

ŌTAKI MAORI RACECOURSE,

ŌTAKI

ŌTAKI REVISITED LIMITED

**APPLICATION FOR REFERRAL
TO THE EXPERT CONSENTING PANEL
UNDER THE COVID 19 RECOVERY
(FAST TRACK CONSENTING) ACT 2020**

NOVEMBER 2022

DOCUMENT CONTROL

AUTHOR	Stephanie Blick – Principal Planner
REVISION	2134_OMRC_REFERAL_20221101_FINAL
DATE	01 November 2022
REFERENCE	2134

CONTENTS

1.	EXECUTIVE SUMMARY	3
2.	INFORMATION REQUIREMENTS	4
3.	PART I: APPLICANT DETAILS.....	5
4.	PART II: PROJECT LOCATION	5
5.	PART III: PROJECT PROPOSAL AND EFFECTS	11
6.	PART IV AND PART V: CONSULTATION	26
7.	PART VI: MARINE AND COASTAL	27
8.	PART VII: ADVERSE EFFECTS	27
9.	PART VIII: NPS AND NES	38
10.	PART VIII: PURPOSE OF THE ACT.....	45
11.	PART X: CLIMATE CHANGE AND HAZARDS.....	52
12.	PART XII: TRACK RECORD.....	52
13.	CONCLUSION.....	52
14.	LIMITATIONS	53
15.	COPYRIGHT	54

APPENDICES

APPENDIX ONE:	RECORD OF TITLES AND CONSENT NOTICES
APPENDIX TWO:	DRAFT BUSINESS CASE AND DRAFT DEVELOPMENT PROGRAMME
APPENDIX THREE:	MASTERPLAN DRAWINGS
APPENDIX FOUR:	LANDSCAPE DRAWINGS
APPENDIX FIVE:	SUBDIVISION DRAWINGS
APPENDIX SIX:	URBAN DESIGN MEMORANDUM
APPENDIX SEVEN:	LANDSCAPE MEMORANDUM
APPENDIX EIGHT:	INFRASTRUCTURE REPORT
APPENDIX NINE:	ECOLOGICAL MEMORANDUM
APPENDIX TEN:	ECONOMIC ASSESSMENT
APPENDIX ELEVEN:	SOCIAL IMPACT ASSESSMENT
APPENDIX TWELVE:	TRAFFIC MEMORANDUM
APPENDIX THIRTEEN:	ARCHITECTS MEMORANDUM
APPENDIX FOURTEEN:	OMRC CORRESPONDENCE
APPENDIX FIFTEEN:	KCDC CORRESPONDENCE
APPENDIX SIXTEEN:	KCDC HOUSING DEMAND AND NEED ASSESSMENT
APPENDIX SEVENTEEN:	KCDC HOUSING NEEDS ASSESSMENT

1. EXECUTIVE SUMMARY

This is an application for referral to an Expert Consenting Panel, under the COVID-19 Recovery (Fast Track Consenting) Act 2020 ("the Act"), for the necessary consents and discharge permits to undertake a village development on the Ōtaki Maori Racecourse ("OMRC") site located at 47 Te Roto Road, Ōtaki.

The Project has been recognised and supported by central and local government as it seeks to assist in alleviating the chronic need for housing in Ōtaki and will provide more affordable and sustainable housing solutions to the Ōtaki community. Recent growth studies and needs assessments prepared for Kapiti Coast District Council ("Council") has found that Ōtaki demonstrates the highest level of housing need and affordability pressures across the District.

The Applicant, Ōtaki Revisited Limited is part of the Wellington Company Limited group of companies. The Wellington Company has significant experience in developments of this nature and has financing to fund the Project to completion. This has been outlined in the Business Case attached as **Appendix Two** to this application.

While the Site is zoned Rural Production in the Operative Kāpiti Coast District Plan 2020 ("the District Plan"), the Applicant, the OMRC Board and the Kapiti Coast District Council ("Council") have identified the site for potential redevelopment. This is evidenced in the recent funding secured from Kainga Ora under the Infrastructure Acceleration Fund ("IAF") for servicing to support the development. Ōtaki Revisited Limited have signed a Housing Outcomes agreement that directly aligns with the delivery of infrastructure as agreed between Kainga Ora and Council.

To realise the significant housing benefits envisaged by this Project, an on-site housing assembly warehouse is proposed that will provide jobs and ongoing employment opportunities. Further, the Project also includes the redevelopment of existing racecourse buildings to complement the housing development.

In all respects the Project is "shovel ready" with enabling works expected to commence within approximately 3-4 months of receiving resource consent (if granted), and the Project developed over seven years from commencement. The Wellington Company directly manages all 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 development proposed has not progressed through any formal Resource Management Act 1991 ("the RMA") processes, however significant engagement has been undertaken with the Council regarding the Project and the funding of infrastructure to service the development and wider Ōtaki area through the IAF.

The Applicant is seeking to seize the opportunity to consent the development through the Act. The Project will progress faster than using the alternative RMA processes. Obtaining consent under the 'standard' RMA process is expected to take 2 – 4 years given inevitable notification and depending on appeals. Subdivision would then only likely occur in 2028/2029, at the earliest.

"The housing market is broken and the cost of housing to purchase and rent is out of reach for most now living in Ōtaki.

We want to provide a housing future with a new way of living and a new housing model that will provide a sustainable and affordable solution to the needs of community. In turn, the Project will create a higher and better use and long-term sustainability for Ōtaki Maori Racecourse Club and its landholdings."

– Ian Cassels

The development will allow for 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 and as noted, the local construction industry will benefit via the inclusion of a building assembly warehouse in the Project. The assessment included in this referral application confirms that the Project is strongly aligned with the purpose of the Act.

The Project will add significantly to development capacity of the District given that it will account for approximately 16% of the shortfall in housing demand. Therefore, 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.

As detailed in this application and accompanying preliminary assessments, there is no potential for the proposal to have any material residual adverse environmental effects. Also, as outlined in Section 4 below, adverse effects will be avoided, remedied or mitigated. Many potential adverse effects have already been mitigated through the collaborative and extensive masterplanning process undertaken to date. Effects associated with earthworks and construction can be readily managed through conditions.

The Project is inherently consistent with the objectives and policies in the National Policy Statement for Urban Development ("NPS-UD"). 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, a rezoning by way of plan review will follow the grant of these consents. In the meantime however, the NPS-UD is considered to provide the overarching policy direction, this enables the constraints of the District Plan to be overcome for proposals which provide significant development capacity and contribute to a well-functioning urban environment. At its core, the Project achieves both of these.

With respect to alignment with the District Plan, while the Project may not generally align with some of the Rural Zone provisions, there are many other overlay and district-wide provisions that the Project is consistent with. In addition, it is acknowledged by the Applicant and project team, that the Site is not rural in character nor function.

In summary, this application and accompanying documentation confirms that the Project achieves the purpose of the Act and therefore should be considered for referral.

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 satisfies these requirements.

The following experts have contributed to the preparation of the masterplan, prepared preliminary assessments in support of the proposal, and have confirmed the accuracy of the assessments and conclusions reached in this application:

- Ecologists – Biosearches
- Civil Engineering: Envelope Engineering Limited
- Planning: Scope Planning
- Urban Design: McIndoe Urban
- Economics and social impact: Urban Economics
- Access, Traffic and Parking: Stantec
- Landscape Architecture: Wraight and Associates
- Geotechnical Engineering: ENGEO

3. PART I: APPLICANT DETAILS

3.1 PROJECT AUTHORISED PERSON

The **authorised person** for this Project and Applicant of this referral application is **Ōtaki Revisited Limited**.

Ōtaki Revisited Limited own one of the titles forming the Site and the Ōtaki Maori Racing Club Incorporated (OMRC) own the other title (largely comprising the racecourse and existing racecourse buildings). The OMRC board are in full support of the Project as outlined in the correspondence attached in **Appendix Fourteen**.

Ōtaki Revisited Limited entity is a wholly owned subsidiary of the Wellington Company Limited group of companies, where Ōtaki Revisited Limited is the SPV set up specifically to develop the Site. Refer further details of the organisational structure in the Business Case attached as **Appendix Two**.

The Wellington Company has significant experience in developments of this nature and has financing to fund the Project to completion. Details of recent projects are outlined in the Business Case attached as **Appendix Two**.

4. PART II: PROJECT 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 47 Te Roto Road, Ōtaki. Refer Record of Titles attached in **Appendix One**. Refer **Figure One** below.



FIGURE ONE: LOCATION MAP (Source: KCDC Online Maps)

4.1 RECORD OF TITLE INFORMATION

The Site comprises two records of title being Lot 1 DP 548977 and Lot 2 DP 548977. General title details are provided in **Table One** below.

TABLE ONE: TITLE DETAILS		
TITLE	OWNER	AREA
Lot 1 DP 548977	Ōtaki Maori Racing Club Incorporated	55.3822ha
Lot 2 DP 548977	Ōtaki Revisited Limited	4.4352ha

A review of Record of Title limitations is provided in **Table Two** below.

TABLE TWO: RECORD OF TITLE LIMITATIONS					
TITLE LIMITATIONS					COMMENT
EXISTING EASEMENTS IN GROSS					
PURPOSE	SHOWN	BURDENED LAND	GRANTEE	CREATED BY	
Right (In Gross) To Drain Sewage	V HEREON	LOT 2 DP 548977	Kapiti Coast District Council	E.I. 11824082.6	Protects existing Council wastewater main adjacent to Te Roto Rd, will remain in place/will be upgraded and suitable easement provided if required
	A,B,C,D,E & F HEREON	LOT 1 DP 548977			
EXISTING EASEMENTS					
Right To Drain Sewage	M,N,O & S HEREON	LOT 1 DP 548977	LOT 2 DP 548977	E.I. 11824082.5	Services will be redesigned to suit the proposed development. Access to wastewater drainage for all

TABLE TWO: RECORD OF TITLE LIMITATIONS					
TITLE LIMITATIONS					COMMENT
					proposed lots will be protected by suitable new easements.
Right To Convey Water	J,K,O,P,R,T & U HEREON				Services will be redesigned to suit the proposed development. Water supply to all proposed lots will be provided and protected by suitable new easements.
Right To Convey Gas	D,I,J & L HEREON				Services will be redesigned to suit the proposed development. Gas supply to all proposed lots will be provided and protected by suitable new easements.
Right To Convey Electricity	B,F,H,M,Q & R HEREON				Services will be redesigned to suit the proposed development. Electricity supply to all proposed lots will be provided and protected by suitable new easements.
Right To Convey Telecommunications	F,G,M,N,O & S HEREON				Services will be redesigned to suit the proposed development. Telecommunications supply to all proposed lots will be provided and protected by suitable new easements.
CONSENT NOTICE 11824082.3:					
Relates to Council conditions for foundations and provision of services for the existing lots					No perceived impact. Infrastructure and geotechnical reports will be prepared for the proposed development and will supersede requirements of this consent notice.
LAND COVENANT 11824082.7					
Reverse sensitivity covenant over Lot 2 DP 548977 in favour of Lot 1 DP 548977					No perceived impact. Current landowners are working in collaboration on agreements as to the proposed development.
LAND COVENANT 11824082.8					
Reverse sensitivity covenant over Lot 1 DP 548977 in favour of Lot 2 DP 548977					No perceived impact. Current landowners are working in collaboration on agreements as to the proposed development.

