Resource Consent Application
to the Greater Wellington Regional Council
on behalf of
New Central Park Limited

77 Kāpiti Road, Paraparaumu

Paraparaumu Town Centre
Stage 1: Subdivision and Earthworks

21 December 2023

Quality Control

Title	77 Kāpiti Road, Paraparaumu; Paraparaumu Town Centre; Stage 1: Subdivision and Earthworks (Regional Resource Consent Application)
Client	New Central Park Limited
Version	FINAL
Date	21 December 2023
File Reference	pv.0420 77 Kāpiti Road
Prepared by	Hannah McCashin
	
Reviewed by	Tom Anderson
	

Limitations:

The report has been prepared for New Central Park Limited, according to their instructions, to form part of a resource consent application. This report has been prepared based on information provided by consultants appointed by New Central Park Limited. Incite has not independently verified the provided information and has relied upon it being accurate and sufficient for use by Incite in preparing the report. Incite accepts no responsibility for errors or omissions in the provided information.

Contents

1 Introduction

This assessment is provided in accordance with the requirements of section 88 of the Resource Management Act 1991 (the RMA or the Act) and the Fourth Schedule to the Act. It forms the resource consent application made to Greater Wellington Regional Council (GWRC) on behalf of New Central Park Limited (NCP) for Stage 1 of the Paraparaumu Town Centre development across seven lots, as shown on **Figure 1**, referred to as 77 Kāpiti Road.

Figure 1: Extent of the subject site, referred to as 77 Kāpiti Road

Stage 1 will result in the creation of 12 superlots for future built development (Lot 1-12), a Local Purpose Reserve (Access) (Lot 40), an area of open space (Lot 50), two Local Purpose Reserves (Drainage) (Lot 200 and Lot 201) and a road to vest (Lot 500). The Wharemaukū Stream will be realigned and naturalised through the site, with a constructed wetland to be formed around the realigned stream. In order to facilitate the works bulk earthworks are proposed across the site.

The future use of each lot is not being sought under this Stage 1 application, however a mix of possible land uses that align with the site's Metropolitan Centre zoning Kāpiti Coast Operative District Plan (ODP) including residential, mixed-use town centre, commercial and aged-care have been indicated and have informed modelling assumptions.

The proposal also requires resource consent from Kāpiti Coast District Council (KCDC), which was lodged on 15 December 2023.

2 The Site and Surrounding Area

2.1 Legal Description

The seven allotments that form the subject site as detailed in **Figure 1** above are described in **Table 1**, below. Copies of the Records of Title are attached as **Appendix A**.

Table 1: Allotment Details

Address	Title & Legal Description	Area	Relevant Interests	Owner	Proposed Works
Ihakara Street	175335 Lot 7 DP 342714	0.562ha	Subject to the Reserves Act 1977 (Local Purpose Reserve (Water Drainage))	KCDC	Water main install and minor works
Ihakara Street	265124 Lot 13 DP 361734	0.131ha	Subject to the Reserves Act 1977 (Local Purpose Reserve (Drainage))	KCDC	Water main install and minor works
	636808, 675629 (leasehold title) Lot 2 DP 470759	5.1184ha	Easement Instrument 9714653.3 Consent Notice 9714653.4 (relating to floor level of habitable buildings and stormwater disposal). Fencing Covenant in Transfer 9697709.1	Ngahina Developments Limited with 20 year lease to Sheffield Properties Limited	Reshaping and planting as part of wetland/flood storage area
Rimu Road	636810 Lot 4 DP 470759	2.809ha	Subject to the Reserves Act 1977 (Local Purpose Reserve (Drainage)) Easement Instrument 9714653.3 – right of way	KCDC	Reshaping and planting as part of wetland/flood storage area
109 Kāpiti Road	822629 Section 4 SO 501569	10.4344ha		New Central Park Limited	Main body of subdivision
77 Kāpiti Road	822686 Section 3 SO 501569	17.5925ha	Proclamation 10183039.1 - subject to a right (in gross) to drain stormwater over part marked B on SO 501569 in favour of Her Majesty the Queen	New Central Park Limited	Main body of subdivision
	1068482 Section 2 SO 570550	8.0079ha	Easement Instrument 9714653.3 – right of way	KCDC	Reshaping and planting as part of wetland/flood storage area. Earthworks for road to Iver Trask Place

2.2 Description of the Site and Surrounding Area

The site is located to the west of the Paraparaumu town centre and is bounded by the Kāpiti Expressway, Kāpiti Road, Rimu Road and Ihakara Street. It has an area of approximately 37.45ha. While largely undeveloped, the site has been modified for various civil and infrastructure works (including the construction of Kāpiti Expressway, the channelling of Wharemaukū Stream and the creation of drainage channels, and the construction of above ground network utility lines). It has also been used for agricultural purposes. There is a shed on the site, with vehicle accessway to the site from Kāpiti Road (being at the Kāpiti Road/Arawhata Road intersection, with the intersection design taking into account future roading access to the subject site).

The site and surrounding area are described in detail by the technical experts, with the key characteristics in relation to each report as follows:

2.2.1 Archaeological Description (Appendix B)

- The site contains a recorded midden (R26/829) and two additional locations that have not been formally recorded, but due to a sparse quantity of shells may be indicative of subsurface archaeological deposits.
- A number of midden/ovens have been recorded in the vicinity of the subject site, particularly clustered adjacent to the Wharemaukū Stream, immediately to the west of the site.
- There are no Kāpiti Coast Operative District Plan scheduled historic places, waahi tapu, or heritage trees on the site.

2.2.2 Cultural Landscape and Features (Appendix C)

Te Ātiawa ki Whakarongotai, as mana whenua, exercise kaitiakitanga over the site for the purposes of the RMA. The relationship that Te Ātiawa ki Whakarongotai has, and the values that are placed on the Wharemaukū Stream, are recognised and described within Schedule B: Ngā Taonga Nui a Kiwa of the Greater Wellington Natural Resources Plan as follows:

> *Ngā Mahi a ngā Tūpuna*
>
> *The Wharemaukū was significant to our tūpuna as it provided for the settlement of hapū in the area. Its natural character as a settled, slowrising stream made it safe to settle on, and ideal for mahinga kai such as kānga wai, hī tuna, and food storage. In particular, it enabled Ngāti Raukawa to settle at Wharemaukū pā, on the north of its mouth, which then led to Te Ātiawa settling here.*
>
> *Te Mahi Kai*
>
> *Historically the Wharemaukū has had the capacity to be a significant provider of food as part of the network of mahinga kai sites in the rohe of Te Ātiawa. Tuna, whitebait, kokopū, koura and piharau have all been fished in this stream. Food was also traditionally preserved and stored in the stream. Some of these species are still fished here today.*

Te Mana o te Tangata

The Wharemaukū has provided significantly for communities who currently and have historically lived in the Paraparaumu and Raumati areas. Both as a source of food and a source of freshwater. Its natural character supported the development of the original communities in these areas. The Wharemaukū has a reputation as being a safe and resilient water body that has enabled settlement on its banks.

Te Mana o te Wai

The relationship with the Wharemaukū as a site of fishing and access to freshwater informs the identity of the people of Te Ātiawa and its hapū. Te Manawaroa o te Wai The Wharemaukū has high potential for restoration. It has been significantly impacted by development in the surrounding area. Management of the Wharemaukū in recent years has compromised its natural character, particularly of its bed. Increased sedimentation and reduction in the diversity of habitat types in the Wharemaukū have impacted fish communities. However some species of significance, such as the piharau (lamprey) are still found in the Wharemaukū, making it a priority for restoration.

A historical background of the Kāpiti area, with specific focus on Ngārara West B (Paraparaumu), has been provided through a Cultural Impact Assessment prepared by George Jenkins (**Appendix C**). This CIA sets out that of the various hapū of Te Atiawa ki Whakarongotai, there are three that are the most visible in terms of presence and representation, being Otaraua, Kaitangata and Puketapu. This CIA identifies the Puketapu hapu as the mana whenua of that area now known as Paraparaumu (formerly the area historically known as Ngārara West B), and in particular the whanau grouping known as Te Whanau a Te Ngārara as previous landowners with mana whenua, rangatiratanga and ahi kaa status.

A summary of the historic context of Te Ātiawa with the Kāpiti district is also provided in the archaeological assessment (**Appendix B**).

2.2.3 Landscape Description (Appendix D)

- The site has an undeveloped, urban-fringe character with modified topography, open fields, limited vegetation of note and remnant dune forms.
- The majority of the site is flat at an elevation of 5masl. The main western dune adjacent to the Kāpiti Expressway rises up to a maximum height of approximately 19-20masl with a smaller eastern dune to the west of the Aquatic Centre being approximately 15masl. The scale of the dunes is relatively small in a wider landscape context, only having an influence on the immediate surrounding area.
- The site is not identified as being within or subject to Outstanding Natural Landscape or Feature (ONLF) overlays, however the site has elements which contribute to the natural character of the coastal environment.

2.2.4 Ecological Description (Appendix E)

- The Wharemaukū Stream, which was straightened and realigned at some point prior to 1951 to its present-day channel, follows the site's south-eastern and southern boundaries. The watercourse is identified as having poor-quality instream habitat and having moderate ecological value.
- A central watercourse – Watercourse 1 - flows in a south-western direction through the site. As Watercourse 1 bisects the sand dunes with a large, man-made cut it appears the watercourse is likely artificial. Multiple drains feed into Watercourse 1. Watercourse 1 and the drains have been identified as having negligible ecological value.
- The site contains the remnants of two large wetland systems which would have most likely originally been separated by the dune system. The wetland system in the northern portion of the site has been cleared of vegetation, and most likely had drains installed. Consequently, its extent is greatly reduced from what was initially present. South of the dune system, wetlands are present on both sides of Watercourse 1.
- In total nine wetlands totalling 5.3ha have been identified on the site. Four of the wetlands have been identified as having low ecological value with the remaining five wetlands having moderate ecological value.
- None of the wetlands have obvious inflows. The primary driver for the formation of the site's wetlands is likely to be the high groundwater table.
- All of the identified wetlands are heavily impacted by historic and ongoing stock access and grazing, which has led to pugging, vegetation modification and reduced water quality. None of the wetlands have an effective riparian buffer, and are primarily surrounded by grassland or exotic scrubland.
- Outside of the wetlands the site is mostly vegetated with weedy pasture, with localised areas of scrubby vegetation, largely comprised of blackberry and/or gorse.
- The site is identified as having moderate ecological values in respect of native fish and avifauna (birds), and high ecological value for herpetofauna (lizards). It is considered to have negligible ecological value in respect of bats.

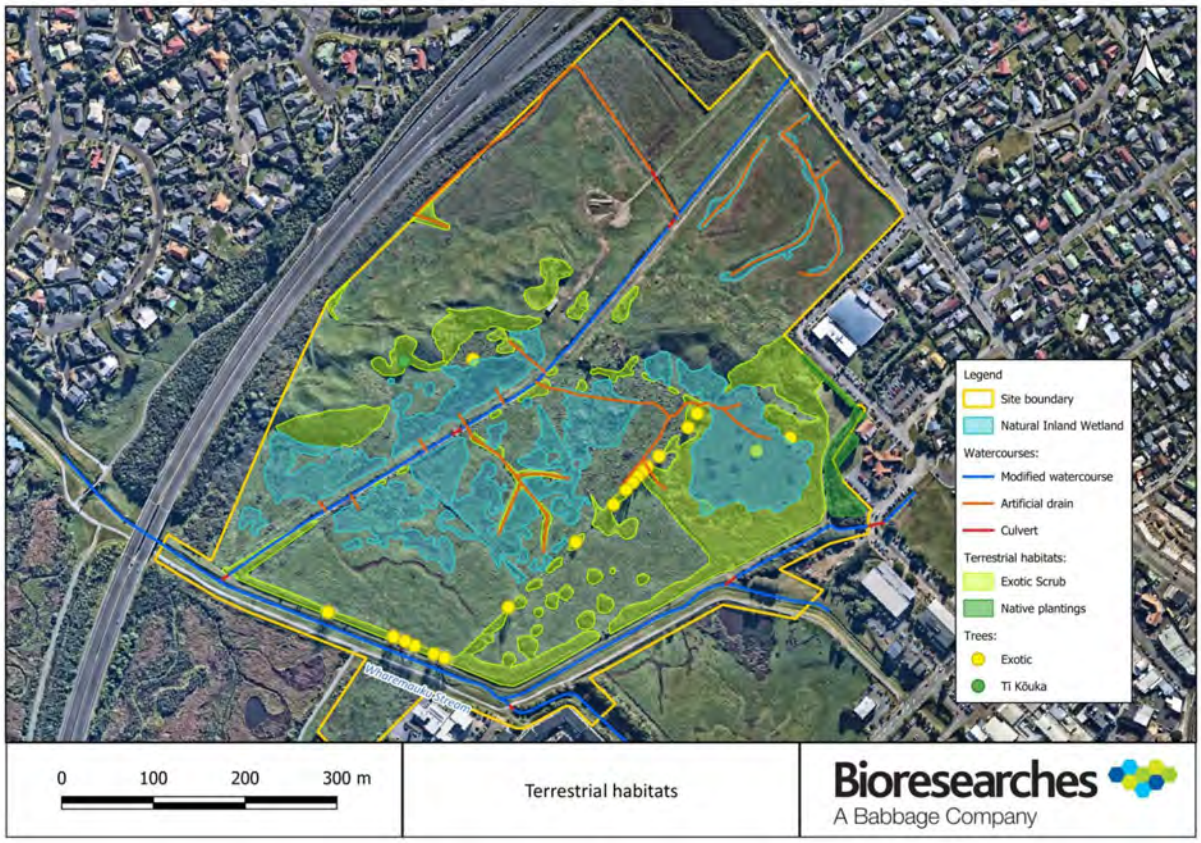

Figure 2: Site plan illustrating terrestrial vegetation types and watercourses within the site (see Appendix E)

2.2.5 Infrastructure Description (Appendix F)

- There is an existing 450mm asbestos cement rising wastewater main which runs through the centre of the site at a shallow depth. The rising main runs from the Rata Road pump station southwest of the site and provides a direct connection to the wastewater treatment plant.
- There are existing water mains at various locations around the site which provide a range of connection points. Modelling results suggest the network can meet the Level of Service for minimum pressure and fire flow.
- There are no specific stormwater management plans for the Wharemaukū Stream. However, as outlined further below there are significant existing flooding problems upstream and downstream of the site.
- Telecommunications, power and gas networks are available adjacent to the site.

2.2.6 Flood Hazard (Appendix 4 of the Stormwater Management Plan in Appendix G)

- The site is shown on KCDCs flood hazards maps as being subject to stream corridor, ponding, and storage flood hazards.
- The proposed development is located within the mid-point of the Wharemaukū catchment.
- The Wharemaukū Stream flows through the site and conveys runoff from the upstream areas of the catchment, with extensive ponding occurring from spills over the upstream bank. Flow also

enters the site from the northeast via the upstream stormwater network and drains through the site via a stormwater drain to the Wharemaukū Stream. Further areas of localised ponding exist within the site due to localised depressions in the topography which fill via direct rainfall.

- The present floodplain volume is 105,000m³.

2.2.7 Geotechnical Description (Appendix H)

- Investigations indicate that most of the site comprises a peat layer ranging from 0.2m-2m in thickness, with an isolated area up to 2.6m deep. The peat is underlain by medium dense sand. Gravels underlie parts of the site at variable depth.
- The groundwater table lies at a depth of between 0.35m-1.5m depth, with an isolated area up to 2.6m in depth.
- The dune system is elevated approximately 10m above the surrounding area. The northern sides of the dunes are generally more moderately sloping, ranging from 10° to 25°; while the southern sides of the dunes are steeper, averaging 20° to 45°. There are also areas where the dunes have been cut and are currently standing near vertical. A vehicle track extends along the crest of the dunes. No obvious evidence of instability was observed in the slopes of the dunes.
- The site is classified as being site soil classification of 'Class D – Deep or Soft Soil Site' as per NZS 1170.5:2004.
- The site is located approximately 2km from the nearest mapped active fault.
- The GWRC hazard maps indicates a moderate to high combined earthquake hazard at the site, comprised of low slope failure hazard, moderate ground shaking hazard and high liquefaction hazard.

2.2.8 Road Network Description (Appendix I)

- There is currently no road network through the site.
- The surrounding road network consists of Kāpiti Road, which serves as the main spine route between Paraparaumu town centre, the Kāpiti Expressway, and the coast; Rimu Road, which provides access to the various town centre activities on either side of the road; Ihakara Street, which extends approximately 400m west off Rimu Road before terminating adjacent to the site; and Iver Trask Place, which provides access and parking for the civic buildings.
- Demarcated on-street cycle lanes are provided on Rimu Road and Kāpiti Road. Shared paths are also provided within the surrounding area.
- Footpaths are provided on all roads in the vicinity of the site.
- A number of walkways provide access through the site, including the Wharemaukū Stream track, which links the town centre with the residential catchment to the west and provides access to the shared path which runs alongside the Kāpiti Expressway.
- Bus stops are located on Kāpiti Road and Rimu Road in the vicinity of the site, with services operating from these stops providing access to the majority of suburbs in Paraparaumu, and wider to the district, as well as the rail station/bus interchange, located approximately 700m to the east of the site.

2.3 Regional Plan Scheduled Values

Wharemaukū Stream (Te Manga o Wharemaukū) is recognised under the Greater Wellington Natural Resources Plan as having the following scheduled values:

- Schedule B Ngā Taonga Nui a Kiwa
- Schedule C Sites with Significant Mana Whenua Values
  - Te Ātiawa ki Whakarongotai.
- Schedule F Ecosystems and Habitats with Significant Indigenous Biodiversity Values
  - Threatened or at risk fish habitat (Schedule F1)
  - Migratory fish habitat (Schedule F1)
- Category 1 Surface Waterbody
- River Class 6

The site is not listed on the Greater Wellington Selected Land User Register and has no history of Hazardous or Industrial Activities being undertaken on it.

2.4 District Plan Zones, Notations and Overlays

The relevant zones, notations and overlays of the ODP are set out in **Table 2**.

Table 2: Kāpiti Coast Operative District Plan Zones, Notations and Overlays

Kāpiti Coast Operative District Plan	
Zones	Metropolitan Centre Zone Natural Open Space (Lot 7 DP 342714 and Lot 13 DP 361734)
Precinct	Metropolitan Zone Precinct C (PREC30) and subject to the Metropolitan Centre Zone Structure Plan (Appendix 19)
Designations	NZTA-005 - State Highway Purposes - MacKays to Peka Peka Expressway KCDC-031 – Plantation Reserves
Overlays	Coastal Environment Airport Plan: Runways Height Surfaces (Grass Runway 12/30 Take-off Approach)
Hazards	Flood Hazard – Ponding Flood Hazard – Storage Flood Hazard – Stream Corridor Flood Hazard – Overflow Path
Road Hierarchy	Kāpiti Road - Major Community Connector

	Rimu Road - Centres Route Ihakara Street - Major Community Connector Iver Trask Place - Neighbourhood Access Route

3 The Proposal

Consent is sought for Stage 1 of the Paraparaumu Town Centre development. Stage 1 will result in the creation of 12 superlots for future built development (Lot 1-12), a Local Purpose Reserve (Access) (Lot 40), an area of open space (Lot 50), two Local Purpose Reserves (Drainage) (Lot 200 and Lot 201) and a road to vest (Lot 500). The Wharemaukū Stream will be realigned and naturalised through the site, with a wetland to be created around the realigned stream. In order to facilitate the works bulk earthworks are required across the site.

The future use of each lot is not being sought under the Stage 1 consent, however a mix of possible land uses applicable to the site's zoning including residential, mixed-use town centre, commercial and aged-care have been indicated via a master plan (**Figure 3** and **Appendix J**) and have informed modelling assumptions.

The proposal is described in the sections below, with additional detail provided in the appended technical reports.

Figure 3: Masterplan for modelling assumptions

3.1 Subdivision

It is proposed to subdivide the site as set out in **Table 3** and shown on the scheme plan in **Appendix K** to create 12 superlots, three local purpose reserves (one for access and two for drainage) and an open space lot. The remaining lot will be a road to vest with KCDC, and will provide a new link road between Kāpiti Road and Ihakara Street, with a secondary connection from the link road to Iver Trask Place.

The indicative land uses on the masterplan (**Appendix J**) have informed the sizing and demand estimates for the three-waters infrastructure which is outlined in the Civil Infrastructure Report (**Appendix F)**. In addition, existing telecommunications, power and gas networks within the vicinity of the site will be extended to serve the proposed development.

Table 3: Proposed Allotments

Lot	Area	Purpose	Intended Ownership
Lot 1	2,400m²	Superlot for future development	NCP
Lot 2	4,000m²		
Lot 3	3.0054ha		
Lot 4	9,227m²		
Lot 5	5,000m²		
Lot 6	4.1195ha		
Lot 7	3,946m²		
Lot 8	1,844m²		
Lot 9	3,730m²		
Lot 10	2.7854ha		
Lot 11	3.7094ha		
Lot 12	5,572m²		
Lot 40	492m²	Local Purpose Reserve (Access)	To vest with KCDC
Lot 50	2.4152ha	Open space	NCP
Lot 200	2.3265ha	Local Purpose Reserve (Drainage)	To vest with KCDC
Lot 201	3.4065ha	Local Purpose Reserve (Drainage)	To vest with KCDC
Lot 500	3.0327ha	Road	To vest with KCDC

3.2 Earthworks

Bulk earthworks are proposed over a total area of 318,400m². The earthworks will provide for the re-naturalisation of the Wharemaukū Stream, create flat building platforms clear of flood levels and with suitable ground conditions, form the roads and facilitate flood storage areas. Plans of the earthworks

are provided within **Appendix I** with the proposed methodology set out in the Earthworks and Construction Management Plan (**Appendix L**).

