42 AND 64 MILLARD AVENUE, MASTERTON

DMST INTERNATIONALS LIMITED

APPLICATION FOR REFERRAL

TO THE EXPERT CONSENTING PANEL
UNDER THE COVID 19 RECOVERY
(FAST TRACK CONSENTING) ACT 2020

FEBRUARY 2023

DOCUMENT CONTROL

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APPENDICES

1. EXECUTIVE SUMMARY

This is an application for referral to an Expert Consenting Panel, under the COVID-19 Recovery (Fast Track Consenting) Act 2020, for consent to undertake a residential development comprising approximately 120 residential units at the site located at 42 and 64 Millard Avenue (hereafter "the Site").

While the Site is zoned Rural in the Operative Combined Wairarapa District Plan ("the Combined District Plan"), the landowner has been in discussions with Masterton District Council ("MDC") regarding the development of the site and this subsequently led to MDC applying for funding under the Infrastructure Acceleration Fund for infrastructure upgrades in the area. The upgrades were included in the Draft Long Term Plan but were removed due to lack of funding. Unfortunately, the IAF application [1]was not successful. This application can be provided to MfE upon request.

In all respects the Project is "shovel ready" with enabling works expected to commence within approximately 3 - 4 months of receiving consent, and the Project developed over four years from commencement. DMST International Limited directly manages all of its development projects internally and therefore has a high degree of control over the construction process, including quality and the careful management of temporary construction effects.

The applicant, DMST Internationals Limited, has significant experience in developments of this nature and has financing to fund the Project to completion. They are the landowners of 45 Millard Avenue that is soon to obtain Controlled Activity consent for a 45-lot residential subdivision. The off-site infrastructure upgrades agreed with MDC to support the 45-lot subdivision will also support the development proposed in this application.

The development proposed has not progressed through any Resource Management Act 1991 ("the RMA") processes, however engagement has been undertaken with Masterton District Council ("the District Council") regarding the Project and infrastructure provision to support the development.

The Applicant is seeking to seize the opportunity to consent the development through the COVID 19 Recovery (Fast Track Consenting) Act 2020 (hereafter "the Act"). The Project will progress faster than using the alternative RMA processes. Obtaining consent by way of rezoning via the District Plan review process and subsequent consents under the 'standard' RMA process is expected to take 3 – 4 years depending on appeals. Subdivision would likely occur in 2028/2029, at the earliest.

The development will allow for investment in the local community, providing jobs and significant flow-on economic benefits. There are opportunities through the Project for employment both locally, and for those in sectors that have been affected by COVID-19 and the local construction industry will benefit. The assessment included in this referral application confirms that the Project is strongly aligned with the purpose of the Act.

The Project will help to reduce land demand pressure and increase housing supply that will in turn help to relieve pressure on the housing market and will contribute towards improved housing affordability in the long term.

There is no potential for the proposal to have residual significant adverse environmental effects, and as outlined in Section 4 below, adverse effects can be avoided, remedied or mitigated. Many potential adverse effects have already been mitigated through subdivision design. Effects associated with earthworks and construction can be readily managed through conditions.

The proposal is consistent with the objectives and policies in the National Policy Statement for Urban Development ("NPS-UD"). Further, while the Project may be inconsistent with the provisions of the

[1] The IAF application can be provided to MfE if required

District Plan that relate to the current zoning of the Site, this inconsistency will be remedied when the Project is rezoned via the District Plan review process.

Put simply, the NPS-UD provides the opportunity for decisions to be made on plan changes for urban development proposals which are unanticipated in or out of sequence with the relevant resource management plans. As set out in the application, DMST International Limited is engaging in the district plan review process with the hope to rezone the site through this process. In the meantime, the NPS-UD is considered to provide the overarching policy direction that enables the constraints of the outdated District Plan to be overcome for proposals which provide development capacity and contribute to a well-functioning urban environment.

2. INFORMATION REQUIREMENTS

2.1 COVID 19 RECOVERY (FAST TRACKING CONSENTING) ACT 2021

This application has been prepared in accordance with the requirements of Section 20 of the Act. Under Section (20)(2), the application –

(a) Must include the information specified in subsection (3); but

(b) Need only provide a general level of detail, sufficient to inform the Minister's decision on the application, as opposed to the level of detail that an expert consenting panel would require to be provided in applications for resource consents or in notices of requirement.

The level of information provided in this application suffices the above requirements.

The following experts have contributed to the preparation of the subdivision plan and have confirmed the accuracy of the assessments and conclusions reached in this application:

- Ecologists: Bioresearches
- Civil Engineering: Envelope
- Planning: Scope Planning
- Urban Design: Urban Acumen
- Geotechnical Engineering: ENGEO

In addition, this referral application is supported with an infrastructure report and urban design assessment.

3. PROPOSAL AND EFFECTS

3.1 THE PROJECT

Under Section 20(3)(a) of the Bill, a referral application must include a description of the proposed project and the activities it involves.

3.1.1 PROJECT NAME

The **name** of the project is 'Millard Avenue Residential Development'.

3.1.2 PROJECT AUTHORISED PERSON

The **authorised person** for this Project and Applicant of this referral application is DMST International Limited.

DMST International Limited has significant experience in developments of this nature and has financing to fund the Project to completion. Details of the recent projects are set out in the Project Statement attached as **Appendix Two**.

3.1.3 RELEVANT BACKGROUND AND CONTEXT INFORMATION

MDC IAF APPLICATION

As noted, DMST International Limited own the site at 45 Millard Avenue that is soon to obtain Controlled Activity resource consent for 45 residential lots.

MDC submitted an application to Kainga Ora for funding for the necessary infrastructure upgrades to support the development at 45 and 42-64 Millard Avenue as well as other infill development that may occur in the future. Unfortunately, the application was unsuccessful but it does confirm that MDC are aware of and supportive of residential development occurring on the Site. The description of the housing outcomes in the IAF application is as follows:

> *The Masterton District Council (Council) want to enable housing developments that support our community in having access to rent/buy houses. Despite houses being built in the Masterton District, demand is still exceeding supply. DMST Internationals Limited owns two sites at 42 and 45 Millard Avenue, Masterton, with a combined area of 6.94ha with a potential acquisition of the neighbouring 3.81ha site at 64 Millard Avenue, Masterton. The sites are legally described as SEC 103 SO 34530, PT LOTS 5 6 DEEDS PLAN 275 and SEC 104 SO 34530.*
>
> *The three sites have a development potential for up to 150 residential lots, however significant infrastructure upgrades are required to enable this development. Two of the sites also require an approved plan change to the Wairarapa Combined District Plan. The upgrades will however enable development of adjacent sites. Masterton District Council (Council) is seeking the IAF for the upgrade of enabling infrastructure in Millard Avenue and adjoining Andrews Street. This infrastructure upgrade will service the multiple proposed developments along Millard Avenue with a piped wastewater reticulation network and pressurised water supply network whilst also improving the road corridor, pedestrian safety and stormwater disposal/conveyance network along the road.*
>
> *Due to the lack of public infrastructure adjacent to these sites, the current preliminary design does not rely on the road/infrastructure upgrade due to the significant portion of the road upgrade that is required to enable any developments on Millard Ave and Andrews Street. This will inevitably result in the doubling up of newly constructed infrastructure within the public road reserve i.e. pump station and rising mains which yield additional costs to landowners/developers and Council. A principle that has been applied is that on-site infrastructure solutions that are temporary work arounds ahead of global solutions to network infrastructure problems should generally be avoided. This is because the on-site solutions duplicate infrastructure costs, which ultimately add to per unit housing costs. Funds spent on-site are funds not applied to network solutions and may adversely affect the affordability and viability of network solutions. On-site solutions also lead to future maintenance issues, often with blurred responsibilities.*

The MDC application also notes a number of times that DMST are exploring opportunities to advance the development of 42and 64 Millard Avenue via the fast-track consenting process.

DRAFT WAIRARAPA COMBINED DISTRICT PLAN / DISTRICT PLAN REVIEW

The Draft District Plan that was released for feedback in late 2022 does not included the rezoning of the Site. While MDC officers have long been in support of the development of the Site (as evidenced through the IAF application), correspondence with Council officers has confirmed that the rezoning was not included in the Draft District Plan as the necessary evidence to justify the rezoning was not available. While DMST International Limited will formerly engage with Council in this process through submissions and further submissions to seek the rezoning of the site, the timeframes for rezoning under this process do not align with DMST International Limited's development aspirations for the site that will in turn assist MDC in meeting its housing bottom line obligations. For this reason, the fast-track consenting process is still considered the most suitable mechanism to enable the Project.

3.1.4 PROJECT DESCRIPTION

DMST Internationals Limited seek referral to utilise the fast-track consent process to obtain the necessary resource consents for the residential development at 42 and 64 Millard Avenue, Masterton.

The scope of the project is to subdivide land and construct and operate a housing development on that land in Masterton.

The development will comprise:

a) Subdivision to create approximately 120 residential allotments of which 44 will contain detached duplexes;

b) Land use to construct up to 120 residential units;

c) Creation of open space areas including a central pocket park that, subject to agreement by Council, may be vested as reserve;

d) Infrastructure servicing associated with the subdivision and development, including roads, parking, and three waters infrastructure including the creation of a stormwater detention basin to ensure hydraulic neutrality is achieved as part of the development; and,

e) Bulk earthworks.

Further details of the Project are outlined in the following sections and the accompanying technical reports.

While the Site is currently zoned Rural under the District Plan, the subdivision and development are predicated on the adoption of the residential subdivision, roading and building standards outlined in the Draft Combined Wairarapa District Plan ("the Draft Combined Plan").

RESIDENTIAL DEVELOPMENT

As further described in the *Urban Design Statement,* the Project is consistent with existing and anticipated residential character in the immediate area and extends housing choice through the inclusion of duplexes. Vacant/ detached lots measure at least 400m^2 and all have a regular shape and proportion which can result in efficient and functional residential use.

With the exception of three large "rear" lots which utilise the deep width of the internal blocks, all lots have a clear public frontage and opportunity for private open space at the rear. The orientation of the site enables all dwellings to access direct sun in internal and external living spaces at some point of the day. There are only a handful of north facing lots (either rear lots or along the south eastern boundary but these lots are all of a larger size that can enable living spaces to access sun either to the front or to the side (or both).

With respect to the proposed duplex lots, these typologies are located internally, and away from external interfaces in order to respect the existing character of Millard Avenue. They can comply with relevant development standards (refer Figure 7) and achieve good residential amenity in relation to solar access, privacy and outdoor space. Both single and double storey duplexes can be accommodated on the proposed sites which enables a variety of house designs and lifestyle choice, including universally accessible designs which may prove attractive to elderly people seeking to remain in the community or be attracted from the surrounding areas.

PROJECT SERVICING

The project engineers have confirmed that the site can be adequately serviced with water supply, wastewater disposal, stormwater disposal and telecommunications. Three waters infrastructure will be designed to Council standards. The final design will be developed in consultation with MDC to achieve an acceptable outcome regarding the District Plan and subdivision and development standards. The projects engineers confirm that the detailed design of three waters infrastructure can adequately be addressed through the future fast track consent.

Specific details of the proposed infrastructure are outlined in the *Infrastructure Assessment* attached in **Appendix Three** and summarised below. As noted, the landowner and MDC have agreed an additional per-lot payment that will contribute towards the necessary off-site upgrades.

Wastewater

- MDC have a planned Millard Avenue upgrade which involves the construction of a new public wastewater network, conveyed via gravity towards a proposed pump station at 41 Andrew Street. The currently designed catchment for this pump station is approximately 30.5 ha and includes the Site. The landowner and MDC have agreed an additional per-lot contribution payment for all new development benefiting from the upgrades.
- Based on the 'worst-case' assumption that a single continuous gravity network is not feasible, wastewater discharge options are as follows:

    1. One centralised wastewater pumping station discharging to the proposed Millard Avenue upgrade wastewater network
    2. Individual pump stations on each dwelling discharging to a new gravity network within the development and subsequently to the Millard Avenue wastewater network.