As outlined in the table above, the fast-track application will adequately address and reconcile the existing easements on the site and the matters of the consent notices. For reference, the existing easements are illustrated on the easement plans provided in **Appendix Five**. As illustrated on the plans there is a public wastewater line that bisects the Site with an easement in gross protecting this asset. As outlined in the proposal details, the Project includes the upgrade and likely realignment of the public wastewater network within the Site and as part of that process new easements will be created over the new lines and existing easements over redundant lines will be terminated.

4.2 SITE HISTORY

The OMRC was formed in 1886 and is the longest running and only remaining maori racecourse in New Zealand. The OMRC moved to the Te Roto Road site in 1906 and the first race day was held on October 12 1910.

Prior to, and during the First World War, attendances continued to grow. Immediately after the war there followed a boom and the club struggled with inadequate facilities. During 1923 improvements and enlargements were made to the Stewards Stand.

During the Second World War many other club's courses were used for military purposes (camps etc), and so were allowed the use of the Ōtaki course. For a period during the late 1940's the newly formed Ōtaki Trotting Club held meetings at the course, before moving to the Hutt Valley. The Rāhui Rugby Club held matches out in the middle and in 1927 motor racing was held on the track.

While significant upgrades to the track and facilities were required these didn't take place until December 1960. During much of the seventies the Ōtaki-Maori Racing Club had its problems with spectator facilities, and there was a time when moving the club became a possibility. The addition of filming towers and upgraded totalisator facilities (1973), new Members Stand (1979), new Public Stand (1990) – with a covered link to the Members Stand, improved jockeys' facilities, horse parading facilities, and more, gave the OMRC the conditions required by the day's race goers.

Further details on the recent history of the track are included in the OMRC correspondence attached in **Appendix Fourteen**.

4.3 SITE ZONING AND OVERLAYS / AREAS

4.3.1 KĀPITI COAST OPERATIVE DISTRICT PLAN

A review of the Kāpiti Coast District Council's Operative District Plan was initiated in 2009, with a proposed plan notified in 2012. Decisions on the Proposed District Plan were notified in November 2017. Outstanding appeals have now been resolved and the District Plan became operative in early 2021. Given that the proposed plan took some nine years to become operative, there were many aspects of the plan, including extent of residential zoning that were out-of-date even before it became operative.

The site is located in the Rural Production Zone. Other District Plan notations and overlays are as follows:

- a) PREC49 – Rural Plains Precinct
- b) Flood hazard (ponding) – dark blue
- c) Flood hazard (residual ponding area) – light blue
- d) Flood hazard (stream corridor) – pink
- e) Flood hazard (residual overland flowpath) – yellow

Refer **Figure Two** below.



FIGURE TWO: KĀPITI COAST OPERATIVE DISTRICT PLAN ZONING, OVERLAYS AND NOTATIONS

4.3.2 PROPOSED PLAN CHANGE 2 – INTENSIFICATION

Proposed Plan Change 2 (“the Plan Change”) to the District Plan seeks to respond to Government requirements to change the District Plan to accommodate more residents, businesses and community services in Kāpiti. It also seeks to implement in part the Te Tupu Pai – Growing Well Growth Strategy.

The Plan Change has not sought to amend the zoning of the Site. While Council have long been in support of the redevelopment of the Site, correspondence with Council officers has confirmed that the rezoning was not included in the Plan Change as the necessary evidence to justify the rezoning was not available. While Otaki Revisited 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 both the Council’s and Otaki Revisited Limited’s obligations to advance development on the site under the IAF agreement and associated Housing Outcomes Agreement. For this reason, the fast-track consenting process is still considered the most suitable mechanism to enable the Project.

4.3.3 NATURAL RESOURCES PLAN

The following features within the Site that are scheduled in Greater Wellington Regional Council’s Natural Resources Plan:

- Waitohu Stream and tributaries

A drinking water groundwater protection area and the Haruātai Stream are located to the west of the site.



FIGURE THREE: NATURAL RESOURCES PLAN NOTATIONS

4.4 SITE GROWTH OPPORTUNITIES

Te Tupu Pai – Growing Well, Kapiti Coast District Council's strategy for enabling sustainable growth in Kapiti sets out a 30-year framework for where and how the city should grow. It identifies Otaki as a growth node, with opportunity for intensification in the area around the Racecourse. Refer Figure Four below.

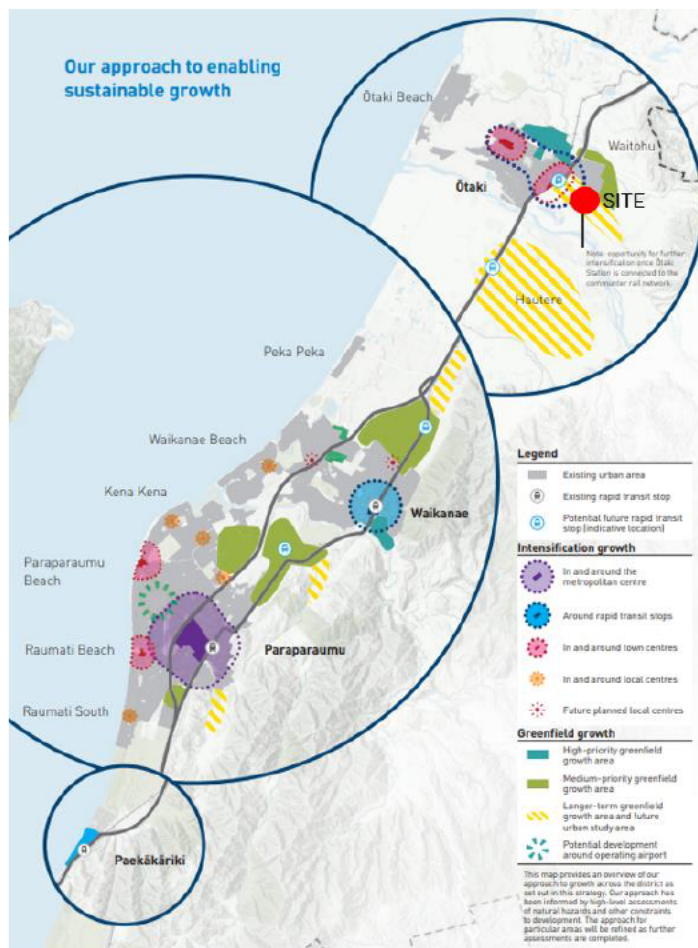


FIGURE FOUR: KCDC GROWTH STRATEGY

4.5 CURRENT LAND USES

As noted above, the Site is the home of the Ōtaki Maori Racing Club, being the only Maori-governed racing club in existence. Existing buildings within the Site generally support the racecourse activities but in recent times have been utilised for community groups and clubs.

As noted in the attached OMRC correspondence, in 2018 they started exploring options for the site including looking at a range of development options including housing which would help support the activities of the Club.

The Site is not identified as a contaminated site on the Greater Wellington Regional Council SLUR register and OMRC or Otaki Revisited Limited are not aware of any HAIL activities occurring on the Site.

4.6 SITE ACCESS

From what will be the old State Highway, the Ōtaki Maori Racecourse is connected with the Ōtaki town centre via Rahui Road and its overbridge of the Expressway and railway line, which includes a local service bus route and a wide shared path on its southern side, for use by pedestrians and cyclists. As one of the frontages to the Racecourse, Rahui Road is a local road that operates with a 50km/h speed limit and

currently carries around 1,500 vehicles per day. Connecting with Rahui Road, Te Roto Road provides a second road frontage to the Racecourse and also operates with a 50km/h speed limit, carrying around only 300 vehicles per day.

4.7 SITE WATERCOURSES

Biorearches, the project ecologists have undertaken a full assessment of watercourses on the Site (refer **Appendix Nine**). The objective of the assessment was to determine whether there are any aquatic habitats and identify and address the freshwater constraints under current legislation. The assessment identified Waitohu Stream and tributaries, an ephemeral stream, and intermittent stream and a constructed pond.

With respect to wetlands, the Ecological Memorandum outlines that during a site visit, on some horse paddocks in Zone D water was impounded by a low bund between the paddock and the stream but an NPS-FM assessment of natural wetlands could not be carried out. No development is proposed in this area. It is envisaged that an ecological assessment of this paddock will be carried out as part of the fast track application if the referral is approved. However, for the avoidance of doubt, obtaining a non-complying activity for earthworks and stormwater diversion under Regulation 54 of the NPS-FM is included should the future assessment confirm that it is a natural inland wetland.

5. PART III: PROJECT PROPOSAL AND EFFECTS

5.1 THE PROJECT

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

5.1.1 PROJECT NAME

The **name** of the project is 'Ōtaki Maori Racecourse Village / Mixed Use Development' ("the Project").

5.1.2 PROJECT AUTHORISED PERSON

The **authorised person** for this Project and Applicant of this referral application is **Ōtaki Revisited Limited**.

Ōtaki Revisited Limited own one of the titles forming the Site and the Ōtaki Maori Racing Club Incorporated (OMRC) own the other title (largely comprising the racecourse and existing racecourse buildings). The OMRC board are in full support of the Project as outlined in the correspondence attached in **Appendix Fourteen**.

Ōtaki Revisited Limited entity is a wholly owned subsidiary of the Wellington Company Limited group of companies, where Ōtaki Revisited Limited is the SPV set up specifically to develop the Site. Refer further details of the organisational structure in the Business Case attached as **Appendix Two**.

The Wellington Company has significant experience in developments of this nature and has financing to fund the Project to completion. Details of recent projects are outlined in the Business Case attached as **Appendix Two**.

5.1.3 PROJECT VISION

The vision for the OMRC Village Development is:

To create a housing future for those who would otherwise not be provided the opportunity through a high quality mixed use, mixed and blind tenure community housing development of scale.

Providing a range of housing options and choices across the housing continuum in what will become an exemplar village development; whilst maintaining the significance of a key piece of Maori and community infrastructure through the retention of the Ōtaki Maori Racing Club activities.

The development principles that were developed at the outset of the project are as follows:

- *Respect the significance of the site to Ōtaki and Maori for the future.*
- *A village within a village – a place that is uniquely Ōtaki.*
- *Mixed/ blind tenure – more and better housing all community “Creating a housing future”*
- *An exemplar – a place that will not be like any other development (current).*
- *A range of housing types and options – that will reduce the total cost of living for whanau.*
- *Sustainable and affordable and create opportunities and provide security of tenure.*
- *A green community that enhances what exists for the betterment of future generations to come.*

5.1.4 PROJECT DESCRIPTION

A referral is requested from the Minister for the Environment to utilise the fast-track consent process to obtain the necessary resource consents for the village development at 47 Te Roto Road, Ōtaki.