The earthworks consist of three main aspects:

- Stripping the topsoil and undercutting of unsuitable material (largely peat) from the site to a maximum depth of 2.5m. The volume of material to be removed is estimated to be 178,000m³. See drawing 220.
- The bulk cut and fill across the site to form building platforms clear of flood levels, the roads, the wetland and flood mitigation area, the realignment of the Wharemaukū Stream and the removal of the eastern sand dune. Where possible fill will be sourced from other parts of the site, including the existing dunes, however imported fill will also be required. Disposal of peat is planned to take place on site, away from building areas. As shown on drawing 223, these works include:
  - The bulk earthworks will involve cuts of up to 10m, with a cut volume of 522,000m³.
  - The maximum fill depth will be 3m, with those areas of the site intended for future built development to generally be built up by approximately 1m. In total there will be a fill volume of 415,500m³.
- The reconstruction of the western sand dune using peat excavated from other areas of the site. The reconstruction will occur over an area of 23,700m² (2.37ha) and will involve 127,000m³ of fill. A maximum cut height of 13.6m is proposed, with a maximum fill depth of 12.5m reforming the dune to a similar elevation, but slightly west of the existing location. The reconstruction of the western dune will include shaping the dune form in an irregular manner and planting with appropriate species from the 'Dune-Land' category under the Kāpiti District Endemic Flora Species List (2012).

As a part of future works, site-specific testing and design will be required to be undertaken to determine the optimal building foundations based on the finished ground conditions.

3.3 Stream Realignment and Wetland Creation

The existing wetlands across the site, being an area of approximately 5.34ha, will be reclaimed through the proposed bulk earthworks. It is proposed that the loss of stream and wetland habitat within the site is mitigated and offset with the ecological enhancement, realignment and naturalisation of the Wharemaukū Stream corridor, which would include the creation of up to 5.8ha of wetland habitat and 1,200m of stream length. The proposed stream corridor and wetland are to be located within Lot 200 and Lot 201. In addition, Watercourse 1, to be contained within Lot 500 (the road to vest) will be diverted to run adjacent to the proposed link road and will be vegetated.

The stream realignment and wetland creation is discussed in detail in the Stream and Wetland Loss Offset Report prepared by Bioresearches in **Appendix E** and **Appendix M,** with additional detail provided in the Memorandum attached as **Appendix N**.

Figure 4: Concept Plan for naturalised Wharemaukū Stream and wetland area (Appendix L)

As can be seen from the figure above, the Wharemaukū Stream is proposed to be realigned through the site, moving from its artificially straightened alignment along the southern boundary of the site to a more naturalised stream channel, with meanders, side channels, changes in depth, variations in substrate and hydrology and the provision of fish habitat.

The new wetland area will be located in the generally flat, low-lying land adjacent to the restored Wharemaukū Stream and will form part of the river floodplain. It will contain a mosaic of stream habitat, shallow water, frequently wetted areas, infrequently wetted areas, and areas that only receive water in heavy rain events. The wetlands will merge into a riparian buffer, all of which would be planted with native, ecologically appropriate species which will in time grow to recreate naturally occurring habitats.

As set out through the Stream and Wetland Loss Offset Report (**Appendix M**) a multistage approach is required to create, restore and enhance the vegetation within the proposed wetland and the riparian areas.

The works will be carried out in accordance with a number of proposed management plans, including a Weed Management Plan, an Animal Pest Management Plan and a Wetland and Riparian Planting Plan. It is anticipated that Offset, Enhancement and Monitoring Plans will also be prepared for the stream and wetland.

3.4 Stream Diversions

Several stream diversions will be required as part of the construction works, including for the realignment of the Wharemaukū Stream and both temporary and permanent realignments of the stormwater channels/drains running through the site. For these alignments, a general methodology has been developed with input from the project Ecologist and is set out in section 10.2 of the ECMP (**Appendix L**).

3.5 Stormwater

The Stormwater Management Plan (SMP) provided in **Appendix G** details the stormwater management at the site. Stormwater management on the site has been designed in an integrated manner with flood storage requirements and ecological offsetting areas.

3.5.1 Hydraulic Neutrality

To achieve hydraulic neutrality, roadside attenuation devices (e.g., enlarged pipes, with sizing to be confirmed at detailed design stage) and an attenuation pond are proposed.

The attenuation pond will be located within Lot 201, the western drainage reserve. It will have a base area of 500m² and an area of 1,500m² at 1.5m above the base. The design of the attenuation pond has been undertaken in accordance with KCDC's Land Development Minimum Requirements using HEC-HMS software.

The modelling to date demonstrates that these measures are sufficient to attenuate peak flow for the range of 2 to 100-year events for the fully developed site (up to the assumptions for impervious areas as set out through the SMP).

Gravity connections will be provided for each lot and for the road which will convey stormwater to the proposed channels across the site. Stormwater pipe sizes will need confirmation at the detailed design stage based on final impervious areas.

3.5.2 Stormwater Treatment

It is proposed that the treatment of each individual superlot will be the responsibility of the future developer of each parcel, allowing detailed consideration of the use, design and layout within each superlot to be incorporated into the design of stormwater treatment devices.

In respect of Stage 1, Water Sensitive Urban Design (WSUD) measures have been employed, including the following:

- Within the road corridor, rain gardens sized based on a minimum of 2% of the contributing catchment area (road pavements) are proposed.

- Impervious area will be limited, with approximately 8ha of the site has been set aside specifically for stormwater management and ecological enhancement.

3.5.3 Stormwater Conveyance

The SMP identifies that there are significant existing flood issues upstream and downstream of the site and any development of the site needs to include suitable mitigation measures to ensure that flooding is not worsened.

The proposal will create an increase of approximately 40,000m³ of flood storage volume on the site (being an increase from 105,000m² to 145,000m³), with the following aspects of the proposal contributing to managing flood flows:

- The re-aligned Wharemaukū Stream will convey all flows from the upper catchment through the site, with the re-aligned stormwater drain to replicate the function of the existing stormwater drain.
- Lowered ground levels adjacent to the Wharemaukū Stream will increase ponding depths, thereby providing additional flood storage capacity.

In addition, fill will be required in some areas of the site to raise the ground level above peak flood levels.

3.6 Culverts

Two permanent culverts are proposed. The first culvert, shown on drawing numbers 303 and 330 in **Appendix J**, provides a crossing for the new link road (Road 1) over the Wharemaukū Stream. The second culvert, shown on drawing numbers 242, 304 and 331 in **Appendix J**, provides a crossing for the Iver Trask Place road extension (Road 2). Additional details of the culverts will be provided at detailed design stage.

Temporary culverts will be required during the various stages of construction to maintain access across different parts of the site. These will be sized based on the upstream catchment flows and where possible will be sized to convey the 10-year storm event. Where this will not be practical, culverts will be sized to convey lesser storm events, with overflow bypassing the culvert by means of a controlled and stabilised spillway over the top of the culvert. When placing the culverts, fish passage will be maintained. Further detail of the temporary culverts is provided in section 9.8 of the ECMP (Appendix L).

3.7 Temporary Bore Construction and Water Take

The construction of a temporary shallow water bore is proposed to contribute towards the water supply required for dust control. The bore will only be used when other sources are not available, with the likely maximum extraction rates from the bore to be in the order of 1L/s.

The location of the proposed bore will be confirmed by the contractor, however will be centrally located on the site to avoid any adverse effects on nearby properties. It is anticipated that the bore will be located approximately 300-500m from any other existing bore.

The bore will be constructed in accordance with NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock and upon completion of the earthworks on the site, will be decommissioned.

4 Resource Consent Activity Status

Inter-related resource consents are sought from Greater Wellington Regional Council and Kāpiti Coast District Council to enable the proposal. Consideration is required against national direction, regional and district statutory planning documents. Where relevant to the GWRC administered resource consents, these documents have been assessed in detail below, as well as in Section 6 of this application, being the Section 104 Assessment.

4.1 Resource Management (National Environmental Standards for Freshwater) Regulations 2020

Consent is required under the following rules:

- **Regulation 45C** for works near and within natural inland wetlands for the purpose of urban development as a **Restricted Discretionary Activity**.
- **Regulation 57** for the reclamation of the bed of any river as a **Discretionary Activity**.

The relevant criteria and conditions under the NESF are assessed in detail below.

4.1.1 Subpart 1 Natural Inland Wetlands

Works to natural inland wetlands that are for the purpose of urban development are specifically provided for under **Regulation 45C** as a **Restricted Discretionary Activity**.

The purpose of the vegetation clearance and earthworks is to complete Stage 1 of the Paraparaumu Town Centre development. The works are for the purpose of constructing urban development, in line with the Metropolitan Centre zoning and the Metropolitan Centre Zone Structure Plan under the ODP.

Clauses 6 and 7 set out particular matters to be considered under this regulation, which are discussed further within Section 5:

> *(6) A resource consent for a restricted discretionary activity under this regulation must not be granted unless the consent authority has first—*
>
> *(a) satisfied itself that the urban development—*
>
> *(i) will contribute to a well-functioning urban environment; and*
>
> *(ii) will provide significant national, regional, or district benefits; and*
>
> *(b) satisfied itself that—*
>
> *(i) there is no practicable alternative location for the activity within the area of the development; or*
>
> *(ii) every other practicable alternative location in the area of the development would have equal or greater adverse effects on a natural inland wetland; and*
>
> *(c) applied the effects management hierarchy.*

(7) A resource consent for a restricted discretionary activity under this regulation must not be granted if the activity—

(a) occurs on land other than land that is identified for urban development in the operative provisions of a regional or district plan; or

(b) occurs on land that is zoned in a district plan as general rural, rural production, or rural lifestyle.

As the proposed works have a status under Regulation 45C they do not need to be assessed under Regulation 52 Non-Complying Activities or Regulation 52 Prohibited Activities.

4.1.2 Subpart 2 – Reclamation of Rivers

The Wharemaukū Stream will be realigned through the site. In addition the proposal will see Watercourse 1 and all drains reclaimed.

Regulation 57 requires consent as a **Discretionary Activity** for the reclamation of the bed of any river.

Consent under this regulation must not be granted unless the consent authority is satisfied that there is a functional need for the reclamation of the river bed in that location; and that the effects management hierarchy has been applied. These matters are discussed within Section 5 of this application.

4.2 Greater Wellington Natural Resources Plan

Consent is required under the following rules:

- **Rule R50** for the discharge of stormwater from a new urban subdivision associated with earthworks exceeding 3,000m² as a **Restricted Discretionary Activity**.
- **Rule R107** for the use of land, and the associated discharge of sediment into water or onto or into land where it may enter water from earthworks exceeding 3,000m² as a **Discretionary Activity**.
- **Rule R118** for the reclamation of wetlands on the site as a **Non-Complying Activity**.
- **Rule R129** for the placement of a river crossing structure, a culvert, new dam, or other structure that that is fixed in, on, under, or over the bed of a river within a site identified in Schedule C (mana whenua) as a **Restricted Discretionary Activity**.
- **Rule R141** for the reclamation of Wharemaukū Stream, which is identified in Schedule C (mana whenua), as a **Non-Complying Activity**.
- **Rule R147** for the diversion of water in the Wharemaukū Stream and Watercourse 1 as a **Discretionary Activity**.
- **Rule R160** for dewatering that may occur for a period exceeding one month as a **Restricted Discretionary Activity**.
- **Rule R166** for the construction of a temporary shallow water bore as a **Controlled Activity**.

The relevant rules and conditions under the NRP are assessed in further detail below.

4.2.1 Chapter 5.2 Discharges to Land and Water

Rule R49 provides for the discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing local authority or state highway stormwater network from a new urban subdivision or new urban development associated with earthworks up to a total area of 3,000m² per property per 12 month period. This is not complied with, as 318,400m² of earthworks are proposed.

As such the proposal requires consent under **Rule R50** as a **Restricted Discretionary Activity**.

4.2.2 Chapter 5.3 Land Use

Rule R101 provides for up to 3,000m² of earthworks per property per 12-month period as a Permitted Activity. This is not complied with, as 318,400m² of earthworks are proposed.

Rules R102 and R103 (farm tracks), R104 and R105 (erosion prone land) and Rule R106 (renewable energy generation) are not relevant to the proposal.

As such the proposal requires consent under **Rule R107** as a **Discretionary Activity** which provides for the use of land, and the associated discharge of sediment into water or onto or into land where it may enter water from earthworks.

4.2.3 Chapter 5.4 Wetlands and Beds of Rivers and Lakes

Wetlands

The proposal includes the reclamation of all natural wetlands on the site.

The wetlands on the site are not identified in Schedule A3 (outstanding wetlands), therefore Rules R120 and R121 do not apply.

As such consent is required under **Rule R118** as a **Non-Complying Activity.** Rule R118 includes the following activities in natural wetlands:

> *(a) take, use, damming or diverting water into, within, or from the natural wetland, or the take and use of water within 50m of the natural wetland, and*
>
> *(b) land disturbance including excavation and deposition, and*
>
> *(c) reclamation of a natural wetland,*

Rule R118(a)-(c) prevails over Regulations 38-51 of the NESF, however the NESF regulations apply to damming or diverting water within 100m of the bed of a natural wetland and the take and use within 50-100m of the bed of a natural wetland.

Rule 118 covers any associated disturbance of a river bed, or deposition in a river bed, that forms part of a natural wetland, the diversion of water and the discharge of sediment to water.

Uses of Beds of Lakes and Rivers

<u>Culverts</u>

Two permanent culverts are proposed.

The first culvert, shown on drawing numbers 303 and 330 in **Appendix J**, provides a crossing for the new link road (Road 1) over the Wharemaukū Stream.

The second culvert, shown on drawing numbers 242, 304 and 331 in **Appendix J**, provides a crossing for the Iver Trask Place road extension (Road 2).

As the Wharemaukū Stream is identified within Schedule C of the NRP as a Site with Significant Mana Whenua Values for Te Ātiawa ki Whakarongotai, consent is required under **Rule R129** as a **Restricted Discretionary Activity** for the placement of a river crossing structure, a culvert, new dam, or other structure that that is fixed in, on, under, or over the bed of a river within a site identified in Schedule C (mana whenua).

Rule R129 covers any associated disturbance of or deposition on the river bed, the diversion or damming of water, the discharge of sediment to water and the damming of water outside the bed of a river by a dam structure.

Any culvert must meet the conditions of Rule R126, with the exception of condition (h). It is anticipated that the culverts will be designed to comply with the relevant standards. This will be confirmed at detailed design stage. In addition, all relevant general matters under section 5.4.4 of the NRP for works within the beds of lakes and rivers will be complied with.

Reclamation of the bed or a river or lake

The proposal includes the reclamation and realignment of the Wharemaukū Stream and Watercourse 1 (Highly Modified Stream), and the reclamation of four drains.

As Wharemaukū Stream is identified in Schedule C (mana whenua), consent is required under Rule **R141** as a **Non-Complying Activity** for the reclamation. The reclamation will contribute to flood protection on the site.

Damming or diverting water

The water of the Wharemaukū Stream will be diverted, as will Watercourse 1 (Highly Modified Stream). As meet Rules R122, R125, R126, R127, R128, R130, R131, R134, R137 and R138 and R159 do not apply to these activities, consent is required under **Rule R147** as a **Discretionary Activity**.

The diversion of water will not result in the river flows falling below the minimum flows in Chapter 10.

4.2.4 Chapter 5.5 Water Allocation

Dewatering

The water table at the site is generally below the level of the peat and unsuitable material which is proposed to be removed from the site. As such large scale dewatering is not anticipated.

The conditions under Rule R159 will be met, however it is not yet known how long the dewatering will take. On the assumption that dewatering may continue to occur for longer than one month, consent is sought under **Rule R160** as a **Restricted Discretionary Activity**.

Bores

The construction of a temporary shallow water bore is proposed to contribute towards the water supply required for dust control.

The bore will not be associated with hydrocarbon exploration or production, and will be constructed, operated and/or decommissioned in accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock. As such consent is sought under **Rule R166** as a **Controlled Activity**.

The subsequent decommissioning or sealing of the bore will be carried out in accordance with the permitted activity conditions under Rule R164.

4.3 Plan Change 1 to the Natural Resources Plan

Proposed Plan Change 1 to the Natural Resources Plan was notified on 30 October 2023, with submissions closing on 15 December 2023. The rules within Plan Change 1 (PC1) have immediate effect.

PC1 is largely focused on Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua and includes objectives and policies, rules and other methods to manage activities such as earthworks, stormwater discharges including from new urban development, wastewater discharges, and rural land use to achieve water quality and ecological health objectives within these areas.

Where rule changes apply more broadly, they have been considered, however have not been found to be relevant to the proposal.

4.4 Overall Activity Status

Consent is required under the **NESF** as a **Discretionary Activity** and under the **NRP** as a **Non-Complying Activity**.

5 Assessment of Environmental Effects

The following provides an assessment of the actual and potential effects of the proposal, in accordance with section 88 and the Fourth Schedule to the Act.

The effects of the proposed activity are considered to be:

- Effects on cultural values;
- Ecological effects;
- Earthworks effects;
- Dewatering;
- Core construction and operation;
- Discharge of stormwater from a new urban subdivision; and
- Contribution to the urban environment.

The proposal will also give rise to a number of positive effects which are discussed in relation to the above matters as relevant.

5.1 Effects on Cultural Values

Wharemaukū Stream and the surrounding area is recognised as holding a number of important values for Te Ātiawa ki Whakarongotai as iwi, Puketapu Hapū ki Paraparaumu and Te Whanau a Te Ngārara. The applicant has engaged with each of these groups with the two-fold intentions of NCP gaining a better understanding of iwi, hapu and whanau relationships with the site and wider environs, and to allow Te Ātiawa ki Whakarongotai, Puketapu Hapū ki Paraparaumu and Te Whanau a Te Ngārara to gain an understanding of, and contribute to the outcomes of the development.

A Cultural Impact Assessment has been prepared by George Jenkins, with comment on the development of the site being provided through interviews with members of Te Whanau A Te Ngarara and Puketapu ki Paraparaumu. The CIA concludes as follows:

> *In summary, it is my general recommendation that raising the profile of Tangata Whenua, from the foundation of sharing and understanding culture, will lead to a very positive effect on the strength of this important development, the Town Centre of Paraparaumu. There is great potential to provide significant positive cultural impacts within the proposed development. This will raise the profile of Tangata Whenua and enable closer relationship building within the community. There are very limited current cultural practices able to be performed on this land because it is private land. I think it is hard to dismiss the importance of enabling the development of cultural practices on land you have been denied access to. Through conversation the appropriate respect can be obtained and the relationship is then much more than aesthetic.*

The closing comments of the CIA place importance on continuing to work alongside the applicant.

At the time of lodgement, correspondence has been provided from Te Ātiawa ki Whakarongotai and Puketapu Hapū ki Paraparaumu confirming they are willing to engage further with the applicant on the proposal (**Appendix O**).

As such engagement with all three groups remains on-going, and is anticipated to continue to occur through the consenting process, as well as via the Council's formal circulation of the application to Te Ātiawa ki Whakarongotai for comment. Given this on-going process, it is not yet appropriate to draw conclusions as to the potential effects of the proposal on those values of importance to Te Ātiawa ki Whakarongotai, Puketapu Hapū ki Paraparaumu and Te Whanau a Te Ngārara.

Notwithstanding the above, it is the applicant's intention to carry out cultural health monitoring of the Wharemaukū Stream, employ an accidental discovery protocol and put in place appropriate procedures for the discovery of taonga or sites of significance.

The applicant will continue to engage with Te Ātiawa ki Whakarongotai, Puketapu Hapū ki Paraparaumu and Te Whanau a Te Ngārara on the proposal.

5.2 Ecological Effects

An Assessment of Ecological Effects has been prepared by Bioresearches and is provided as **Appendix E**. This is supported by the Stream and Wetland Loss Offset Report provided as **Appendix M** and the Wetland Hydrology Memorandum provided as **Appendix N**. These documents consider the ecological effects of the bulk earthworks across the entirety of the site, which will result in the permanent, complete loss of all existing freshwater, wetland and terrestrial habitat within the site. They also consider the effects associated with the construction of a new wetland, the realignment and naturalisation of the Wharemaukū Stream and the piping and diversion of Watercourse 1 into an open swale with planted embankments.

The Ecological Assessment has been prepared under the Ecological Impact Assessment Guidelines (EcIAG) produced by the Environment Institute of Australia and New Zealand (EIANZ; Roper-Lindsay et al., 2018) and adapted based on expert opinion. The assessment works through three steps, being:

- Step 1: determining ecological value.
- Step 2: determining the magnitude of effect in the absence of mitigation and/or compensation.
- Step 3: assigning a level of effect of the project on ecological values. The effects management hierarchy is applied through step 3, with avoidance, remediation, mitigation, offsetting, and compensatory measures to address potential effects being considered. An overall level of effect of the proposal on ecological values is then determined.

5.2.1 Freshwater Habitats

Effects on Watercourses and Wetlands

Observations of the watercourses onsite confirmed the presence of the Wharemaukū Stream, Watercourse 1, Drains 1 – 4, and six smaller drains. Wharemaukū Stream is a permanent stream which has been subject to artificial straightening within the site and as such is mapped as a 'highly modified stream' by GWRC. Several overland flow paths are also present in the southern portion of the site. These are naturally meandering, and at the time of the site visit contained no water. The watercourses are shown on **Figure 5**, below.

As set out through the evaluation within the Ecological Assessment, the watercourses are considered to have the following ecological value:

- Wharemaukū Stream - moderate ecological value.
- Watercourse 1 - negligible ecological value at the upper reaches and low ecological value in the lower reaches.
- Drains 1-4 - negligible ecological value.