    Options 1 and 2 will only be considered in the unlikely situation that the proposed development cannot automatically connect by traditional standard gravity connection to Council's new upgraded network within Millard Ave. This will be assessed during the Detailed Design stage.

- Both options require the wastewater to be stored in tanks on-site. Suitable pre-treatment systems will be installed to mitigate the risk of septicity to the downstream network whilst odour control would also need to be integrated in the design.
- The Combined District Plan references NZS4404 as the basis for the design of all new water, wastewater and stormwater systems. Therefore, an assessment of the proposed development has been conducted whilst adhering to this standard. The peak discharge from the proposed development is approximately 4.77 L/s. The proposed 225mm diameter pipe leading into the new pump station at 41 Andrew Street at 1.18% gradient has a capacity of approximately 50 L/s, and therefore assumed to have enough capacity to cater for the proposed development.

Stormwater Discharge

- MDC have a plan to upgrade the stormwater network along Millard Ave that entails maintaining the existing roadside table drains/culverts, providing catchpits to capture surface flows from the road and installing new culverts where required. All surface flows that fall towards Millard Avenue will continue to be conveyed by the road-side table drains and any surface flows within the Site, which flow away from Millard Avenue, will be conveyed by the existing open artificial watercourses around the Site boundary.
- Attenuation will be required to achieve hydraulic neutrality for the site and ensure that post-development peak discharges do not exceed the pre-development peak stormwater discharges. Therefore, it is proposed to construct a new piped public stormwater network within the road corridor which will discharge to two attenuation basins located at the south-eastern corner of the site prior to eventual discharge to Watercourse C (refer Figure 4 of the *Infrastructure Assessment*).
- The proposed public pipe system will be designed to cater for the catchment in the 1 in 10-year ARI storm interval whilst the attenuation basins will be sized for the 2, 10 and 100-year ARI storm events.
- The stormwater system will be designed with the principles of Te Mana o te Wai and Water Sensitive Urban Design. This will be done by preserving vegetated areas around the property, treating stormwater runoff and providing peak flow attenuation.

Stormwater Treatment

- GWRC will require the treatment of stormwater runoff from the new roads and hardstand areas and, as such, and similar to the new subdivision at 45 Millard Avenue, rain gardens will be integrated into the design.

Potable Water Supply

- It is proposed to extend the 100mm diameter watermain from its point of termination at 34 Millard Ave to the Site. A public 100mm watermain will then be extended into the Site and looped with 50mm ridermains where required.
- New connections with new water meters will be installed directly off these new water/rider mains for each new Lot.
- Using table 2 of SNZ PAS 4509:2008 the required firefighting water supply classification for this development is FW2. FW2 requires that one 12.5 l/s fire hydrant supply is available within 135m of the property and a second supply is available within 270m of the property. The closest fire hydrant is located outside of 36 Millard Avenue. The distance from this hydrant to the furthest lot is well over the 135m distance as required. New fire hydrants will be installed along the new watermain at adequate distance for the proposed development.

PROJECT ACCESS

Except where direct access will be provided from Millard Avenue for the front allotments, access will be provided via a new internal road that has been designed to Council standards.

Road typologies will be in accordance with local Council standards for residential subdivisions and facilitate pedestrian access. The proposed main roading network will consist of a 7.2m formed carriageway for the main road. Rear access lots without main road frontage will be serviced by private/common driveways. The typical legal width for the private accessways is 3.5m (2-4 households) or 6.0m (5-10 households).

It is intended that the main internal road be vested in Council as a public road. Refer further details in the *Infrastructure Assessment*.

EARTHWORKS

The Project requires earthworks to create building platforms, roading, associated batters, installation of infrastructure and the formation of stormwater detention basins. In total, earthworks will involve a volume of approximately 20,000m^3 cut to waste, 5,000m^3 cut to fill and 65,000m^3 of imported fill and will be spread over an area of approximately 7.45 hectares. The works will likely have maximum cut depths of 1 metre and maximum fill depths of 2.5 metres.

As the existing Watercourses A and B are farm drains that do not have upstream connectivity, i.e., they originate within the site, these will be removed to accommodate the proposed development.

Erosion and Sediment Control

As further described in the Infrastructure Report, if this referral application is approved, the fast-track consent will include seeking earthworks consent from both MDC and GWRC. Principles of Erosion and Sediment control that will be assessed at the fast-track consent stage include:

- Minimising disturbance – This will be achieved by undertaking bulk earthworks for portions of the site, minimising the need for secondary earthworks on individual building platforms.
- Stage construction – Minimise the amount of area open at any given time, and the time that these areas are left un-stabilised.
- Protect receiving environments – Achieved by applying additional protection (e.g. super silt fences) and implementing work methodologies around sensitive receiving environments such as the watercourses which border the site.
- Rapid stabilisation – Stabilisation of disturbed areas via hydroseeding or mulching as soon as practicable.
- Perimeter controls – Installation of perimeter controls for the diversion of clean water around the earthworks extent and separate this from sediment-laden water generated within the site.
- Employ sediment retention devices – Sediment retention ponds or Decanting earth bunds (DEB) with rainfall activated chemical dosing systems will allow for the deposition of transported sediment through settlement. The provision of these ponds/DEBs also provide a degree of attenuation, thereby reducing downstream channel erosion effects.

These are fundamental elements of good practice that should be common to all sites and limit the opportunity for erosion/sediment runoff. The GWRC guideline document "Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region" details control measures and is widely used as the appropriate standard for management of erosion and sediment control in the Wellington Region.

The construction would be programmed as far as possible so that road works would be carried out during the summer earthwork's season. The above ground building work could continue through the winter months and the external earthworks associated with the drainage, pavements and landscaping taking place near the end of the construction stage.

During the earthworks operations, the placement of fill within the development shall be observed by a suitably experienced geotechnical engineer. On completion of the earthworks an Earthworks Completion Report will be prepared by the Geotechnical Engineer. This report will certify the

adequacy of the fill placement and also make recommendations of bearing strengths for foundation design purposes and pavement subgrade strength.

Envelope Engineering confirm that the erosion and sediment control design can be adequately addressed through future consents to ensure that the potential adverse effects can be managed and mitigated to an acceptable level.

FUTURE DWELLINGS

Given the current zoning of the Site, land use consent will also be sought to authorise the construction of dwellings on all the proposed allotments. That way, future owners of the allotments will not need to seek their own resource consent to facilitate development. In lieu of house designs for each allotment, the applicant proposes to develop bulk and location standards based on residential and medium density zone standards in the Draft Combined District Plan. These proffered controls that will be imposed on each allotment via consent notice. It is likely that some allotments may have lot-specific building controls to manage particular interface issues (i.e. dwellings adjacent to rural boundaries and the open space area).

In addition, a design guide will be prepared to promote new development of a consistent and high quality and complement the wider area. Their purpose is to ensure an appropriate design response to the location, a liveable environment and visual integration with the surrounding residential and rural environment. Compliance the guidelines provides certainty to all property owners that high quality urban design outcomes will be achieved. It also gives certainty to Council and adjoining land owners that development will not create any adverse effects on their ongoing operations.

As noted in the *Urban Design Assessment*, the aims of the guide are:

- *To ensure the proposed detached dwellings and gardens are designed to complement each other and the wider area;*
- *To ensure an appropriate design response to the location, including with the adjacent land owners (both rural and residential);*
- *To provide safe, convenient and attractive pedestrian and vehicle access to each unit;*
- *To maintain good levels of solar access for residents;*
- *To ensure well considered siting of buildings and outdoor space;*
- *To deliver a high quality overall elevation, when viewed from adjacent properties, Millard Avenue and internally within the development.*

3.2 PROJECT GEOGRAPHICAL LOCATION

Under Section 20(3)(b) of the Act, a referral application must include the approximate geographical location of the project.

The Project will occur at the site located at 42 and 64 Millard Avenue, is held in two titles being SEC 103 SO 34530 and SEC 104 SO 34530. Refer Record of Titles attached in Appendix One.

The Site covers an area of approximately 7.29ha, is relatively flat with an average slope of less than 5% and comprises of farmland with two existing dwellings centrally located. Refer Figure One below.

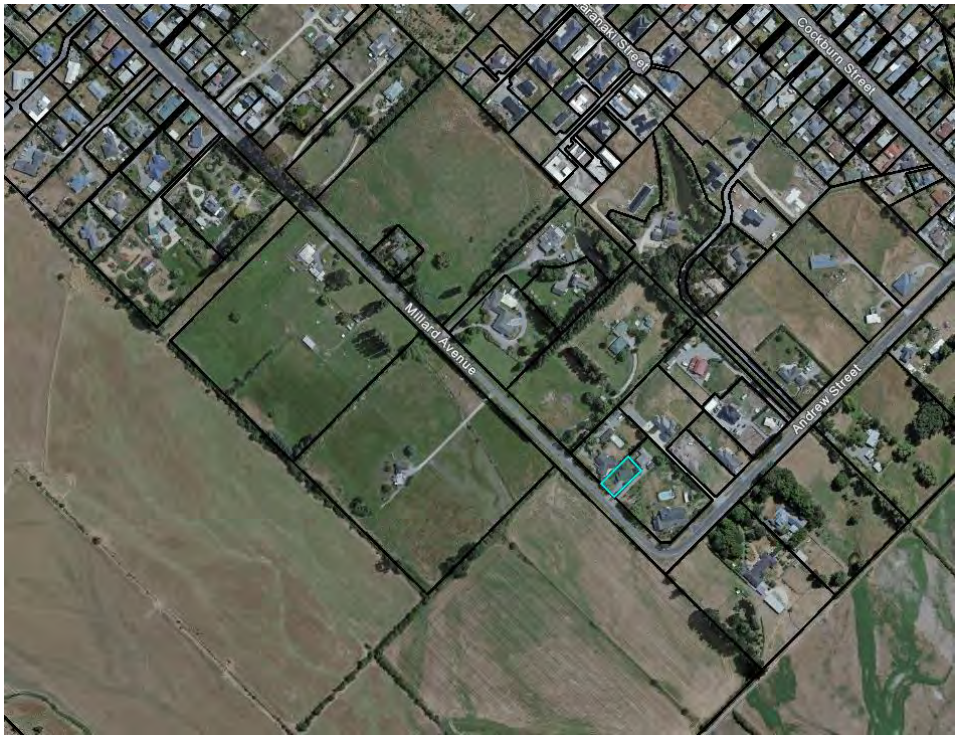

FIGURE ONE: LOCATION MAP (*Source: MDC Online Maps*)

3.2.1 RECORD OF TITLE INFORMATION

The site comprises two titles being SEC 103 SO 34530 and SEC 104 SO 34530. Both titles include the following interest:

> *Subject to Section 27B State-Owned Enterprises Act 1986 (which provides for the resumption of land on the recommendation of the Waitangi Tribunal and which does not provide for third parties, such as the owner of the land, to be heard in relation to the making of any such recommendation)*

As advised by a property / conveyancing expert, this interest is a redundant memorial and unlikely to cause issues as the relevant iwi have a settlement agreed under the Waitangi Tribunal. The project surveyor is in the process of exploring how this interest can be removed from the title.

3.2.2 SITE ZONING AND OVERLAYS / AREAS

OPERATIVE WAIRARAPA COMBINED DISTRICT PLAN

The site is located in the Special Rural Zone of the Combined District Plan. The only notation pertaining to the site is the Air Noise Corridor bisecting the southern corner of the site. Refer **Figure Two** below.