The scope of the project is to subdivide land and construct and operate a village development on the OMRC site. In summary, the development will comprise:

- a) The continued operation of the racecourse activities;
- b) Land use to construct between approximately 420 - 580 residential units or “up to 580 units”. The number of units will depend on whether “Option A” or “Option B” will be pursued. Refer discussion on options below.
- c) Land use to undertake commercial activities within the existing OMRC buildings.
- d) Land use to construct and operate a building assembly warehouse.
- e) Land use to undertake bulk earthworks.
- f) Land use to construct infrastructure servicing associated with the subdivision and development, including roads, parking, and three waters infrastructure including the creation of stormwater detention basins to ensure hydraulic neutrality is achieved as part of the development.
- g) Subdivision to create approximately:
 - i) Between approximately 420-580 residential fee-simple allotments
 - ii) One road allotment to vest that comprises the main road through the development
 - iii) Ten road allotments that will either be vested or become jointly owned access lots held in shared ownership by the applicable residential allotments
 - iv) 12 reserve lots whereby some may be vested with Council as local purpose reserves and some may be held in ownership by the residents association
 - v) One commercial lot that will accommodate the house assembly activity; and

- vi) Two commercial lots accommodating the existing OMRC buildings.
- h) Creation of both public and private open space areas including large public reserves areas proposed to be vested with Council (subject to agreement by Council);

The project will involve the following activities:

- a) Subdividing land;
- b) Bulk earthworks that include discharges to land and water, stream reclamation, minor culverting works, and erosion and sediment control;
- c) Earthworks and development within Flood Hazard (ponding) areas;
- d) Constructing residential units;
- e) Developing open space;
- f) Diverting and discharging stormwater run-off;
- g) Constructing infrastructure for three waters services;
- h) Constructing roads, vehicle access, and other transport infrastructure including culverts over the identified watercourse;
- i) Riparian enhancement works;
- j) Construction of culverts in the beds or rivers and drains.

Further details of the proposal are outlined in the accompanying technical reports.

While the Site is currently zoned Rural Production under the District Plan, the proposed development has been predicated on the adoption of residential, medium density, subdivision, roading and building provisions. Accordingly, a compliance assessment of the development in terms of both the rural and residential rules will be provided with the fast-track consent application, if this referral application is approved.

HOUSING TYPOLOGIES

The Project seeks to construct 420 - 580 (or "up to 580") dwellings on the Site. Proposed 'Option A' will encompass the construction of up to 422 dwellings and proposed 'Option B' will encompass the construction of up to 582 dwellings as detailed in **Table Three** below. The difference between the options is that Option B seeks to replace two areas of townhouses with a three-storey vertical cluster housing typology. These two areas have been identified separately on the subdivision scheme plan as 'cluster housing lots'. The decision on whether to progress with Option A or Option B will rest with the developer (Otaki Revisited Limited) and will be subject to a number of factors primarily related to market demand, feasibility and affordability.

There are 11 housing types that include detached, semi-detached, courtyard, terraced houses, three-storey apartments and cluster housing with shared facilities. This range of housing types and sizes will provide choice and support community diversity by catering for people at all stages of life.

TABLE THREE: HOUSING UNIT SCHEDULES

BUILDING TYPE	BUILDING NAME	TYPE	OPTION A		OPTION B	
			COUNT	TOTAL NUMBER OF UNITS	COUNT	TOTAL NUMBER OF UNITS
TH-1	Terrace House 1		16	16	95	95
TH-2	Terrace House 2		79	79	92	92
VC	Vertical Cluster		14	252	-	-
CL	Cluster Houses		2	12	2	12
CL-CC	Cluster Houses – close coupled		1	6	1	6
H1	Square house		41	41	41	41
H2	Slider house		3	3	3	3
H3-2	Courtyard house		41	41	41	41
H3-1	Courtyard House		49	49	49	49
H4-2	Stand Alone House 2		1	1	1	1
HSD	Semi Detached House		82	82	82	82
TOTAL			329	582	407	422

The proposed dwellings are modular houses that will be manufactured off-site and then brought to site and assembled in the proposed housing assembly warehouse.

Further details of the proposed housing typologies are included in the *Urban Design Assessment Memo* attached in **Appendix Six** and the *Architectural Memo* attached in **Appendix Thirteen**.

HOUSING TENURE

The development has sought to ensure there are a range of housing types and options to cater for all parts of the community. The proposed tenure will include:

- Build to rent – whanau housing/ housing for pakeke and kaumatua;
- Social housing – for whanau in housing need;
- Progressive home ownership – bridging homeownership; and,
- Affordable market housing.

COMMERCIAL ACTIVITIES

HOUSING ASSEMBLY ACTIVITY

To deliver the Project in a cost-effective and sustainable way that will ensure affordable housing targets can be achieved, the houses will be manufactured off-site and then assembled on-site in the housing

assembly warehouse proposed in the north-eastern corner of the site. The activity has been located in this area as it is far removed from existing dwellings situated on adjacent rural allotments.

While exact operational details will be confirmed as part of the fast-track resource consent application if the referral is approved, it is likely that the activity will operate as follows:

- Hours of Operation: up to two 8 hours shifts: 5am to 9pm.
- Number of staff: up to 30
- Noise: Up to maximum of 55-60dBA at the Site boundary

The proposed activity falls under the 'Industrial Activity' definition in the District Plan as follows:

means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity.

COMMERCIAL ACTIVITIES

The Project includes the refurbishment of existing OMRC buildings and facilities for commercial activities to support the proposed development. The masterplan includes a new café and plaza and provides for pop-up markets to the area around the racecourse buildings. These activities will complement the existing racing club facilities and pottery gallery/studio and ensure extended use of currently underutilised areas and facilities. The addition of these new community and commercial activities in this accessible central location will also provide some local services for residents.

The existing and proposed activities fall under the 'Commercial Activity' definition in the District Plan as follows:

means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices).

OPEN SPACE

Three types of open space are provided:

- Public open spaces including parks, pocket parks, 'parklets', streets, lanes and walkways. These are distributed throughout the development and are available to all residents and the general public.
- Communal private open space. This is open space contiguous with groups of units, which are for the use of the residents of those units and their guests.
- Private open space which is dedicated to each unit.

All dwellings benefit from close proximity to one or more public open spaces and the racecourse perimeter walking/cycling track. This combination provides a suitably high level of recreational amenity.

The precise extent, configuration and boundary definition of 'communal private' and 'private' open spaces will be further refined as part of the preparation of the fast track application (if approved).

PROJECT SERVICING

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 Eight**. In summary, likely servicing of the development will comprise:

- **Stormwater:** On-site stormwater management via new treatment devices (rain gardens, swales and centralised treatment wetlands) connecting to a new public stormwater network that discharges to stormwater channels. Preliminary modelling (provided as an appendix in the *Infrastructure Report*) and services investigations have found that stormwater neutrality can be readily achieved on the site to ensure no off-site works are required. As the site is located within ponding and inundation areas, the stormwater solution will include flood mitigation works that will likely consist of the creation of dedicated flood storage areas on the site. These areas have been identified on the proposed masterplan.
- **Wastewater:** Council upgrades to existing pump stations and on-site storage and pump stations if required. given that Kapiti Coast District Council have received funding for the necessary wastewater upgrades, are undertaking the necessary modelling to confirm the extent of works and have confirmed that such works can align with the proposed development, there are no impediments to advancing this work to ensure the necessary wastewater infrastructure is available for the proposed development.
- **Water supply:** Detailed modelling currently being undertaken by Council is likely to confirm that a new reservoir will be required to service the development as well as other projects. In addition, a new water main will be required from County Road, which will be gravity fed by the proposed reservoir. Council have secured funding for this through the IAF.
- **Utilities:** Utilises companies have confirmed that there is existing infrastructure in the area and if upgrades are required, this can occur within existing road corridors.

As mentioned, Council has secured funding for the necessary infrastructure upgrades to support this development and the necessary modelling, design and programming work is currently being undertaken to ensure that the upgrades will align with the delivery programme for this development. Otaki Revisited Limited have signed a Housing Outcomes agreement that directly aligns with the delivery of infrastructure as agreed between Kainga Ora and Council.

PROJECT ACCESS

As further described in the Transport Assessment attached in **Appendix Twelve**, the Kapiti district has experienced a number of transport changes in recent years, including the opening of the MacKays to Peka Peka section of the Kapiti Expressway in 2017, that delivered a step change reduction in traffic volumes on the former state highway. An equivalent step reduction is expected on completion of the Peka Peka to Otaki section of the Expressway, presenting opportunities to accommodate growth in local traffic as well as support improved active mode use to, from and between emerging developments areas and urban centres.

Council, Regional Council, Waka Kotahi NZ Transport Agency and Metlink have combined to provide significant investment to deliver transport improvements within and around Otaki. By the end of 2022, major changes will be realised in the form of the Peka Peka to Otaki Expressway that provides for unrelated through traffic to bypass Otaki and return the urban roads to local traffic. A fundamental change will be the traffic relief afforded to the current congestion through the Otaki town centre.

From what will be the old highway, the Otaki Maori Racecourse is connected with the Otaki town centre via Rahui Road and its overbridge of the Expressway and railway line, which includes a local service bus route and a wide shared path on its southern side, for use by pedestrians and cyclists.

The Project will be accessed via existing adjacent roads Rahui Road and Te Roto Road. The proposed main road through the development that connects Rahui Road and Te Roto Road will also continue to provide access to the racecourse, including for day-to-day operational purposes and on event days. Stantec, the project traffic engineers advise that the level of traffic currently carried by both roads is such that they can accommodate future traffic increases, including of the scale that can be anticipated by the proposed development, which could give rise to 1,500 vehicles per day added to each progressively over

time. The project traffic engineers confirmed that *“these are not significant volumes and may be identified through the subsequent consent process to be better supported with localized improvements”*.

Further details on the proposed access arrangements as outlined in the Transportation Memo are as follows:

The internal roading takes the form of a hierarchy of roads that present three different functions, as follows:

- *a primary road that provides a spine linking between Rahui Road and Te Roto Road. It is proposed that this road be vested;*
- *a series of connecting roads that provide the main links from the primary road through the housing zones; and*
- *shared lanes that provide shared space for vehicle access and use by active modes.*

The form and design of these roads may depart from Council's technical roading standards to realise a balanced development approach with urban design and landscape outcomes, while ensuring traffic safety. Any departures will be reviewed and developed in collaboration with the Council through the subsequent consent process.

The form and layout of the housing development includes significant attention to active modes. It is planned that the primary road and connecting roads be constructed with footpaths, and that a wide shared path for use by pedestrians and cyclists be established around the perimeter of the racecourse that will provide for efficient people connections to be made between the housing zones and for recreational purposes.

The active mode links will connect with the public street network at Rahui Road and Te Roto Road, from which good walking and cycling access is available to the Ōtaki town centre, including the railway station. This is facilitated by the improvements arising from the Peka Peka to Ōtaki Expressway project which has included grade separation of the railway line and Expressway via the Rahui Road overbridge.

Wraight and Associates, the project landscape architects further describe the proposed access strategy as follows:

The circulation network will harness the site's two existing chip-sealed drives (off Te Roto and Rahui Rds). These two drives will form the site's Primary Roads and are proposed to be linked via a new Connecting Road that will traverse the public grounds south of the Club's two existing grandstands. From the two Primary Roads a network of Connecting Roads and Shared Lanes will provide multimodal access to the site's residential precincts and individual dwellings. In keeping with the site's rural character road edges are proposed to be either kerbless or constructed with flush kerbs. Compositions of chipseal, exposed concrete, unit paving, grass-crete and compacted gravels are anticipated to define vehicle and pedestrian circulation paths in both the public realm and private lots. In unison with private garden areas, the street network will be characterised by native garden beds, productive gardens, water treatment gardens and informal tree planting. On street and off-street parking spaces will be clearly demarcated and where feasible surfaced with permeable materials such as reinforced grass, stabilised gravel or permeable paving.