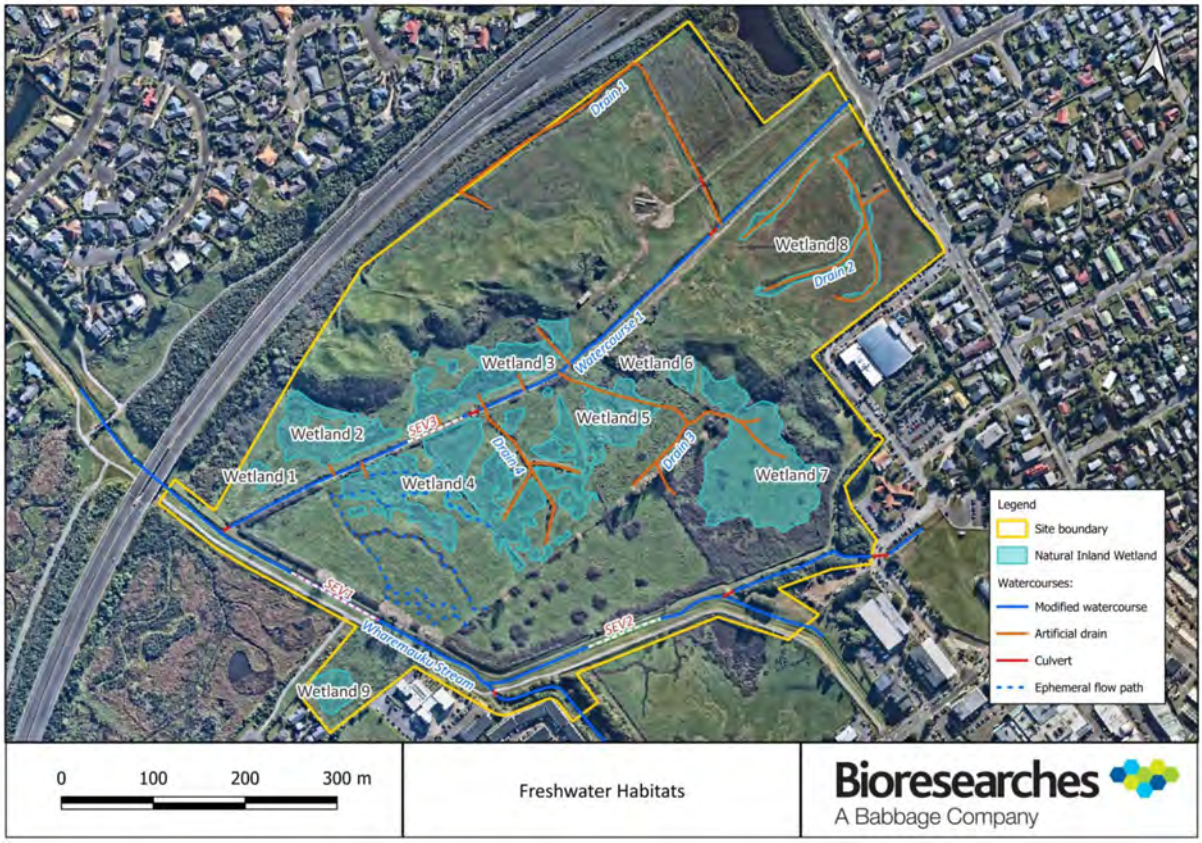

Figure 5: Stream and wetland habitats within the site

In addition, nine wetlands were identified on the site, as shown on **Figure 5**. These are the remnants of two large wetland systems which would have most likely have been separated by the dune system

when it was still intact. Given the historical agricultural use of the site, all wetlands within the site have been cleared of their original vegetation and are classified as 'Exotic Wetlands', being heavily dominated by exotic species, with only localised incidences of native species throughout the site. The wetlands have been subject to grazing and pugging caused by stock, and due to increased nutrient inputs associated with the agricultural use, the wetlands have developed 'swamp-like' characteristics. None of the wetlands have obvious inflows, with the high groundwater table being the likely primary driver for their formation, with localised input from surface runoff and rainfall. None of the wetlands have an effective riparian buffer. The wetlands provide limited opportunities for habitat for native terrestrial fauna, but may provide habitat for some fish species.

As set out through the detailed evaluation within the Ecological Assessment, the wetlands are considered to have the following ecological value:

- Wetlands 1, 6, 8 and 9 - low ecological value.
- Wetlands 2-5 and 7 - moderate ecological value

Prior to the effects management hierarchy being applied, the proposal will result in a high magnitude of effect on the Wharemaukū Stream and Watercourse 1, and a very high magnitude of effect on all drains and wetlands, however the level of effects on the waterbodies ranges from very low to high. The actual and potential ecological effects are considered to be:

- Loss or degradation of freshwater habitats;
- Death and injury to freshwater fauna;
- Sedimentation; and
- Loss of freshwater connectivity.

To manage the above effects, the following measures have been proposed by Bioresearches and in themselves form an intrinsic aspect of the development:

> *It is proposed that the loss of stream and wetland habitat within the site is mitigated and offset with the ecological enhancement, realignment and naturalisation of the Wharemaukū Stream corridor, which would include the creation of up to 5.8 ha of wetland habitat and areas of open water provided by the stream channel. In addition, natural meanders and a naturalised channel for the Wharemaukū Stream would be created, which would lead to the creation of up to 1200m of enhanced stream, with more than 3,000m² of stream bed habitat.*
>
> *The wetlands would merge into a riparian buffer all of which would be planted with native, ecologically appropriate species which would in time grow to recreate naturally occurring habitats within the project area such as kahikatea-pukatea forest, mānuka fen and reedland habitats and wetland carr areas. The wetlands would also be linked to the wetland system south of the site, which would greatly increase the total area of contiguous freshwater habitat present resulting in a significant positive effect on ecological functioning of the wetland and biodiversity well above the actual and potential values of the sites.*

The Ecological Assessment identifies that the ecologically-relevant design aspects and ongoing management measures for the wetland and stream system should be detailed in a site-specific Freshwater Restoration Plan to be prepared by a suitably qualified ecologist. This is proffered as a condition of consent.

Following the realignment and naturalisation of the Wharemaukū Stream, and the construction of the new wetland, a number of positive effects will arise and are described as follows:

> *The provision of varied wetland habitats, with multiple structural tiers, different hydrological units and a complex mosaic of wetland types, all linked to a restored and enhanced stream system will provide for high quality habitats for a variety of native fish, native birds and over time potentially native bats. The wetlands habitats would hydrologically linked to the stream, ensuring sustained hydrology, and aquatic connectivity to adjacent habitats, including the coast, and complex ecosystems able to support threatened and at-risk fauna, including diadromous native fish (Figure 14).*
>
> *In addition, the wetlands currently present within the site are limited in their ability to treat and store water, as their vegetation is compromised by both the large proportion of exotic, wet-adapted pasture species and the historic and current grazing of the site, which has greatly reduced and modified the wetland plant biomass. The creation of native, naturally-representative wetland habitat will likely lead to an improvement in freshwater water quality downstream of the site, as the ability of the created wetlands to store and filter water will improve as the vegetation quality improves, to a point where they provide significant water storage and filtration capacity; most likely surpassing the existing ability of the wetlands currently present on site.*

In addition, the Ecological Assessment identifies that freshwater connectivity through the site will be maintained through the realignment and naturalisation of the Wharemaukū Stream and the diversion of the Watercourse 1. Both the north to south and east to west connections will be maintained, and will allow for improved habitat and connection between the upper Wharemaukū Stream to the coast by providing a 6.6 ha area of diverse protected aquatic and terrestrial habitats.

Freshwater Fauna

In respect of freshwater fauna, the desktop survey completed by Bioresearches determined that there is a high potential for At Risk – Declining species to utilise the reaches of the stream near to the site, as all of the Threatened or At Risk (TAR) fish species recorded within the catchment were recorded upstream of the site, indicating that they at least pass through the Wharemaukū Stream within the site. However they are considered unlikely to make the stream reaches near or within the site their permanent habitat due to a number of factors including poor instream habitat quality.

In order to avoid the potential for death and injury to occur to any fauna that is within the site, a Native Fish Recovery and Relocation Plan is recommended to be prepared and submitted to GWRC for certification. This Plan, which will include methods to capture fish, fishing efforts, relocation sites,

storage and transportation to prevent stress and death/predation is proffered as a condition of consent.

Summary of Freshwater Habitat Effects

Bioresearches considers that following the implementation of the effects management hierarchy the proposal will provide for a positive magnitude of effect on freshwater habitats and that there will be a net gain in ecological values.

5.2.2 Terrestrial Vegetation

Terrestrial vegetation identified onsite can be categorised in to two categories; exotic grassland; and exotic shrubland.

The exotic grassland habitat is identified as having negligible botanical value as it contains no or very low incidences of native plant species and is not representative of a naturally occurring habitat type, and has negligible ecological value.

The exotic scrubland is dominated by either gorse and/or blackberry. As it is not representative of any naturally occurring habitat type it has negligible botanic value. The scrubland could provide nesting habitat for At Risk – Declining pipit and may potentially provide habitat for native skinks however it is highly unlikely to support arboreal lizard species such as geckos. The scrubland could also provide food for native bird species, such as when the blackberry is flowering or fruiting, however birds consuming the blackberry will spread its seeds, contributing to the spread of this pest plant. Based on these factors, the ecological value of the terrestrial vegetation is considered to be low.

While the proposal will see the complete loss of the exotic grassland and exotic scrubland habitats within the site, the Ecological Assessment considers that this will result in a low level of effect.

In addition to the above loss of existing vegetation, the proposal will see approximately 25,000m² of terrestrial riparian planting along the stream and wetland corridor, as well as additional planting on the western dune within Lot 50. Once established these areas of planting will have a greater ecological value than the exotic grassland and exotic scrubland habitat and will more than adequately replace the lost botanical value. The proposed planting will be of far greater ecological value for native fauna, providing improved shelter and an increase in the availability of food resources, as well as a greater amount of nesting habitat for native birds. The proposed pest control will reduce fauna predation, increase breeding success and result in increased recruitment of terrestrial fauna species utilising the habitat. Lastly, the connection of the habitat to the wetlands to the south of the site will greatly increase the overall size of contiguous native habitat within the project area.

The Ecological Assessment considers that these factors will lead to have a positive magnitude of effect, and after being allowed sufficient time to establish, would lead to a net gain in terrestrial ecological value across the site from that which currently exists.

Based on the above, it is considered that the adverse effects in respect of the existing terrestrial vegetation within the site are less than minor, with positive effects arising from the proposed restoration, planting and pest management that will occur as part of the proposal.

5.2.3 Effects on Avifauna

The site is identified as having moderate ecological values in respect of avifauna (birds), based on the following observations:

> *The site is confirmed to provide habitat for Not-Threatened and At Risk-Declining native birds. For some of these species, such as pūkeko this will include habitat for breeding and nesting. Habitat for threatened species within the site is limited, and it is unlikely that these species would use the site for more than temporary visits, although they may more frequently visit adjacent habitats such as the wetlands south of the site.*

The proposed works have the potential to disturb native birds within the site via the loss of habitat and through the potential for injury during habitat clearance. The Ecological Assessment quantifies these effects high.

To manage and reduce the risk of injury and death, a condition is proffered limiting vegetation removal to the period outside of the breeding season, except where informed by a suitably qualified ecologist:

> *Vegetation removal must be undertaken outside the main native bird breeding season (September to January inclusive), except where a suitably qualified ecologist has confirmed that vegetation is clear of any native nesting birds, eggs, or chicks. Should an active nest be found, a 20 m exclusion zone must be demarcated for any Not Threatened species and a 50 m exclusion zone must be demarcated for any Threatened At Risk species. Works must remain outside of this zone until the chicks have fully fledged.*

In respect of habitat loss, the Ecological Assessment considers that the restoration of and around the Wharemaukū Stream, the creation of adjacent wetland habitats and the planting that will occur is considered to adequately replace lost habitat within the site for avian species. As a result the level of effect would be low and no further effects management measures for bird are recommended.

Based on this advice, and with the above proffered condition in place, the effects on avifauna are considered to be less than minor.

5.2.4 Effects on Herpetofauna

The site is identified as having high ecological values in respect of herpetofauna (lizards). While no native lizards were identified on the site during the site visit, it remains possible that species may be present within the site.

As with avifauna, the potential for effects arise through habitat loss and the potential for injury and habitat clearance.

To manage and reduce the risk of injury and death, it is recommended that a lizard survey is undertaken to assess whether a lizard population is present within the site. If a lizard population is confirmed, a Lizard Management Plan (LMP) would be prepared and submitted to the Council.

The LMP would be required to address two main matters:

- That the population of each species of native lizard present on the site must be maintained or enhanced, either on the same site or at an appropriate alternative site; and
- The habitat(s) that lizards are transferred to (either on site or at an alternative site, as the case may be) will support viable native lizard populations for all species present pre-development.

The additional matters and the detail that the LMP must include are set out on page 57 of the Ecological Assessment and are volunteered to form part of the condition.

If these management recommendations are undertaken, they will sufficiently minimise the risk of death or injury to native lizards, and ensure that sufficient habitat is maintained either on site or at a site nearby to support lizards. As a result the level of effect would be low and no further effects management measures for lizards are recommended.

Based on this advice, and with the above proffered condition in place, the effects on herpetofauna are considered to be less than minor.

5.2.5 Effects on Bats

The site is identified as having negligible values in respect of bats due to the highly modified condition of the site, the general lack of mature vegetation, the setting within an urbanised environment and a lack of recordings within 5km of the site.

As such no management or mitigation measures are required in respect of bats and the potential for adverse effects to occur on bats in negligible.

5.2.6 Conclusion

Based on the advice provided by Bioresearches it is considered that the proposal will not result in the loss or unacceptable disturbance to indigenous species and freshwater ecosystems and that over time, it is anticipated that a gain in biodiversity values within the freshwater and wetland habitats will be achieved within the site, thereby resulting in positive environmental effects.

5.3 Earthworks Effects

As shown on the earthworks plans provided in **Appendix J**, bulk earthworks are proposed over a total area of 318,400m². The works will provide for the realignment to a more natural course for the Wharemaukū Stream, create flat building platforms clear of flood levels and with suitable ground conditions, form the roads and facilitate flood storage areas.

The earthworks will be carried out in general accordance with the methodology set out within section 7.0 of the Earthworks and Construction Management Plan (ECMP) in **Appendix L**.

The ECMP divides the earthworks into the initial clearing and establishment works, three stages of bulk earthworks and a post bulk earthworks stage. The duration of the main construction stages is anticipated to be as follows:

- Initial clearing and establishment works: 2-4 weeks
- Bulk earthworks, Stage 1: 1-2 months.
- Bulk earthworks, Stage 2: 4 – 6 months, which will be partially concurrent with the Stage 1 works.
- Bulk earthworks, Stage 3: – 3 months, which will be partially concurrent with Stage 2 works.

The ECMP requests that winter works are allowed for the site, noting that progressing the works during winter will have benefits in terms of the suppression of dust due to likely elevated rainfall. The risks associated with winter earthworks are considered within the ECMP and are considered able to be appropriately mitigated.

Erosion and sediment control measures, including staging the works and progressive stabilisation, have been proposed in line with the main objectives of reducing the rate of erosion and minimising the amount of sediment discharged from bare earth surfaces, while providing practical measures to reduce the total amount of sediment leaving the site. All measures are designed to be in accordance with the performance standards of the *Erosion and Sediment Control Guideline for Land Disturbing Activities in the Wellington Region*, 2021 prepared by GWRC.

In addition to the general erosion and sediment control measures, specific controls are set out within section 10.0 of the ECMP for stream works including controls adjacent to the stormwater channels and stream diversion works.

With the comprehensive measures set out through the ECMP in place, and through the imposition of suitable conditions, the potential for adverse effects to occur on the environment, and in particular on the life-supporting capacity of the Wharemaukū Stream, are considered to be less than minor.

5.4 Dewatering

The water table at the site is generally below the level of the peat and unsuitable material which is proposed to be removed from the site. As such large scale dewatering is not anticipated. However some dewatering will likely be needed although duration, volume and rate of take and discharge cannot yet be confirmed. Instead, best practice guidelines have been used to inform a dewatering methodology provided in section 11.2 of the ECMP and details of monitoring provided in section 11.3 (**Appendix L**). With specific regard to the quality of the discharge and the potential effects on surface waterbodies, the ECMP states:

During the Bulk Earthworks stage, when associated ESCP devices are installed, any dewatering required to be undertaken would typically discharge into the devices provided or into diversion channels or bunds that will ultimately convey the water to a treatment device.

Where there are no suitable sediment devices on site and the water is not meeting clarity requirements, there are a variety of options for dewatering treatment, including settling tanks/ skip bins (refer GWRC Figure 8.9.2.1), dewatering bags (refer GWRC Figure 8.9.2.2) and turkey nests (refer GWRC Figure 8.9.2.3). The selection of these will be done by the contractor to suit the work being undertaken.

ENGEO have identified that the area around TP05, being the area in the eastern extent of the site between Kāpiti Road and the aquatic centre, has the shallowest groundwater, at a depth of 0.5m, and will require the greatest volume of dewatering (**Appendix H**). The area around TP05 is at least 150m from the closest GW mapped bores and wells (5 Larch Grove, 8 Ngahina Street and within the Expressway alignment), noting that these may be redundant or temporary bores for geotechnical testing. Given the separation distances, and the likelihood that the mapped bores and wells are providing on-going water takes, the potential effects on lawfully existing water takes is considered to be less than minor.

Geotechnical input and monitoring will occur across the site throughout the works, including during dewatering, to ensure that any issues that arise, such as land subsidence, are appropriately managed.

The site is not listed on the Greater Wellington Selected Land User Register and has no history of Hazardous or Industrial Activities being undertaken on it. As such there are not considered to be any effects in respect of contamination.

Given the above, and with the implementation of best practice construction methodology on site, the effects of the dewatering are considered to be less than minor.

5.5 Bore Construction and Operation

The construction of a temporary shallow water bore is proposed to contribute towards the water supply required for dust control. The bore will only be used when other sources are not available, with the likely maximum extraction rates from the bore to be in the order of 1L/s.

The location of the proposed bore will be confirmed by the contractor, however will be centrally located on the site to avoid any adverse effects on nearby properties. It is anticipated that the bore will be located approximately 300-500m from any other existing bore.

The bore will be constructed in accordance with NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock and upon completion of the earthworks on the site, will be decommissioned.

The effect associated with the construction, use and decommissioning of the bore are considered to be less than minor.

5.6 Discharge of Stormwater from a New Urban Subdivision

A Stormwater Management Plan (**Appendix G**) has been prepared for the development. The SMP sets out the guiding principles for stormwater management at the site, which are:

- How hydraulic neutrality for the site will be achieved.
- The forms of low impact stormwater devices to be used.
- The management of the existing flood hazard.
- The integration of the development with stormwater management, flood storage and ecological offsetting areas.
- The conceptual design of stormwater conveyance systems.

These guiding principles will be implemented in conjunction with the specific stormwater management performance criteria set out in the KCDC Land Development Minimum Requirements (2022), and seek to align the development with the values and objectives of The Kaitiakitanga Plan for Te Ātiawa Ki Whakarongotai.

The NRP directs that the matters within Policies P83 and P84 should inform the assessment of effects in relation to the discharge of stormwater. These matters are grouped under stormwater treatment and stormwater conveyance design, as discussed below.

5.6.1 Stormwater Treatment

Particular care must be exercised when considering stormwater treatment at the site in order to avoid adverse effects on the life-supporting capacity of the Wharemaukū Stream and the wetland that is to be constructed. To achieve this, two management approaches were considered for the treatment of stormwater on the site; being either centralised treatment or localised treatment devices. The use of localised treatment devices to treat singular catchments, with the treatment of future developed site areas to be the responsibility of the developer of each superlot, has been progressed as the preferred option as:

- Localised treatment allows more detailed consideration of the proposed superlot plans to be incorporated in the design of stormwater treatment devices.
- A centralised device would require stormwater to be conveyed to this prior to discharge to any water courses. This is not feasible due to the large distances across the site, which require piped or channelised networks at low gradients.
- Discharge to the proposed channel without treatment and then diversion of this at a downstream point was considered and discarded as an option as it introduces opportunities for short-circuiting of the treatment system.

Given localised treatment is being progressed, the treatment of each lot will be considered at the time of development, likely through subsequent resource consent applications. While it is anticipated that any future development at the site should be in accordance with the overarching principles of the SMP,

this approach also allows flexibility in design and management options and does not preclude the implementation of new best practice management methods or innovative approaches.

In respect of treatment options for the areas of the site to be vested with KCDC, water sensitive urban design measures have been incorporated including through limiting impervious areas and providing approximately 8ha of the site for stormwater management and ecological enhancement, providing retention via the wetland, the construction of raingardens within the road to vest which will contribute to reducing concentrations of coarse sediments, hydrocarbons and metals from road runoff and stormwater attenuation to mitigate peak stormwater flows from the site to pre-development levels across a wide range of events up to the 1% AEP event. The riparian planting to be carried out alongside the Wharemaukū Stream and new wetland will also provide a buffer between the waterbodies and the superlots, and will provide further filtration of runoff from the development.

5.6.2 Stormwater Conveyance Design

Hydraulic neutrality will be achieved within the development so that the stormwater runoff from all new impermeable surfaces will be disposed of or stored on-site and released at a rate that does not exceed the peak stormwater runoff when compared to the pre-development situation. The methods for achieving this are summarised within section 3.5, above, as well as being set out in full in the SMP (**Appendix G**).

The stormwater conveyance design for the proposal has factored in the existing flood hazard on the site, as well as that which exists both up and downstream of the site. In order to manage the potential effects of inundation and to ensure that flooding is not worsened, the proposal will create an increase of approximately 40,000m³ of flood storage volume (being an increase from 105,000m² to 145,000m³), achieved by lowering ground levels adjacent to the Wharemaukū Stream to increase ponding depths. The realignment of the Wharemaukū Stream will convey all flows from the upper catchment through the site, with the re-aligned stormwater drain to replicate the function of the existing stormwater drain.