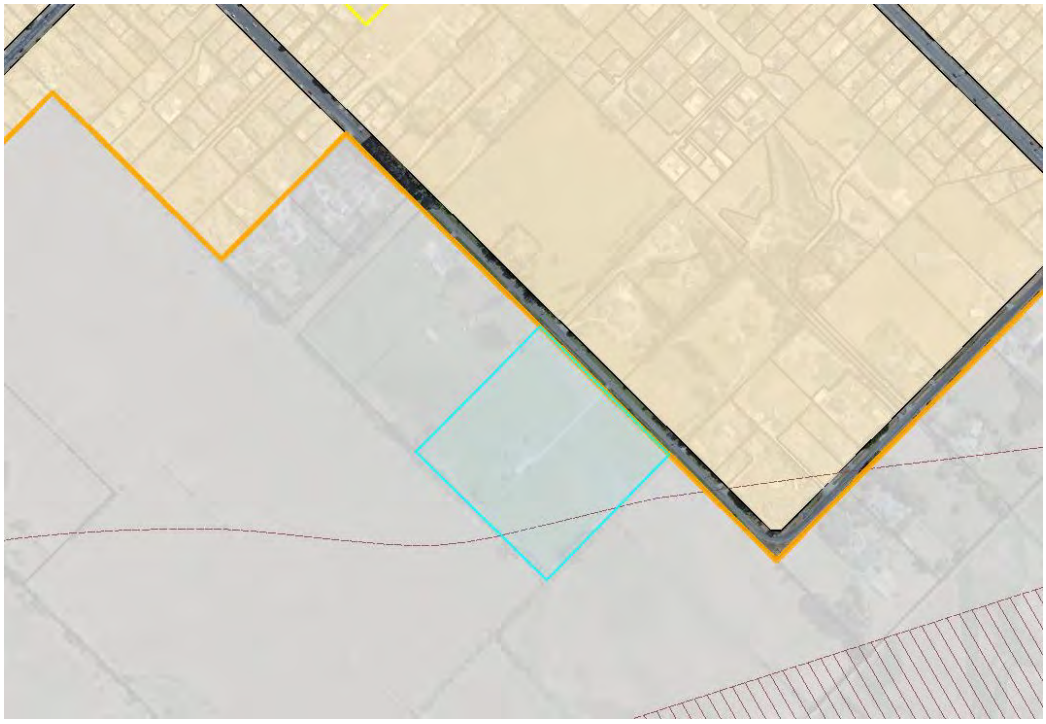

FIGURE TWO: COMBINED DISTRICT PLAN ZONING AND OVERLAY

NATURAL RESOURCES PLAN

There are no scheduled items or features on the site or in the immediate vicinity.

3.2.3 CURRENT LAND USES

The site is currently rural land and utilised for grazing. The site falls within urban area on the LUC maps as illustrated in Figure Three below.

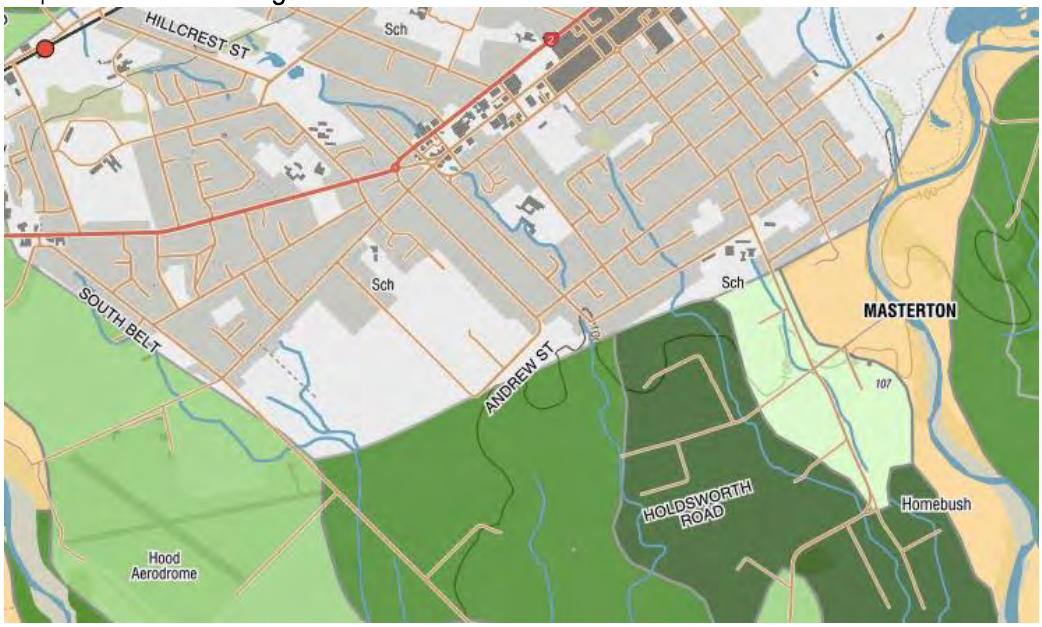

FIGURE THREE: LAND USE CLASSIFICATION

3.2.4 ACCESS AND SERVICING

Existing access and infrastructure servicing is detailed in the Infrastructure Report attached in **Appendix Three**.

3.2.5 ECOLOGY AND HYDROLOGY

The Infrastructure Assessment identifies two drains on the Site and two drains adjacent to the Site. Refer **Figure Four** below.

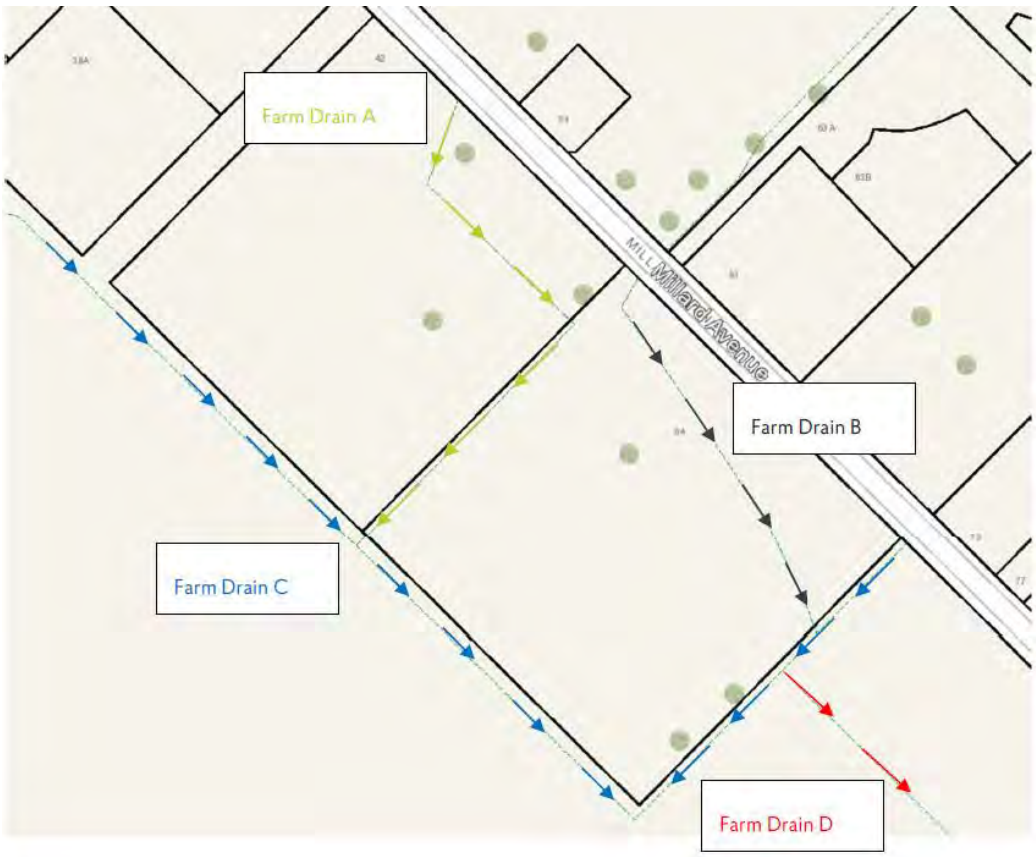

FIGURE FOUR: FARM DRAINS (*Source: Infrastructure Assessment*)

The previous landowner advised the current landowner that the internal drains were dug to manage the conveyance of overland flow through the site. None of the drains are identified as 'highly modified watercourses' or 'natural streams/rivers' on GWRCs Regional Highly Modified Streams maps. The watercourses running parallel to the eastern boundary is identified as a highly modified stream. Refer **Figure Five** below where this watercourse is identified in pink.

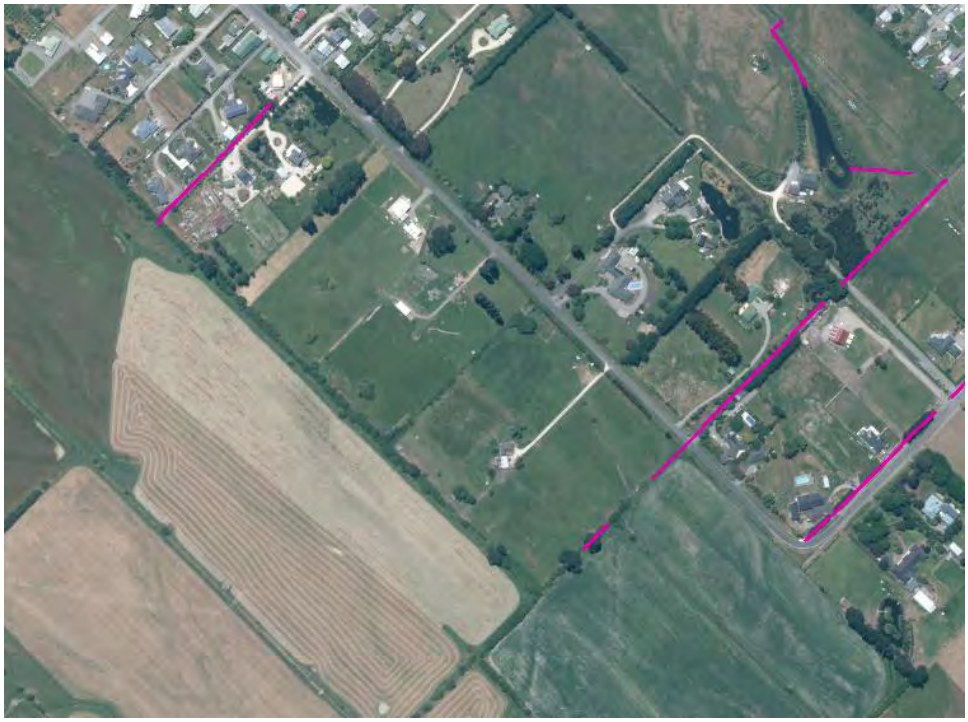

FIGURE FIVE: GWRC REGIONAL HIGHLY MODIFIED STREAMS

3.2.6 SURROUNDING ENVIRONMENT

A detailed site context analysis and assessment is included in the *Urban Design Assessment* attached as Appendix Four. The context analysis includes the following:

> *The site is within a 2km range (as the crow flies) of Masterton town centre, which provides a range of retail, entertainment, and community facilities. A local bus service (Bus 202) links the area with the rest of Masterton. The Masterton Station is about 4km away, (about 7 minutes to drive to the Park & Ride) which provides rail service to Wellington. Renall Street Train Station is just over 2km away. South Park, Masterton Primary School, Chanel College, and Manaia Kindergarten are all located within 1km of the site. The site is approximately 1 km south of State Highway 2, which connects the site to the Hutt Valley, and the Wellington Region. Masterton Airport is less than 1km to the south east of the site.*
>
> *Although the site is currently zoned Special Rural, it is located along Millard Avenue and adjoins the Urban/Rural boundary. The adjacent area to the north and east of the site is an established residential community characterised by single storey dwellings at low density. There is a variety of lot sizes in the adjacent residential environment, ranging from around 400m2 to approximately 700m2.*
>
> *Millard Road has a variety of urban and rural conditions. The original large rural land parcels along the northern portion of Millard Ave (zoned General Residential) have been subdivided into a variety of residential properties. Lots adjoining Millard Avenue are typically approximately 700m2 in area, but there are some smaller lots (around 385m2 to 485m2), including one duplex (30 and 30A Millard Avenue).*
>
> *Further south down Millard Avenue, lots are typically larger lifestyle properties.*
>
> *The future (yet to be consented) development of 41 Millard Avenue, across the road from the site, has a range of lot sizes from around 450m2 to about 750m2 (see map overleaf). Frontage widths of the newly created along Millard Avenue are approximately 20m.*

The rural land that surrounds the site on the north, west and south is comprised of one large landholding (over 50ha) and is currently used for grazing. This landholding is accessed from both Millard Ave and South Road and also has road frontage with Mania Road.