With respect to potential off-site road upgrades that may be necessary to support the development, the project traffic engineer has stated the following regarding the adjacent streets:

“Within these corridors, it is anticipated that local improvements will be developed during the subsequent design phases and consent process, including at the site access points and at the Rahui Road / Te Roto Road intersections, that will ensure safe access for all modes”

With respect to adjacent active transport modes, the project traffic engineers state:

"localised off-site improvements may be confirmed through the subsequent consent process that will facilitate strong active mode outcomes, including for example safe connections across Te Roto Road."

It is intended that further engagement is undertaken with relevant Council officers as this application progresses.

PARKING PROVISION

At least one car parking space per unit are to be provided with scope for two spaces for some units plus visitor parking along the street edge. Strategies for ensuring convenient but suitably unobtrusive location include:

- placing down the side of or behind dwellings, and
- if at the street edge, long runs of parking are subdivided into groups separated and partially screened by landscape elements.

The Urban Design Memorandum states that these approaches will need to be applied in future design development of the Vertical Cluster housing blocks in Zone E.

Sufficient vehicle parking will also be provided to the racecourse activities and the new and proposed commercial activities.

If the referral is approved the Integrated Traffic Assessment will provide a detailed assessment of parking demand associated with the existing and proposed activities on the Site and outline measures in which parking provision can be managed on race days.

EARTHWORKS

The Project requires earthworks to create building platforms, roading, associated batters, installation of infrastructure and the formation of stormwater storage basins.

The site is relatively flat, and it is proposed to modify the existing ground as little as possible while forming minimum floor levels above identified flood heights. While earthworks are likely across a large area, due to the site's size and for flood mitigation, an earthworks balance will be targeted so that minimal material is required to be brought onto or taken off site. Material unsuitable for earthworks will be used on site (e.g. in landscaping areas) where this is feasible.

5.2 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.

Subject to consents being granted in a timely manner and off take assumptions being in alignment with market and housing needs data, the development will commence on site in early 2023 with completion in the first quarter of 2029. This assumes the development will be delivered in six stages – with each of the proposed zones forming a stage.

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

- a) Planning Fast Track – 12 Months (September 2022 – August 2023)
- b) Detailed Design and Council Engineering Approvals - undertaken in stages over three years (July 2023 – September 2026)

- c) Civils and Earthworks – undertaken in stages over five years (September 2024 – March 2029)
- d) Establishment of house assembly activity – July 2024 – September 2024
- e) House Construction – undertaken in stages over five years (October 2024 – March 2029)
- f) Titling – undertaken in stages over four years (October 2025 - March 2029)

For reference, a draft development programme is attached as **Appendix Two**. The housing delivery dates align with the milestones outlined in the Housing Outcomes Agreement between Kainga Ora and Otaki Revisited Limited signed as part of the IAF agreement.

5.3 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 part of the Site and the balance of the site is owned by the OMRC who support the Project.

5.4 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.

5.5 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.

The Applicant seeks all necessary consents for the Project, being land use consents, subdivision consent and discharge permits.

The particular consents required under the relevant district and regional plans and the NES-F are outlined in **Table Four** below. It is acknowledged that the list provided in **Table Four** below is exhaustive and covers all likely consent requirements. Through further design and refinement there may be aspects of the proposal that achieve compliance with some or all of the applicable standards.

TABLE FOUR: RULE AND STANDARD ASSESSMENT		
RMA SECTION	RULE / ACTIVITY	COMMENT
KAPITI COAST OPERATIVE DISTRICT PLAN		
15	RPROZ-R16	Non-Complying Activity Industrial, retail or commercial activities in all Rural Zones which are not: a. a home business, home craft occupations, homestay or an ancillary activity to a primary production activity on the subject site; or b. an extractive industry on a site <i>[N.B there are no standards specifically related to these activities in the District Plan]</i>
15	RPROZ-R10	Restricted Discretionary Activity

TABLE FOUR: RULE AND STANDARD ASSESSMENT

RMA SECTION	RULE / ACTIVITY	COMMENT
		Buildings and structures (including habitable buildings and accessory buildings) in the Rural Production Zone that does not comply with applicable permitted activity standards.
15	RPOZ-R12 SUB-RUR-R53	Discretionary Activity Development that is not in accordance with the Development Incentives Guidelines set out in Natural Environment Appendix 1.
15	SUB-RUR-R56	Non-Complying Activity Subdivision in any Rural Zone which does not comply with one or more of the restricted discretionary activity subdivision standards 2 to 7 in Rural SUB-RUR-R51 or Standards 1, 2 and 4 in Rule SUB-RUR-R52.
15	EW-R5	Restricted Discretionary Activity Earthworks not complying with one or more of the permitted activity standards in EW-R2 or EW-R3. Earthworks will be required to form the road and create level building platforms.
15	NH-FLOOD-R9	Restricted Discretionary Activity Any activity within a flood hazard (ponding) area which does not comply with one or more of the associated standards.
15	NH-FLOOD-R10	Restricted Discretionary Activity In an overflow path, or residual overflow path, fill earthworks, or earthworks which do not comply with one or more of the permitted activity standards under NH-FLOOD-R4.
15	NH-FLOOD-R11	Restricted Discretionary Activity In a ponding or shallow surface flow area, earthworks which do not comply with one or more of the permitted activity standards under NH-FLOOD-R4.
15	NH-FLOOD-R15	Restricted Discretionary Activity In any a stream corridor, or river corridor, fill earthworks, or earthworks that do not comply with one or more of the permitted activity standards in NH-FLOOD-R4.
15	TR-R10	Restricted Discretionary Activity For generating more than 100 vehicle movements per day
15	TR-R15	Discretionary Activity New roads including where they are to serve a subdivision that do not meet any one of the controlled activity standards under TR-R9.
15	TR-R11 and TR-R13	Discretionary Activity Site access that does not comply with the permitted activity standards
PROPOSED NATURAL RESOURCES PLAN (APPEALS VERSION)		
LAND DISTURBANCE		
9 AND 15	R99 (PERMITTED)	Discretionary Activity
	R101 (DISCRETIONARY)	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.
VEGETATION CLEARANCE		
9	R100 (PERMITTED)	Discretionary Activity

TABLE FOUR: RULE AND STANDARD ASSESSMENT

RMA SECTION	RULE / ACTIVITY	COMMENT
	R100 (DISCRETIONARY)	<p>Vegetation clearance rules in the PNRP-AV apply to erosion prone land (being land with a pre-existing slope that exceeds 20 degrees). Under Rule R100, vegetation clearance on erosion prone land is a Permitted Activity provided that the conditions are met.</p> <p>As vegetation clearance will be undertaken within 5m of a stream, the proposal does not comply with clause (c) of Rule R100 of the PNRP-AV and Discretionary Activity resource consent is required under Rule R101. All other conditions of R100 will be complied with.</p> <p>The Applicant and its consultants will confirm in the resource consent application that the site works will be undertaken to ensure compliance with the relevant 'uses of beds of lakes and rivers general conditions' in Section 5.5.4 of the PNRP-AV.</p>
DISCHARGE OF STORMWATER (OPERATIONAL)		
9	R48A (PERMITTED)	<p>Restricted Discretionary Activity</p> <p>The proposal includes the discharge of stormwater to a new piped network that will discharge to the existing reticulated network.</p>
	R52A (RESTRICTED DISCRETIONARY)	<p>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:</p> <ol style="list-style-type: none"> a new urban subdivision or development associated with earthworks up to a total area of 3,000m² per property per 12-month period, or 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: the discharge shall comply with the conditions of Rule R48 except condition R48(c). <p>is a Permitted Activity provided that conditions are met. The new development includes associated earthworks that exceed 3,000m² 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:</p> <ol style="list-style-type: none"> The discharge does not originate from industrial or trade premises where hazardous substances are stored; The discharge is from a contaminated site; The discharge will not contain wastewater; The total concentration of total suspended solids in the discharge shall exceed: 100g/m³ where the discharge enters any other fresh or coastal water The discharge will not cause any erosion of the channel or banks of the receiving coastal marine area; The discharge will not give rise to the following effects beyond the zone of reasonable mixing: <ul style="list-style-type: none"> 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. <p>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.</p> <p>The matters to which Council have restricted its discretion are as follows:</p> <ol style="list-style-type: none"> <i>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;</i> <i>Measures to manage runoff volumes and peak flows in accordance with Policy P79; and,</i>

TABLE FOUR: RULE AND STANDARD ASSESSMENT

RMA SECTION	RULE / ACTIVITY	COMMENT
		3. <i>Requirements of any relevant local authority stormwater network discharge consent.</i>
DISCHARGE OF STORMWATER TO LAND		
9	R49 (PERMITTED)	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.
	R53 (DISCRETIONARY)	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.
REGIONAL FRESHWATER PLAN FOR THE WELLINGTON REGION		
REMOVAL OF VEGETATION		
9	RULE 40 (PERMITTED)	Permitted Activity Under Rule 40 of the Regional Freshwater Plan ("RFP"), the trimming and removal of vegetation, including any associated disturbance, deposition, temporary diversion, is a Permitted Activity provided that conditions are met. Measures employed through the works period will ensure the works comply with these conditions. As such, the removal of vegetation associated with the construction of the outlet structure is a Permitted Activity.
DISCHARGE OF CONTAMINANTS		
15	RULE 1 (PERMITTED)	The discharge of contaminants, or water, into surface water relates to potential wet weather overflows from the SRPs and DEBs where it will be contained within the bundled excavation works area. Under Rule 1 of the RFP, the discharge of contaminants, or water, into surface water, (other than the discharge of stormwater), is a Permitted Activity provided the discharge complies with specified conditions. The project engineers will confirm in the resource consent application that the conditions in Rule 1 can be met. Namely: <ul style="list-style-type: none"> • There is no reason to expect conspicuous oil, grease, films, scums, foams or floatable or suspended material would be discernible, compared to background conditions; • No emission of objectionable odour is expected given the nature of the discharge; • As the waterbody is within an urban environment it is not expected that the water would be consumed by animals; • Given the nature of the discharge (i.e., stormwater) and volume of discharge it is anticipated that there will be no significant adverse effects on aquatic life (that is minimal as reported in the background documents referenced in this application); • Measures will ensure no erosion will occur at the point of discharges; and, • The discharge will not alter the natural course of the river or stream. The resource consent application will request that conditions of consent (including monitoring conditions) be imposed on the consent to ensure compliance with these conditions. Accordingly, any potential wet weather overflows from the SRPs and DEBs is a Permitted Activity.

TABLE FOUR: RULE AND STANDARD ASSESSMENT

RMA SECTION	RULE / ACTIVITY	COMMENT
DISCHARGE OF STORMWATER		
15	RULE 2 (PERMITTED)	Discretionary Activity Under Rule 2 of the RFP, the discharge of stormwater into surface water is a Permitted Activity provided that the discharge complies with a number of conditions. The project engineer has confirmed:
	RULE 5 (DISCRETIONARY)	<ul style="list-style-type: none"> There is no reason to expect conspicuous oil, grease, films, scums, foams or floatable or suspended material would be discernible, compared to background conditions; No emission of objectionable odour is expected given the nature of the discharge; As the waterbody is within an urban environment it is not expected that the water would be consumed by animals; Given the nature of the discharge (i.e., stormwater) and volume of discharge it is anticipated that there will be no significant adverse effects on aquatic life (that is minimal as reported in the background documents referenced in this application); Measures will ensure no erosion will occur at the point of discharges; and, The discharge will not alter the natural course of the river or stream. <p>The discharges originate from an area of bulk earthworks greater than 0.3ha and therefore do not comply with condition 3(a). Accordingly, Discretionary Activity resource consent is required under Rule 5 – All Other Discharges.</p>
REGIONAL PLAN FOR DISCHARGES TO LAND		
15	RULE 2 (DISCRETIONARY)	Discretionary Activity This rule applies to wet weather overflow discharges of potentially sediment laden stormwater such as the proposed SRPs and DEBs. The discharge of sediment laden stormwater to land is not provided for as a permitted activity under the operative Regional Plan for Discharges to Land, and therefore requires consent for a Discretionary Activity under Rule 2.
NATIONAL ENVIRONMENTAL STANDARD FOR FRESHWATER		
15	Regulation 57	Discretionary Activity Reclamation of a river <i>(N.B relates only to the placement of culverts in the beds of streams)</i>
15	Regulation 71	Discretionary Activity Placement and use of a culvert
15	Regulation 54	Non-Complying Activity Earthworks and diversion of stormwater within 100m of a natural wetland.