It is noted that the levels of the Wharemaukū Stream have been designed through collaboration between the project engineer and project ecologist to ensure that the surrounding constructed wetland receives the appropriate amount of and frequency of inundation. In this respect, the proposal will create a multifunctional landscape which will provide multiple benefits including flood storage and ecological enhancement.

Awa Environmental have prepared a flood hazard assessment for the proposed development (Appendix 4 of the Stormwater Management Plan, within **Appendix G**). The Awa report assesses the current flood risk at the site, the post development flood risk at the site and the effectiveness of the proposed mitigation measures to manage the effects of the development of the site.

Awa concludes that modelling results indicate the proposed development can largely be implemented with less than minor effects on surrounding flood levels and that there will be less than minor impacts on downstream peak flood depths in the 100YR ARI (2130) scenario. To the southeast of the site, the

reduction in downstream tailwater influence had decreased upstream peak water levels by up to 150mm. Any on-site residual flood effects, are expected to be appropriately addressed and mitigated at detailed design stage.

Based on the advice within the SMP and from Awa, it is considered that the stormwater discharges from the development shall be managed so that runoff volumes and peak flow will not increase the risk to human health or safety, or increase the risk of inundation, erosion or damage to property or infrastructure. Furthermore through collaboration between the project engineer and project ecologist, the proposed stormwater system, which includes the new wetland, has been designed in a way that mimics and is sympathetic to natural ecological systems.

5.7 Contribution to the Urban Environment

Under the NESF, when considering works to natural inland wetlands that are for the purpose of urban development, consideration must be given to whether the urban development will contribute to a well-functioning urban environment; and will provide significant national, regional, or district benefits.

The requirement to contribute to a well-functioning urban environment is echoed in the NPSFM, discussed in detail under section 6.2.3, below, which in turn references the NPSUD, also discussed below in section 6.2.1.

77 Kāpiti Road forms part of a wider urban area that is subject to the Metropolitan Centre Zone Structure Plan under the ODP. The purpose of the Structure Plan is to plan for an integrated Metropolitan Centre Zone within the Paraparaumu Sub-Regional Centre, which will provide significant district benefits. More specifically, the focus of the Structure Plan is to guide development to achieve the following benefits to the district:

1. *Retail and commercial areas being located where these activate the following roads/streets:*
    a) *existing State Highway One (Main Road);*
    b) *Rimu Road;*
    c) *the desired connector roads in Precinct A;*
2. *Strengthen the role and function of the existing retail and commercial core (Precinct A) to better provide for the community's retail, social and commercial needs;*
3. *Provide for residential activities to encourage medium density residential development to occur close to the town centre;*
4. *Clustered community facilities (in Precinct B);*
5. *Provide for commercial, limited retail and residential activities (in Precinct C);*
6. *Provide for a large consolidated stormwater management area and if practicable, wetland to provide for ecological and amenity values;*

7. *Recreational opportunities along the Wharemaukū Stream, Drain 3, other stormwater management and wetland areas, and in Precinct B;*
8. *Increased connectivity (the road, cycle and walkway network) throughout the area which does not impede proposed link roads and desired connector roads shown on the Structure Plan; and*
9. *A link road between the Kāpiti Road/Arawhata Road intersection and the Ihakara Street extension that provides a strategic east-west transport and freight connection, alleviates traffic issues on Kāpiti Road, and enables connections to desired connector roads.*

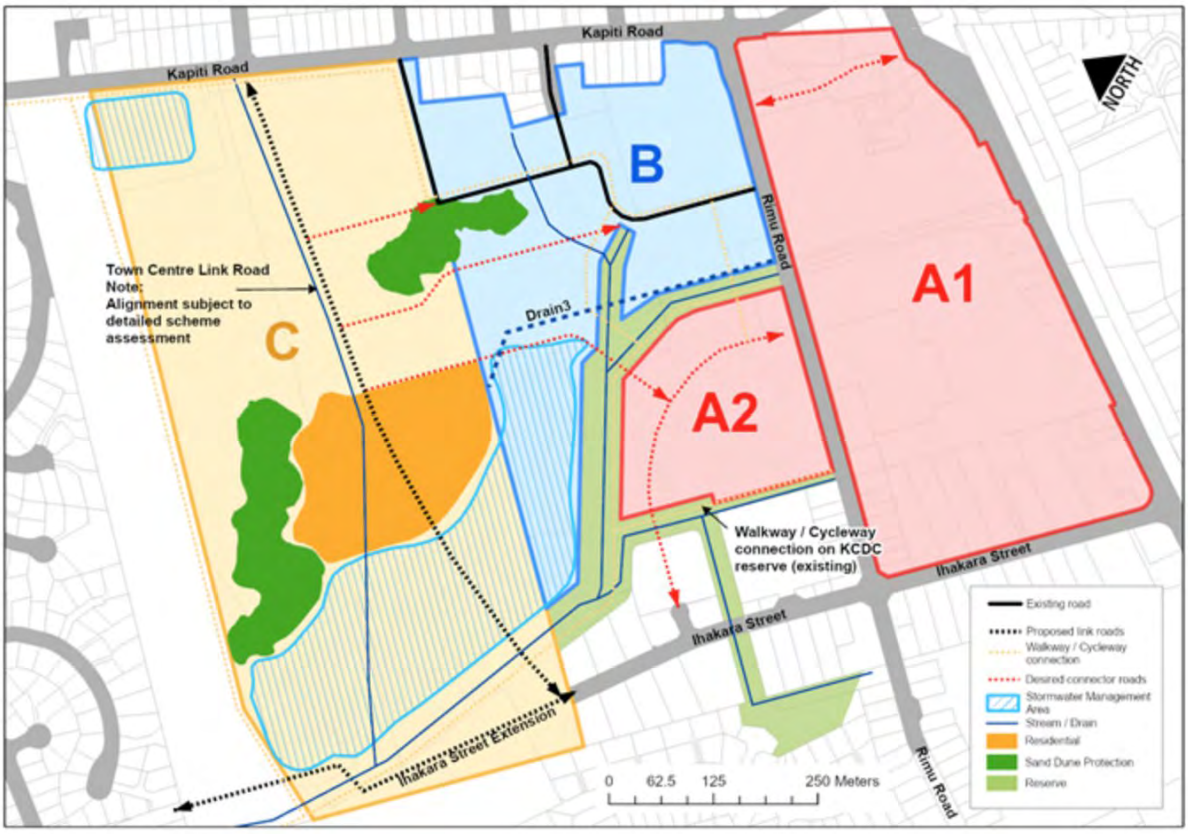

Figure 6: Metropolitan Centre Zone Structure Plan from the Operative Kāpiti Coast District Plan

As shown above, the site is largely located within Precinct C of the Structure Plan. This Precinct is intended to be a commercial precinct, to provide link roads which will increase connectivity through and to the Metropolitan Centre Zone and alleviate pressure on the existing road network, and to provide stormwater management. The proposed development will achieve all of these objectives.

The subsequent successful development of Precincts A and B rely on the link roads and stormwater management provided within Precinct C, which are proposed to be constructed by the applicant, and are facilitated by this resource consent application.

The Structure Plan is an important tool in providing for the Paraparaumu Sub-Regional Centre as the principal commercial, retail, cultural, civic and tourist centre for the Kāpiti Coast District. Further, the development of the site will contribute to the well-functioning urban environment through providing

land for residential use as well as the business sector. The location of the site within the centre of Paraparaumu, as well as the range of land uses that will be facilitated by the proposed development, including residential and commercial uses, open space, reserves and stormwater management, will provide "*good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport*" as sought by Policy 1 of the NPSUD, which requires that planning decisions contribute to well-functioning urban environments.

Turning back to the matter of the works to the natural inland wetlands, the outcomes of the Structure Plan and the significant benefits that will be provided to the district through developing the Precincts in line with the Plan cannot be achieved while avoiding loss to, or works within, the identified natural inland wetlands given the extent to which they extend across the site.

In summary, it is considered that the proposal is for urban development that will contribute to a well-functioning urban environment and provide significant district benefits. There is no practicable alternative location for the proposed activities given the extent to which natural inland wetlands are present across the site, with the alternative to the proposal to be to avoid development, thereby not realising the significant benefits to the district that are sought by the Structure Plan, as well as missing the opportunity for a net gain in the ecological values on the site as identified within section 5.2, above.

As such there is no impediment set out within Regulation 45C to the Council granting consent to the proposed works to natural inland wetlands for the purpose of urban development.

5.8 Consideration of Alternatives

Section 6(1)(a) of Schedule 4 to the RMA states that *if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity*.

Where relevant, alternatives that have been considered through the design stage of the proposal have been identified within the assessment of effects, above, and the reasons why alternatives were discounted have been provided. For example, both centralised and localised treatment devices were considered for stormwater treatment however due to the various discussed constraints the proposal has been progressed with localised devices to be implemented.

In this instance, it has been determined that the proposal will not result in any significant adverse environmental effects, and consequently any further assessment of alternatives is not necessary.

6 Section 104 Assessment

Section 104(1) of the RMA provides that, when considering an application for resource consent, the consent authority must, subject to Part 2 of the RMA, have regard to:

- The actual and potential effects of the activity on the environment;
- Relevant plan and policy statement provisions; and
- Any other matter the consent authority considers relevant and reasonably necessary to determine the application.

This section assesses the proposal against these relevant matters. It also briefly addresses the other potentially relevant factors listed in the remainder of section 104 of the RMA, and concludes with an assessment considering the Purpose and Principles of the Act.

6.1 Section 104(1)(a)

Section 104(1)(a) requires the consent authority to have regard to *any actual and potential effects on the environment of allowing the activity*. An assessment of environmental effects has been provided above in Section 5 of this application.

6.2 Section 104(1)(b)

Section 104(1)(b) requires the consent authority to have regard to any relevant provisions of:

- A national environmental standard;
- Other regulations;
- A national policy statement;
- A New Zealand Coastal Policy Statement;
- An operative or proposed regional policy statement; and
- Relevant operative or proposed plans.

The relevant rules of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, the Greater Wellington Natural Resources Plan and Plan Change 1 to the Natural Resources Plan have been set out within Section 4, above. In addition to these rules, the provisions of the following documents are considered to be relevant under section 104(1)(b):

- The National Policy Statement on Urban Development 2020;
- The National Policy Statement for Indigenous Biodiversity 2023;
- The National Policy Statement for Freshwater Management 2020;
- The Regional Policy Statement for the Wellington Region 2013 (RPS) and Proposed Change 1 to the RPS; and
- The Greater Wellington Natural Resources Plan (NRP) and Plan Change 1 to the NRP.

The following documents were considered but do not apply for the following reasons:

- The New Zealand Coastal Policy Statement is given effect to by the RPS and NRP. As the proposal does not trigger any of the coastal provisions of these documents, no further consideration of the NZCPS is considered necessary.
- The National Policy Statement on Highly Productive Land (NPSHPL) does not apply as the site is not zoned General Rural or Rural Production.
- The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) does not apply as the site is not listed on the Greater Wellington Selected Land User Register and has no history of Hazardous or Industrial Activities being undertaken on it.

6.2.1 The National Policy Statement on Urban Development 2020

The NPSUD directs councils to ensure they provide enough space for their populations to happily live and work. This can be both through allowing development to go "up" by intensifying existing urban areas, and "out" by releasing land in greenfield areas.

The NPSUD applies to all local authorities that have all or part of an urban environment within their district or region, and to planning decisions by any local authority that affect an urban environment.

An urban environment is defined by the NPS-UD as:

> *any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:*
>
> *a) is, or is intended to be, predominantly urban in character; and*
>
> *b) is, or is intended to be, part of a housing and labour market of at least 10,000 people*

The site falls within an urban environment given its zoning as Metropolitan Centre Zone under the ODP, and being part of a housing market of at least 10,000 people.

The NPSUD classifies urban environment on the basis of 'tiers'. Wellington is classified as a Tier 1 urban environment. As a result both GWRC and KCDC are classified as Tier 1 local authorities.

An assessment of the proposal against the relevant provisions of the NPSUD is provided below in **Table 4**.

Of particular relevance to the application is Policy 1 which directs that planning decisions contribute to well-functioning urban environments and Policy 6 which directs that planning decisions that affect urban environments must have regard to the planned urban built form anticipated by those RMA planning documents that have given effect to the NPSUD.

Based on the assessment provided below, the proposal is considered to be consistent with the outcomes sought by the NPSUD.

Table 4: Assessment of the relevant provisions of the NPSUD

Provision	Discussion
Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.	
Objective 2: Planning decisions improve housing affordability by supporting competitive land and development markets.	
Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply: *a) the area is in or near a centre zone or other area with many employment opportunities* *b) the area is well-serviced by existing or planned public transport* *c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.*	
Objective 4: New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.	
Objective 5: Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).	
Objective 6: Local authority decisions on urban development that affect urban environments are: *a) integrated with infrastructure planning and funding decisions; and* *b) strategic over the medium term and long term; and* *c) responsive, particularly in relation to proposals that would supply significant development capacity.*	
Objective 8: New Zealand's urban environments: ***a)*** *support reductions in greenhouse gas emissions; and* ***b)*** *are resilient to the current and future effects of climate change.*	
Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, 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; and* *(ii) enable Māori to express their cultural traditions and norms; and* *b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and* *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; and* *d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*	The proposal will prepare the site for future built development. It is anticipated that this will include both residential areas as well as the provision of aged care housing. Allotments are of a suitable size and have appropriate dimensions to be utilised for a range of activities that are anticipated to be provided in, and to support the vibrancy of the Metropolitan Centre Zone. Connections are provided from the site to the existing civic and town centre, with the proposed roading also contributing to the efficiency of the existing road network through increased and in some instances more direct route options. The site is well located to take advantage of the amenities and services within the Paraparaumu town centre, and will also provide new amenities for example through the provision of areas of public open space and the creation of new walkways. Being in close proximity to these

Provision	Discussion
e) support reductions in greenhouse gas emissions; and *f) are resilient to the likely current and future effects of climate change*	amenities and services will present opportunities for future residential to reduce their reliance on private vehicles. The likely current and future effects of climate change have influenced the design of the proposal. In particular stormwater attenuation is proposed to mitigate peak stormwater flows from the site to pre-development levels across a wide range of events up to the 1% AEP event, which will contribute to resiliency.
Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.	The site is located within the Metropolitan Centre Zone of the ODP, which is described as being a 'working zone' where business activities are the primary activity undertaken. Other activities which are complementary to and support business activities such as cultural, community, civic, recreational, entertainment, education, religious and residential activities are also anticipated. As such the proposal will utilise a site that is zoned for urban development, thereby utilising zoned and feasible development capacity already provided for in the ODP.
Policy 3: In relation to tier 1 urban environments, regional policy statements and district plans enable: *a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and* *b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and* *c) building heights of at least 6 storeys within at least a walkable catchment of the following:* *(i) existing and planned rapid transit stops* *(ii) the edge of city centre zones* *(iii) the edge of metropolitan centre zones; and* *d) within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent),*	Policy 3 largely relates to built form and density. The RPS and ODP enables this site for urban development, through its Metropolitan Centre Zoning and the direction in the RPS to have urban development located in urban areas. The proposal will ready the site to support built development in line with the height and density expectations of the ODP.

Provision	Discussion
building heights and densities of urban form commensurate with the level of commercial activity and community services.	
Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters: *a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement* *b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:* *(i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and* *(ii) are not, of themselves, an adverse effect* *c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)* *d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity* *e) the likely current and future effects of climate change.*	The ODP has recently been through a plan change process to give effect to and incorporate the intensification provisions of the NPSUD. The proposal, which readies the site for future built development, will facilitate the urban built form and provide realisable development capacity as anticipated by the ODP. The amenity values of the site will be changed by the proposal as the land use transitions from a historic rural use to an extension to the Paraparaumu town centre. The eventual built form of the area will largely dictate amenity, however at subdivision stage amenity is provided for through the naturalisation of the Wharemaukū Stream channel and off-set wetlands/planting to be contained within publicly accessible reserves, extensions to the pedestrian walkway network and streetscape design. The likely current and future effects of climate change have influenced the design of the proposal. In particular stormwater attenuation is proposed to mitigate peak stormwater flows from the site to pre-development levels across a wide range of events up to the 1% AEP event, which will contribute to resiliency. The proximity of the site to the amenities and services within the Paraparaumu town centre will present opportunities for future residents to reduce their reliance on private vehicles, thereby contributing to reductions in greenhouse gas emissions.
Policy 10: Tier 1, 2, and 3 local authorities: *a) that share jurisdiction over urban environments work together when implementing this National Policy Statement; and* *b) engage with providers of development infrastructure and additional infrastructure to achieve integrated land use and infrastructure planning; and*	Approval of the proposal will realise the zoned development capacity at the site in accordance with Objective 6. The proposal will achieve integrated land use and infrastructure planning through significant infrastructure upgrades, including: • The construction of the link and connector roads and the Ihakara Street extension as

Provision	Discussion
c) *engage with the development sector to identify significant opportunities for urban development.*	sought by the Metropolitan Centre Zone Structure Plan. The roads have been designed to accommodate cycling and walking and will have opportunities for the future provision of public transport services. • Improved stormwater and flood storage capacity through the creation of drainage reserves. • An extension to the pedestrian walkway network. All proposed services have been designed to accommodate the anticipated future development capacity of each lot.

Note the following provisions of the NPSUD are not discussed, as they are considered irrelevant for the reasons set out below:

- Objective 7 as it relates to the requirement for local authorities to have robust and frequently updated information.
- Policies 4 and 8 are not applicable as they relates specifically to plan changes.
- Policy 5 is not applicable as it applies to a Tier 2 or 3 urban environments. Kāpiti is identified as a Tier 1 urban environment.
- Policy 7 relates specifically to housing bottom lines to be set by local authorities and is not directed at applicants.
- Policy 9 is directed at Council decision making processes including through plan development.
- Policy 11 is specific to car parking, requiring that tier 1-3 local authorities do not set minimum car parking rates in their District Plans.

6.2.2 The National Policy Statement for Indigenous Biodiversity 2023

The NPSIB provides direction to councils to protect, maintain and restore indigenous biodiversity in the terrestrial environment, requiring at least no further reduction nationally.

The NPSIB also extends to:

- Geothermal ecosystems, whether or not they are in the terrestrial environment (but excluding any within the coastal marine area);
- Specified highly mobile fauna;
- Natural inland wetlands in respect of promoting restoration and increasing indigenous vegetation cover and well as when a natural inland wetland is within an SNA; and
- The coastal marine area and water bodies in some instances.

Much like the NPSFM, discussed below, the NPSIB prioritises the mauri and intrinsic value of indigenous biodiversity. The NPSIB:

…recognises that the health and wellbeing of people and communities are dependent on the health and wellbeing of indigenous biodiversity and that in return people have a responsibility to care for and nurture it. It acknowledges the web of interconnectedness between indigenous species, ecosystems, the wider environment, and the community, at both a physical and metaphysical level.

An assessment of the proposal against the relevant provisions of the NPSIB is provided below in **Table 5**. The following provisions are not discussed:

- Policy 5 is directed at the management of indigenous biodiversity across administrative boundaries.
- Policies 6 and 7 relate to SNA's and are not relevant to the site.
- Policy 9 relates to established activities, whereas the proposal involves changing the way in which the site is used.
- Policy 11 and Policy 12 respectively relate to geothermal SNA's and plantation forestry.
- Policy 15 relates to specified highly mobile fauna and Policy 16 relates to regional biodiversity strategies. At present no specified highly mobile fauna have been identified an no regional biodiversity strategies have been prepared.

Based on the assessment provided below, the proposal is considered to be consistent with the outcomes sought by the NPSIB.

Table 5: Assessment of the relevant provisions of the NPSUD

Provision	Discussion
The objective of this National Policy Statement is: *(a) to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and* *(b) to achieve this:* *(i) through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and* *(ii) by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and* *(iii) by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and* *(iv) while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.*	
Policy 1: Indigenous biodiversity is managed in a way that gives effect to the decision-making principles and takes into account the principles of the Treaty of Waitangi.	Through the framework provided by the higher order planning documents, the RPS, the NRP and the ODP, the proposal takes into account the principles of the Treaty of Waitangi.
Policy 2: Tangata whenua exercise kaitiakitanga for indigenous biodiversity in their rohe, including through:	Policy 2 is not directly relevant to the proposal as relates to the way in which local authorities must involve tangata whenua (to the extent they wish to be involved) in decision-making, and in making or changing objectives, policies, or methods to give effect to the NPSIB. To fulfil this requirement it is anticipated

Provision	Discussion
(a) managing indigenous biodiversity on their land; and *(b) identifying and protecting indigenous species, populations and ecosystems that are taonga; and* *(c) actively participating in other decision-making about indigenous biodiversity.*	that as part of the standard consent process the Council will circulate the application to Te Ātiawa ki Whakarongotai. In addition NCP is committed to working alongside Te Ātiawa ki Whakarongotai, Puketapu Hapū ki Paraparaumu and Te Whanau a Te Ngārara in progressing the development and continues to work alongside them in this respect.
Policy 3: A precautionary approach is adopted when considering adverse effects on indigenous biodiversity.	There is nothing in the Assessment of Ecological Effects prepared by Bioresearches to indicate that the effects of the proposal on indigenous biodiversity will be uncertain, unknown, or little understood. As such a precautionary approach is not required to be taken.
Policy 4: Indigenous biodiversity is managed to promote resilience to the effects of climate change.	The Bioresearches report identifies that wetlands 1, 6, 8 and 9 within the site lack connectivity to any other water bodies. The proposal will see freshwater connectivity strengthened through the newly created contiguous wetland being hydrologically linked to the stream. This connection will increase the resilience of both the Wharemaukū Stream and the wetland, as well as provide aquatic connectivity to adjacent habitats, including the coast, and complex ecosystems able to support threatened and at-risk fauna, including diadromous native fish. Such connections are important in climate resilience as they contribute to enabling migrations so that species can continue to find viable niches as the climate changes.
Policy 8: The importance of maintaining indigenous biodiversity outside SNAs is recognised and provided for.	Section 3.16 of the NPSIB states that: *If a new subdivision, use, or development is outside an SNA and not on specified Māori land, any significant adverse effects of the new subdivision, use, or development on indigenous biodiversity outside the SNA must be managed by applying the effects management hierarchy.* The Bioresearches reports (**Appendix E, M and N**) sets out how the effects on the wetlands have been appropriately addressed through the effects management hierarchy. Following the effects management hierarchy being fully implemented, Bioresearches has evaluated the level of effect on each identified freshwater and wetland habitat to be a net gain. As such the proposal appropriately recognises and provides for indigenous biodiversity in line with Policy 8.
Policy 10: Activities that contribute to New Zealand's social, economic, cultural, and environmental wellbeing are recognised and provided for as set	As discussed above, the net gain in respect of indigenous biodiversity on the site will contribute to New Zealand's environmental wellbeing.