The following points regarding the site were noted by MDC in its IAF application:

- *The proposed housing development is based within the urban area of the Masterton District (Masterton is comprised of one urban township, with rural and coastal areas). As of 1 August 2021, there were 87 employment vacancies being advertised that are based within the Masterton District. Source: seek.co.nz*
- *The closest early childhood education facility and primary school are on South Road, which is an 8 minute walk/650m from the housing development. Secondary Schools closest to the housing development is Wairarapa College which is approximately 2.6km/30 min walk/5 minute drive.*
- *The Kuripuni Shopping Village is less than 2km/4 min drive/17 minute walk from the housing development. The Kuripuni Shopping Village has retail shops, a range of restaurants and cafes, a chemist, post shop, yoga studio, and supermarket (Pak n Save).*

And:

The sites are:

- *an 4 minute walk to Masterton Primary School*
- *an 8 minute walk to Hadlow Prepartory School*
- *an 8 minute walk to Chanel College*
- *within 10mins walk of three early learning centres and a kindergarden*
- *A 5 minute walk to the Kuripuni Shopping Village*
- *Within a 5min drive to Masterton Airport*
- *A 3 min drive or 10min walk to the Masterton town centre*
- *Within walking distance to numerous parks and playing fields*
- *Within walking distance of a number of small suburban shops and churches*

And:

There is public transport by way of a bus service, with the closest bus stop being on High Street which is a 15 minute walk/approx. 1.2km. The main Masterton bus stop is on Queen Street which is a 2km/5min drive/25 min walk. The closest train station (train service Masterton-Wellington) is Solway train station. It is a 30 min walk/5 min drive/3km away approximately

3.3 CONSTRUCTION DATES AND STAGING

Under Section 20(3)(d) it must include a statement of whether the project is planned to proceed in stages and, if so, an outline of the nature and timing of the staging.

In summary, the anticipated timeframes for development are as follows:

a) Planning Fast Track – 12 Months (February 2023 – February 2024)

b) Detailed Design and Council Engineering Approvals – 6 Months (November 2023 – March 2024)

c) Civils and Earthworks – 18 Months (March 2024 – August 2025)

d) Housing Construction – 24 Months (July 2025 – July 2027)

For reference, a draft development programme is attached as **Appendix Three**. This programme anticipates that civil and earthworks will be undertaken in one stage.

3.4 DESCRIPTION OF ANTICIPATED AND KNOWN ADVERSE EFFECTS

Under Section 20(3)(d) of the Act, a referral application must include a description of the known adverse effects of the project on the environment. Given the wording of Section 20(3)(d), a description of the effects has been provided and a more detailed assessment of these effects will be provided in the fast -track application, should this referral application be successful.

A description of the following anticipated effects and how they are intended on being appropriately addressed is outlined in the following sections:

a) Social and economic effects;

b) Ecological effects;

c) Landscape and natural character effects;

d) Visual effects;

e) Earthworks and construction effects;

f) Traffic effects;

g) Subdivision effects;

h) Geotechnical effects;

i) Residential character and amenity;

j) Climate change and natural hazard effects;

k) Historical and archaeological effects;

l) Cultural effects; and,

m) Reverse sensitivity effects.

3.4.1 SOCIAL AND ECONOMIC EFFECTS

Masterton District contributed around 3% of Wellington Region's annual GDP in 2020, or around $1.3 billion total of just over $40 billion the region generated. This scale of GDP is, not unexpectedly, significantly smaller than that of the other districts in the region, which is primarily due to its limited population base. The district has struggled to form a critical mass of people to generate efficient investment in additional business or inter-regional infrastructure.

The Project will enable the development of approximately 115 homes in an area that is facing a shortfall in development capacity. This increase in housing supply will enable the social and economic wellbeing of the community to be maintained and enhanced.

The variety of lots provided enables the delivery of the range of housing typologies proposed. This range will cater for residents of differing demographics and stages of life, which will satisfy the on-going needs of future generations.

In addition, the employment opportunities enabled by the Project will positively impact the social and economic wellbeing of workers and the communities that will benefit from their employment.

In relation to housing affordability, the proposal helps to achieve the NPS-UD objectives as it increases the range of housing available to the market. The proposal would provide additional housing within the $650,000 - $1,200,000 price range.

The Project also facilitates off-site infrastructure upgrades that will support both the existing neighbourhood and future growth in the area. This infrastructure would not otherwise be provided given that it was removed from the LTP due to lack of funding. This upgrading of infrastructure will lead to social and economic benefits to the surrounding community.

3.4.2 ECOLOGICAL EFFECTS

IMPACTS ON WATERCOURSES

As noted, there are no streams located on the site. The farm drains within the site will be removed and like the current situation, the drains around the periphery of the site will be utilised for stormwater management. Attenuation will be implemented to achieve hydraulic neutrality for the site and ensure that post-development peak discharges do not exceed the pre-development peak stormwater discharges. A new piped public stormwater network within the road corridor which will discharge to two attenuation basins located at the south-eastern corner of the site prior to eventual discharge to Drain C. The proposed public pipe system will be designed to cater for the catchment in the 1 in 10-year ARI storm interval whilst the attenuation basins will be sized to attenuate for the 2, 10 and 100-year ARI storm events.

While the ecological value of the adjacent drains is considered to be low, potential stormwater and sediment effects on these watercourses will be avoided and minimised. During earthworks, erosion and sediment control devices will ensure that sediment discharges to the watercourses is mitigated.

A Stormwater Management Plan ("SMP") will also be prepared in support of the application and will address potential effects on the site and outline the approach to stormwater management. The resource consent will proffer a consent condition that requires implementation of and adherence to the SMP.

IMPACTS ON INDIGENOUS BIODIVERSITY

There are no areas of indigenous biodiversity that will be affected by the Project. Street and reserve plantings as part of the Project will be dominated by native species. In that regard, the project will support the establishment and prosperity of indigenous biodiversity.

3.4.3 LANDSCAPE AND VISUAL EFFECTS

The Site and surrounding area is not located within a significant landscape. Also, there are no identified areas of recreational, scientific, historical, or spiritual value on or near the Project site. Irrespective, the development has sought to respect the natural landform and the allotments have been designed to enable open space around dwellings, as well as providing public open spaces and connections to adjacent properties.

If the referral is approved, the resource consent application will include landscape plans for both on-lot and public areas that will seek to ensure that the development is integrated with the surrounding environment, as well as a landscape and visual effects assessment that will address these potential effects.

3.4.4 EFFECTS ON RURAL CHARACTER AND AMENITY

The development of the site for residential purposes has the potential to impact on rural character via the loss of rural land. The Project is designed to provide the most appropriate form of transition between the rural and urban interfaces.

It is considered that the loss of rural land in this location will not give rise to any significant adverse effects. The rural land comprised within the Project site is highly fragmented and modified. Furthermore, the site does not contain class 1-3 soils, meaning that protection of the soils on the site for production purposes will not be required under the National Policy Statement on Highly Productive Land (NPS-HPL).

The proposal has been developed with input from Lauren White of Urban Acumen. An *Urban Design Assessment* has been prepared and is attached in Appendix Four. With respect to the integration of the development with the surrounding locality, Ms White states that the rural interface has been appropriately managed by:

- *where practical, minimising the number of properties which adjoin the rural boundary through the location of passive open space (stormwater management areas) and orientating private internal and external open spaces away from the boundary (e.g. on the north western and south eastern boundaries); and*
- *providing larger lots along the boundary (e.g. western edge) to enable greater rear yard setbacks for dwellings.*
- *ensuring appropriate fencing and landscaping along the boundaries; and/or*
- *using a design guide and/or consent notices during future consenting processes to ensure appropriate architectural and landscape design limits/prevents any adverse effects or reverse sensitivity issues.*

3.4.5 RESIDENTIAL CHARACTER AND AMENITY / URBAN DESIGN EFFECTS

The layout of the Project provides a variety of choice through lot size, dimension, and orientation. Efficient roading networks, reserve networks and pedestrian and cycle networks are all integral components of the layout design which contribute to the residential character of the surrounding locality.

Internally within the individual lots, high levels of residential character and amenity will be maintained through the adoption of residential bulk and location standards that will be imposed via consent notices. The use of these standards will mitigate any potential cross-boundary effects relating to privacy, overshadowing and built-form dominance for example and will ensure appropriate allowances are made for outdoor open space and adequate access to sunlight and natural light. These standards will also compliment the proposed landscaping treatments and contribute to a quality street scene.

The proposal, including the medium density development has been developed with Ms White of Urban Acumen. To support the proposal Ms White has prepared an *Urban Design Assessment* – refer Appendix Twelve. In summary, Ms White makes the following conclusion:

> *The proposal development exhibits good urban design outcomes and provides the opportunity to further establish good residential amenity and appropriate interfaces with the adjacent rural land.*
>
> *In summary, it provides the following urban design benefits:*
>
> - *a logical extension to the existing urban area*
> - *proposed and potential further design measures to address the rural interface*
> - *good internal connectivity and future connectivity with adjacent land (should it be urbanised in the future)*

- *relatively consistent lot frontages and perception of density with existing development to the north of Millard Street*
- *efficient use of the land resource*
- *a priority for dwellings to front/face onto well designed and attractive public streets and a minority of accessways and rea lots*
- *a range of lot/housing options to extend the lifestyle choice in Masterton*
- *a new pocket park to function as the social heart of the development, contribute to residential amenity and provide opportunity for active recreation*
- *efficient and function lots which enable good solar gain for internal and external living spaces*
- *The development proposal is broadly consistent with relevant assessment frameworks and the next stage of design provides the opportunity to carefully consider detailed design outcomes.*

As such, the proposal is supported from an urban design perspective.

3.4.6 EARTHWORKS AND CONSTRUCTION EFFECTS

As noted, the Project requires earthworks to create building platforms, roading, associated batters, installation of infrastructure and the formation of stormwater detention basins. In total, earthworks will involve a volume of approximately 20,000m^3 cut to waste, 5,000m^3 cut to fill and 65,000m^3 of imported fill and will be spread over an area of approximately 7.45 hectares. The works will likely have maximum cut depths of 1 metre and maximum fill depths of 2.5 metres.

If the referral is approved, the fast-track resource consent will be accompanied by a Draft Earthworks and Construction Management Plan ("ECMP") that will address the following:

a) Final earthworks volumes and earthworks methodology;

b) Construction hours;

c) Construction noise;

d) Construction traffic management;

e) Erosion and sediment control;

f) Dust control; and,

g) Complaint management.

Earthworks effects will relate to their visual impact, erosion and sediment control and dust management. These effects are outlined below.

VISUAL EFFECTS

As noted, the site is not identified in an area of outstanding or special amenity character and is generally flat therefore significant earthworks and landform modification is not necessary to support the development.

The proposed earthworks are relatively uniform and once construction is completed, the fill will be covered by buildings, roading and landscaping. No exposed earth will remain visible and there will be no visible scarring following completion of the works.

In addition, site works will be screened from residential properties to the north, east and west of the site via construction fencing covered in a suitable screening material.

EROSION AND SEDIMENT CONTROL

As noted, the resource consent application will include an earthworks methodology together with a Draft ECMP that will include erosion and sediment control plans and details including the sizing, location, maintenance and monitoring of the erosion and sediment control devices.

The erosion and sediment control methods will reference to the relevant GWRC guidelines and the Applicant will proffer a condition of consent that requires that earthworks and erosion and sediment control comply with these guidelines.

