 	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. The effects on identified coastal natural character values and measures proposed to avoid, remedy or mitigate the adverse effects.
P1 Sch1	CE-S2	New buildings and structures within the coastal environment and within high coastal natural character areas
All Zones	<p>1. Buildings or structures in high coastal natural character areas must not exceed:</p> <ul style="list-style-type: none"> a. A maximum height of 5m above ground level; and b. A gross floor area of 50m² <p>2. The exterior façade and roof must be finished in a colour that is contained within Groups A, B or C of BS5252 and that does not exceed a reflectance value of 30%. (Note: Some colours in Groups A, B or C of BS5252 have</p>	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. Whether the building or structure and its scale and location is integrated into the landform to limit prominence and protect the identified values and characteristics and any measures to avoid, remedy or mitigate the adverse effects; and 2. The effect of the reflectivity and colour of external materials on the identified values and characteristics

	a reflectance value of over 30% and are therefore not compliant.)	
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