Provision	Discussion
out in this National Policy Statement.	In terms of social, economic, and cultural wellbeing, the NPSIB directs that the matters set out under section 3.5, as follows, must be considered: *a) that the protection, maintenance, and restoration of indigenous biodiversity contributes to the social, economic, and cultural wellbeing of people and communities; and* *b) that the protection, maintenance, and restoration of indigenous biodiversity does not preclude subdivision, use and development in appropriate places and forms; and* *c) the exercise of kaitiakitanga by tangata whenua in protecting, maintaining, and restoring indigenous biodiversity within their rohe; and* *d) the importance of forming partnerships in protecting, maintaining, and restoring indigenous biodiversity; and* *e) the role of people and communities, particularly landowners, as stewards of indigenous biodiversity; and* *f) the value of supporting people and communities in understanding, connecting to, and enjoying indigenous biodiversity.* In respect of (b), the land is zoned Metropolitan Centre Zone by the ODP and as such is identified for urban development. This urban zoning indicates that the site is appropriate for the proposed subdivision, use and future development. As the current landowner, NCP recognises that there are opportunities to improve indigenous biodiversity on the site, and that these improvements can be protected in perpetuity. As part of their responsibilities as the landowner, NCP is committed to working alongside Te Ātiawa ki Whakarongotai, Puketapu Hapū ki Paraparaumu and Te Whanau a Te Ngārara in progressing the development. Through forming these partnerships, as well as through the Council's existing relationship with Te Ātiawa ki Whakarongotai through the consenting process, kaitiakitanga can begin to be exercised. Points (c), (d) and (e) are considered to be met. Through contributing to New Zealand's environmental wellbeing and through achieving those matters in points (b)-(f), the proposal will provide for the overall social, economic, and cultural wellbeing of people and communities as required by point (a).
Policy 13: Restoration of indigenous biodiversity is promoted and provided for.	Section 3.21 outlines guidance around restoration, including through the reconstruction of areas.

Provision	Discussion
	As outlined in the Bioresearches report (**Appendix E**), the existing biodiversity values on the site are generally low with on-site constraints, such as no inbound watercourses to the wetlands and a lack of connectivity between the wetlands themselves and with Wharemaukū Stream, limiting opportunities for meaningful restoration. This is further limited when seeking to implement the outcome sought by the Structure Plan that has been prepared by the Council for the site. The proposed restoration and reconstruction, which includes the naturalisation of the channelised Wharemaukū Stream and the creation of wetlands around the stream, will achieve a net gain in biodiversity values.
Policy 14: Increased indigenous vegetation cover is promoted in both urban and nonurban environments.	There is limited indigenous vegetation on the site. As such the proposal will increase the indigenous vegetation quantity and quality on the site, with protection of the newly vegetated areas through the vesting of Lots 200 and 201 with the Council.
Policy 17: There is improved information and regular monitoring of indigenous biodiversity.	Monitoring of the naturalised Wharemaukū Stream and the newly created wetlands will be undertaken and is expected to be formalised through conditions of consent.

6.2.3 The National Policy Statement for Freshwater Management 2020

The NPSFM (as amended February 2023) applies to all freshwater (including groundwater) and, to the extent they are affected by freshwater, to receiving environments which may include estuaries and the wider coastal marine area. It is underpinned by the fundamental concept of Te Mana o te Wai, which is described as:

> *a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.*

The NPSFM, which contains one objective and 15 policies, is guided by the hierarchy of obligations within Te Mana o te Wai as follows:

- *First, the health and well-being of water bodies and freshwater ecosystems*
- *Second, the health needs of people (such as drinking water)*
- *Third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.*

Based on the assessment provided below, the proposal is considered to be consistent with the outcomes sought by the NPSFM.

Table 6: Assessment of the relevant provisions of the NPSFM

Provision	Discussion
Objective 1: The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises: *(a) first, the health and well-being of water bodies and freshwater ecosystems* *(b) second, the health needs of people (such as drinking water)* *(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.*	
Policy 1: Freshwater is managed in a way that gives effect to Te Mana o te Wai.	The NPS-FM specifies that Policy 1 is given effect to by Regional Councils through engagement with communities and tangata whenua to determine how Te Mana o te Wai applies to water bodies and freshwater ecosystems in the region. Policy 1 is therefore not directly applicable to the proposal. Notwithstanding the above, NCP continues to work with Te Ātiawa ki Whakarongotai in respect of the proposal and specifically in respect of the outcomes sought for the freshwater environment.
Policy 2: Tangata whenua are actively involved in freshwater management (including decision making processes), and Māori freshwater values are identified and provided for.	Policy 2 is not directly relevant to the proposal as relates to the way in which local authorities must involve tangata whenua (to the extent they wish to be involved) in decision-making. To fulfil this requirement it is anticipated that as part of the standard consent process the Council will circulate the application to Te Ātiawa ki Whakarongotai. In addition NCP is committed to working alongside Te Ātiawa ki Whakarongotai to understand the values they hold for the freshwater environment on and around the site, and how these can be provided for through the application. NCP continues to work alongside Te Ātiawa ki Whakarongotai in this respect.
Policy 3: Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.	The SMP (**Appendix G**) has been prepared taking into account the characteristics and extent of the Wharemaukū Catchment. The proposal is consistent with this policy as it has been designed and planned in an integrated manner, recognising potential impacts of the proposal on water quality in the receiving environment and implementing appropriate techniques to avoid and minimise such impacts. These include a range of management techniques relating to the control of erosion and sediment discharges from earthworks in order to maintain freshwater quality and the use of localised water sensitive urban design measures to manage stormwater quality and discharge rates from the site.
Policy 4: Freshwater is managed as part of New Zealand's integrated response to climate change.	The proposed stormwater network solution for the site has been designed with allowance for climate change predictions in accordance with the KCDC Land Development Minimum Requirements (2022). Provided rainfall events do not occur beyond the predicated maximums, the proposed stormwater infrastructure is expected to effectively manage rainfall events

Provision	Discussion
	as they become more frequent and more intense, thereby avoiding potential effects on freshwater.
Policy 5: Freshwater is managed (including through a National Objectives Framework) to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.	This policy is not considered to be directly relevant to the proposal as it sets a requirement on regional council's to identify, manage and monitor Freshwater Management Units (FMUs), including setting out action plans where degradation is detected. Notwithstanding that the policy is not directly applicable, Bioresearches (**Appendix E**) has evaluated the on-site freshwater habitats, specifically the Wharemaukū Stream and 'Watercourse 1', and the wetland habitats as currently having negligible, low or moderate ecological values. This is in large part due to the highly modified nature of the watercourses and the historical use of the site for pasture and grazing. While the proposal will see the loss of existing stream and wetland habitat, this will be offset through ecological enhancement via the realignment and naturalisation of the Wharemaukū Stream corridor, including the creation of up to 5.8ha of contiguous wetland habitat and areas of open water provided by the stream channel. These works will provide for a net gain in the health and well-being of the Wharemaukū Stream in particular. In respect of the wetlands, while the existing wetlands will be permanently lost, the creation of new contiguous wetlands to be held within a reserve will avoid the gradual decline and degradation that could otherwise occur should the site be left undeveloped and continue to be used for grazing. Ongoing management measures for the wetland and stream system will be detailed in a site-specific Freshwater Restoration Plan to be prepared by a suitably qualified ecologist, thereby ensuring that the health and well-being of these habitats is maintained.
Policy 6: There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.	Nine natural inland wetlands have been identified on the site by Bioresearches and have been evaluated as having low or moderate ecological values (**Appendix E**). The proposed works will involve bulk earthworks across the entirety of the site, resulting in the complete and permanent loss of the wetlands. As described above, the loss of the existing wetlands will be offset through the creation of a contiguous wetland of 5.6ha to be held within reserves. The offset has been designed in accordance with the offsetting principle of adherence to the effects management hierarchy, as is described through the Bioresearches reports in **Appendix E** and **Appendix M**. The reports conclude that as the overall level of effect of the

Provision	Discussion
	proposed activities after the effects management hierarchy has been fully implemented on each of the relevant species or habitats is low or a net gain, further mitigation measures are not required. While Policy 6 directs that there should be no further loss of natural inland wetlands, the NPSFM does set out various exceptions where loss is acceptable, including where the regional council is satisfied that the following matters detailed in section 3.22(1)(c) are met: *i. the activity is necessary for the purpose of urban development that contributes to a well-functioning urban environment (as defined in the National Policy Statement on Urban Development); and* *ii. the urban development will provide significant national, regional or district benefits; and* *iii. the activity occurs on land identified for urban development in operative provisions of a regional or district plan; and* *iv. the activity does not occur on land that is zoned in a district plan as general rural, rural production, or rural lifestyle; and* *v. there is either no practicable alternative location for the activity within the area of the development, or every other practicable location in the area of the development would have equal or greater adverse effects on a natural inland wetland; and* *vi. the effects of the activity will be managed through applying the effects management hierarchy; …* The proposal fulfils these criteria as follows: i. The ODP sets out specific outcomes for the site through the Metropolitan Centre Zone Structure Plan. The Structure Plan is an important tool in providing for the Paraparaumu Sub-Regional Centre as the principal commercial, retail, cultural, civic and tourist centre for the District as set out by Objective DO-O16 of the ODP. Further, Policy MCZ-P1 of the ODP recognises the Metropolitan Centre Zone for its importance as the core of the Paraparaumu Sub-Regional Centre. Avoiding loss to the wetlands, which extend across the southern portion of the site, would be prohibitive to achieving the outcomes of the Structure Plan and therefore the functioning of the Paraparaumu Sub-Regional Centre. This is discussed in greater detail above under section 5.7. ii. The development will provide significant benefits to the functioning of the Paraparaumu Sub-Regional Centre.

Provision	Discussion
	This will be achieved through fulfilling or contributing to the nine key focus areas of the Structure Plan. The focus areas include strategic transport and freight connections to alleviate existing traffic issues, the enabling of connections to desired connector roads, recreational opportunities along the Wharemaukū Stream, consolidated stormwater management, wetlands to provide for ecological and amenity values, residential development close to the town centre and vibrant retail and commercial areas that provide for the community's retail, social and commercial needs. iii. The land is zoned Metropolitan Centre Zone by the ODP and as such is identified for urban development. iv. The land does not have a general rural, rural production, or rural lifestyle zoning under the ODP. v. The outcomes sought by the Structure Plan, including the construction of the Town Centre Link Road, cannot be achieved while avoiding all identified areas of wetland. vi. The Bioresearches reports (**Appendix E, M and N**) sets out how the effects on the wetlands have been appropriately addressed through the effects management hierarchy. Given the above criteria are fulfilled, the loss of wetlands at this site is acceptable. Further, once the offset wetlands are constructed, their values will be protected into the future thereby achieving the outcomes sought by Policy 6.
Policy 7: The loss of river extent and values is avoided to the extent practicable.	As discussed under Policy 5, above, the proposal will include the realignment and naturalisation of the Wharemaukū Stream corridor. This will provide for a net gain in the health and well-being of the Wharemaukū Stream, thereby contributing to the ecological values of the waterbody. Ongoing management measures for the stream system will be detailed in a site-specific Freshwater Restoration Plan to be prepared by a suitably qualified ecologist. It is recognised that the Wharemaukū Stream has significant value for Te Ātiawa ki Whakarongotai, and for this reason NCP has committed to working with Te Ātiawa ki Whakarongotai in respect of the proposal and specifically in respect of the outcomes sought for the freshwater environment. A CIA is yet to be prepared to formally express and address these values. These measures will provide consistency with Policy 7.
Policy 8: The significant values of outstanding water bodies are protected.	Outstanding water bodies within the Wellington region are listed in Schedule A of the Natural Resources Plan. These waterbodies are not on or within close proximity to the subject site.

Provision	Discussion
Policy 9: The habitats of indigenous freshwater species are protected.	Drawing on the Bioresearches report (**Appendix E**), the proposed works will result in the total loss of Watercourse 1, all drains and all wetlands within the site. The loss of stream and wetland habitat is proposed to be mitigated and offset via the ecological enhancement, realignment and naturalisation of the Wharemaukū Stream corridor and the creation of up to 5.8ha of wetland. In addition, mitigation will be provided through native fish recovery and relocations, the removal of culverts and partial fish barriers within the site and the removal of pest plants. The ecologically-relevant design aspects and ongoing management measures for the stream system and the wetland are to be detailed in a site-specific Freshwater Restoration Plan to be prepared by a suitably qualified ecologist. With the parameters recommended for and by the Freshwater Restoration Plan put in place, Bioresearches considers the outcome of the offset works will be: *The provision of varied wetland habitats, with multiple structural tiers, different hydrological units and a complex mosaic of wetland types, all linked to a restored and enhanced stream system will provide for high quality habitats for a variety of native fish, native birds and over time potentially native bats. The wetlands habitats would hydrologically linked to the stream, ensuring sustained hydrology, and aquatic connectivity to adjacent habitats, including the coast, and complex ecosystems able to support threatened and at-risk fauna, including diadromous native fish.* Following the effects management hierarchy being fully implemented, Bioresearches has evaluated the level of effect on each identified freshwater and wetland habitat to be a net gain. In addition effects on freshwater habitats have the potential to arise from sediment in discharge of water as well as via dust. To prevent this occurring, an Earthworks Construction Management Plan (**Appendix L**) has been prepared by Envelope with the input of various parties including Bioresearches. The report concludes that with the implementation of the various recommendations and the appropriate management of sediment, the proposal would not result in the loss or unacceptable disturbance to indigenous species and ecosystems and that over time, it is anticipated that a gain in biodiversity values within the freshwater and wetland habitats could be achieved within the site.

Provision	Discussion
	The proposal is therefore considered to be consistent with Policy 9.
Policy 10: The habitat of trout and salmon is protected, insofar as this is consistent with Policy 9.	The site is not identified as providing habitat for trout or salmon.
Policy 11: Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.	The proposal does not relate to water allocation.
Policy 12: The national target (as set out in Appendix 3) for water quality improvement is achieved.	Policy 12 is not applicable to the proposal as it refers to the water quality of specified rivers and lakes, none of which are within or in close proximity to the site.
Policy 13: The condition of water bodies and freshwater ecosystems is systematically monitored over time, and action is taken where freshwater is degraded, and to reverse deteriorating trends.	This policy is not directly applicable to the proposal as the requirements of the policy are directed at the regional council. However, a site-specific regime is proposed through the monitoring of the stream offset areas and the monitoring of the wetland and riparian planting areas, as volunteered through conditions of consent.
Policy 14: Information (including monitoring data) about the state of water bodies and freshwater ecosystems, and the challenges to their health and well-being, is regularly reported on and published.	Any requirement to monitor environmental outcomes on the site, would be secured by conditions of consent, and such monitoring data would be provided to the Council(s). Such an outcome is consistent with and would support this policy.
Policy 15: Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement	As set out through the application, the proposal will provide for the social, economic, and cultural wellbeing of the surrounding community by facilitating the zoned development capacity of the site and providing significant benefits to the functioning of the Paraparaumu Sub-Regional Centre. These benefits are provided while satisfying the hierarchy of obligations in Te Mana o te Wai, specifically through improvements to the health and well-being of water bodies and freshwater ecosystems on the site.

6.2.4 Regional Policy Statement for the Wellington Region 2013 and Change 1

The Regional Policy Statement for the Wellington Region (RPS) sets out the framework and priorities for resource management in the Wellington region. The RPS was made operative on 24 April 2013.

On 19 August 2022 Change 1 to the RPS was notified. Change 1 incorporates recently released national direction including:

- Giving effect to the NPSUD by enabling urban development and infrastructure in appropriate locations. Encouraging more intensive urban development that is sensitive to the environment and meets the needs of more people.
- Developing objectives with mana whenua to give effect to the NPSFM, including the concept of Te Mana o Te Wai.
- Responding to the climate emergency through provisions to reduce emissions, by recognising the role that natural ecosystems play and by reducing the impacts of climate change.
- Strengthening the existing provisions for indigenous ecosystems to maintain and restore ecosystem processes and biodiversity generally, not just significant biodiversity.

The RPS must give effect to the various national policy statements, and in turn regional plans and district plans must give effect to the RPS. The RPS therefore provides broad direction and a framework for resource management within the Wellington region.

The most relevant Objectives and Policies of the RPS to the proposal are in relation to freshwater, indigenous ecosystems, natural hazards, regional form, design and function and resource management with tāngata whenua.

For the reasons outlined below it is considered that the proposal accords with the general strategic direction of the RPS as well as Change 1 to the RPS.

Freshwater, Objective 12 and Policies 14, 15, 40 and 41; Objective 13 and Policies 18, 19 and 43

Objective 12, and its associated policies are concerned with safeguarding the life supporting capacity of water bodies, including through the minimisation of contamination of stormwater and by minimising the effects of earthworks. This will largely be achieved through the stormwater measures proposed for the site and the ECMP.

Objective 13 is concerned with ensuring that the region's rivers, lakes and wetlands support healthy functioning ecosystems. Policies 18 and 43 seek to protect the aquatic ecological function of water bodies with Policy 19 also reflecting the amenity and recreational values of waterbodies.

The proposal will create a new wetland that is hydrologically linked to the Wharemaukū Stream, which is to be naturalised from its current channelised form. In-stream habitat will be improved and riparian habitat will be planted. While the proposal will see the existing wetland on the site lost, this will enable hydrological variation, as supported by Policy 18(g), to be provided in an area contiguous with the Wharemaukū Stream, rather that separate from it. Through the proposal the indigenous ecosystems and habitats on the site will be improved, as will amenity and recreational opportunities through the creation of a reserve around the Stream and wetland to be vested with the Council, thereby ensuring public access.

Change 1 to the RPS seeks changes to the freshwater provisions to give effect to the NPSFM. Given the proposal has been assessed as being consistent with the outcomes sought by the NPSFM, it is also considered to align with the proposed amendments to the RPS.

Indigenous Ecosystems, Objective 16 and Policy 47.

Objective 16 and Policy 47 relate to maintaining indigenous ecosystems and habitats with significant biodiversity values. The proposal will construct a new wetland habitat that will provide a net gain when compared to the existing wetland on the site. The new wetland will be created around the Wharemaukū Stream, which is proposed to be naturalised from its current channelised form, again contributing to and improving the quality of the ecosystems and habitats on the site.

Change 1 to the RPS seeks changes to the indigenous ecosystem provisions based on the content of the draft NPSIB. Since Change 1 was notified the NPSIB has come into effect. Given the proposal has been assessed as being consistent with the outcomes sought by the NPSIB, it is also considered to align with the proposed amendments to the RPS.

Natural Hazards, Objective 19 and Policies 29 and 30; Objective 20 and Policy 52; and Objective 21 and Policies 29, 51 and 52

Objective 19, 20 and 21, and the associated policies, seek to manage the risk of natural hazards, ensure hazard mitigation works do not increase the risk and consequences of natural hazard events, and to make communities more resilient to natural hazards including climate change.

The site is subject to various flood hazards, as is the wider surrounding area. As set out through section 6.8 the proposal will mitigate the on-site hazards through various stormwater management methods, which will also provide benefits in respect of the wider area. The ground level of the lots anticipated for future built development will be raised to provide flood free building platforms.

It is noted that minor changes to the wording of Objective 19 are proposed via Change 1 to the RPS. The proposal will remain consistent with the intent of the proposed amendments.

Regional Form, Design and Function, Objective 22 and Policies 54, 55, 57 and 58; Objective 22A and Policies 31 and 55

The Regional Form, Design and Function objectives and policies seek to achieve a compact, well designed and sustainable regional form that provides a range of land suitable for different uses, achieves good urban design outcomes and integrates land use and transportation. It also seeks that sufficient development capacity is provided.

The proposal is to develop a Metropolitan Centre zoned site that is located centrally within Paraparaumu. The development is consistent with the Structure Plan for the site which outlines desired future land uses and transportation links. It will provide superlots which are suitable for higher density and mixed sue development.

Resource Management with Tāngata Whenua, Objective 24 and Policy 48; and Objectives 25, 26 and 28 and Policy 49

The Resource Management with Tāngata Whenua objectives and policies seek to improve the involvement of tangata whenua in resource management decision making, to prevent the loss of mauri and to limit the degradation and destruction of places of value to tangata whenua.

NCP is committed to working alongside Te Ātiawa ki Whakarongotai, Puketapu Hapū ki Paraparaumu and Te Whanau a Te Ngārara in progressing the proposal and specifically in respect of the outcomes sought for the freshwater environment and their relationship with the Wharemaukū Stream.

Climate Change (Change 1) Objectives CC.1, CC.6 and Policies CC.4, CC.14 and 57

The Climate Change objectives and policies introduced through Change 1 to the RPS take a two pronged approach to climate change, seeking to reduce emissions as well as to take action to increase the resilience of communities and the natural and built environment to the impacts of climate change.

The proposal supports the reduction of emissions by preparing superlots for future built development in close proximity to the town centre (including the rail/bus interchange), thereby reducing reliance on private vehicles to access amenities and services.