The proposed erosion and sediment control measures will be designed to meet or exceed the relevant guidelines. Measures related to erosion control are designed to slow down stormwater flows, dissipate energy, reduce the overall amount of sediment generated from exposed areas of earthworks, and decrease the overall volume of sediment transported to the sediment control devices. The measures to be employed include runoff diversion channels, clean water diversion channels, check dams and drop out pits, amongst others.

Sediment control will be managed by devices designed to reduce the loading of sediment discharged into the Site and wider environment, by allowing sediment to settle before it is discharged. The measures to be employed include sediment retention ponds, decanting earth bunds and silt fences amongst others.

The project engineers are confident that any potential erosion and sediment control effects can be appropriately mitigated on site via adherence to the relevant guidelines and proffered consent conditions.

EARTHWORKS AND CONSTRUCTION EFFECTS SUMMARY

Potential earthworks effects can be mitigated to an acceptable level and will be less than minor for the following reasons:

a) The Site is generally flat so significant landform modification is not necessary to support the development;

b) Site works will be temporary in nature and will be permanently screened by the proposed buildings, access, carparking and landscaping;

c) Site works will be screened from residential properties via construction fencing covered in a suitable screening material; and,

d) The site will be managed in accordance with an approved ECMP that will adhere to District and Regional Council guidelines.

3.4.7 ACCESS AND TRAFFIC EFFECTS

Council have identified road upgrades along Millard Avenue and Andrew Street that are necessary to support future development in the area. The landowner has worked with Council to agree an additional per lot development contribution to contribute to the proposed upgrades. This additional development contribution would apply to the development of the site.

The proposed access and roading through the site have been designed to meet Council standards and it is anticipated that the main internal road will be vested with the District Council as a public road. In addition, the following points are noted:

- The change in land use at the Site from its current rural/ activity to a more conventional suburban residential environment, will be supported by means of new transport infrastructure and off-site connections delivered as part of the subdivision development.
- The proposed internal movement network has been designed to provide a legible and well-connected development supporting both vehicular and active mode trips, with the new infrastructure being designed in accordance with the latest industry standard NZS4404:2010 'Land Development and Subdivision Infrastructure', as required by the Council's subdivision design guidance for new roads, inclusive of appropriate provision for both vehicular and active mode users.

By way of summary, it is considered that the development of the site for residential activities, with appropriate roading and active mode infrastructure connections to the existing network are able to support transport demands. Ultimately, it is not expected that any significant adverse effects warranting substantial mitigation would be triggered by the Site.

An Integrated Traffic Assessment will be provided with the fast-track resource consent application a traffic modelling assessment using the Council's district wide transport model, to determine any associated impacts on the surrounding network. The future ITA will also include details of correspondence undertaken with District Council traffic engineers.

CONSTRUCTION TRAFFIC

The need to introduce truck and other vehicle movements during the construction phases of any development has a potential to impact on the surrounding area and road network, but a certain degree of impact for what is normally a relatively short period of time (at least in the context of the life of the proposed development) is inevitable and should not normally be a reason for restricting development.

What is important however, is that measures must be put in place to minimise the potential impacts of construction traffic, and this is generally achieved through the implementation of a Construction Traffic Management Plan ("CTMP") that will be prepared and approved prior to work commencing. The resource consent application will proffer a consent condition that requires the preparation of a CTMP when the construction planning and staging (if any) is confirmed, and a contractor is appointed.

The details of the CTMP will include measures to mitigate the effects of construction on the surrounding road network, including, controlling the times of operation, managing the importation of fill to the site, general construction access and any changes for pedestrians. Subject to adherence to the CTMP, it is considered that any construction traffic effect can be adequately mitigated to an acceptable level.

In terms of capacity, the project traffic engineer considers that the local road network can accommodate the traffic volumes associated with construction, and the implementation of a CTMP will ensure that any potential effects on the surrounding area are mitigated. This will be confirmed in the future ITA.

3.4.8 SUBDIVISION AND SERVICING EFFECTS

The project engineers have confirmed that the site can be adequately serviced with water supply, wastewater disposal, stormwater disposal and telecommunications. This is detailed in the Infrastructure Memo attached in Appendix Three.

Due to the subdivision occurring at 45 Millard Avenue, Council have confirmed they will bring forward the necessary wastewater upgrades provided that a special development contribution is charged.

As noted, the landowner has agreed to pay the additional per-lot contributions. This will create a more resilient public network and will generate positive effects to the wider locality.

Three waters infrastructure will be designed to Council standards. The final design will be developed in consultation with District Council to achieve an acceptable outcome with regard to the Council's District Plan and the Subdivision and Development Principles and Requirements document.

The resource consent application will include an Infrastructure Report that provides full details of the proposed servicing of the Project. In addition, a Stormwater Management Plan will outline how stormwater will be appropriately managed on the site.

3.4.9 GEOTECHNICAL EFFECTS

Geotechnical investigations have been undertaken and have informed the earthworks design. It is anticipated that, like any residential development, the final design of the earthworks, retaining and building platforms will adhere to the recommendations provided by the project geotechnical engineer.

3.4.10 CLIMATE CHANGE AND NATURAL HAZARD EFFECTS

Under Section 20(3)(m) of the Act, a referral application must include a description of whether and how the project would be affected by climate change and natural hazards.

The site is not located in a flood hazard area on GWRC or MDC flood hazard maps. Notwithstanding, land contouring undertaken during construction of the development will ensure all surface water drains to the road and reserve corridors. Building platforms will be set at levels that will comply with the NZ Building Code and will be calculated at building consent stage.

The Project also includes the creation of a stormwater detention basin to accommodate stormwater flows within the site to ensure that flood hazard is not exacerbated on adjacent properties (i.e. to ensure hydraulic neutrality is achieved).

Climate change will also be taken into account in the sizing of the design and sizing of sediment control devices including the DEBs and SRPs and the associated catchments of these devices.

Also, with respect to climate change, if realised, the Project will assist in facilitating a reduction in greenhouse gas emissions compared to what would otherwise result if that housing capacity was delivered further afield, including areas identified by MDC for future growth. This is achieved by providing housing capacity in close proximity to community infrastructure and employment opportunity, and providing infrastructure which will encourage alternative, low-emissions forms of transport (i.e. utilisation of public transport).

Also, climate change effects such as an increase in extreme weather events (including storms) has been taken into account in the design of the development. The stormwater concept will be designed to the Wellington Water Regional standards, with the general design to a 10% AEP rainfall level including 20% increase for climate change. Also, freeboard levels will be set at levels that are compliant with the NZ Building Code.

3.4.11 HISTORICAL AND ARCHAEOLOGICAL EFFECTS

There are no historical or archaeological features identified on the site in the Combined District Plan. Nonetheless, an archaeological is currently undertaking an archaeological assessment of the site. The final design of the development will incorporate any recommendations made as part of the assessment. In addition, separately to the resource consent process, the Applicant will obtain an Archaeological Assessment under the Heritage New Zealand Pouhere Taonga Act 2014.

3.4.12 CULTURAL EFFECTS

This referral application has been sent to representatives of Rangitaane o Wairarapa and Ngati Kahungunu ki Wairarapa and they will be invited to prepare a Cultural Impact Assessment that will accompany the fast track consent application.

3.4.13 REVERSE SENSITIVITY EFFECTS

RURAL ACTIVITIES

The establishment of a residential development on a site currently zoned Rural can create difficulties for neighbouring activities, with the main issue being complaints about the types of rural activities undertaken and their effects. Examples of such activities are intensive farming operations or horticulture. Such complaints can lead to requests for constraints being placed upon permitted rural activities.

The rural land to the north of the site does not support activity likely to give rise to reverse sensitivity effects of any significance.

HOOD AERODROME

As noted, a small portion of the site is located in the Air Noise Corridor. Future development within this area will comply with the specific requirements set out in the Combined District Plan.

3.4.14 ADVERSE EFFECTS SUMMARY

There is no potential for the Project to have significant adverse environmental effects, and as outlined in the sections above, adverse effects will be avoided, remedied or mitigated and any residential effects will be readily managed through proffered conditions.

3.5 ASSESSMENT OF RELEVANT PLANNING DOCUMENTS

Under Section 20(3)(f), a referral application must include a general assessment of the project in relation to national policy statements and national environmental standards (as those terms are defined in the Resource Management Act 1991).

3.5.1 NATIONAL POLICY STATEMENT FOR URBAN DEVELOPMENT

The NPS-UD applies to both regional and local authorities and Wellington Regional Council is identified as a Tier 1 Local Authority. Masterton District Council is a Tier 3 local authority. The Regional Council, in its regulatory capacity, has recently responded to the NPS-UD through Plan Change 1 to the Regional Policy Statement.

Objectives 1, 2, 3, 4 and 8 of the NPS-UD are of particular relevance to the Project and this application. These objectives direct that:

> ***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 8: New Zealand's urban environments:

(a) support reductions in greenhouse gas emissions;

(b) and are resilient to the current and future effects of climate change.

The Project will give effect to these objectives in the following ways:

a) If consent for this Project is granted, it will enable it to progress ahead of the changes to those planning documents to ensure that MDC and GWRC meets its housing bottom line obligations as required under NPS-UD.

b) The Project will also enable enhanced competitiveness which will assist with housing affordability. Affordability is not the sole outcome of encouraging competitive markets as competitiveness can also promote a higher quality of developments as competitors seek to create points of difference to attract purchasers.

c) The infrastructure assessment confirms that the Project can be effectively integrated with infrastructure planning, funding and delivery. The landowner has already agreed an additional development contribution to ensure the necessary infrastructure upgrades align with the development.

d) Based on satisfying the first two components of Objective 6, the Project is entitled to benefit from 'responsive' decision making.

e) The development will contribute to a well-functioning urban environment given the location and layout of the project, as well as the provision of shared paths, are intended to encourage alternative transport modes which will support reductions in greenhouse gas emissions. Resilience to climate change is catered for by the engineering design.

Policy 2 of the NPS-UD requires that 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.

Housing capacity and demand issues include current and increasing shortfalls in housing stock and increases in housing demand as highlighted in the Masterton District Housing Stocktake. The key findings of this stocktake area the following:

Masterton's housing is becoming increasingly unaffordable, both for tenants and prospective home owners. House prices rose 13% in the year to December 2018, and the average weekly rent increased over 6% in both 2017 and 2018. The rising cost of housing is making the home ownership dream out of reach for many more Masterton residents who are now being forced to rent for the foreseeable future.

In relation to population growth Sense Partners Population and Household Growth Projections for Masterton and Carterton Districts forecasts a net increase in the population of around 20,720 people (or +54%) over the current population base of 38,250 people by 2051 under the Median projection

scenario. By 2051 (30-years) the population of the Masterton / Carterton catchment is anticipated to be nearly 58,970 people. Under the High Growth scenario, the 2051 population is projected to be nearly 73,000 people, a net increase of +91%. Both districts have their primary population base live, work and shop in two small townships (each bearing the name of their district) that are near one-another (15-20min drive). Most of the interest in future retirement village is likely to be derived from this economic market. This expected growth (like in many parts of NZ), highlights the need for additional residential dwellings.

The Sense Partners Median growth projections indicates that over the next 30 years, the Masterton market is estimated to require an additional 8,470 dwellings to accommodate projected growth out to 2051. While it is not necessary for some smaller councils to provide sufficient capacity based on incorporating NPS-UD buffers, providing such a buffer allows markets to operate more efficiently, maintain relative competitiveness and provide greater choice in location, price and typology.

Even if there wasn't a shortfall in housing supply, the NPS-UD calls for a 20% oversupply of feasible development to be provided in the short and medium term, and a 15% oversupply in the long-term to overcome the issue of housing supply. As noted above, this recognises that, for a range of reasons, not all feasible development capacity will be taken up. In addition, accommodating future growth requirements would secure the economic benefits associated with more efficient use of existing land resources and infrastructure, whilst providing sufficient capacity and location, typology and price choice in the market.

