STAGE 1, PLIMMERTON FARM

PLIMMERTON

PLIMMERTON DEVELOPMENTS LIMITED

APPLICATION FOR REFERRAL

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

FEBRUARY 2023

DOCUMENT CONTROL

AUTHOR	Stephanie Blick (Scope Planning Limited)
REVISION	2003_PLIMFARM_REFERRAL_20220206
DATE	6 February 2023
REFERENCE	2003

CONTENTS

APPENDICES

1. EXECUTIVE SUMMARY

This is an application made by KM & MG Holdings Limited ("KMMGH") for referral to an Expert Consenting Panel, under the COVID-19 Recovery (Fast Track Consenting) Act 2020, for consent to undertake a residential development and wetland restoration project at the site located at 18 State Highway 59, Plimmerton (hereafter "the Site"). The proposed development is 'Stage One' of the Plimmerton Farm development and comprises a mix of standalone, terrace and apartment housing resulting in between 880 - 1050 new dwellings and associated earthworks as well as wetland restoration and flood mitigation works and the provision of future development lots for future residential stages, a retirement village, a commercial area, and a primary school.

The Site was the subject of a Streamlined Plan Change Process ("SPP") that was approved by the Minister for the Environment in February 2021. The plan change introduced 'the Plimmerton Farm Zone' into the Operative Porirua City District Plan ("the District Plan").

One of the reasons for advancing this referral application is to 'catch-up' after significant delays caused by the wetland reclamation provisions National Policy Statement for Freshwater Management ("NPS-FM") and the National Environmental Standard for Freshwater ("NES-F") that were introduced at the time the resource consent documentation for Stage One was nearly complete and to be lodged with both Porirua City Council ("PCC") and Greater Wellington Regional Council ("GWRC") as soon as the Minister approved the SPP. Significant engagement was undertaken with both PCC and GWRC throughout 2018 – 2020 when the Stage One concept was first designed.

In all respects the Project is "shovel ready" with enabling works expected to commence within approximately 3-4 months after receiving consent, and the Project developed over 6 - 7 years from commencement. KMMGH and associated entities directly manage 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.

KMMGH, part of the Gillies Group group of companies, have 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 Three** to this application.

The Project will progress faster than using the alternative RMA processes. Obtaining resources consents under the 'standard' RMA process is expected to take up to 18 months depending on notification of the Regional Council consents. Subdivision would therefore not likely occur until 2026/2027 under a standard RMA process.

The development will provide 1,213 FTE jobs and allow for significant investment in the local community of approximately $160.9 million. There are opportunities through the Project for employment both locally, and for those in sectors that have been affected by COVID-19 and the local construction industry will benefit. The assessment included in this referral application confirms that the Project is strongly aligned with the purpose of the Act.

The Project will add significantly to development capacity of the District given that it will account for over 20% of the shortfall in housing demand for the Porirua area over the next 30 years. 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.

There is no potential for the Project to have residual significant adverse environmental effects, and as outlined in Section 4 below, adverse effects can be appropriately avoided, remedied or mitigated. Many potential adverse effects have already been mitigated through the collaborative and extensive masterplanning process undertaken since 2018. A heavily iterative process has sought to ensure that potential effects on wetlands has been avoided to the greatest extent practicable. Effects associated with earthworks and construction can be readily managed through conditions.

The Project is consistent with the objectives and policies in the National Policy Statement for Urban Development ("NPS-UD") and the flood mitigation, stormwater detention and significant wetland construction, restoration and enhancement works will ensure that the Project aligns with the NPS-FM and NES-F.

Most importantly, the Project is inherently consistent with the Plimmerton Farm Zone provisions and the Plimmerton Farm Zone Precinct Plan that was included in the District Plan via the plan change approved by the Minister for the Environment.

Overall, this application and accompanying documentation confirms that the Project achieves the purpose of the Covid-19 Act and therefore it should be considered for referral.

2. BACKGROUND

One of the reasons for advancing this referral application is to 'catch-up' after significant delays caused by the NPS-FM and the NES-F.

By way of background and to provide the necessary context to this application, in 2018, Plimmerton Developments Limited (now KMMGH) purchased Plimmerton Farm with the intention of rezoning the site for predominantly residential purposes. It was intended that the site could yield 2,000 dwellings that would be accompanied by a commercial area, retirement village, and a school that would be dispersed through a network of public spaces within and adjacent to large tracts of native vegetation and high value wetlands.