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.

5.5.1 RESOURCE CONSENT STATUS

In recognition of the urgent need for housing in this area and the significant opportunities associated with the Project, non-complying resource consents are being sought under the existing zoning in advance of the future zoning changes to reflect both Council (with the support from funding by Central Government) and the landowners aspirations to develop the site. This will accelerate the delivery of residential capacity and the provision of employment resulting from the delivery of this project.

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*
 - (i) *both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

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, for the reasons set out in this application and accompanying assessments, the project team are confident that potential effects can be appropriately mitigated to so they are no more than minor.

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, when the objectives and policies are considered as a whole, the Project will not be contrary to the relevant objectives and policies, for a number of reasons that include:

- That the land is not and hasn't in recent history ever been utilised for rural production activities
- Potential adverse effects associated with the proposed density can be internalised within the Site;
- Retaining, protecting and enhancing ecological, open space and landscape features on the Site that will assist in retaining a sense of openness;

- The Site does it contain LUC 1 or 2 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 will not adversely impact primary production activities being undertaken in the vicinity of the Site;
- 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;
- 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; and,
- The Project will maintain the ecological health of waterbodies and aquatic habitats, and retain and enhance blue and green corridors.

Importantly, the Project is inherently consistent with the following strategic objectives included in the Rural Production Zone chapter:

- DO-O8 – Strong Communities
- DO-O11 – Character and Amenity Values
- DO-O12 – Housing Choice and Affordability
- DO-O13 – infrastructure
- DO-O14 – Access and Transport
- DO-O15 – Economic Vitality
- DO-O17 – Open spaces / active communities

The Project is not contrary to the natural hazard objectives and policies of the District Plan for the following reasons:

- The Project has been designed in such a way that seeks to avoid increasing risks from natural hazards;
- Riparian enhancement works seek to reduce hazard risk by buffering development from the effects of natural hazards;
- All new allotments will have floor and erosion-free building areas based on 1% AEIP flood modelling.
- The Project has been designed to ensure that the development does not redirect floodwater onto adjoining sites or other parts of the floodplain and that the development will not result in damage to property or harm to people.

5.6 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.

Otaki Revisited Limited confirms that no consent applications have been made with respect to the proposal.

6. PART IV AND PART V: CONSULTATION

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 (including positively) and that may have an interest in the development are listed as follows:

- g) Ngā Hapū o Ōtaki
- h) Kāpiti Coast District Council;
- i) Greater Wellington Regional Council;
- j) Waka Kotahi NZ Transport Agency; and,
- k) Electra Limited.

6.1 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.

6.1.1 NGĀ HAPŪ O ŌTAKI

Ōtaki Revised Limited has had a number of hui with Ngā Hapū o Ōtaki to discuss the Project. Ngā Hapū o Ōtaki, as a representative body of the five hapū of Ngāti Raukawa who reside in the Ōtaki area.

6.1.2 KĀPITI COAST DISTRICT COUNCIL

Significant consultation has been undertaken with Council with respect to both the successful IAF application, the proposed masterplan, infrastructure and servicing arrangements, roading proposals, provision of open space and the referral and fast-track consenting process. A draft referral application was provided to Council for review and comment. Please refer letter provided by Council attached in **Appendix Fifteen**.

6.1.3 GREATER WELLINGTON REGIONAL COUNCIL

A joint pre-application meeting was held with Council and the Regional Council to primarily discuss proposed servicing arrangements for the Project. The draft referral application was provided to the Regional Council for review and comment.

6.2 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.

7. PART VI: MARINE AND COASTAL

Not applicable to this referral application.

8. PART VII: 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 effects
- b) Economic effects;
- c) Ecological effects;
- d) Landscape and natural character effects;
- e) Ecological effects;
- f) Effects on rural production
- g) Earthworks and construction effects;
- h) Traffic effects;
- i) Subdivision effects;
- j) Geotechnical effects;
- k) Residential character and amenity;
- l) Climate change and natural hazard effects;
- m) Historical and archaeological effects;
- n) Cultural effects; and,
- o) Reverse sensitivity effects.

8.1.1 SOCIAL IMPACTS

The Project will enable the development of up to 628 homes in an area that is facing a significant shortfall in development capacity. In addition, the Project also seeks to support existing community activities occurring on the site and enable further commercial activities to support the village development.

Urban Economics were engaged to provide an assessment of the social impact of the proposed development. The assessment, attached in **Appendix Eleven** of this application, assesses the impact of the Project on local schools, access to employment and proximity to a range of activities.

The *Social Impact Assessment* concludes that:

There is adequate social infrastructure within the study area that supports the proposed development. Therefore, the proposed development is not expected to have any discernible adverse social impacts on the existing schooling, employment and public amenities within the study area, and instead would contribute positively to support the existing social infrastructure.

8.1.2 ECONOMIC EFFECTS

The Project provides for the development of housing to meet the identified shortfall by way of an expansion to the residential area adjacent to the Site.

The Project provides for residential development that consists of a number of different typologies with a number of likely tenures. 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 and economic wellbeing of workers and the communities that will benefit from their employment.

The potential economic impacts of the proposal were assessed in the *Economic Assessment* prepared by Urban Economics (refer **Appendix Ten**) and summarised in the following sections.

EMPLOYMENT

With respect to jobs, the Economic Assessment states that the Project would create a considerable number of jobs within the construction industry, estimating that the construction of the dwellings and associated activities including the assembly operation would result in between 384-556 FTE jobs and would contribute \$51 – 74 million to GDP.

The assessment also states that as the following:

It should be noted that the Ōtaki township has secured infrastructure funding through the Infrastructure Acceleration Fund. This confirms that the project can be completed over an estimated 6-year period starting 2023 and provide an immediate boost to the construction sector of approximately 104-105 FTE jobs per annum. It would also provide an additional source of revenue to fund this infrastructure including development contributions and rates.

HOUSING

In Council's Housing Needs Assessment (refer **Appendix Sixteen**) that was informed by the HBA reporting as well as a number of other reports, the following assertions were made with respect to Ōtaki:

- *Only 20% of renters can affordably pay the median market rent, with only 2% able to buy a dwelling at the median market sale price⁹.*
- *28% of renters are considered 'extremely stressed', paying more than 50% of their income in rent.*

- *Ōtaki has the highest portion of households in the Kāpiti District earning less than \$50k per annum¹¹.*
- *Ōtaki's renter households have the highest proportion of crowded households in Kāpiti (10.0% of all renters)*
- *In 2021, Ōtaki had the lowest median property value, between \$600k and \$650k, compared to the whole District level of \$830k. Prices have continued worsening since this time.*
- *The least affordable locations in 2021 were Ōtaki and Waikanae. Mortgage cost as a % of Median Household Income in Ōtaki in 2021 = 79%. Median Rent as % of Median HH Income in Ōtaki in 2021 = 47%. This is the highest of all sub-areas.*
- *The limited supply of sections in Ōtaki are selling for prices in excess of \$350,000. At these section values, new dwellings in Ōtaki are likely to exceed \$800,000.*
- *Ōtaki households have a higher proportion of single parent benefits, jobseeker, and family tax credits than the rest of the district.*
- *Ōtaki, along with Rural areas, had the highest portion of vacant dwellings from the 2018 Census.*

The Housing Need's Assessment has found that Ōtaki has the highest level of housing need and the greatest affordability pressures on its residents.

In relation to housing affordability, the Economic Assessment states the following:

The dwellings are expected to be priced between \$340,000 and \$690,000 with 53% of these dwellings priced for less than \$600,000. This will reduce the affordability pressures residents of Ōtaki currently experience, with Ōtaki being one of the least affordable locations in the Kapiti Coast District.

ECONOMIC ASSESSMENT CONCLUSION

The *Economic Assessment* concludes that:

The proposal would provide a range of new dwellings to the market, and the majority of these are higher density affordable dwellings. The proposal would result in a significant increase in construction sector output, with an additional 384-556 full-time equivalent employees (FTEs) and a value-added contribution of \$51 – 74 million to GDP. The proposal would meet the economic requirements of the fast-track consenting process and is recommended for approval.

Based on the above and further assessment in the *Economic Assessment*, the Project will give rise to positive economic effects.

8.1.3 ECOLOGICAL EFFECTS

IMPACTS ON FRESHWATER

The *Ecological Memorandum* identifies natural and artificial watercourses across the Site. The only works proposed to the watercourses are minor recontouring to create stormwater channels and the construction of 3-4 culverts in order to provide suitable connectivity through the site.

Potential effects on stream ecology relate to the control of stormwater and sediment from the site, and failure of sediment and erosion controls during high rainfall events. Given the low likelihood of such an occurrence given adherence to applicable District and Regional erosion and sediment control guidelines,

such effects will likely be low. This will be outlined in the Ecological Assessment that will accompany the resource consent application if the referral is approved.

Effects on aquatic fauna are likely to stem from discharge events, though unlikely. Appropriate site management techniques can sufficiently mitigate the risk of such events occurring and this will be detailed in an Environmental Management Plan ("EMP") that will be provided with the resource consent application.

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.

With respect to wetlands, the *Ecological Memorandum* outlines that during a site visit, on some horse paddocks in Zone D water was impounded by a low bund between the paddock and the stream but an NPS-FM assessment of natural wetlands could not be carried out. No development is proposed in this area. It is envisaged that an Ecological Assessment of this paddock will be carried out as part of the fast track application if the referral is approved. However, for the avoidance of doubt, obtaining a non-complying activity for earthworks and stormwater diversion under Regulation 54 of the NPS-FM is included should the future assessment confirm that it is a natural inland wetland.

8.1.4 LANDSCAPE AND VISUAL EFFECTS

The Site and surrounding area is not located within a significant landscape. Also, with the exception of the Ōtaki River, 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 open space and landscape values currently afforded to the Site.

The masterplan has been designed to enable open space around dwellings, as well as providing public open spaces. Important site features, including large open space vegetation areas and the racecourse track itself, are proposed to be retained and will be incorporated into the development with appropriate landscape activation and pedestrian connection.

The project team landscape architects have been involved in the preparation of the masterplan and accompanying landscape plans. Refer *Landscape Memorandum* provided in **Appendix Seven**. In this memorandum, key elements of the Project that seek to recognise the site's existing 'green' and rural character include:

- a visually cohesive language of native planting,
- 'soft' edges to paved surfaces,
- low level fencing, strategically located privacy screens/fences, and
- water sensitive urban design elements [WSUD] (rain gardens, planted swales, on site water detention and restorative planting to existing water channels).