The proposal also manages the impacts of climate change by increasing flood storage capacity on the site and building up the ground level so that each lot to be developed has a flood free building platform, which takes into account the potential future impacts of climate change.

6.2.5 Greater Wellington Natural Resources Plan and Proposed Plan Change 1

The assessment against the objectives and policies of the NRP is provided in **Table 7**, below.

While Plan Change 1 to the NRP alters some of the provisions that are relevant to the proposal, the proposed changes relate to how the Objectives and Policies are applied within Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua. As the site is not within either of these Whaitua, the changes to the NRP proposed by Plan Change 1 do not alter the assessment or consideration of the Objectives and Policies for the proposal. Therefore Plan Change 1 is not discussed further within the assessment below.

As discussed within **Table 7**, the proposal is overwhelmingly considered to be supported by, consistent with, or in a few cases, not inconsistent with the relevant Objectives and Policies. Based on a fair appraisal of the Objectives and Policies when read as a whole, the proposal is not considered to be contrary to the provisions of the NRP.

Table 7: Assessment of the Objectives and Policies of the NRP

Provision	Discussion
Ki uta ki tai: mountains to the sea	
Objective O1 *Air, land, fresh water bodies and the coastal marine area are managed as integrated and connected resources; ki uta ki tai – mountains to the sea.*	The Proposal will provide a more natural connection along Wharemaukū Stream than the currently highly modified channel. The new wetlands to be created around the realigned and naturalised Stream provide a better integrated and more connected ecosystem, as well as stormwater management. The Proposal is supported by this objective.
Objective O2 *The importance and contribution of air, land, water and ecosystems to the social, economic and cultural well-being and health of people and the community are recognised in the management of those resources.*	The Proposal recognises the importance of ecosystems, and will result in an enhanced Stream, Wetland, and Stormwater ecosystem, compared to the current position. The Proposal is supported by this objective.
Objective O3 *Mauri particularly the mauri of fresh and coastal waters is sustained and, where it has been depleted, natural resources and processes are enhanced to replenish mauri.*	Mauri is not defined in the NPS-FM. It is a te ao Māori concept that speaks both to the life energy that flows through all things and the interconnectedness of all things. Through a commitment to continued engagement with Te Ātiawa ki Whakarongotai, Puketapu Hapū ki Paraparaumu and Te Whanau a Te Ngārara, it is considered that the proposal will be supported by this objective.
Objective O4 *The intrinsic values of fresh water and marine ecosystems are recognised and the life supporting capacity of air, water, soil and ecosystems is safeguarded.*	The Proposal recognises the intrinsic values of fresh water ecosystems, and safeguards the life supporting capacity of the fresh water ecosystem on the site through the relocation, naturalisation, and enhancement of the Wharemaukū Stream, together with the enhancement of replacement wetlands around the Stream. The proposal is supported by this objective.
Policy P1: Ki uta ki tai and integrated catchment management *Air, land, fresh water bodies and the coastal marine area will be managed recognising ki uta ki tai by using the principles of integrated catchment* *management. These principles include:* *(a) decision-making using the catchment as the spatial unit, and*	It is noted that (based on MfE guidance) that *Ki uta ki tai* is the recognition and management of the interconnectedness of the whole environment, from the mountains, springs and lakes, down the rivers to hāpua (lagoons), groundwater, wahapū (estuaries) and to the sea. The principles of integrated catchment management have been recognised through the technical assessments, and proposed approach to the Proposal. For example the flood

(b) applying an adaptive management approach to take into account the dynamic nature and processes of catchments, and *(c) coordinated management, with decisions based on best available information and improvements in technology and science, and* *(d) taking into account the connected nature of resources and natural processes within a catchment, and* *(e) recognising links between environmental, social, cultural and economic sustainability of the catchment.*	protection works have been designed taking into account the characteristics and extent of the Wharemaukū Catchment and the ecological assessment has identified and considered species that have been recorded in the catchment. In respect of adaptive management, the Proposal incorporates ongoing management and enhancement plan requirements, to ensure that the Wharemaukū Stream and wetlands continue to thrive and perform their intended functions as part of the wider ecological and stormwater ecosystems. The assessments also take into account the connected nature of processes within the catchment, for example by designing the wetland to act as flood storage, with the stormwater levels into the wetland calculated to maintain the health of the new habitats. The proposal recognises and provides for the links between environmental, social, cultural and economic values – the social and economic benefits will not be realised without ensuring that the environmental and cultural values are met. The Proposal is supported by this policy.
Policy P3: Precautionary approach *Use and development shall be managed with a precautionary approach where there is limited information regarding the effects and any adverse effects are potentially significant.*	There is nothing within the various specialist reports to indicate that the effects of the proposal will be uncertain, unknown, or little understood. As such a precautionary approach is not required to be taken. This Policy is therefore not relevant to the Proposal.
Beneficial use and development	
Objective O6 *The social, economic, cultural and environmental benefits of taking and using water are recognised, when managing water.*	The proposal will result in an improved ecological environment, as well as a well functioning urban environment.
Objective O7 *The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and where appropriate for recreational purposes, is enhanced.*	The Wharemaukū Stream environment will be enhanced, including from a recreational perspective. While the current wetlands will be lost, they will be remediated onsite, around the realigned and naturalised Wharemaukū Stream, resulting in a

	better functioning wetland and stormwater ecosystem. On this basis, the Proposal is supported by this Objective.
Objective O8 *Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced, other than in exceptional circumstances, in which case alternative access is provided where practicable.*	Public access to and along the Wharemaukū Stream will be enhanced alongside the realigned stream corridor and through the new wetland. The area around the stream and wetland will be vested in Council as a drainage reserve, thereby providing for and formalising public access. The Proposal is supported by this Objective.
Policy P6: Uses of land and water *The cultural, social and economic benefits of using land and water for:* *(a) treatment, dilution and disposal of wastewater and stormwater, and* *(b) industrial processes and commercial uses associated with the potable water supply network, and* *(c) community and domestic water supply, and* *(d) food production and harvesting (including aquaculture), and* *(e) gravel extraction from rivers for flood protection and control purposes, and* *(f) irrigation and stock water, and* *(g) firefighting (emergency or training purposes), and* *(h) contact recreation and Māori customary use, and* *(i) transportation, including along, across, and access to, water bodies, and* *(j) enabling urban development where it maintains the quality of the natural environment, and* *(k) waste management facilities* *shall be recognised.*	The Proposal: (a) Improves the storage and treatment of stormwater; (b) Will enable commercial uses to efficiently utilise available potable water supply; (c) Does not involve a community or domestic water supply, food production or harvesting, gravel extraction, irrigation, or stock water; (d) Will be appropriately serviced by firefighting services; (e) Does not involve contact recreation or Māori customary use; (f) Will better facilitate transportation across the site as an important strategic connection; (g) Will enable urban development where the overall quality of the natural Stream, Wetland, and Stormwater environment will be improved after the onsite remediation proposed; (h) Does not involve waste management facilities. On this basis, the proposal is supported by this policy.
Policy P7: Beneficial activities *The following activities are recognised as beneficial and generally appropriate:* *(a) activities for the purpose of restoring natural character, aquatic ecosystem health, mahinga kai, outstanding water bodies, sites with significant mana whenua values, and sites with significant indigenous biodiversity values, and*	The following beneficial activities will be provided through the proposal: a) on site remediation while be achieved via the ecological enhancement, realignment and naturalisation of the Wharemaukū Stream corridor and the creation of up to 5.6ha of wetland. The provision of varied wetland habitats, with multiple structural tiers, different

(b) activities that restore natural features such as beaches, dunes or wetlands that can buffer development from natural hazards, and *(c) day-lighting of piped streams, and* *(d) removal of aquatic weeds, and pest plants and animal pests, and* *(e) the establishment of river crossings (culverts and bridges) or fences and fence structures that will result in the exclusion of regular livestock access from a water body, and* *(f) the retirement, fencing and planting and management of riparian margins, and* *(g) the retirement of erosion prone land from livestock access, and* *(h) maintenance, and use and upgrade of existing structures in the coastal marine area, natural wetlands and the beds of rivers and lakes (noting that Policy P33 will apply with respect to fish passage), and* *(i) removal of dangerous or derelict structures in the coastal marine area, natural wetlands and beds of lakes and rivers, and* *(j) structures necessary to provide for monitoring resource use or the state of the environment in the coastal marine area, natural wetlands and beds of lakes and rivers, and* *(k) activities necessary to maintain safe navigation, and* *(l) artworks that support and enhance public open space.*	hydrological units and a complex mosaic of wetland types, all linked to a restored and enhanced stream system will provide for high quality habitats for a variety of native fish, native birds and over time potentially native bats. This is in contrast to the quality of the existing on-site freshwater habitats, specifically the Wharemaukū Stream, 'Watercourse 1' (being the main drain that runs across the site parallel with the Expressway), and the wetland habitats which have been identified as having negligible, low or moderate ecological values. As such the remediation, and subsequent improvements to habitat quality, will be beneficial in terms of restoring and enhancing natural character and aquatic ecosystem health, will contribute to the suitability of the Wharemaukū Stream for mahinga kai and, subject to confirmation in the CIA, is anticipated to support the values raised within the CIA if relevant. b) the Wharemaukū Stream, which was channelised sometime prior to the 1950's, will be realigned and naturalised. The wetland to be created around the Stream will provide a natural buffer to the watercourse, being beneficial in terms of ecological values as well as providing flood storage capacity that will reduce the effects of natural hazards within the site and the surrounding area. d) the proposal will include the removal of aquatic weeds and pest plants from the site. A Pest Management Plan will be implemented for the created wetland area. e) livestock will no longer be held on the site. f) planting will occur around the Wharemaukū Stream by way of the creation of the wetland. Each of the above activities is integral to the overall proposal, with the proposal as a whole being necessary to realise these benefits. Given these benefits, the Proposal is supported by this Policy.
Policy P8: Public access to and along the coastal marine area and the beds of lakes and rivers	Public access to and along the Wharemaukū Stream will be maintained and enhanced

Maintain and enhance the extent or quality of public access to and along the coastal marine area and the beds of lakes and rivers except where it is necessary to: *(a) protect the values of estuaries, sites with significant mana whenua values identified in Schedule C (mana whenua), sites with significant historic heritage value identified in Schedule E (historic heritage) and sites with significant indigenous biodiversity value identified in Schedule F (indigenous biodiversity), or* *(b) protect public health and safety, or protect Wellington International Airport and Commercial Port Area security, or* *(c) provide for a temporary activity such as construction, a recreation or cultural event or stock movement, and where the temporary restrictions shall be for no longer than reasonably necessary before access is fully reinstated, and with respect to (a) and (b), where it is necessary to permanently restrict or remove existing public access, the loss of public access shall be mitigated or offset by providing enhanced public access at a similar or nearby location to the extent reasonably practicable.*	alongside the realigned stream corridor and through the new wetland. The area around the stream and wetland will be vested in Council as a drainage reserve, thereby providing for and formalising public access for perpetuity. Excluding public access is not considered necessary to protect the values of the Wharemaukū Stream which have seen it being included within Schedule C (mana whenua) and Schedule F (indigenous biodiversity). The Proposal is supported by this Policy.
Policy P9: Contact recreation and Māori customary use *Use and development shall avoid, remedy or mitigate any adverse effects on contact recreation and Māori customary use in fresh and coastal water, including by:* *(a) providing water quality and, in rivers, flows suitable for contact recreation and Māori customary use, and* *(b) managing activities to maintain or enhance contact recreation values in the beds of lakes and rivers, including by retaining existing swimming holes and maintaining access to existing contact recreation locations, and* *(c) encouraging improved access to suitable swimming and surfing locations, and* *(d) providing for the passive recreation and amenity values of fresh water bodies and the coastal marine area.*	The proposal will contribute to the water quality within the Wharemaukū Stream, making it more suitable for contact recreation and Māori customary use. The Proposal is supported by this Policy.
Māori relationships	
Objective O12 *The relationships of Māori and their culture and traditions with their ancestral lands, water, sites,*	The proposal: (a) Will contribute to the enhancement of, and public access to, the Wharemaukū Stream, including for Māori;

waahi tapu, and other taonga are recognised and provided for, including: *(a) maintaining and improving opportunities for Māori customary use of the coastal marine area, rivers, lakes and their margins and natural wetlands, and* *(b) maintaining and improving the availability of mahinga kai species, in terms of quantity, quality and diversity, to support Māori customary harvest, and* *(c) providing for the relationship of mana whenua with Ngā Taonga Nui a Kiwa, including by maintaining or improving Ngā Taonga Nui a Kiwa so that the huanga identified in Schedule B are provided for, and* *(d) protecting sites with significant mana whenua values from use and development that will adversely affect their values and restoring those sites to a state where their characteristics and qualities sustain the identified values.*	(b) Will improve the quality of the Wharemaukū Stream habitat, improving the ecosystem for mahinga kai species; (c) Noting that Schedule B provides in particular that: *The Wharemaukū has high potential for restoration. It has been significantly impacted by development in the surrounding area. Management of the Wharemaukū in recent years has compromised its natural character, particularly of its bed. Increased sedimentation and reduction in the diversity of habitat types in the Wharemaukū have impacted fish communities.* *However some species of significance, such as the piharau (lamprey) are still found in the Wharemaukū, making it a priority for restoration.* (d) While the Proposal will enable urban use of the land, an integral part of the Proposal is the restoration of the Wharemaukū Stream and wetlands around it. On a provisional basis, the Proposal is considered supported by this Objective.
Objective O13 *Kaitiakitanga is recognised and mana whenua actively participate in planning and decision-making in relation to the use, development and protection of natural and physical resources.*	The applicant is continuing to engage with Te Ātiawa ki Whakarongotai, Puketapu Hapū ki Paraparaumu and Te Whanau a Te Ngārara as kaitiaki.
Policy P18: Mauri *The mauri of fresh and coastal waters shall be recognised as being important to Māori and is sustained and enhanced, including by:* *(a) managing the individual and cumulative adverse effects of activities that may impact on mauri in the manner set out in the rest of the Plan, and* *(b) providing for those activities that sustain and enhance mauri, and* *(c) recognising and providing for the role of kaitiaki in sustaining mauri.*	It is noted that mauri is not defined in the NPS-FM. It is a te ao Māori concept that speaks both to the life energy that flows through all things and the interconnectedness of all things. The NRP defines mauri as: *An energy or life force that mana whenua consider exists in all things in the natural world, including people. Mauri binds and animates all things in the physical world. Without mauri, mana cannot flow into a person or object.* While the applicant cannot speak directly to mauri, it does note that the Proposal will improve the ecological and ecosystem

	environment of the Wharemaukū Stream and restored wetlands around it in particular, which is anticipated to impact positively on mauri. Further, NCP is committed to continuing to engage with Te Ātiawa ki Whakarongotai, Puketapu Hapū ki Paraparaumu and Te Whanau a Te Ngārara as kaitiaki. The Proposal, on this basis, is provisionally considered to be supported by this Policy.
Policy P19: Mana whenua relationships with Ngā Taonga Nui a Kiwa *The relationships between mana whenua and Ngā Huanga o Ngā Taonga Nui a Kiwa identified in Schedule B (Ngā Taonga Nui a Kiwa) will be recognised and provided for by:* *(a) having particular regard to the values and Ngā Taonga Nui a Kiwa huanga identified in Schedule B (Ngā Taonga Nui a Kiwa) when applying for, and making decisions on resource consent applications, and developing Whaitua Implementation Programmes, and* *(b) informing iwi authorities of relevant resource consents relating to Ngā Taonga Nui a Kiwa, and* *(c) recognising the relevant iwi authority/ies as an affected party under RMA s95E where activities risk having a minor or more than minor adverse effect on Ngā Huanga o Ngā Taonga Nui a Kiwa or on the significant values of a Schedule C site which is located downstream, and* *(d) working with mana whenua, landowners, and other interested parties as appropriate, to develop and implement restoration initiatives within Ngā Taonga Nui a Kiwa, and* *(e) the Wellington Regional Council and iwi authorities implementing* *kaupapa Māori monitoring of Ngā Taonga Nui a Kiwa.*	The application has had particular regard to the values and Ngā Taonga Nui a Kiwa huanga identified in Schedule B (Ngā Taonga Nui a Kiwa), including that: *The Wharemaukū has high potential for restoration. It has been significantly impacted by development in the surrounding area. Management of the Wharemaukū in recent years has compromised its natural character, particularly of its bed. Increased sedimentation and reduction in the diversity of habitat types in the Wharemaukū have impacted fish communities.* *However some species of significance, such as the piharau (lamprey) are still found in the Wharemaukū, making it a priority for restoration.* The Proposal will improve the ecological and ecosystem environment of the Wharemaukū Stream and restored wetlands around it in particular, which is anticipated to impact positively on those identified values. The applicant has proactively informed the relevant iwi authority/ies of the application, is engaging proactively with them, and is committed to working with them in respect of the ongoing restoration and enhancement of the Wharemaukū Stream and restored wetlands. The Proposal, on this basis, is provisionally considered to be supported by these Policies.
Policy P20: Māori values *The cultural relationship of Māori with air, land and water shall be recognised and the adverse effects on this relationship and their values shall be minimised.*	
Policy P21: Exercise of kaitiakitanga *Kaitiakitanga shall be recognised and provided for by involving mana whenua in the assessment*	The applicant is seeking to recognise and provide for kaitiakitanga by its involvement of mana whenua in the assessment and decision-making

and decision-making processes associated with use and development of natural and physical resources including; *(a) managing activities in sites with significant mana whenua values listed in Schedule C (mana whenua) in accordance with tikanga and Kaupapa Māori as exercised by mana whenua, and* *(b) the identification and inclusion of mana whenua attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2, and* *(c) identification of mana whenua values and attributes and their application through tikanga and kaupapa Māori in the maintenance and enhancement of mana whenua relationships with Ngā Taonga Nui a Kiwa*	process relating to its Proposal, including through: (a) Noting that Schedule C identifies the following in respect of the Wharemaukū Stream as follows: *Schedule C2: Sites of significance to Te Ātiawa ki Whakarongotai* *Wharemaukū Stream - mahinga kai, kānga wai, pātaka kai* And those values being defined as: *mahinga kai - The customary gathering of food and natural materials, the food and resources themselves and the places where those resources are gathered.* *Kānga wai Fermented corn* *Pātaka kai Pantry, food storage* And that proposal may enhance those values through its improvement of the ecological and ecosystem environment of the Wharemaukū Stream and restored wetlands around it in particular (b) While Method M2 is focused on GWRC working with mana whenua, the applicant is committed to including mana whenua involvement in its ongoing restoration and management plans; (c) The application also continues to be committed to the further identification of mana whenua values and their application through tikanga and Kaupapa Māori. The Proposal, on this basis, is provisionally considered to be supported by this Policy.
Natural character, form and function	
Objective O14 *The natural character of the coastal marine area, natural wetlands, and rivers, lakes and their margins is preserved and protected from inappropriate use and development.*	The natural character of the Wharemaukū Stream and its surrounding environs will be improved as a result of the proposal. The Proposal is supported by this objective.