Plimmerton Farm has been assessed as supporting a mix of degraded, induced gully wetlands with very low ecological values, lowland valley floodplain wetlands and regenerating native bush. Previously identified as 'intermittent streams' located in steeply sided gullies interspersed with spurs and native vegetation, changes to wetland definitions and wetland delineation methods brought about by the NPS-FM and NES-F meant that many of these habitats were reassessed as wetlands, albeit that they are degraded, low-value induced wetlands.

The larger streams and low-lying high value wetlands, while degraded by farming practices were identified for restoration, enhancement and protection in the Plimmerton Farm Precinct Plan due to potential value and the fact that are naturally occurring (i.e. not induced and created via farming practices).

At the outset of the masterplanning process undertaken to inform the rezoning of Plimmerton Farm it was acknowledged that retention of significant areas of natural habitats together with environmental mitigation and biodiversity offsetting for wetlands and streams that are reclaimed would be an integral part of the development.

While the identified ecological features present challenges to developing the site, PDL were confident there was significant opportunity to develop Plimmerton Farm whilst also achieving significant ecological benefits even whilst acknowledging that it will be essential to reclaim and earthwork some lower-value stream/wetlands as part of the development. Accordingly, the Plimmerton Farm Precinct Plan includes Significant Natural Areas ("SNA's") (that includes high-value wetland areas) and 'Biodiversity Offsetting and Restoration Areas' ("BORAs") where offsetting works in accordance with the effects mitigation hierarchy is anticipated to offset the loss of streams and low-value wetlands.

To achieve outcomes in a timeframe that was responsive to significant housing need within the District, Council submitted an application to advance the rezoning of Plimmerton Farm via SPP on 1 October 2019. The SPP application included a letter of endorsement from GWRC and Ngāti Toa Rangitira. In its letter of endorsement, GWRC noted that the potential plan change -

> *"enables Council to provide for urban development and also allows an early opportunity to implement some of the NPS-FM recommendations of the Porirua Whaitua Implementation Programme and Ngāti Toa Statement of Intent*".

On 6 May 2020, Minister Parker issued a directive for Council to undertake the SPP and outlined his expectations for the proposed plan change, including that it -

"a) contributes to providing sufficient opportunities for the development of housing and business land to meet demand, and which will provide choices to meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses;

b) provides for the protection of significant natural areas, significant natural features, sites of ecological value, and the maintenance of indigenous vegetation and indigenous biodiversity; and

c) ensures that future development will be undertaken in a manner that recognises the sensitive receiving and downstream environments, such as the Taupō Swamp, including minimising changes to the hydrological regime."

Following on from this PCC prepared and notified the plan change and conducted hearings that were heard by an expert hearings panel. Among others, GWRC submitted in support of the plan change. On 26 February 2021 after receiving the Hearing Panel's Report that recommended that the Plan Change be approved, Minister Parker approved the Plan Change, being satisfied that his expectations and process requirements were met.

Separately but concurrently with the SPP process, KMMGH and its expert project team designed the Stage One development with the intention that this first application would be lodged as soon as the Ministers decision on the SPP was released. The Stage One proposal included wetland reclamation and associated offsetting in accordance with the effects mitigation hierarchy as stipulated in the GWRC Proposed Natural Resources Plan (now operative). Pre-application meetings and site visits were undertaken with PCC and GWRC officers and expert advisors and in December 2018 the project team presented the Stage One concept in a workshop with both PCC and GWRC officers[1]. Correspondence with GWRC included site visits with the project ecologists and GWRC ecologists to confirm the extent and values of wetlands and to delineate streams, intermittent streams, highly modified streams and drains.

A month before the SPP Plan Change hearing, the NPS-FM and the NES-F were released. As a result of the prohibited activity status for wetland reclamation in the then NES-F (and therefore no ability to offset reclamation), the Stage One proposal and the nearly complete application and technical reports were put on hold. A new masterplanning process was undertaken to determine the implications of the NES-F. The revised masterplan found that the site would yield 30% to 50% fewer residential properties than originally anticipated as well as a loss in housing diversity, a reduced commercial site and the complete loss of the school and retirement village sites. The reduced yield, together with increased development costs (that included bridging wetlands to connect development on the tops of spurs) meant that development was severely impacted and consequently, the revised masterplan was not advanced. Instead KMMGH focused efforts on trying to seek revisions to the NES-F and NPS-FM, refining the original masterplan to reduce the extent of wetland reclamation to the greatest extent possible, and obtaining PCC and GWRC consents to create 45 residential allotments in a discrete area of the site that extends from an existing residential area.