The *Landscape Memorandum* concludes that:

The large green paddock zone denoted by the racetrack will continue to be the dominant landscape feature on site by virtue of its sheer scale and slightly elevated condition in relation to the proposed development areas. That said, the proposed development will visually and physically transform portions of the site, namely the northwest, northeast, southwest and eastern sectors. Whilst some sections of the development will be visible from the surrounding public streets and neighbouring properties, the retention of existing boundary planting will provide a level of visual screening.

The location and orientation of elements within the development zones has been carefully considered to afford:

- *a high degree of community connectivity,*
- *retention of the site's key defining landscape feature, the Racetrack*
- *retention of the site's existing stands of Tōtara trees*
- *retention of much of the existing boundary planting retention of the site's distinctive racing towers*
- *retention and protection of the site's existing open water channels and streams*
- *a logical and succinct network of underground services*
- *siting of new dwellings within an articulated landscape that harnesses native species*
- *equitable access to public open space*
- *opportunities for the integration of WSUD*
- *enhancement of the site's natural character and biodiversity*
- *an expression of the site's cultural and racing histories*

The combination of the factors referred to above ensures that the urban-rural interface within this development is appropriately managed to mitigate any potential rural character and amenity effects that might arise.

Ultimately, the assessment finds that the village development can be sensitively integrated into the existing rural racecourse landscape, ensuring potential landscape character and visual effects can be adequately avoided, remedied, or mitigated and that *'visual and landscape effects will not be significant'*.

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 detailed landscape and visual effects assessment. The Landscape Memorandum identifies a number of matters that will be considered in the further development of the design.

8.1.5 EFFECTS ON RURAL PRODUCTION

The Site is identified as having a Land Use Capability (LUC) of 3 and a small area of LUC-1 as illustrated on the NZLRI Land Use Capability 2021 maps¹ and is located in the Rural Production Zone of the Operative District Plan. However, the land comprised within the Site is highly fragmented and modified. In this regard it is acknowledged that the Site has operated as a racecourse for over 100 years and has never been utilised for rural production or other rural based activities during this time. In addition, the Site has been identified in On this basis it is considered that the Project will not result in the loss of rural production land.

8.1.6 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 storage basins.

¹ <https://iris.scinfo.org.nz/layer/48076-nzlri-land-use-capability/data/>

The fast-track consent will include seeking earthworks consent from both Council and the Regional Council. Principles of Erosion and Sediment control that will be assessed at the fast-track consent stage include:

- Minimise disturbance – Minimise the extent of earthworks as much as is practicable.
- Stage construction – Minimise the amount of area open at one time and the time that these areas are left un-stabilised.
- Protect receiving environments – Apply additional protection (e.g. silt fences) and work methodologies around sensitive receiving environments (near stream corridors etc).
- Rapid stabilisation – Progressive stabilisation of disturbed areas 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 within the site.
- Employ sediment retention devices – Install treatment devices to maximise the efficiency of sediment removal within treatment devices.
- Review – Review and revise the effectiveness of erosion and sediment controls on a regular basis to ensure that they are still effective and applicable to the current site conditions.

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. Notwithstanding, the proposed earthworks have been designed to maintain the current characteristics of the site.

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, the earthworks are on a relatively flat site, and will create a relatively flat area, so will reflect the natural landform of the site in which it is situated.

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

The fast-track resource consent application will be accompanied by a Landscape and Visual Assessment that will address potential visual effects associated with the proposed earthworks.

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 as well as KDC's *"Subdivision and Development Principles and Requirements"* 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 outlined above. 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) Site works will be temporary in nature and will be permanently screened by the proposed buildings, access, carparking and landscaping;
- b) Site works will be screened from residential properties via construction fencing covered in a suitable screening material; and,
- c) The site will be managed in accordance with an approved ECMP that will adhere to District and Regional Council guidelines.

With respect to earthworks and potential erosion and sediment effects, the project engineers state that:

It is our view that the erosion and sediment control design can be adequately addressed through future consents to ensure that potential adverse effects can be managed and mitigated to an acceptable level. We consider that subject to employing the measures outlined above there will be no significant adverse effects relating to the proposed earthworks.

8.1.7 ACCESS AND TRAFFIC EFFECTS

The proposed access and roading through the site have been designed to, as far as practicable meet Council standards and it is anticipated that the main road through the site will be vested with the District Council as a public road (subject to Council approval). However, the project traffic engineers acknowledge that the form and design of some of the roads may depart from Council's technical roading standards to realise a balanced development approach with urban design and landscape outcomes, while ensuring traffic

safety. It is anticipated that any departures will be reviewed and developed in collaboration with the Council through the subsequent consent process.

Potential access and traffic related effects are addressed below with reference to the Traffic Assessment attached in **Appendix Twelve**.

As noted, the Project has been developed with significant input and advice from Stantec. In relation to potential traffic generation effects, the *Traffic Assessment* makes the following comments:

The Racecourse is well located in a transport sense. It is close and within walking and cycling distance to the facilities and amenities of the Otaki town centre, including the railway station, and well connected by road with the improvements afforded by the Peka Peka to Otaki Expressway.

Traffic movements from the site will be distributed to and from Rahui Road and Te Roto Road. Both roads have available capacity to accommodate additional traffic movements of the scale likely to be generated by development of the Racecourse site in the manner proposed, and indeed as anticipated by Te Tupu Pai.

The full ITA 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 and Waka Kotahi staff.

At this stage however, Stantec state that –

It is not expected that any significant adverse transport effects warranting substantial mitigation would be triggered by traffic from the proposed housing development, noting that the existing highway network in the vicinity currently carries significantly higher volumes of traffic than it will in the future, and that a step change reduction in traffic volumes on the immediate network presents opportunities to accommodate local activity growth from the likes of the proposed Racecourse redevelopment. This is reflected in Council's desire to encourage development within Otaki.

Stantec also note that detailed analysis at this next stage will ensure network capacity and safety can be maintained, with such applications needing to be considered against the District Plan's key Transport Policies and the Council's 'Subdivision and Development Principles and Requirements' standards, including in relation to active mode infrastructure and connectivity to the key public transport nodes nearby.

Ultimately, Stantec conclude that –

Te Tupu Pai presents a strategy for growth and development across the Kapiti district. Otaki is identified as a growth node, with opportunity for further development and intensification as infrastructure improvements on the rail corridor come online.

Recent investment in the transport system in the form of the Peka Peka to Otaki Expressway is an enabler to local land development, by way of removing current constraints and traffic congestion, and providing opportunities for improved local travel. The current proposal for future housing development at Otaki Maori Racecourse will be supported well with the added capacity afforded in the network at the completion of the Expressway and the improved safety, travel and active mode facilities offered. There is no need for other infrastructure improvements (significant or otherwise) to be made.

From a transport perspective, the effects of additional traffic activity generated by development of the land as proposed can be appropriately managed without giving rise to adverse effects that cannot be appropriately avoided, remedied or mitigated.

Furthermore, development of housing in this location will support the ability for other transport improvements to be made in the future, including investment in the rail corridor to extend commuter rail to Otaki.

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.

8.1.8 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 Report* attached in **Appendix Eight**. The assessment concludes that:

In summary, it is our view that the site can be developed and adequately serviced subject to further engineering design, and that this can be addressed through future consents. Further, as Kapiti Coast District Council has received the necessary funding for off-site infrastructure upgrades to support the development and has already commenced the necessary modelling and design work to advance these upgrades, there appear to be no impediments to implementing the proposed development based on the delivery programme provided with the referral application.

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

8.1.9 RESIDENTIAL CHARACTER AND AMENITY

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 Site and the adjacent established residential environment.

The Project has been developed with Graeme McIndoe from McIndoe Urban. To support the referral application, Mr McIndoe has prepared an *Urban Design Assessment Memo* – refer **Appendix Six**. In summary, Mr McIndoe makes the following comments with respect to potential effects on adjacent properties:

- *There is a neighbouring house at the westernmost corner of the site, on Rahui Road. This, the closest to the site, is set behind its own large existing trees. The nearest proposed houses to the north are both one storey, type H1 houses. These will change the aspect from the neighbouring house. However subject to sensitive boundary treatment and planting, the setback and low scale of the proposed dwellings means they will have no other appreciable effects on the existing house.*
- *Most of the south boundary of Zone A is defined by a line of existing mature trees which will be retained. These are much taller than the tallest proposed buildings and will both allow filtered views through and partially screen new development. These trees provide an appropriate buffer to the farmland behind. There is minimal change at the southern corner of the site (Zone G and the horse training area) where apart from minor building additions and additional activity around the old totalisator building, the existing condition and use remains.*
- *Proposed houses will be visible from the farmland along the eastern boundary, including from the only house here which is some 400m away from the boundary. The setback of housing from the boundary in combination with existing mature trees and proposed planting at and near the boundary will ensure suitable visual integration.*

The *Urban Design Assessment Memo* also assesses internal residential amenity at length. In summary, the masterplanned development will create a new village development with a high level of amenity given a number of considerations worked through by the project team including:

- Providing a high quality public realm that provides a high level of amenity for pedestrian and cyclists and an appropriate setting for residential activity;
- Providing open spaces areas that are in close proximity to all dwellings as well as a walking / cycling track around the perimeter of the racetrack.
- Providing at least one vehicle parking space per dwelling.
- Employing a landscape strategy that seeks to create an attractive and highly liveable urban setting as well as retaining large mature trees throughout the site.
- Designing a variety of housing types that are attractive and well resolved with features that demonstrate logical planning, a good relationship between interior spaces, and privacy.

The *Urban Design Assessment Memo* concludes that –

“it is considered that the development will not give rise to adverse urban design related effects. While further design refinement is required, there are no critical urban design issues that remain unresolved”

8.1.10 GEOTECHNICAL EFFECTS

Geotechnical investigations are currently being undertaken and will inform the final 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.

8.1.11 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 GWRC flood hazards GIS map indicates that most of the site has a low flooding risk but some lower lying areas have an Annual Exceedance Probability modelled at 1%. A portion of the site is located within the Flood Hazard (Ponding) Area of the District Plan.

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 stormwater storage areas as well as minor recontouring works to existing drains and watercourses to accommodate current flood volumes within the site. These areas have been allowed for in the masterplan. The preliminary stormwater modelling undertaken to date confirms that flood volumes can be accommodated on site to ensure hydraulic neutrality is achieved and flood volumes do not increase off-site.

Climate change (including the increase in the number and intensity of storm events) 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. 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, 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 (in particular the growth areas on the outskirts of Ōtaki as identified in the Growth Strategy). 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).

8.1.12 HISTORICAL AND ARCHAEOLOGICAL EFFECTS

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.

8.1.13 CULTURAL EFFECTS

Ōtaki Revised Limited has had a number of hui with Ngā Hapū o Ōtaki to discuss the Project. Ngā Hapū o Ōtaki, as a representative body of the five hapū of Ngāti Raukawa who reside in the Ōtaki area.

It is acknowledged that the housing vision and aspirations of Ngā Hapū o Ōtaki were addressed specifically in Council's Housing Needs Assessment via the Ngā Hapū o Ōtaki Housing survey.

If the referral is approved, a Cultural Impact Assessment will be provided with the fast-track consent application.