The NPS-UD obliges local authorities to respond to this information, in that if it is determined that more development capacity needs to be provided to meet demand, local authorities must then do so. Providing a greater number of opportunities for development that are commercially feasible will lead to more competition among developers and landowners to meet demand.

The proposed use of the fast-track consenting process to expedite the development of the site is not contrary to this policy direction. In fact, it is entirely consistent with it.

Policy 6 states that, 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.*

Policy 6(b) acknowledges that planning decisions (including decisions on resource consents) under the NPS-UD may involve changes to urban areas that result in a detraction of amenity values in the local area. However, the NPS-UD promotes these changes lead to improved amenity values for the

wider residential community and future generations. To this extent the NPS-UD confirms that such a detraction in localised amenity values is not an adverse effect.

Policies 6(c) and 6(d) also require planning decisions to have particular regard to the benefits of urban developments that create well-functioning urban environments and that provide development capacity as envisaged by the NPS-UD. The proposal assists in facilitating the development of a site for residential purposes and will therefore assist in providing benefits for the social, economic and cultural wellbeing of the District.

The Project will deliver the benefits of urban development that are consistent with the outcomes identified within well-functioning urban environments (as described above). The Project comfortably satisfies the requirements 'to provide or realise development capacity'.

Policy 8 states that local authority decisions affecting urban environments are responsive to plan change that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:

(a) unanticipated by RMA planning documents; or

(b) out of sequence with planned land release.

The proposal will add to development capacity of the District.

Prior to exploring this referral process, work had advanced to explore a private plan change as an out of sequence land release (as envisaged by Policy 8 NPS-UD). Given the timing advantages of consents processed under this Act, these plan change works have been placed on hold. As noted above, the applicant will engage in the district plan review process, but like a plan change process, developing the site under these standard RMA processes will mean a 2-4 year delay in delivery.

While the Proposal might be considered to be "ahead" of the district plan review, it is consistent with the NPS-UD, which envisages that situations may arise in which planning decisions must be made which are 'unanticipated' or 'out of sequence'. In this instance the outcome is not unanticipated but the mechanisms to achieve that outcome are lagging. The granting of consents under this Act enables development to progress to meet the capacity constraint and contribute to the provision of employment and economic stimulus in the wake of the pandemic and will be followed by a rezoning via the current District Plan review process.

In that context, the provision of approximately 115 homes over 4-5 years, will deliver development capacity to an area of high demand. Further, it will enable more people to live in an urban environment which is close to a centre zone and where, based on population projections and the shortfall in land supply, there is high demand for housing relative to surrounding areas.

The location and layout of the project, as well as the provision of pedestrian and cycle ways, are intended to encourage alternative transport modes which will support reductions in greenhouse gas emissions. The project will also deliver a variety of homes at a range of typologies and prices (including affordable housing) to meet the needs of different households.

For the reasons outlined above, the project is consistent with the objectives and policies in the NPS-UD. Further, while the Project may be inconsistent with the current provisions of the District Plan that relate to the current zoning of the Site, this inconsistency will be remedied when the site is rezoned via the District Plan Review. In the meantime, the NPS-UD however is considered to provide the overarching policy direction which enables the constraints of the outdated District Plan to be overcome for proposals which provide development capacity and contribute to a well-functioning urban environment.

3.5.2 NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT 2020 (NPS-FM)

The NPS on Freshwater Management (2020) provides direction on managing activities that affect the health of freshwater. The NPS is premised on the fundamental concept of Te Mana o Te Wai, which refers to the importance of water and recognises that protecting the health of freshwater protects the health and wellbeing of the wider environment. Additionally, it is about restoring and preserving the balance between the water, the wider environment, and the community. Te Mana o Te Wai encompasses six principles relating to the roles of tāngata whenua and other New Zealanders in the management of freshwater.

A thorough assessment of the relevant objective and policies which are relevant to the Project will be provided in the resource consent application. In short however, it is considered that the Project is consistent with the relevant objectives and policies for the following reasons

a) While the policies in relation to Te Mana o te Wai require regional councils to engage with mana whenua to determine these principles, the effects of the works which relate primarily to the control of stormwater and sediment will be minimised. Consequently, the health of freshwater will be protected in a manner that is consistent with Te Mana o te Wai.

b) While Policy 3 is directed to local authorities, the Project is consistent with this policy insofar 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 measures to avoid and minimise such impacts. These will include a range of management techniques relating to the control of erosion and sediment discharges from earthworks to maintain freshwater quality, and the use of a stormwater detention area to control stormwater quality and discharge rates to ensure freshwater is not adversely affected by stormwater from the site.

c) The proposal has been designed to achieve hydraulic neutrality and the design of the stormwater system for the site has taken account of climate change impacts. Therefore, the proposal has been designed to take into account public stormwater infrastructure and avoid adverse effects on it.

d) The ECMP will include measures that will be undertaken to monitor the effects of the proposal on receiving environments.

3.5.3 NATIONAL ENVIRONMENTAL STANDARD FOR FRESHWATER REGULATIONS 2020 (NPS-F)

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NPS-F) regulates activities that pose a risk to the health of freshwater and freshwater ecosystems. The regulation has effect from September 3 2020 and as such, all resource consents must consider the provisions of the NES.

There are no activities proposed in this application that require consent under the NES-F.

4. ALIGNMENT WITH CRITERIA

Under Section 20(3)(f) of the Act, a referral application must include an explanation of how the project meets the criteria in Section 18. The criteria along with details outlining how the project meets each criterion is provided below.

> *(1) A project is not eligible to be referred to an expert consenting panel unless it meets all the criteria set out in this section.*

Refer commentary below.

(1A) The Minister must be satisfied that the project will help to achieve the purpose of this Act (see section 19).

Refer detailed discussion in Section 4.1 below. The assessment concludes that the Project will achieve the purpose of the Act.

(2) The project must not include any of the following activities:

(a) an activity that is described as a prohibited activity in the Resource Management Act 1991, regulations made under that Act, (including a national environmental standard), or a plan or proposed plan:

There are no proposed activities that are described as a prohibited activity in the RMA, a plan or proposed plan.

(b) an activity that—

(i) would occur on land returned under a Treaty settlement; and

The land has not been returned to an iwi authority under a Treaty settlement.

(ii) has not been agreed to in writing by the relevant landowner:

The subject site is a single landholding owned by the applicants for this referral.

(c) an activity that—

(i) would occur in a customary marine title area under the Marine and Coastal Area (Takutai Moana) Act 2011; and

(ii) has not been agreed to in writing by the holder of the relevant customary marine title order issued under that Act:

The subject site is not within a customary marine title area.

(d) an activity that—

(i) would occur in a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011 and have a more than minor adverse effect on the exercise of the protected customary right; and

(ii) has not been agreed to in writing by the holder of a relevant protected customary rights recognition order issued under that Act.

The subject site is not within a protected customary rights area.

(4) To avoid doubt,—

(a) a project may be in the form of a single large project or any number of related projects, and the projects may cross local authority boundaries; and

(b) even if a project or part of a project meets all the criteria in this section, the Minister may decide not to refer it to an expert consenting panel (see section 23).

The above point is noted.

4.1 PURPOSE OF THE COVID-19 RECOVERY (FAST TRACK CONSENTING) ACT

Section 4 sets out the purpose of the Act as follows:

The purpose of this Act is to urgently promote employment growth to support New Zealand's recovery from the economic and social impacts of COVID-19 15 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources.

Under Section 19 of the Act, in considering, for the purpose of Section 18(1A), whether a project will help to achieve the purpose of this Act, the Minister may have regard to the following matters, assessed at whatever level of detail the Minister considers appropriate:

(a) the project's economic benefits and costs for people or industries affected by COVID-19:

(b) the project's effect on the social and cultural well-being of current and future generations:

(c) whether the project would be likely to progress faster by using the processes provided by this Act than would otherwise be the case:

(d) whether the project may result in a public benefit by, for example,—

(i) generating employment:

(ii) increasing housing supply:

(iii) contributing to well-functioning urban environments:

(iv) providing infrastructure in order to improve economic, employment, and environmental outcomes, and increase productivity:

(v) improving environmental outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity:

(vi) minimising waste:

(vii) contributing to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy (in terms of reducing New Zealand's net emissions of greenhouse gases):

(viii) promoting the protection of historic heritage:

(ix) strengthening environmental, economic, and social resilience, in terms of managing the risks from natural hazards and the effects of climate change:

(e) whether there is potential for the project to have significant adverse environmental effects, including greenhouse gas emissions:

(f) any other matter that the Minister considers relevant.

These matters are assessed in the following sections.

4.1.1 ECONOMIC COSTS AND BENEFITS

ECONOMIC BENEFITS DURING CONSTRUCTION

Construction has historically been a major driver for growth within New Zealand, directly employing about 258,000 people in residential, heavy and civil construction, and constructions services.[2]

[2] Construction factsheet: October 2020, COVID-19 economic update, MBIE.

Due to the effects of COVID-19, a number of projects have been delayed due to the periods of lockdown New Zealand underwent as a response to the virus. As a result, MBIE conclude that the construction sector will be reliant on a pipeline of fast- tracked consent activity, which will also work as a part of the economic recovery and rebuild following COVID-19. Fast-tracked construction activity (such as this Project) is envisaged to fill the gap in terms of employment and construction activity where funding for private developments may be heavily impacted by the pandemic.

The project would create a considerate number of jobs within the construction industry. The national 'value-added per employee' for each section has been used to estimate the full-time equivalent (FTE) employment for this project.

It is estimated that the construction of the proposed development would result in a total of 247 FTE jobs (62 FTE per year) and would contribute $104 million to GDP. These jobs would be in roading, construction, landscaping, planting, land surveying, administration and support services and other related activities.

More generally, the proposed development would provide additional employment and increase the range and relative affordability of housing in the area. The project would have a positive impact on the social and cultural well-being of current and future generations by increasing the housing supply within the area.

Additionally:

a) The development will deliver 116 new homes into the market, with a focus on delivering a range of tenure types, including standalone housing and more affordable terrace houses.

b) The development of the site will address a significant under supply of housing in Masterton that is experiencing chronic housing affordability issues and Masterton, which has historically been seen as being affordable, is now unaffordable to most.

c) There will also be associated financial and development contributions for local councils as part of the development.

Indirect benefits include supplies and services purchased by the construction team, or by contractors engaged by DMST International Limited. These include the wholesale and retail building supplies, and legal, telecommunications, administrative and accounting services. The vast majority of DMST International Limited's contractors and materials are locally sourced, ensuring that the benefits remain within the local economy. Other professional services, such as real estate and conveyancing services, are expected to benefit as housing is released into the market

ECONOMIC BENEFITS POST COMPLETION

The economic impacts of the Project will include flow-on effects that arise indirectly from the development, these include:

a) Salaries earned by local residents being spent on purchasing household goods and services, boosting the regional economy;

b) Increased housing both through the provision of new housing in the development and the release of existing homes which are released back on the market;

c) "New money" coming into the area as a result of the development;

d) Increased household incomes flowing through the local community; and

e) Possible increased visitor benefits.

4.1.2 SOCIAL AND CULTURAL WELLBEING

The Project provides for the development of housing to meet the identified shortfall by way of an expansion to an existing residential development in a location identified by MDC as being appropriate for that purpose. This increase in housing supply will enable the social and economic wellbeing of the community to be maintained and enhanced.

The variety of lots provided enables the delivery of the range of housing typologies proposed that will cater for residents of differing demographics and stages of life which will satisfy the on-going needs of future generations.

In addition, the employment opportunities enabled by the Project will positively impact the social and economic wellbeing of workers and the communities that will benefit from their employment.

With respect to cultural wellbeing, the Applicant will commence engagement with Rangitaane o Wairarapa and Ngati Kahungunu ki Wairarapa over the proposed development and any further updates on this consultation will be provided to MfE.