Policy P24: Preserving and protecting natural character from inappropriate use and development *To preserve natural character and protect it from inappropriate use and* *development by:* *(a) avoiding adverse effects of activities on the natural character of areas within the coastal environment that have outstanding natural character, and* *(b) avoiding significant adverse effects and avoid remedy and mitigate other adverse effects of activities on the natural character of areas within the coastal environment that do not have outstanding natural character, and* *(c) outside the coastal environment, avoiding and, where avoidance is not practicable, remedying or mitigating adverse effects of activities on the natural character of wetlands, rivers, lakes and their margins that have outstanding natural character, provided that the outstanding natural character of the area taken as a whole is retained, and* *(d) outside the coastal environment, avoiding and, where avoidance is not practicable, remedying or mitigating significant adverse effects of activities on the natural character of wetlands, rivers, lakes and their margins that have high natural character, provided that the high natural character of the area taken as a whole is retained, and* *(e) outside the coastal environment, avoiding, remedying or mitigating other adverse effects of activities on the natural character of wetlands, rivers, lakes and their margins that are not addressed under (c) or (d) of Policy P24.*	The site is not identified as being of outstanding/high natural character and contains no identified outstanding natural features and landscapes. As such only (b) remains relevant, which seeks to avoid significant adverse effects and avoid remedy and mitigate other adverse effects on natural character within the coastal environment. The site is located within the Coastal Environment overlay of the ODP and contains remnant sand dunes. However the site is also well removed from the actual coastline and is located centrally within an established urban area. It has historically been used as a farm, with the natural features on the site having been modified to support this use, for example by clearing the site of all mature indigenous forest since at least 1951 (being the date of the earliest available historic imagery of the site), converting the ground cover to pasture for grazing and realigning and straightening the Wharemaukū Stream. The dune system on the site has been bisected by Watercourse 1, with a large, man-made cut to the dune faces in this location indicating Watercourse 1 is artificial. Given the historical use of the site, its present day context immediately between the Paraparaumu Town Centre and the Kāpiti Expressway, and the distance from the coastline, natural character on site is limited. However, aspects of natural character can and will be maintained on the site through the modification of the western dune form and subsequent landscape planting, the naturalisation of the Wharemaukū Stream and the creation of a wetland around the stream. The preservation of these aspects of natural character are balanced against and provided for in conjunction with the urban context and anticipated zoned uses of the site, which are not considered to be inappropriate use or development. Accordingly, the Proposal is consistent with the Policy.
Natural Hazards	

Objective O15 *The hazard risk and residual hazard risk, from natural hazards and adverse effects of climate change, on people, the community, the environment and infrastructure are acceptable.* ***Objective O16*** *Inappropriate use and development in high hazard areas is avoided.*	The proposal provides for natural hazards, including the protection of land identified for urban development from flood hazard. Accordingly, the Proposal is consistent with these Objectives.
Policy P25: High hazard areas *Use and development, including hazard mitigation methods, in on or over high hazard areas shall be managed to ensure that:* *(a) they have a functional need or operational requirement or there is no practicable alternative to be so located, and* *(b) an overall increase in risk of social, environmental and economic harm is avoided, and* *(c) the hazard risk and/or residual hazard risk to the development, assessed using a risk-based approach, is acceptable or as low as reasonably practicable, recognising that in some instances an increase in risk to the development may be appropriate, and* *(d) the development does not cause or exacerbate hazard risk in other areas, and unless effects are avoided, remedied or mitigated in accordance with a hazard risk management strategy, and* *(e) adverse effects on natural processes (coastal, riverine and lake processes) are avoided, remedied, or mitigated, and* *(f) natural cycles of erosion and accretion and the potential for natural features to fluctuate in position over time, including movements due to climate change and sea level rise over at least the next 100 years, are taken into account.*	There are extensive mapped flood hazards across the site. The proposed flood protection works set out through the Stormwater Management Plan (**Appendix G**) are therefore instrumental in the development of the site. The works have been modelled by Awa, who have taken into account the 100YR ARI (2130) scenario. Based on the advice from Awa the proposal will suitably manage the flood hazard such that the potential risk to the health and safety of people and property both within the site and within the surrounding area is not increased. Flood free building sites will be provided on all lots that are to be further developed, and hydraulic neutrality will be required to be achieved at the time each lot is developed. Residual flood effects, including minor depth increases in peak water levels to the south-east of the site and minor ponding within the site itself are expected to be appropriately addressed and mitigated at detailed design stage. Advice from Bioresearches has fed into the SMP and informed the preliminary design levels for the wetland bathymetry. The design levels of the wetland and the flow levels of the Wharemaukū Stream will ensure sufficient water to sustain the proposed vegetation without drying out or becoming too wet, and to therefore sustain the natural processes that will occur within the wetlands over time. Accordingly, the Proposal is consistent with these Policies.
Policy P26: Diversion of flood waters in a floodplain *The diversion of flood waters from any river or lake resulting from earthworks or the erection, placement or extension of a structure within stopbanks or through the creation of new stopbanks shall be managed to ensure:* *(a) any increase in hazard risk or residual hazard risk in other areas as a result of the diversion is avoided or mitigated, and* *(b) any adverse effects on natural processes are avoided, remedied, or mitigated, and*	

(c) natural cycles of erosion and accretion and the potential for natural features to fluctuate in position over time, including movements due to climate change over at least the next 100 years, are taken into account.	
Policy P28: Effects of climate change *Particular regard shall be given to the potential for climate change* *(a) to threaten biodiversity, aquatic ecosystem health and mahinga kai, or* *(b) to cause or exacerbate natural hazard events over at least the next 100 years that could adversely affect use and development including as a result of:* *(c) coastal erosion and inundation (storm surge), and* *(d) river and lake flooding and erosion, aggradation, decreased minimum flows, and* *(e) stormwater ponding and impeded drainage, and* *(f) relative sea level rise, using reliable scientific data for the Wellington region.*	As outlined above, the 100YR ARI (2130) scenario has been modelled by Awa in their assessment of the flood hazard. Accordingly, the Proposal is consistent with this Policy.
Policy P29: Natural buffers *Provide for the restoration or enhancement of natural features such as beaches, dunes or wetlands that buffer development from natural hazards and ensure the adverse effects of use and development on them are avoided, remedied, or mitigated.*	The creation of a wetland around the realigned Wharemaukū Stream will increase flood storage volume within the site and will provide a buffer to the surrounding allotments where built development is anticipated. Accordingly, the Proposal is consistent with this Policy.
Water Quality and Biodiversity, aquatic ecosystem health and mahinga kai	
Objective O17 *The quality of groundwater, water in surface water bodies, and the coastal marine area is maintained or improved.*	The proposal provides for an improved aquatic environment. Accordingly, the Proposal is consistent with this Objective.
Objective O18 *Rivers, lakes, natural wetlands and coastal water are suitable for contact recreation and Māori customary use, including by:* *(a) maintaining water quality, or* *(b) improving water quality in:* *(i) significant contact recreation fresh water bodies and sites with significant mana whenua values identified in Schedule C and Ngā Taonga Nui a Kiwa identified in Schedule B to meet, as a minimum and within reasonable timeframes, the*	The proposal provides for an improved aquatic environment. Accordingly, the Proposal is consistent with this Objective.

primary contact recreation objectives in Table 3.1, and *(ii) coastal water and sites with significant mana whenua values identified in Schedule C and Ngā Taonga Nui a Kiwa identified in Schedule B to meet, as a minimum and within reasonable timeframes, the contact recreation objectives in Table 3.3, and* *(iii) all other rivers and lakes and natural wetlands to meet, as a minimum and within reasonable timeframes, the secondary contact recreation objectives in Table 3.2.*	
Objective O19 *Biodiversity, aquatic ecosystem health and mahinga kai in fresh water bodies and the coastal marine area are safeguarded such that:* *(a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain biodiversity aquatic ecosystem health and mahinga kai, and* *(b) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is meaningfully improved so that the objective is met within a reasonable timeframe, and* *(c) restoration of aquatic ecosystem health and mahinga kai is encouraged.* *Note* *For the purposes of this objective 'a reasonable timeframe' is a date for the applicable water body or coastal marine area inserted into this Plan through* *the plan change/s required by the RMA to implement the NPS-FM 2020, or 2050 if no other date is specified by 31 December 2026.* *(c) restoration of aquatic ecosystem health and mahinga kai is encouraged.*	The proposal provides for an improved aquatic environment. Accordingly, the Proposal is consistent with this Objective.
Objective O21 *Vegetated riparian margins are established, maintained or restored to enhance water quality, aquatic ecosystem health, mahinga kai and indigenous biodiversity of rivers, lakes, natural wetlands and the coastal marine area.*	The Wharemaukū Stream and its restored wetland margins will continue to be maintained and enhanced into the future. Accordingly, the Proposal is consistent with this Objective.
Objective O22 *The extent of natural wetlands is maintained or increased, their values are protected, and their condition is restored. Where the values relate to biodiversity, aquatic ecosystem health and mahinga kai, restoration is*	While some low ecological value existing inland natural wetlands will be lost, the proposal results in an overall better wetland environment on the site, with the extent of wetlands remaining on site being greater than the existing extent, and the condition improved.

to a healthy functioning state as defined by Table 3.7.	Accordingly, while existing (lower value) wetland is to be lost, the Proposal is considered consistent with the intent of this Policy.
Objective O23 *The passage of fish and kōura is maintained, or is improved, by instream structures, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages or their habitats.*	Fish passage will be provided for in the proposal. The Proposal is consistent with this Objective.
Policy P30: Biodiversity, aquatic ecosystem health and mahinga kai *Manage the adverse effects of use and development on biodiversity, aquatic ecosystem health and mahinga kai to:* *Hydrology* *(a) maintain or where practicable restore natural flow characteristics and hydrodynamic processes and the natural pattern and range of water level fluctuations in rivers, lakes and natural wetlands, and* *Water quality* *(b) maintain or improve water quality including to assist with achieving the objectives in Tables 3.4, 3.5, 3.6, 3.7 and 3.8 of Objective O19, and* *Aquatic habitat diversity and quality* *(c) maintain or where practicable restore aquatic habitat diversity and quality, including:* *(i) the form, frequency and pattern of pools, runs, and riffles in rivers, and* *(ii) the natural form of rivers, lakes, natural wetlands and the coastal marine area, and* *(d) where practicable restore the connections between fragmented aquatic habitats, and* *Critical habitat for indigenous aquatic species and indigenous birds* *(e) maintain or where practicable restore habitats that are important to the life cycle and survival of indigenous aquatic species and the habitats of indigenous birds in the coastal marine area, natural wetlands and the beds of lakes and rivers and their margins that are used for breeding, roosting, feeding, and migration, and* *Critical life cycle periods* *(f) avoid, minimise or remedy adverse effects on aquatic species at times which will most affect the breeding, spawning, and dispersal or migration of those species, including timing the*	The realignment and naturalisation of the Wharemaukū Stream corridor and the creation of a contiguous wetland habitat will contribute towards restoring the natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations within the Stream. The provision of varied wetland habitats, with multiple structural tiers, different hydrological units and a complex mosaic of wetland types, all linked to a restored and enhanced stream system will provide for high quality habitats for a variety of native fish, native birds and over time potentially native bats. The wetland habitats will be hydrologically linked to the stream, ensuring sustained hydrology, and aquatic connectivity to adjacent habitats, including the coast, and complex ecosystems able to support threatened and at-risk fauna, including diadromous native fish. The creation of the native, naturally-representative wetland habitat will likely lead to an improvement in freshwater water quality downstream of the site, as the ability of the created wetland to store and filter water will improve as the vegetation quality improves, to a point where it provides significant water storage and filtration capacity; most likely surpassing the existing ability of the wetlands currently present on site. Ongoing weed and pest animal management measures will be employed at the site. Through the above measures the proposal will contribute to a more natural hydrology of the

activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more significant, and *Riparian habitats* *(g) maintain or where practicable restore riparian habitats, and* *Pests* *(h) avoid the introduction, and restrict the spread, of aquatic pest plants and animals.*	water bodies onsite, improve water quality, improve the quality and variety of on-site habitats and contribute to pest management, consistent with the outcomes sought by Policy P30. Accordingly, the Proposal is considered supported by this Policy.
Policy P31: Adverse effects on biodiversity, aquatic ecosystem health, and mahinga kai *Adverse effects on biodiversity, aquatic ecosystem health and mahinga kai shall be managed by:* *(a) in the first instance, activities that risk causing adverse effects on the values of a Schedule F ecosystem or habitat, other than activities carried out in accordance with a wetland restoration management plan, shall avoid these ecosystems and habitats. If the ecosystem or habitat cannot be avoided, the adverse effects of activities shall be managed by (b) to (g) below.* *(b) avoiding adverse effects where practicable, and* *(c) where adverse effects cannot be avoided, minimising them where practicable, and* *(d) where adverse effects cannot be minimised, they are remedied, except as provided for in (a) to (g), and* *(e) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible, and* *(f) if biodiversity offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided, and* *(g) the activity itself is avoided if biodiversity compensation cannot be undertaken in a way that is appropriate as set out in Schedule G3, including Clause 2 of that Schedule.* *In relation to activities within the beds of lakes, rivers and natural wetlands, (e) to (g) only apply to activities which meet the exceptions in Policy P110.* *A precautionary approach shall be used when assessing the potential for adverse effects on*	The Wharemaukū Stream and all tributaries are included within Schedule F1 as threatened/at risk fish species and migratory indigenous fish species have been recorded in the catchment. The proposed works, which include providing stormwater management, identified road connections, and increased business and residential land in line with the expectations of the Metropolitan Centre Zone Structure Plan of the ODP, cannot avoid adverse effects on the Wharemaukū Stream or the wetlands. To address this, the effects management hierarchy, as set out through Policy P31 has been employed. In this instance it is appropriate to employ the effects management hierarchy as the proposal meets the exceptions in Policy P110 as outlined later in this table All potential adverse effects on the Wharemaukū Stream, and as a result of remediating the wetlands, can be addressed via (c)-(d). Considered in a realistic and holistic way, the effects are remedied and positive, and as such there is no need for biodiversity offsetting beyond the site, or biodiversity compensation to be provided. On this basis, the proposal is consistent with this policy.

ecosystems and habitats with significant indigenous biodiversity values identified in Schedule F.	
Policy P32: Fish passage *The construction or creation of new barriers impeding the efficient and safe passage of fish and kōura species at all their life stages shall be avoided, except where this is required for the protection of indigenous fish and koura populations.*	Fish passage will be provided for by the proposal. The proposal is consistent with these policies.
Policy P33: Restoring fish passage *Remediation to provide for the efficient and safe passage of indigenous fish and kōura is promoted, and regard shall be had to requiring this when extending, altering or reconstructing instream structures, where this is appropriate for the management and protection of indigenous fish and kōura populations.*	
Policy P34: Values of wetlands *Activities in and adjacent to natural wetlands shall be managed to maintain and, where appropriate, restore their condition and their values including:* *(a) as habitat for indigenous flora and fauna, and* *(b) for their significance to mana whenua, and* *(c) for their role in the hydrological cycle including flood protection, and* *(d) for nutrient attenuation and sediment trapping, and* *(e) as a fisheries resource, and* *(f) for recreation, and* *(g) for education and scientific research.*	The discussions under Policy P110, Policy P7 'Beneficial activities' and Policy P30 'Biodiversity, aquatic ecosystem health and mahinga kai' all address the matters raised in Policies P34 and P35. In summary, the new wetlands, which are to be contiguous with the Stream, will provide or contribute to each of the benefits listed in Policy P34 and Policy P35. As such the creation of the new wetland can be supported. The proposal is consistent with these policies.
Policy P35: Restoration of wetlands *The restoration of natural wetlands and the construction of artificial wetlands to meet the water quality, aquatic ecosystem health and mahinga kai objectives set out in Tables 3.7 and 3.8, to provide habitat for indigenous flora and fauna, to carry out the physical and ecological functions of natural wetlands, and to provide for amenity values where this aligns with restoration appropriate to the area and wetland type shall be encouraged and supported.*	
Sites with Significant Values	
Objective O28 *Ecosystems and habitats with significant indigenous biodiversity values are protected from the adverse effects of use and*	The stream and wetlands currently onsite, do not themselves have "significant" biodiversity values, although it is recognised that the Wharemaukū Stream and all of its and all

development, and where appropriate restored to a healthy functioning state including as defined by Tables 3.4, 3.5, 3.6, 3.7 and 3.8.	tributaries are identified in Schedule F1: Rivers and lakes with significant indigenous ecosystems.
Policy P42: Ecosystems and habitats with significant indigenous biodiversity values *Protect in accordance with Policy P31 and Policies P38-P41 and, where appropriate, restore the following ecosystems and habitats with significant indigenous biodiversity values:* *(a) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes), and* *(b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and* *(c) natural wetlands, including the natural wetlands identified in Schedule F3 (identified natural wetlands), and* *(d) the ecosystems and habitat-types with significant indigenous biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats).* *Note* *All natural wetlands in the Wellington Region are considered to be ecosystems and habitats with significant indigenous biodiversity values as they meet at least two of the criteria listed in Policy 23 of the Regional Policy Statement 2013 for identifying indigenous ecosystems and habitats with significant indigenous biodiversity values; being representativeness and rarity.*	Irrespective, as discussed above, the proposal is consistent with Policy P31 'Adverse effects on biodiversity, aquatic ecosystem health, and mahinga kai' in that the proposed onsite remediation will provide for improved indigenous biodiversity values than what the existing wetlands offer. The proposal is therefore also considered to be consistent with Policy P42.
Policy P43: Effects on the spawning and migration of indigenous fish species *Avoid more than minor adverse effects of activities on indigenous fish species known to be present in any water body identified in Schedule F1 (rivers/lakes) as habitat for indigenous fish species or Schedule F1b (inanga spawning habitats), during known spawning and migration times identified in Schedule F1a (fish spawning/migration). These activities may include the following:* *(a) discharges of contaminants, including sediment, and* *(b) disturbance of the bed or banks that would affect spawning habitat at peak times of the year, and*	The Wharemaukū Stream is identified in Schedule F1. The ECMP (**Appendix L**) sets out specific controls for works around the stream which have been developed with input from Bioresearches. With these measures in place more than minor adverse effects on indigenous fish species will be avoided. Accordingly, the proposal is consistent with this policy.

(c) damming, diversion or taking of water which leads to loss of flow or which makes the river impassable to migrating indigenous fish.	
Policy P44: Managing effects on ecosystems and habitats with significant indigenous biodiversity values from activities outside these ecosystems and habitats *In order to protect the ecosystems and habitats with significant indigenous biodiversity values in accordance with Policy P42, particular regard shall be given to managing the adverse effects of use and development in areas outside of these ecosystems and habitats on physical, chemical and biological processes to:* *(a) maintain ecological connections within and between these habitats, or* *(b) provide for the enhancement of ecological connectivity between* *fragmented habitats through biodiversity offsets, and* *(c) provide adequate buffers around ecosystems and habitats with* *significant indigenous biodiversity values, and* *(d) avoid cumulative adverse effects on, and the incremental loss of* *significant indigenous biodiversity values.*	The creation of a wetland around the realigned Wharemaukū Stream, and the containment of the stream and wetland within lots be vested with Kāpiti Coast District Council as drainage reserve, will provide a buffer to the surrounding allotments where built development is anticipated. Any activities outside of this reserve area and within either the superlots or on surrounding properties will be subject to normal development controls. The proposal is consistent with this policy.
Policy P47: Protection and restoration of sites with significant mana whenua values *Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be protected and restored by a mix of the following regulatory and non-regulatory methods:* *(a) managing use and development through rules in the plan, and* *(b) working in partnership with key stakeholders through:* *(i) increasing landowner and community understanding of significant values within Schedule C sites, and* *(ii) working with mana whenua, landowners, and other interested parties as appropriate, to develop and implement restoration programmes for Schedule C sites, and* *(iii) the Wellington Regional Council and iwi authorities implementing kaupapa Maori monitoring of Schedule C sites.*	The applicant is seeking to restore, and protect the Wharemaukū Stream, which is identified in Schedule C as: *Schedule C2: Sites of significance to Te Ātiawa ki Whakarongotai Wharemaukū Stream - mahinga kai, kānga wai, pātaka kai* And those values being defined as: *mahinga kai - The customary gathering of food and natural materials, the food and resources themselves and the places where those resources are gathered.* *Kānga wai Fermented corn* *Pātaka kai Pantry, food storage* The proposal may enhance those values through its improvement of the ecological and ecosystem environment of the Wharemaukū Stream and restored wetlands around it in particular.

	Further, the applicant is committed to working alongside Te Ātiawa ki Whakarongotai, Puketapu Hapū ki Paraparaumu and Te Whanau a Te Ngārara in progressing the application. The Proposal is considered supported by this Objective.
Policy P48: Managing adverse effects on sites with significant mana whenua values *Sites with significant mana whenua values identified in Schedule C shall be protected and restored by managing use and development in the following manner:* *(a) in the first instance, avoid locating activities within sites listed in Schedule C,* *(b) require any more than minor adverse effects of activities on the significant mana whenua values of the site to be evaluated through a cultural impact assessment undertaken by the relevant mana whenua as identified in Schedule C,* *(c) significant adverse effects of an activity on the significant values of the site shall be avoided, (d) other adverse effects shall be managed in accordance with tikanga and kaupapa Maori responding to recommendations in the cultural impact assessment to:* *(i) avoid more than minor adverse effects on the significant values of the site, and* *(ii) where more than minor adverse effects cannot be avoided, minimising them, and* *(iii) where more than minor adverse effects cannot be avoided and/or minimised, they are remedied, and* *(e) where more than minor adverse effects on significant mana whenua values identified in Schedule C (mana whenua) cannot be avoided, minimised, or remedied, the activity is inappropriate. Offsetting of effects on sites with significant mana whenua values is inappropriate, except where provided for in Policy P49, and* *(f) the relevant mana whenua as identified in Schedule C shall be considered to be an affected party under RMA s95E for all activities which require resource consent within a Schedule C site where the adverse effects are minor or more*	Further to the discussion under Policy P47: (a) It is not possible to avoid development on the site impacting on the Wharemaukū Stream; (b) The effects, considered in a realistic and holistic way, are positive, and so more than minor adverse effects are to be avoided – but, in any event, and CIA is being sought; (c) Significant adverse effects are avoided, and effects (including positive effects) are to be managed – subject to confirmation in the CIA, in accordance with tikanga and kaupapa Māori. The Proposal is considered consistent with this policy.

than minor, unless the application is publicly notified.	
Policy P49: Offsetting residual adverse effects on sites of significance to mana whenua *Residual adverse effects that are not otherwise avoided, minimised or remedied in accordance with the management hierarchy in Policy P48 may be offset where the relevant mana whenua as identified in Schedule C:* *(a) considers the offsetting of residual adverse effects is appropriate in the particular circumstances, and* *(b) have:* *(i) an offsetting policy in place that applies to the area and values to be affected by the proposed development, or* *(ii) prepared a cultural impact assessment that includes specific direction for the offsetting of effects of the proposed activity on the site of significance, and* *(iii) expressly confirms that the offset proposed is consistent with:* *1. the offsetting policy in Policy P49(b)(i) (where applicable), and* *2. the cultural impact assessment in Policy P49(b)(ii), and* *3. the offsetting principles set out in Schedule G3.* *Where offsetting is proposed for a site of significance that is associated with multiple mana whenua, there must be an agreed position between all groups that offsetting is appropriate and that (b) has been met.*	The applicant does not consider its proposal, correctly assessed in a realistic and holistic way to involve offsets. That said, it wishes to engage with the relevant mana whenua about the substantive (rather than semantic) outcomes. It anticipates that the significant positive outcomes arising from the proposal will, if deemed offsetting, be considered appropriate. The Proposal is considered consistent with this policy.
Policy P52: Protecting natural features and landscapes from inappropriate use and development *To protect natural features and landscapes (including seascapes) of the coastal environment, rivers, lakes and their margins and natural wetlands and their values, from inappropriate use and development by:* *(a) avoiding adverse effects of activities on the natural attributes and characteristics of outstanding natural features and landscapes in the coastal environment, and* *(b) avoiding significant adverse effects of activities on the natural attributes and characteristics of natural features and landscapes in the coastal environment and avoid, remedy and mitigate other adverse effects*	Policy P52 seeks the same outcomes sought under Policy P24: 'Preserving and protecting natural character from inappropriate use and development'. As such for those reasons discussed under Policy P24, the proposal is consistent with Policy P52 and the proposal is not considered to represent inappropriate use or development.