8.1.14 REVERSE SENSITIVITY EFFECTS

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 mining, intensive farming operations or horticulture. Such complaints can lead to requests for constraints being placed upon permitted rural activities.

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

Further the adjacent land use are a mix of both residential and rural and potential effects of the development on these properties has been appropriately addressed through the proposed masterplan. Refer assessment provided in both the *Landscape Memorandum* and the *Urban Design Assessment Memo*.

As noted, there is a quarry located to the south of the Site that is identified as 'Quarry – Ashford Park 2' in the District Plan. Resource consents were granted by the Council and Regional Council for the operation of a gravel quarry at 61-67 Te Roto Road, Otaki ("Ashford Park Quarry")

The consented activity involves the extraction of 90,000 bulk cubic meters of gravel per year from the Ashford Park Quarry over a 15-20 year period. The gravel will be transported to Winstone's current processing plant in its adjoining Otaki site using only internal roads.

Upon review of the consent documentation and the Site Management Plan, it is considered that potential reverse sensitivity effects will be appropriately dealt with under existing conditions of consent. Otaki Revisited Limited will engage with the quarry operators throughout the preparation of the fast-track resource consent application.

8.1.15 ADVERSE EFFECTS SUMMARY

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

9. PART VIII: NPS AND NES

9.1 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).

9.1.1 NATIONAL POLICY STATEMENT FOR URBAN DEVELOPMENT

The NPS-UD came into effect on 20 August 2020 and replaced the National Policy Statement on Urban Development Capacity 2016. The NPS-UD applies to:

- a) *All local authorities that have all or part of an urban environment within their district or region (i.e. tier 1, 2 and 3 local authorities); and,*
- b) *Planning decisions by any local authority that affect an urban environment.*

The NPS-UD applies to both regional and local authorities and Kapiti Coast District Council and the Wellington Regional Council is identified as Tier 1 Local Authorities. The District Council, in their regulatory

capacity, has just recently responded to the NPS-UD via a plan change to the Operative District Plan (Plan Change 2). As Plan Change 2 has no legal effect, significant weighting should be afforded to the Project's consistency with the NPS-UD.

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-served 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 assist the Council in meeting its obligations under the NPS-UD. The Project is consistent with strategic growth intentions of the District.
- b) The Project will also enable enhanced competitiveness which will assist with housing affordability.
- c) The infrastructure and traffic assessments demonstrate that the Project can be effectively integrated with infrastructure planning, funding and delivery. All off-site upgrades necessary to support the proposed development have secured funding via the IAF whereby Council are already working on the necessary modelling, design and programming work to ensure the upgrades align with the delivery programme for the Project.
- d) Based on satisfying the first two components of Objective 6, the Project is entitled to benefit from 'responsive' decision making.
- e) As per the earlier assessment of a well-functioning urban environment, the location and layout of the Project, 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 which accounts for the 1:200 year and 1:500 year flood events.

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 recently published Wellington Regional Housing and Business Development Capacity Assessment ("the HBA Report"). In relation to population growth in the City, the key findings of this report relevant to this Project are that:

- a) *On-going demand and a lower level of supply of housing has seen land and house prices, and weekly rent levels, increase significantly over the last 10 years.*
- b) *Kāpiti District will grow by between 13,441 to 15,761 people from 2017 to 2047.*
- c) *To accommodate this growth, the District will require between 6,595(134) and 6,707 new dwellings.*
- d) *Ōtaki will see an increase in the demand for housing with 10% of the District demand.*

In Council's Housing Needs Assessment that was informed by the HBA reporting as well as a number of other reports, the following assertions were made with respect to Ōtaki:

- *Ōtaki has the highest level of housing need and the greatest affordability pressures on its residents.*
- *Only 20% of renters can affordably pay the median market rent, with only 2% able to buy a dwelling at the median market sale price⁹.*
- *28% of renters are considered 'extremely stressed', paying more than 50% of their income in rent.*
- *Ōtaki has the highest portion of households in the Kāpiti District earning less than \$50k per annum¹¹.*
- *Ōtaki's renter households have the highest proportion of crowded households in Kāpiti (10.0% of all renters)*
- *In 2021, Ōtaki had the lowest median property value, between \$600k and \$650k, compared to the whole District level of \$830k. Prices have continued worsening since this time.*
- *The least affordable locations in 2021 were Ōtaki and Waikanae. Mortgage cost as a % of Median Household Income in Ōtaki in 2021 = 79%. Median Rent as % of Median HH Income in Ōtaki in 2021 = 47%. This is the highest of all sub-areas.*
- *The limited supply of sections in Ōtaki are selling for prices in excess of \$350,000. At these section values, new dwellings in Ōtaki are likely to exceed \$800,000.*
- *Ōtaki households have a higher proportion of single parent benefits, jobseeker, and family tax credits than the rest of the district.*
- *Ōtaki, along with Rural areas, had the highest portion of vacant dwellings from the 2018 Census.*

With respect to housing feasibility and realisation, the HBA Report outlines that Kāpiti District has a feasible residential capacity of 6,052 dwellings across all forms of residential development. Of the 6,052 feasible dwellings, 2,742 come from greenfield land supply. The remaining 3,310 come from potential infill development, redevelopment or intensification of existing urban areas. Applying a further test of the

likelihood of development identifies, the HBA report identifies a realisable development capacity of 4,935 dwellings over the 30 years to 2047.

The HBA Report concludes that that realisable capacity is insufficient to meet projected demand over the 30 years to 2047 and the shortfall is between 1,660 and 1,772 dwellings.

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.

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:*
 - (ii) 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*
 - (iii) 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 unanticipated by RMA planning documents or out of sequence with planned land release. The proposal will add significantly to development capacity of the District given that it will account for nearly 16% of the shortfall in housing demand. While the Proposal might be considered to be "ahead" of the action being taken to respond to the capacity shortfall, 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. In addition, the government has signalled the timely development of the Project via the housing outcome agreement signed as part of securing funding through the IAF.

In that context, the provision of up to 628 new dwellings over the next six years, will deliver significant development capacity to an area of increasing demand and increasing housing affordability issues. Further, it will enable more people to live in an urban environment which is close to a suburban centre that is continuing to undergo significant change and improvement and where, based on population projections and the shortfall in land supply, there is high demand for housing relative to surrounding areas or other areas of the District.

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. Its close proximity to Ōtaki and the key transport links into Wellington will ensure good accessibility for residents.

The *Economic Assessment* provided in **Appendix Ten** states the following with respect to consistency with the NPS-UD:

"The proposal helps to achieve the NPS-US objectives as it increases the range of housing available to the market.... The proposal would provide additional housing within the \$340,000 - \$690,000 price range with around 53% of dwellings selling for an estimated price less than \$600,000. The proposal therefore provides housing that meets the market demand for new affordable dwellings"

For the reasons outlined above and in the *Economic Assessment*, the Project is consistent with the objectives and policies in the NPS-UD. Further, while the Project may not generally align with some of the zone provisions of the District Plan that relate to the current zoning of the Site, this will be formerly remedied through current or future plan changes. In the meantime, the NPS-UD however is considered to provide the overarching policy direction which enables the constraints of the District Plan to be overcome for proposals which provide significant development capacity and contribute to a well-functioning urban environment.

9.1.2 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 fast-track resource consent application if the project is approved. In short though, it is considered that the Project is consistent with the relevant objectives and policies for the following reasons:

- a) The proposal seeks to undertake only limited works to on-site watercourses. Any culvert works will be subject to the conditions of the NES-F.
- b) No development is proposed in an area that may be identified as a natural inland wetland and an identified stream provides a buffer between the proposed development areas and the potential wetland area.
- c) 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.
- d) 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.
- e) 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.
- f) The ECMP will include measures that will be undertaken to monitor the effects of the proposal on receiving environments.

9.1.3 NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND

The National Policy Statement for Highly Productive Land (NPS-HPL) was approved on 12 September 2022 and released on 20 September 2022. The NPS-HPL will come into force on 17 October 2022.

The NPS-HPL is about ensuring the availability of New Zealand's most favourable soils for food and fibre production, now and for future generations. The policy provides direction to improve the way highly productive land is managed under the Resource Management Act 1991 (RMA).

The NPS sets out how to protect HPL and it does so by mapping HPL and putting Land Use Classifications on all land in NZ. Refer Section 3.4:

3.4 Mapping highly productive land

- (1) Every regional council must map as highly productive land any land in its region that:
 - (a) is in a general rural zone or rural production zone; and
 - (b) is predominantly LUC 1, 2, or 3 land; and
 - (c) forms a large and geographically cohesive area.
- (2) However, despite anything else in this clause, land that, at the commencement date, is identified for future urban development must not be mapped as highly productive land.

As outlined in Figure Four below the Site is classified as LUC-1 and LUC-3.

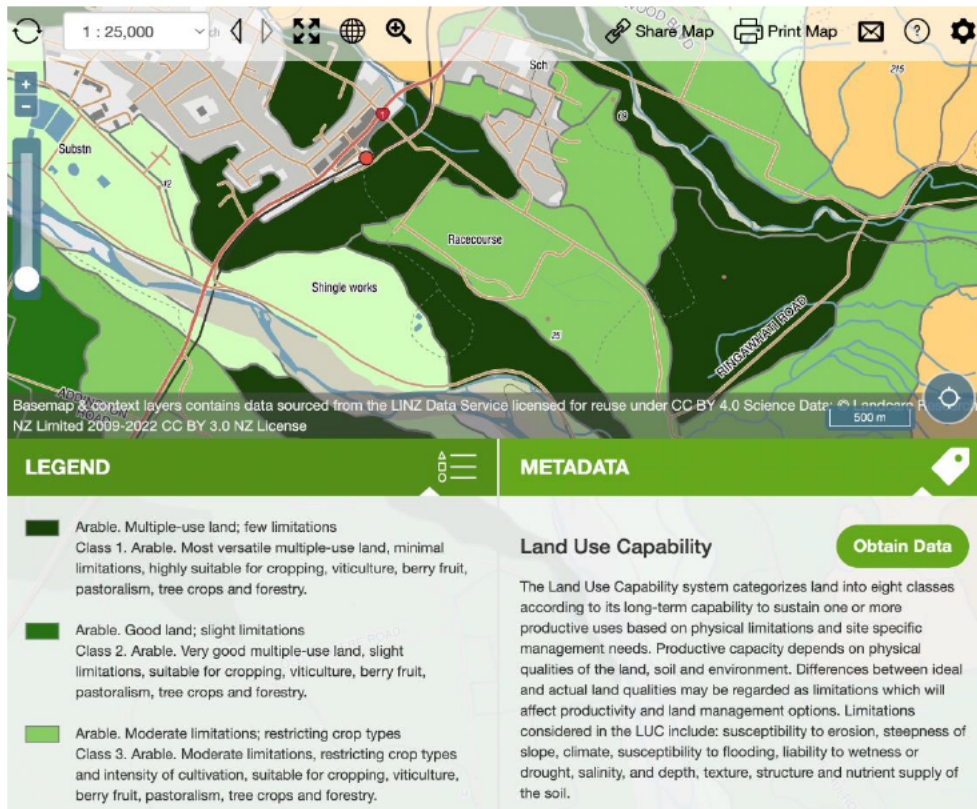


FIGURE FOUR: LUC CLASSIFICATION (Source: https://ourenvironment.scinfo.org.nz/maps-and-tools/app/Land%20Capability/lri_luc_main)

The NPS-HPL recognises that not all land that is classed as LUC1-3, will be able to be used for productive purposes. It recognises that land that is considered suitable for urban development under a strategic planning document may be better suited to urban purposes. This is set out in section 1.3 of the NPS-HPL as below.