4.1.3 CONSENTING PROCESS

The Project will progress faster than using the alternative RMA processes. Obtaining consent by way of the District Plan review process and subsequent consents under the 'standard' RMA process is expected to take 3 – 4 years depending on appeals. Subdivision would likely occur in 2028/2029.

4.1.4 PUBLIC BENEFITS

EMPLOYMENT

As noted in the attached Business Case and Economic Assessment, over 247 FTE will be created by the Project and will contribute $104 million to the economy.

Providing jobs will have significant flow-on economic benefits to the local community through the construction phase. This includes jobs in construction work as well as real estate operations.

HOUSING SUPPLY

Masterton District's median house price increased from $240,000 in 2010 to a record high in 2021 at $609,000, equating to a 154% increase. This signals a growing attractiveness of the district. There was also a large increase in the number of property sales after the September Quarter in 2014 which has continued through to the most recent data, there were 151 properties sold each quarter between 2015Q1 and 2021Q2.

Masterton District's Economic Development Strategy (2018) found local real estate firms in Masterton had had an increase in house sales to new residents from Auckland, Wellington, and other larger urban centres for the lifestyle offered in Masterton. This highlights the increased value the market is placing on Masterton as a place to live and the lifestyle offered.

As noted above, the Masterton District Housing Stocktake identified that:

> *Masterton's housing is becoming increasingly unaffordable, both for tenants and prospective home owners. House prices rose 13% in the year to December 2018, and the average weekly rent increased over 6% in both 2017 and 2018. The rising cost of housing is making the home ownership dream out of reach for many more Masterton residents who are now being forced to rent for the foreseeable future.*

In relation to population growth Sense Partners Population and Household Growth Projections for Masterton and Carterton Districts forecasts a net increase in the population of around 20,720 people (or +54%) over the current population base of 38,250 people by 2051 under the Median projection

scenario. By 2051 (30-years) the population of the Masterton / Carterton catchment is anticipated to be nearly 58,970 people. Under the High Growth scenario, the 2051 population is projected to be nearly 73,000 people, a net increase of +91%. Both districts have their primary population base live, work and shop in two small townships (each bearing the name of their district) that are near one-another (15-20min drive). Most of the interest in future retirement village is likely to be derived from this economic market. This expected growth (like in many parts of NZ), highlights the need for additional residential dwellings.

The Sense Partners Median growth projections indicates that over the next 30 years, the Masterton market is estimated to require an additional 8,470 dwellings to accommodate projected growth out to 2051. While it is not necessary for some smaller councils to provide sufficient capacity based on incorporating NPS-UD buffers, providing such a buffer allows markets to operate more efficiently, maintain relative competitiveness and provide greater choice in location, price and typology.

Even if there wasn't a shortfall in housing supply, the NPS-UD calls for a 20% oversupply of feasible development to be provided in the short and medium term, and a 15% oversupply in the long-term to overcome the issue of housing supply. As noted above, this recognises that, for a range of reasons, not all feasible development capacity will be taken up. In addition, accommodating future growth requirements would secure the economic benefits associated with more efficient use of existing land resources and infrastructure, whilst providing sufficient capacity and location, typology and price choice in the market.

The Project would also reduce land demand pressure and make further residential housing available as new owners release their properties to the market.

CONTRIBUTING TO WELL-FUNCTIONING URBAN ENVIRONMENTS

The Project is located on a site that is adjacent to a new residential development and on the periphery of the Masterton township. The Site therefore represents a logical expansion of an existing urban area.

The Project contributes to well-functioning urban environments for the following reasons:

a) The Project will achieve a positive interface with the existing and emerging residential environment and maintain the amenity and operational functions of surrounding rural properties and the hood aerodrome.

b) The Project provides appropriate connectivity to adjacent urban areas.

c) Given its location in close proximity to public transport and the Masterton town centre, it is suitable for the level of density proposed. Refer further assessment in the *Urban Design Assessment*.

d) While the Site will be modified through earthworks and building construction, the proposal will result in a concentrated urban form surrounded by areas of open space.

e) Access, parking and servicing will be designed to meet the relevant provisions of the District Plan or industry recognised best practice standards;

The following points regarding the site were noted by MDC in its IAF application:

- The proposed housing development is based within the urban area of the Masterton District (Masterton is comprised of one urban township, with rural and coastal areas). As of 1 August 2021, there were 87 employment vacancies being advertised that are based within the Masterton District. Source: seek.co.nz

- The closest early childhood education facility and primary school are on South Road, which is an 8 minute walk/650m from the housing development. Secondary Schools closest to the housing development is Wairarapa College which is approximately 2.6km/30 min walk/5 minute drive.
- The Kuripuni Shopping Village is less than 2km/4 min drive/17 minute walk from the housing development. The Kuripuni Shopping Village has retail shops, a range of restaurants and cafes, a chemist, post shop, yoga studio, and supermarket (Pak n Save).

In summary, the location of the site immediately adjoining existing residential development and, means that the Project is a logical expansion of an existing urban area.

PROVISION OF INFRASTRUCTURE

The Project would contribute to improving housing infrastructure in the Masterton area. MDC have long identified upgrades in this area and have agreed to bring forward these upgrades to support the subdivision at 45 Millard Avenue, this proposal, and any future development that may occur along Millard Avenue and Andrew Street.

On average, for every dollar spent on construction, around 77% to 88% is retained in the region and the remaining 12% to 23% is present within the wider New Zealand economy.

The Applicant has also agreed to pay additional development contributions for the identified upgrades to support development of the site and wider area. Therefore, the standard developments that will also be paid will support local public growth infrastructure, public community reserves (including environmental initiatives) and employment from infrastructure and reserve projects.

ENVIRONMENTAL OUTCOMES – FRESHWATER QUALITY

Potential effects on the retained drains will be managed via the control of stormwater and sediment from the Site, and management measures proving inadequate during high rainfall events. Given the low likelihood of such an occurrence, and subject to appropriate monitoring and maintenance, such effects will be low.

A SMP will also be prepared in support of the application and will address potential effects on the site and outline the approach to stormwater management. The resource consent will proffer a consent condition that requires implementation of and adherence to the SMP.

ENVIRONMENTAL OUTCOMES – INDIGENOUS BIODIVERITY

There are no areas of indigenous biodiversity that will be affected by the Project. Street and reserve plantings as part of the Project will be dominated by native species. In that regard, the project will support the establishment and prosperity of indigenous biodiversity.

WASTE MINIMISATION

This will be an eco-friendly development with waste minimization aligning with the Wairarapa Solid Waste Management and Minimisation Bylaw 2021.

CLIMATE CHANGE

If realised, the Project will assist in facilitating a reduction in greenhouse gas emissions compared to what would otherwise result if that housing capacity was delivered further afield, by providing housing capacity in close proximity to community infrastructure and employment opportunity, and providing infrastructure which will encourage alternative, low-emissions forms of transport.

Also, climate change effects such as an increase in extreme weather events including storms has been taken into account in the design of the development. The stormwater concept will be designed to the Council standards, with the general design to a 10% AEP rainfall level including 20% increase

for climate change. Climate change will also be taken into account in the sizing of the design and sizing of sediment control devices including the DEBs and SRPs and the associated catchments of these devices. Also, freeboard levels will be set at levels that are compliant with the NZ Building Code.

HISTORIC HERITAGE

While there are no identified archaeological features on the site or in the vicinity, an archaeologist is currently undertaking an archaeological assessment of the site. The final design of the development will incorporate any recommendations made as part of the assessment. In addition, separately to the resource consent process, the Applicant will obtain an Archaeological Assessment under the Heritage New Zealand Pouhere Taonga Act 2014.

In addition, the Applicant has commenced engagement with Ngāti Kahungunu over the proposed development and any further updates on this consultation will be provided to MfE.

4.1.5 SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECTS

There is no potential for the Project to have significant adverse environmental effects. Also as detailed in the technical reports, potential adverse effects can be adequately avoided, remedied or mitigated to an acceptable level.

5. PERSONS AFFECTED

Under Section 20(3)(g) of the Act, a referral application must include a list of the persons the applicant considers are likely to be affected by the Project, including relevant local authorities, relevant iwi authorities and relevant Treaty settlement entities.

Persons likely to be affected (both positively and adversely) and that may have an interest in the development are listed as follows:

- Ngāti Kahungunu

a) Masterton District Council; and,

b) Greater Wellington Regional Council.

5.1 CONSULTATION

Under Section 30(3)(h) of the Act, a referral application must include a summary of any consultation already undertaken on the project. The consultation outlined below that has been undertaken by the Applicant and their consultants has sought to inform the various technical assessments and the design of the proposal.

5.1.1 MASTERTON DISTRICT COUNCIL

Correspondence has been undertaken with Masterton District Council on all levels including with Senior Executives and with Council Officers, including the team responsible for the preparation of the IAF application that sought funding for the infrastructure upgrades for Millard Avenue and Andrew Street.

As noted, the landowner and its consultants have worked closely with the relevant planning, engineering and finance staff to agree an additional development contribution to bring forward the necessary infrastructure upgrades.

5.1.2 GREATER WELLINGTON REGIONAL COUNCIL

At the time of writing no formal correspondence has been undertaken with the Regional Council, however a pre-application meeting and site visit is scheduled.

5.2 TREATY SETTLEMENTS

Under Section 20(3)(i) of the Act, a referral application must include a list of any Treaty settlements that apply to the geographical location of the project, and a summary of the relevant principles and provisions in those settlements.

There are no treaty settlements that apply to the Site.

6. WHAT IS NEEDED TO COMPLETE THE PROJECT

6.1 LEGAL INTERESTS

Under Section 20(3)(ia) of the Act, a referral application must include a description of the applicants legal interest (if any) in the land on which the project will occur, including a statement of how that affects the applicants ability to undertake the work. The Applicant / Authorised Person is the landowner of the subject site and therefore the applicant is able to undertake the work without delay / impediment.

6.2 LEGAL AUTHORISATIONS

Under Section 20(3)(k) of the Act, a referral application must include a description of other legal authorisations (other than contractual) that the applicant considered may be required to commence the project, for example authorities under the Heritage New Zealand Pouhere Taonga Act 2014 or concessions under the Conservation Act 1987.

While there are no recorded archaeological sites on the subject site, for completeness, the Applicant will obtain an Archaeological Authority from Heritage New Zealand Pouhere Taonga ahead of commencing works on the site.

6.3 RESOURCE CONSENTS AND RESOURCE CONSENT STATUS

Under Section 30(3)(j) of the Act, a referral application must include an outline of the types of resource consents that the applicant considers are needed to authorise the project, including any that the applicant considers may be needed by someone other than the applicant.

6.3.1 WAIRARAPA COMBINED DISTRICT PLAN

The subject site located within the Rural (Special) Zone. Under Rule 20.1.1(a) of the District Plan, any subdivision that complies with all of the standards in 20.1.2 is a Controlled Activity. The proposal is unable to comply with the minimum lot area and minimum lot frontage standards.

Under Rule 20.1.3(a), any subdivision in the Rural (Primary Production) Zone or Rural (Special) Zone that does not comply with any one of the minimum standards for a Controlled Activity in Rule 20.1.2(b) is a Restricted Discretionary Activity provided that the standards for Restricted Discretionary Activities in Rural 20.1.4(a) are met. The proposal does not comply with the minimum lot area and minimum lot frontage standards. Subdivision that does not comply with this standard requires Non-Complying Activity resource consent under Rule 20.1.7 of the District Plan.

In additional to subdivision consent, resources consents will be required under the following rules:

- 4.5.5(e) (Restricted Discretionary) – Residential activities that do not meet one or more of the standards for permitted or controlled activities.
- 21.4.14 (Restricted Discretionary) - Roads, Access, Parking and Loading Areas (a) Any activity that does not comply with the requirements in Rule 21.1.25. *N.B the proposed roads have been designed to comply with these standards but this rule is included if minor deviations are required.*

6.3.2 GWRC NATURAL RESOURCES PLAN

DMST International Limited seeks all necessary GWRC consents for the project as detailed in **Table Two** below.