of activities on other natural features and natural landscapes in the coastal environment, and *(c) outside the coastal environment, avoiding and, where avoidance is not practicable, remedying or mitigating adverse effects of activities on the natural attributes and characteristics of outstanding natural features and landscapes, provided that the values of the natural features or landscapes that contribute to its outstanding status are retained.*	
Air quality	
Objective O32 ***The adverse effects of odour, smoke and dust on amenity values and people's well-being are minimised.***	The earthworks will be subject to comprehensive management as outlined in the ECMP (**Appendix L**) which includes a range of methods that will be employed to manage the potential for dust. The Proposal is consistent with these provisions.
Policy P58: Managing air amenity *Air quality amenity in urban, rural and the coastal marine areas shall be managed to minimise offensive or objectionable odour, smoke and dust, particulate matter, fumes, ash and visible emissions.*	
Land and water quality	
Objective O34 ***The adverse effects on soil and water from land use activities are minimised, including to assist with achieving the outcomes and indicators of desired environmental states for water in Tables 3.1 to 3.8.***	
Objective O37 ***The amount of sediment-laden runoff entering water is minimised, including to assist with achieving the outcomes and indicators of desired environmental states for water in Tables 3.1 to 3.8.***	
Objective O38 ***The adverse quality and quantity effects of stormwater discharges from stormwater networks and urban land uses are reduced over time.***	
Policy P65: National Policy Statement for Freshwater Management requirements for discharge consents *When considering any application for a discharge the consent authority shall have regard to the following matters:* *(a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water, and* *(b) the extent to which it is feasible and dependable that any more than minor adverse effects on fresh water, and on any ecosystem*	The SMP sets out how stormwater discharge will be managed. Raingardens will treat run-off from the proposed roads and paved areas, reducing the concentration of coarse sediments, hydrocarbons and metals that enter the stormwater system. Stormwater treatment for future design areas will be provided on-site when each super-lot is developed. The stormwater management/wetland area will be planted with native, naturally-representative wetland species. Over time the created wetland will likely lead to an improvement in freshwater

associated with fresh water, resulting from the discharge would be avoided, and *(c) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their contact with fresh water, and* *(d) the extent to which it is feasible and dependable that any more than minor adverse effects on the health of people and communities as affected by their contact with fresh water resulting from the discharge would be avoided.* *This policy applies to the following discharges (including a diffuse discharge by any person or animal):* *(a) a new discharge, or* *(b) a change or increase in any discharge of any contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.*	quality downstream of the site, as the ability of the wetland to store and filter water will improve as the vegetation quality improves, to a point where it provides significant water storage and filtration capacity; most likely surpassing the existing ability of the wetlands currently present on site. Through the implementation of these measures the proposal will avoid creating adverse effects on the life-supporting capacity of fresh water and will improve water quality in terms of contact recreation. The Proposal is consistent with this Policy.
Policy P83: Minimising adverse effects of stormwater discharges *The adverse effects of stormwater discharges shall be minimised, including by:* *(a) using good management practice, and* *(b) taking a source control and treatment train approach to new activities and land uses, and* *(c) implementing water sensitive urban design in new subdivision and development, and* *(d) progressively improving existing stormwater, wastewater, road and other public infrastructure, including during routine maintenance and upgrade, and* *(e) managing localised adverse effects, including by addressing particular attributes appropriate to the receiving environment.*	The measures set out through the SMP will achieve the outcomes sought by Policy P83. The Proposal is supported by this Policy.
Policy P84: Managing land use impacts on stormwater *Land use, subdivision and development, including stormwater discharges, shall be managed so that runoff volumes and peak flows:* *(a) avoid or minimise scour and erosion of stream beds, banks and coastal margins, and* *(b) do not increase risk to human health or safety, or increase the risk of inundation, erosion or damage to property or infrastructure, including by retaining, as far as practicable, pre-*	Hydraulic neutrality will be achieved so that the stormwater runoff from all new impermeable surfaces will be disposed of or stored on-site and released at a rate that does not exceed the peak stormwater runoff when compared to the pre-development situation. The Proposal is supported by this Policy.

development hydrological conditions in new subdivision and development.	
Policy P109: Management of riparian margins *Maintain or restore water quality, aquatic ecosystem health, mahinga kai and natural character, and reduce the amount of contaminants entering surface water bodies, through the management of riparian margins including:* *(a) the exclusion or restricted access of livestock likely to affect riparian margins or water quality,* *(b) set-back distances from surface water bodies for some land use activities including earthworks, vegetation clearance, cultivation and break-feeding,* *(c) encouraging the planting of appropriate riparian vegetation, and* *(d) the control of pest plants and animals.*	The constructed wetland around the Wharemaukū Stream will, over time, lead to an improvement in freshwater quality downstream of the site as the ability of the wetland to store and filter water will improve as the vegetation quality improves, to a point where it provides significant water storage and filtration capacity; most likely surpassing the existing ability of the wetlands currently present on site. No stock will have access to the wetland and a Pest Management Plan will be put in place. The Proposal is supported by this Policy.
Policy P110: Loss of extent and values of the beds of lakes and rivers, and natural wetlands *The loss of extent and values of the beds of lakes and rivers and natural wetlands, including as a result of reclamation and drainage, is avoided, except where:* *(a) in a natural inland wetland:* *(i) the loss of extent or values arises from any of the following:* *1. the customary harvest of food or resources undertaken in accordance with tikanga Māori, or* *2. restoration activities, or* *3. scientific research, or* *4. the sustainable harvest of sphagnum moss, or* *5. the construction or maintenance of wetland utility structures, or* *6. the maintenance or operation of specified infrastructure, or other infrastructure, or* *7. natural hazard works, and* *8. where the activity involves reclamation or drainage there are no other practicable alternative methods of providing for the activity, or* *(ii) for specified infrastructure:* *1. the activity, including any reclamation and drainage, is necessary for the construction or upgrade of specified infrastructure, and* *2. the specified infrastructure will provide significant national or regional benefits, and*	It is important to note that Policy P110 does not specify or require that the main purpose of the works is considered. Rather the wording allows for all relevant matters to be considered when assessing the reason for the loss of extent and values of rivers and natural wetlands. This has informed the assessment below. Natural inland wetlands will be lost on site. While the Policy directs that this should be avoided, it will arise in order for the following activities to occur: - Remediation and/or restoration activities, being the naturalisation of the Wharemaukū Stream supported by a contiguous wetland, as provided for by (a)(i)(2); - The maintenance and operation of infrastructure, being existing stormwater and wastewater services which run across the site, as provided for by (a)(i)(6) and by (a)(ii)(1) and (3); - Natural hazard works, being the creation of a stormwater management area that increases flood storage volume on site that manages flood risk in the wider area, as provided for by (a)(i)(7); and - No other practicable alternative methods to drainage and reclamation of the wetlands are available that would allow the development to provide for

3. there is a functional need for the specified infrastructure in that location, *(b) in a river:* *(i) there is a functional need for the activity in that location; and* *(ii) any reclamation or drainage is:* *1. partial reclamation of a river bank for the purposes of flood protection or erosion control, or* *2. for the purposes of the development, operation, maintenance and upgrade of Regionally Significant Infrastructure, or* *3. associated with the creation of a new river bed and does not involve piping of the river, or* *4. for the purpose of forming a reasonable crossing point, or* *5. associated with the extraction of significant mineral resources from existing quarries, or* *6. partial reclamation of a river bank for the purposes of local roads, and* *7. in respect of (1) to (6) there are no other practicable alternative methods of providing for the activity,* *Or* *(c) in a lake the reclamation or drainage is….*	the proposed activities, which include roading connections and stormwater management as set out by through the ODP, as provided for by (a)(i)(8). The Wharemaukū Stream will also be subject to reclamation and drainage. Again, while the Policy directs that this should be avoided, it will arise in order for the following activities to occur: - There is a functional need for the reclamation and drainage, in order to realign and naturalise the channelised stream, as provided for by (b)(i); - The reclamation and drainage is associated with the creation of a new river bed and does not involve piping of the river, as provided for by (b)(ii)(3); - The reclamation and drainage will facilitate a new road crossing of the stream, as provided for by (b)(ii)(4) and (6); - No other practicable alternative methods to drainage and reclamation of the Stream are available that would allow the development to provide for the proposed activities. Given the proposal meets a number of the exceptions listed under Policy P110, it is not a blanket requirement that the development avoids the loss of extent and values of the Wharemaukū Stream and the natural inland wetlands, where they are in fact to be remediated/restored, and enhanced on site . On the basis of all of the above, the Proposal is not considered inconsistent with the Policy, particularly its intent. For the avoidance of doubt, the Proposal is not considered contrary to, in the sense of being repugnant to, this Policy.
Policy P114: Management of plants in the beds of lakes and rivers *The introduction to and removal of a plant, or part of a plant, from the beds of lakes and rivers shall be managed so that:* *(a) pest plants are not introduced and their removal is enabled, and* *(b) indigenous plant species are encouraged to be planted where they are appropriate for the*	The planting in the new wetland around the Wharemaukū Stream will be carried out in accordance with a Weed Management Plan and a Wetland and Riparian Planting Plan. An indicative planting list has been provided in the Offset Report (**Appendix M**) which draws on the native plants that are appropriate to the habitats and the ecological area as identified in the Kāpiti Whituna Swamp and Marsh Type Wetland

purpose and are typical of the area and their removal (in whole or in part) is only enabled for the purpose of Māori customary use or for the reasonable use of an individual, or where it is necessary to manage flooding and erosion, and *(c) the introduction or removal of a plant, or part of a plant, does not increase flooding and erosion either at the site of introduction or removal, or across the wider river catchment, and* *(d) the introduction or removal of a plant, or a part of a plant, does not adversely affect significant biodiversity values of the site, and* *(e) for a lake constructed as a community drinking water supply, the removal of a plan, or part of a plant, is provided for where appropriate.*	planting lists. The indicative planting lists are recommendations and provide a basis to ensure the biodiversity outcomes are achievable; but are subject to refinement upon consultation. The planting will not increase erosion or flood risk or adversely affect significant biodiversity values on the stie. The Proposal is consistent with this Policy.
Taking, using, damming and diverting water	
Objective O43 ***The efficient allocation and efficient use of water is improved and maximised through time including through water harvesting.***	
Policy P117: National Policy Statement for Freshwater Management requirements for water takes, damming and diversion *When considering any application the consent authority shall have regard to the following matters:* *(a) the extent to which the change would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem, and* *(b) the extent to which it is feasible and dependable that any adverse effect on the life-supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided.* *This policy applies to:* *(c) any new activity, and* *(d) any change in the character, intensity or scale of any established activity that involves any taking, using, damming or diverting of fresh water or draining of any wetland which is likely to result in any more than minor adverse change in the natural variability of flows or level of any fresh water, compared to that which immediately preceded the commencement of the new activity or the change in the established activity (or in the case of a change in an intermittent or seasonal activity, compared to*	The ECMP (**Appendix L**) sets out specific controls for carrying out the works in and around the stream. These controls have been developed with input from Bioresearches, as has the alignment of the Wharemaukū Stream and the design levels of the wetland. The remediation of the Wharemaukū Stream corridor, including the wetland creation, will provide for a net gain in the health and well-being of the Wharemaukū Stream, thereby contributing to the ecological values and life-supporting capacity of the waterbody. The Proposal is consistent with this Policy.

that on the last occasion on which the activity was carried-out).	
Policy P132: Taking of groundwater or ground disturbance *The taking of groundwater or ground disturbance shall not result in cross contamination between aquifers or water-bearing layers that results in, or may result in, adverse effects on water quality.*	Neither the dewatering or the earthworks will result in cross contamination between aquifers or water-bearing layers. The Proposal is supported by this Policy.
Policy P133: Site dewatering *Localised land subsidence resulting from dewatering that affects structures shall be avoided and any more than minor adverse effects of dewatering on the following shall be avoided, remedied or mitigated:* *(a) the ecosystem functioning of connected water bodies, and* *(b) the reliability of supply for existing surface and ground water users, and* *(c) the quality of surface or groundwater, and* *(d) the contamination of land and water.*	A dewatering methodology is set out in the ECMP (**Appendix L**) and has been informed by geotechnical investigations (**Appendix H**). No indications have been given by the relevant technical experts that the works would result in any of the adverse effects identified by Policy P133. The Proposal is supported by this Policy.
Policy P136: Minimum flows and minimum water levels *The damming or diversion of water from a surface water body shall not reduce flows or water levels below minimum flows or minimum water levels identified in the whaitua chapters of the Plan (chapters 7-11).*	The SMP (**Appendix G**) considers the pre and post development flows within the Wharemaukū Stream. Flows will not be reduced by the proposed works. The Proposal is supported by this Policy.
Policy P137: Bores *Bores, including new bores, shall:* *(a) be sited to ensure adequate separation from existing bores, avoid an over-concentration of bores in a particular area (except where intensive investigation is required on a site for geotechnical, contamination or other investigative purposes), and to minimise adverse effects on the reliability of supply from properly constructed, efficient and fully functioning existing bores, and* *(b) be constructed, and bore logs and other records be prepared, in accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock, and* *(c) be used in a manner that prevents:* *(i) contaminants from entering the bore from the land surface, and* *(ii) the waste of water.*	Consent is sought to construct a temporary shallow water bore to provide water for construction purposes. The existing bores in the area have been mapped in the ECMP and will inform the location of the bore on the site. The position will be confirmed by the contractor to suit their proposed methodology, however it will be centrally located on the site to mitigate any potential effects on surrounding properties and bores. The works will be in accordance with NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock and will avoid contaminants entering the bore as well as the waste of water. Upon completion of the earthworks, the bore will be decommissioned.
Policy P138: Bores no longer required	The Proposal is supported by these Policies.

Bores that are no longer required shall be decommissioned and any such decommissioning shall be in general accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock.	

6.3 Section 104(1)(c)

Under section 104(1)(c), the Council must have regard to any other matter the consent authority considers relevant and reasonably necessary to determine the application. This includes other relevant statutes, as well as various national and local government studies, strategies and plans.

In this instance there are no other relevant matters.

7 Section 104D Assessment

Section 104D sets out the following restrictions for Non-Complying Activities:

> *(1) Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—*
>
> *(a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
>
> *(b) the application is for an activity that will not be contrary to the objectives and policies of—*
>
> *(i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
>
> *(ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
>
> *(iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

In *Arrigato Investments Ltd v Auckland Regional Council*, the Court of Appeal held that the starting point for consideration under the predecessor to section 104D(1)(b) is recognition that all applications for consent which engage the section will be for activities which are Non-Complying in some way, and the real question is whether it is nonetheless appropriate to allow the activity.[1]

In *New Zealand Rail v Marlborough District Council*, the High Court observed on the meaning of "not contrary to":[2]

> *The Oxford English Dictionary in its definition of "contrary" refers also to repugnant and antagonistic. The consideration of this question starts from the point that the proposal is already a noncomplying activity but cannot, for that reason alone, be said to be contrary. "Contrary" therefore means something more than just non-complying.*

In *Dye v Auckland Regional Council*, the Court of Appeal held, in upholding an assessment under section 104D(1)(b) by the Environment Court, that it was sufficient that the Court had carried out a "fair appraisal of the objectives and policies" of the Rodney District Plan "read as a whole".[3]

Dye remains the leading appellate authority on the correct approach under section 104D(1)(b) of the RMA. The Court reaffirmed the approach taken in *Dye* in *R J Davidson Family Trust v Marlborough District Council*.[4] That case concerned an application for resource consent for a mussel farm. The Council declined consent. On appeal the Environment Court held the activity passed through the section 104D(1)(b) gateway but dismissed the application. An appeal to the High Court was unsuccessful. The Trust appealed again. The Council cross-appealed on the finding that the activity

1 *Arrigato Investments Ltd v Auckland Regional Council* [2002] 1 NZLR 323 (CA).
2 *New Zealand Rail v Marlborough District Council* [1994] NZRMA 70 (HC). .
3 *Dye v Auckland Regional Council* [2002] 1 NZLR 337 (CA) (*Dye*) at [25].
4 *R J Davidson Family Trust v Marlborough District Council* [2018] NZCA 316 (*R J Davidson*).

passed through the section 104D(1)(b) gateway although this was not stated in the reasons for judgment. When commenting on the section 104D(1)(b) test, the Court observed, at [73]:

> *What is required is what Tipping J [in Dye] referred to as "a fair appraisal of the objectives and policies read as a whole".*

Accordingly, the analysis above within **Table 7** sets out all relevant Objectives and Policies, and provides commentary on how the proposal "measures up" against each.

The proposal is overwhelmingly considered to be supported by, consistent with, or in a few cases, not inconsistent with the relevant objectives and policies. Even if there was a different view as to the "not inconsistent with", such that they might amount to being "contrary to", then still, on a "fair appraisal of the objectives and policies read as a whole", the proposal is not considered to be contrary to the relevant objectives and policies of the NRP or Plan Change 1.

On this basis the proposal passes through the Objectives and Policies limb of the section 104D gateway test and the application is eligible to be considered for approval.

8 Part 2 Matters

Section 104 of the RMA sets out the matters that decision-makers are required to have regard to when considering an application for resource consent. These are addressed above. This consideration is subject to Part 2 of the RMA (sections 5 – 8) which sets out the purpose and principles of the RMA.

Direct consideration of Part 2 is not essential, provided that Part 2 is clearly expressed through the relevant statutory planning documents, unless it is appropriate to do so. In this case, while Part 2 is expressed in the relevant documents, consideration at a project level is considered to be useful.

The purpose of the RMA as expressed in section 5 is to promote the sustainable management of natural and physical resources, with 'sustainable management' defined in section 5(2) as:

> *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—*
>
> *(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
>
> *(b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
>
> *(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

Part 2 also sets out matters of national importance to be recognised and provided for (section 6), other matters to be had particular regard to (section 7) and requires the principles of the Treaty of Waitangi to be taken into account (section 8).

The relevant Part 2 provisions are identified and assessed below.

8.1 Section 5

Using undeveloped, urban zoned land for its zoned purpose allows people and communities to provide for their social, economic and cultural well-being and their health and safety. In providing a more natural alignment and environment for the Wharemaukū Stream, including associated wetlands, open space, additional flood storage capacity, urban allotments for future development and road connections, the proposal is achieving measures (a), (b) and (c) of section 5.

8.2 Section 6

Section 6 outlines matters of national importance which must be recognised and provided for. Of relevance to this application are:

- *s6(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;*
- *s6(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;*
- *s6(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;*
- *s6(h) the management of significant risks from natural hazards.*

As set out within section 5.7, the proposal will contribute to a well-functioning urban environment and will provide significant district benefits on a piece of land that has been identified through the ODP for specific town-centre related works and supporting infrastructure. As the proposal will achieve the outcomes sought by the Structure Plan under the ODP, it is considered to represent an appropriate use and development of the site. The urban development will be balanced with the naturalisation of the Wharemaukū Stream and the creation of new, contiguous wetland habitat that will result in a net gain in ecological values on the site.

The relationship of Te Ātiawa ki Whakarongotai, Puketapu Hapū ki Paraparaumu and Te Whanau a Te Ngārara with the site, and the Wharemaukū Stream in particular, is recognised. NCP is committed to working alongside these groups in progressing the proposal and specifically in respect of the outcomes sought for the freshwater environment and their relationship with the Wharemaukū Stream.

The flood risk that is identified within the site and surrounding area is managed through an integrated approach between the project engineer and project ecologist, with public access also maintained and enhanced alongside the Wharemaukū Stream.

For these reasons, as well as the reasons discussed through the earlier sections of this application, the proposal is considered to recognise and provide for the relevant matters of national importance.

8.3 Section 7

The proposal has appropriately responded to the following relevant Section 7 matters:

- *s7(a) kaitiakitanga*
- *s7(b) the efficient use and development of natural and physical resources.*
- *s7(c) the maintenance and enhancement of amenity values.*
- *s7(d) intrinsic values of ecosystems*
- *s7(f) maintenance and enhancement of the quality of the environment.*
- *s7(i) the effects of climate change*

This Assessment of Environmental Effects addresses each of the above matters in such detail as is commensurate with the effects of the proposal. Further, the applicant is continuing to engage with Te Ātiawa ki Whakarongotai, Puketapu Hapū ki Paraparaumu and Te Whanau a Te Ngārara as kaitiaki.

8.4 Section 8

The planning framework under which the proposal is assessed has taken into account the principles of the Treaty of Waitangi. A CIA for the proposal has been provided (**Appendix C**) and NCP is committed to continuing to work alongside Te Ātiawa ki Whakarongotai, Puketapu Hapū ki Paraparaumu and Te Whanau a Te Ngārara in progressing the proposal (**Appendix O**).

8.5 Part 2 Conclusion

Overall, when the benefits of the proposal are considered alongside the proposed measures to avoid, remedy or mitigate any actual and potential adverse effects, the proposal will promote sustainable management of natural and physical resources, is consistent with the purpose and principles of the RMA and is consistent with Part 2.

9 Conclusion

The applicant, New Central Park Limited, is seeking a resource consent for Stage 1 of the Paraparaumu Town Centre development. Stage 1 will result in the creation of 12 superlots for future built development (Lot 1-12), a Local Purpose Reserve (Access) (Lot 40), an area of open space (Lot 50), two Local Purpose Reserves (Drainage) (Lot 200 and Lot 201) and a road to vest (Lot 500). The Wharemaukū Stream will be realigned and naturalised through the site, with a wetland to be created around the realigned stream. In order to facilitate the works bulk earthworks are required across the site.

Consent is required under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 as a Discretionary Activity and under the Natural Resources Plan as a Non-Complying Activity.

A resource consent application for the development has also been lodged with the Kāpiti Coast District Council.

The proposal meets the statutory tests of the RMA and is consistent with its purpose and principles, particularly when the benefits of the proposal are considered alongside the proposed measures to avoid, remedy and mitigate the adverse effects. To this end it is considered that the sustainable management purpose of the RMA will be achieved by granting the resource consent.