1.3 Interpretation

identified for future urban development means:

- (a) identified in a **published Future Development Strategy** as land suitable for commencing urban development **over the next 10 years**; or
- (b) identified:
 - (i) in a **strategic planning document** as an area suitable for commencing urban development over the **next 10 years**; and
 - (ii) at a level of detail that makes the boundaries of the area identifiable in practice

As noted, the Site and surrounding area is identified for future intensification in *Te Tupu Pai – Growing Well*, Kapiti Coast District Council's strategy for enabling sustainable growth in Kapiti. In addition, it is acknowledged that the Site is highly fragmented and modified, has operated as a racecourse for over 100 years and has never been utilised for rural production or other rural based activities during this time. Therefore, it is considered that Council are not required to protect the Site for rural production purposes.

9.1.4 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.

The NES includes provisions for rivers and wetlands. The fast-track resource consent application will include seeking consent under the NES for the placement of culverts in a watercourse. Further, as culverts have been interpreted to result in the reclamation of a watercourse, the fast-track consent application will include seeking consent for reclamation.

With respect to wetlands, the *Ecological Memorandum* identifies an area of ponding on a paddock that may be classed as a Natural Inland Wetland. No development is proposed in this area and the area is separated from the proposed development by an ephemeral stream. If this referral is approved a further assessment of this area to confirm its status will be undertaken. For the avoidance of doubt however, this referral application includes seeking consent for the diversion of stormwater within 100m of this area.

10. PART VIII: PURPOSE OF THE ACT

10.1 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 5.1 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:

A portion of the Site is owned by OMRC who support the proposal. See correspondence in Appendix Fourteen.

(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.

10.2 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 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 and are also addressed in the Business Case attached as **Appendix Two**.

10.2.1 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

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.

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

To further enhance economic benefits associated with the Project, the proposal includes the inclusion of an on-site housing assembly warehouse to support the Project and provide further opportunities for employment.

The potential economic impacts of the proposal were assessed by Urban Economics and this has formed part of the *Economic Assessment* provided in **Appendix Ten**. With respect to employment opportunities created as part of the Project, the assessment states:

It should be noted that the Ōtaki township has secured infrastructure funding through the Infrastructure Acceleration Fund. This confirms that the project can be completed over an estimated 6-year period starting 2023 and provide an immediate boost to the construction sector of approximately 104-105 FTE jobs per annum. It would also provide an additional source of revenue to fund this infrastructure including development contributions and rates.

Indirect benefits include supplies and services purchased by the construction team, or by contractors engaged by The Wellington Company Limited. These include the wholesale and retail building supplies, and legal, telecommunications, administrative and accounting services. The vast majority of The Wellington Company'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.

10.2.2 SOCIAL AND CULTURAL WELLBEING

The Project will enable the development of up to 628 dwellings in an area facing a chronic shortfall in affordable housing. The Project provides for the development of housing to meet the identified shortfall by way of an expansion to an existing residential area in a location identified by Council as being appropriate for that purpose.

The Project will enable the development of up to 628 homes in an area that is facing a significant shortfall in development capacity. In addition, the Project also seeks to support existing community activities occurring on the site and enable further commercial activities to support the village development.

Urban Economics were engaged to provide an assessment of the social impact of the proposed development. The assessment, attached in **Appendix Eleven** of this application, assesses the impact of the Project on local schools, access to employment and proximity to a range of activities.

The *Social Impact Assessment* concludes that:

There is adequate social infrastructure within the study area that supports the proposed development. Therefore, the proposed development is not expected to have any discernible

adverse social impacts on the existing schooling, employment and public amenities within the study area, and instead would contribute positively to support the existing social infrastructure.

With respect to cultural wellbeing, the Applicant has commenced engagement with Ngā Hapū o Ōtaki over the proposed development and any further updates on this consultation will be provided to MfE. As required, a Cultural Impact Assessment will be provided with the fast-track resource consent application if the referral application is approved.

10.2.3 CONSENTING PROCESS

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. House construction and subdivision would likely occur in 2027/2028, at the earliest.

10.2.4 PUBLIC BENEFITS

EMPLOYMENT

As noted in the attached Business Case and Economic Assessment, between 384-556 FTE will be created by the Project and will contribute \$51 - 74million to the economy. These jobs would be in roading, construction, landscaping, planting, land surveying, administration and support services and other related activities.

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

The Kāpiti Coast, including Ōtaki, has seen significant development in recent years and is expected to continue to grow with the completion of Transmission Gully (in addition to the new Expressway). This has driven strong growth in the residential market with median prices in Ōtaki increasing steadily since 2016.

Housing capacity and demand issues include current and increasing shortfalls in housing stock and increases in housing demand as highlighted in the recently published Wellington Regional Housing and Business Development Capacity Assessment ("the HBA Report"). In relation to population growth in the City, the key findings of this report relevant to this Project are that:

- a) *On-going demand and a lower level of supply of housing has seen land and house prices, and weekly rent levels, increase significantly over the last 10 years.*
- b) *Kāpiti District will grow by between 13,441 to 15,761 people from 2017 to 2047.*
- c) *To accommodate this growth, the District will require between 6,595(134) and 6,707 new dwellings.*
- d) *Ōtaki will see an increase in the demand for housing with 10% of the District demand.*

In Council's Housing Needs Assessment that was informed by the HBA reporting as well as a number of other reports, the following assertions were made with respect to Ōtaki:

- *Ōtaki has the highest level of housing need and the greatest affordability pressures on its residents.*
- *Only 20% of renters can affordably pay the median market rent, with only 2% able to buy a dwelling at the median market sale price.*

- *28% of renters are considered 'extremely stressed', paying more than 50% of their income in rent.*
- *Ōtaki has the highest portion of households in the Kāpiti District earning less than \$50k per annum¹¹.*
- *Ōtaki's renter households have the highest proportion of crowded households in Kāpiti (10.0% of all renters)*
- *In 2021, Ōtaki had the lowest median property value, between \$600k and \$650k, compared to the whole District level of \$830k. Prices have continued worsening since this time.*
- *The least affordable locations in 2021 were Ōtaki and Waikanae. Mortgage cost as a % of Median Household Income in Ōtaki in 2021 = 79%. Median Rent as % of Median HH Income in Ōtaki in 2021 = 47%. This is the highest of all sub-areas.*
- *The limited supply of sections in Ōtaki are selling for prices in excess of \$350,000. At these section values, new dwellings in Ōtaki are likely to exceed \$800,000.*
- *Ōtaki households have a higher proportion of single parent benefits, jobseeker, and family tax credits than the rest of the district.*
- *Ōtaki, along with Rural areas, had the highest portion of vacant dwellings from the 2018 Census.*

The provision of up to 628 new dwellings over the next six years, will deliver significant development capacity to an area of increasing demand and increasing housing affordability issues. Further, it will enable more people to live in an urban environment which is close to a suburban centre that is continuing to undergo significant change and improvement and where, based on population projections and the shortfall in land supply, there is high demand for housing relative to surrounding areas or other areas of the District.

CONTRIBUTING TO WELL-FUNCTIONING URBAN ENVIRONMENTS

The Project is located on a site that is adjacent to existing residential development within the Ōtaki township. Given its excellent location with respect to services, amenities and transport and given that the site has been identified by the Council for development and has secured an IAF agreement to facilitate this.

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

- a) The Project will achieve a positive interface with the emerging residential environment and maintain the amenity and operational functions of surrounding rural properties.
- b) The Project provides appropriate connectivity to adjacent urban areas and beyond via the state highway upgrades. Refer further assessment in the *Traffic Assessment*.
- c) Given its location in close proximity to major public transport routes and the Ōtaki town centre, it is suitable for the level of density proposed. Refer further assessment in the *Urban Design Assessment Memo*.
- d) While the Site will be modified through earthworks and building construction, the proposal will result in a concentrated urban form surrounded by considerable areas of open space. Refer further assessment in the *Urban Design Assessment Memo* and the *Landscape Memorandum*.

In summary, the location of the site immediately adjoining existing residential development and, in an area, proposed for future urban growth, 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 Ōtaki area. 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 infrastructure and traffic assessments demonstrate that the Project can be effectively integrated with infrastructure planning, funding and delivery. All off-site upgrades necessary to support the proposed development have secured funding via the IAF whereby Council are already working on the necessary modelling, design and programming work to ensure the upgrades align with the delivery programme for the Project.

The Applicant will also pay development and reserves contributions for the Council as part of the Project. This 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 stream ecology relate to the construction of culverts, the control of stormwater and sediment from the Site during construction and post-completion, 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.

As noted, all watercourses on the site will be retained with the exemption of the construction of 3-4 culverts to provide suitable access connectively. The design of the culvert, as well as information to support the resource consent application will adhere to the requirements of the NES-F. The proposal also includes riparian planting and enhancement works that will result in improvements to freshwater quality across the Site.

Effects on aquatic fauna are likely to stem from discharge events, though unlikely. Appropriate site management techniques can sufficiently mitigate the risk of such events occurring and this will be detailed in an EMP that will be provided with the fast-track resource consent application.

An 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 and flood mitigate. The resource consent will proffer a consent condition that requires implementation of, and adherence to, the SMP.

WASTE MINIMISATION

This will be an eco-friendly development with waste minimization aligning with Council's waste minimisation programmes as well as the wider Wellington Region Waste Management and Minimisation Plan. Further correspondence will be undertaken with Council to determine whether the Project could apply for a Waste Levy Grant.

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, employment opportunities and public transport, 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, separate 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 Ngā Hapū o Ōtaki over the proposed development and any further updates on this consultation will be provided to MfE. As required, a Cultural Impact Assessment will be provided with the fast-track resource consent application if the referral application is approved.

10.2.5 SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECTS

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

11. PART X: CLIMATE CHANGE AND 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 8 above.

12. PART XII: TRACK RECORD

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 Ōtaki Revisited Limited.

13. 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 village development at the Ōtaki Maori Racecourse site in Ōtaki.

While the site is zoned Rural Production Zone in the District Plan the site is located in an area of expected residential development as identified by Council.

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. The Wellington Company Limited directly manage all of their development projects 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 RMA processes but significant engagement has been undertaken with the District Council regarding the Project and the inclusion of the site in the IAF agreement.

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. House construction and subdivision would likely occur in 2027/2028.

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 \$88.1 million, 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 4 below, 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 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 Project is formally rezoned via future plan changes. In the meantime, the NPS-UD is considered to provide the overarching policy direction, this 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.

This application and accompanying information demonstrates that the Project meets the criteria of the Act and therefore it is appropriate for the Project to be referred through the fast-track consenting process.

14. LIMITATIONS

This report:

- a) Is for the use by Ōtaki Revisited 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.

No responsibility is accepted by Scope Planning Limited or its director, agents, staff or employees for the accuracy of information provided by third parties that the application has been based upon. Scope Planning Limited has not independently verified the provided information and has relied upon it being accurate and sufficient for use by Scope Planning Limited in preparing this report. Scope Planning Limited accepts no responsibility for errors or omissions in the provided information.

15. COPYRIGHT

This document and its content remain the property of Ōtaki Revisited Limited and Scope Planning Limited. Any unauthorised use or reproduction in full or in part is forbidden.