TABLE TWO: GWRC RULE AND STANDARD ASSESSMENT

RMA SECTION	RULE / ACTIVITY	COMMENT
PROPOSED NATURAL RESOURCES PLAN (APPEALS VERSION)		
LAND DISTURBANCE		
9 AND 15	R99 (PERMITTED) R101 (DISCRETIONARY)	**Discretionary Activity** Under Rule R99 of the PNRP-AV, the use of land, and the associated discharge of sediment-laden runoff stormwater into water, or onto or into land where it may enter water, from earthworks of up to a total contiguous area up to of 3,000m^2 per property per 12-month period is a Permitted Activity, provided that conditions are met. The proposal will exceed 3,000m^2 in area per 12-month period. Therefore, the earthworks and associated discharges of sediment laden stormwater to land where it may enter water requires consent for a **Discretionary Activity under Rule R101**. For completeness and while not applicable, the project engineer has confirmed that the proposed earthworks will comply with the conditions of Rule R99.
DISCHARGE OF STORMWATER (OPERATIONAL)		
9	R48A (PERMITTED) R52A (RESTRICTED DISCRETIONARY)	**Restricted Discretionary Activity** The proposal includes the discharge of stormwater to a new piped network that will discharge to the existing reticulated network. Under Rule R48A of the PNRP-AV, 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 stormwater network, from: a) a new urban subdivision or development associated with earthworks up to a total area of 3,000m^2 per property per 12-month period, or b) a new urban subdivision or development in an area where a stormwater management strategy in accordance with Schedule N (stormwater strategy) applies is a permitted activity provided the following condition is met: c) the discharge shall comply with the conditions of Rule R48 except condition R48(c). is a Permitted Activity provided that conditions are met. The new development includes associated earthworks that exceed 3,000m^2 and therefore the proposal is unable to comply with the above rule. In relation to the R48 conditions, the project engineers will confirm in the application that: c) The discharge does not originate from industrial or trade premises where hazardous substances are stored; d) The discharge is from a contaminated site; e) The discharge will not contain wastewater; f) The total concentration of total suspended soilds in the discharge shall exceed: 100g/m3 where the discharge enters any other fresh or coastal water g) The discharge will not cause any erosion of the channel or banks of the receiving coastal marine area;

TABLE TWO: GWRC RULE AND STANDARD ASSESSMENT		
RMA SECTION	RULE / ACTIVITY	COMMENT
		h) The discharge will not give rise to the following effects beyond the zone of reasonable mixing: - The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or - Any conspicuous change in the colour or visual clarity, or - Any emission of objectionable odour, or - Any significant adverse effects on aquatic life. Under Rule R52A of the PNRP-AV, the discharge of stormwater from a new subdivision or development into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing local authority stormwater network, that is not permitted by Rule R48A is a Restricted Discretionary Activity. The matters to which Council have restricted its discretion are as follows: 1. *Measures to minimise the adverse effects of stormwater discharges in accordance with Policy P73, including the extent to which water sensitive urban design measures are employed;* 2. *Measures to manage runoff volumes and peak flows in accordance with Policy P79; and,* 3. *Requirements of any relevant local authority stormwater network discharge consent.*
DISCHARGE OF STORMWATER TO LAND		
9	R49 (PERMITTED) R53 (DISCRETIONARY)	**Discretionary Activity** It is not clear in the Summary of Decisions documentation whether the 'stormwater to land' provisions apply in addition to the provisions related to stormwater discharge associated with new urban development. For completeness, assessment against the stormwater to land provisions is provided below. Under Rule R49 of the PNRP-AV, the discharge of stormwater onto or into land, including where contaminants may enter groundwater, from an individual property is a permitted activity provided that conditions are met. Condition (a) requires that the discharge is not from, onto or into SLUR Category III land contaminated land. The proposed operational stormwater discharges will comply with all of the conditions of Rule R49. Under Rule R53, the discharge of stormwater, including stormwater that may be contaminated by wastewater, into water or onto or into land where it may enter water, that is not permitted by Rules R48, R48A or R49, or controlled by Rule R50, or a restricted discretionary activity under Rules R51, R52 or R52A is a Discretionary Activity.

6.3.3 NATIONAL ENVIRONMENTAL STANDARDS

The site is not identified as contaminated or potentially contaminated so is not subject to the regulations of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.

The Project does not involve reclamation of any rivers (as defined in the RMA and the NRP) or activities within the vicinity of a wetland so is not subject to the regulations of the National Environmental Standard for Freshwater.

6.3.4 OVERALL RESOURCE CONSENT STATUS

In recognition of the urgent need for housing in this area, non-complying resource consents are being sought under the existing zoning in advance of the future zoning changes. This will accelerate the delivery of residential capacity and the provision of employment resulting from the delivery of this project.

The proposed resource consents will, by way of conditions, enable the Project to proceed in accordance with the relevant Residential Zone and Medium Density Zone standards in the Draft Combined Plan. In addition to conditions, alignment of the Project with those standards will be secured through consent notices to be placed on each of the created standard density allotments.

Under Section 104D of the RMA, a consent authority may only grant an application for a non-complying activity if:

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.*

This consideration is commonly known as the 'threshold test ' or the 'gateway test '. If either of the limbs of the test can be passed, then the application is eligible for approval, but the proposed activity must still be considered under Section 104. There is no primacy given to either of the two limbs, so if one limb can be passed then the 'test' can be considered to be passed.

If the referral application is approved, the resource consent application will include a comprehensive assessment of the Project against the relevant objectives and policies and an assessment of environmental effects.

With respect to potential environmental effects, as noted above, there is no potential for the Project to have significant adverse environmental effects and adverse effects will be avoided, remedied or mitigated and any residential effects will be readily managed through proffered conditions. Given allotment design and layout, the project team are confident that potential effects can be appropriately mitigated to a less than minor extent.

With respect to objectives and policies, the Rural Zone provisions generally seek to:

- Maintain a consolidated urban form within existing urban areas and growth areas which can be efficiently serviced and integrated with existing townships;
- Ensure development includes a variety of living and working areas in a manner which reinforces the function and vitality of centres;
- Promote higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;
- Ensure development recognises the sensitive landscape and ecological character of the area;
- Minimise disturbance to the natural contours of ecological features of the site;
- Ensure development retains a sense of openness;
- Retain the rural productive potential of land;
- Ensure development appropriately addresses reverse sensitivity effects;

While the Project seeks to urbanise the site from a currently rural environment to a residential one, on balance, the Project will not be contrary to the relevant objectives and policies, for a number of reasons that include:

- Potential adverse effects associated with the proposed density can be internalised within the Site. Refer further assessment in the *Urban Design Assessment*;
- Retaining, protecting and enhancing ecological and landscape features on the Site that will assist in retaining a sense of openness;
- The site is not in the Primary Production Zone nor does it contain LUC I or II soils;
- Ensuring that the Project can be appropriately serviced with three waters infrastructure;
- The Project does not give rises to significant adverse effects on the natural and physical environment;
- The Project appropriately addresses reverse sensitivity effects;
- The Project will maintain a consolidated urban form;
- The Project will create a sense of community and provide a safe and accessible environment for pedestrians and cyclists; and,
- The Project will include stormwater treatment and management systems that are designed to integrate into the landscape to minimise stormwater runoff resulting from the development.

The *Urban Design Assessment* also makes the following comments with respect to the proposed residential development on the rural site:

> *The urbanisation of this land is supportable when considering its location adjoining Millard Avenue and the extent and shape of existing residential zoned land. It is logical for a rural boundary to be located at the rear of properties rather than along a road boundary. Rural properties do not require significant road frontage and land parcels along roads tend to experience pressure for urbanisation given their good access and proximity to infrastructure.*
>
> *The site is not classified by Landcare Research and is located outside of significant constraints associated with the aerodrome. Its extent is consisted/balanced with residential zoned land to the north and may form part of a band of future urbanised land along Millard Avenue which would promote an efficient use of infrastructure and a contribute to a consolidated urban form. Irrespective of potential future urbanisation of adjacent land, the site represents a rational extension of the urban boundary and the site's rural interfaces can be managed.*

The *Urban Design Assessment* also includes a detailed assessment of the Project against the residential zone objectives and policies in the Operative Combined Plan and the General Residential Zone and Medium Density Residential Zone objectives and policies of the Draft District Plan. While a thorough assessment of the proposal will be provided against these provisions in the fast track consent application, the *Urban Design Assessment* confirms that the Project generally aligns with these provisions.

7. OTHER MATTERS

7.1 PREVIOUS RESOURCE CONSENTS

Under Section 20(3)(l) of the Act, a referral application must include a statement of whether the applicant has already made consent applications or lodged notices of requirement under the Resource Management Act 1991 in respect of the same or a similar project and, if so, details of those applications and notices and any decisions made on them.

The Applicant confirms that no consent applications have been made with respect to the proposal.

7.2 CLIMATE CHANGE AND NATURAL HAZARDS

Under Section 20(3)(o) of the Act, a referral application must include a description of whether and how the project would be affected by climate change and natural hazards. This has been covered in Section 4 above.

7.3 ENFORCEMENT

Under Section 20(3)(n) of the Act, a referral application must include a summary of compliance or enforcement actions (if any) taken against the applicant by a local authority under the Resource Management Act 1991, and the outcome of these actions.

No enforcement or compliance actions have been taken against the Applicant.

8. CONCLUSION

This is an application for referral to an Expert Consenting Panel under the COVID-19 Recovery (Fast Track Consenting) Act 2020 for consent to undertake a residential development comprising up to 410 residential units at the site located at 99 and 103 State Highway 1, Waikanae.

While the site is zoned Rural in the Operative Kāpiti Coast District Plan 2020 ("the District Plan"), the site is located in an area of expected residential development as identified in the *Te Tupu Pai – Growing Well* Growth Strategy.

The applicant/authorised person is the landowner and has significant experience in developments of this nature as well as financing to fund the Project to completion. In all respects the Project is "shovel ready" with enabling works expected to commence within approximately a month of receiving consent, and the Project developed over five years from commencement. Thames Pacific directly manage all of their development projects internally and therefore gives them a high degree of control over the construction process including quality and the careful management of temporary construction effects.The development proposed has not progressed through any Resource Management Act 1991 ("the RMA") processes but engagement has been undertaken with Kāpiti Coast District Council ("the District Council") regarding the Project and the site's inclusion in the Growth Strategy and engagement has commenced with mana whenua.

Under the Act, the Project will progress faster than using the alternative RMA processes. Obtaining consent by way of a plan change and subsequent consents under the 'standard' RMA process is expected to take 2 – 4 years depending on appeals. Subdivision would likely occur in 2028/2029.

In addition to the Project's outcomes reaching the community faster via the Act, the project will promote employment and growth in a way that supports the region's recovery from the economic and social impacts of COVID-19. There will be significant investment in the local community of approximately s 9(2)(b)(ii) providing jobs and significant flow-on economic benefits. There are

opportunities through the Project for employment both locally, and for those in sectors that have been affected by COVID-19. The local construction industry will benefit.

The proposed residential development would help to reduce land demand pressure and make further residential housing available. This increase in housing supply will help to relieve pressure on the housing market and will contribute towards improved housing affordability in the long term.

There is no potential for the proposal to have residual significant adverse environmental effects, and as outlined in Section 3, adverse effects will be avoided, remedied or mitigated. Effects can be readily managed through conditions.

The Project is consistent with the objectives and policies in the NPS-UD. Further, while the Project is for a residential development on a rural zoned site, it aligns with many of the zone policies, is consistent with the residential zone provisions and the development is supported from an urban design perspective.

Most importantly, the Project satisfies the referral criteria and therefore should be considered for fast tracking.

9. LIMITATIONS

This report:

a) Is for the use by DMST Internationals Limited and the Ministry for the Environment only and must not be used or relied upon by any other person or entity or for any other project; and,

b) Has been prepared for a specific project described to use and its extent is limited to the scope of work agreed between the client and Scope Planning Limited.

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