With the recent amendments to both the NPS-FM and NES-F comes the opportunity to advance the intended development on Plimmerton Farm and to realise the significant ecological benefits and outcomes associated with this and as anticipated by Minister Parker.

2.1 KAINGA ORA SPECIFIED DEVELOPMENT PROJECT

On the 25th of August 2022 Kainga Ora announced that the Northern Growth Area has been selected for assessment as a potential 'Specified Development Project' ("SDP"). While Plimmerton Farm is part of the Northern Growth Area it is the only landholding that has a 'live' residential zoning and has been subject to its own masterplanning process through the SPP. Therefore, while KMMGH supports the assessment and due-diligence work currently being undertaken by Kainga Ora, KMMGH's Development Manager has been clear that it intends on advancing development in accordance with site zoning and the Plimmerton Farm Precinct Plan. In other words, while KMMGH supports the SDP it also does not want to be delayed

[1] Workshop presentations can be provided to MfE upon request.

from advancing development and providing housing supply at scale at Plimmerton Farm at a pace that was expected through the SPP. KMMGH is ready to implement housing at scale as soon as any fast-track consenting is granted.

3. INFORMATION REQUIREMENTS

3.1 COVID 19 RECOVERY (FAST TRACKING CONSENTING) ACT 2021

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

> *(a) Must include the information specified in subsection (3); but*
>
> *(b) Need only provide a general level of detail, sufficient to inform the Minister's decision on the application, as opposed to the level of detail that an expert consenting panel would require to be provided in applications for resource consents or in notices of requirement.*

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

As per the requirements, no finalised technical reports accompany this application but the following experts have contributed to the preparation of the subdivision plan and have prepared preliminary assessments that greatly assist in confirming that the Project satisfies the referral criteria:

- Ecologists – RMA Ecology
- Civil Engineering: Aurecon
- Planning: Scope Planning
- Geotechnical Engineering: Aurecon / Engeo
- Urban Design: Urban Acumen
- Access and Traffic: Stantec
- Economics: Urban Economics
- Development and programme: KMMGH

In addition, the development of the Project has relied on the extensive investigations and assessments undertaken as part of the approved plan change for Plimmerton Farm.

4. PROPOSAL AND EFFECTS

4.1 SECTION 20(3)(A) PROPOSED PROJECT AND ACTIVITIES

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

4.1.1 PROJECT NAME

The **name** of the project is 'Plimmerton Farm Stage One' ("the Project").

4.1.2 PROJECT AUTHORISED PERSON

The **authorised person** for this Project and Applicant of this referral application is **KM and MG Holdings Limited ("KMMGH").**

4.1.3 DEVELOPMENT OF THE PROJECT

As noted in the background section above, the Stage One concepts have been designed and revised over a period of five years since 2018. Pre-application meetings, site visits with PCC and GWRC officers were undertaken and included a Stage One workshop. Correspondence with GWRC included site visits with the project ecologists and engineers and GWRC officers and expert advisors to confirm the extent and values of wetlands and to delineate streams, intermittent streams, highly modified streams and drains.

At the outset of the design process it was acknowledged by the project team that in order to justify and rationalise wetland reclamation GWRC must be satisfied that there is *"no other practicable alternative methods of providing for the activity"*[2]. Therefore, the development and earthworks extents, roading locations, housing location and yields were tested and interrogated by the project engineers, ecologists, urban designers and planners. In late 2019 the project team had agreed a concept that, in their view, satisfied the tests in the relevant NRP policies and, in particular, concluded that there was *"no other practicable alternative methods of providing for the activity".* Memorandums were prepared by the project engineers and urban designers to detail the design process and outline how they had reached that conclusion. Refer Urban Design Memo attached in Appendix 1 of the *Urban Design Report*.

The memo concludes the following:

> *Balancing connectivity and environmental value is required to achieve the overall intentions for Stage 1 as described by the Draft Precinct Plan. Its location, proximity and relatively low visibility point to its potential to accommodate a significant proportion of the overall site's residential yield. To access the Stage 1 area and provide an acceptable level of internal connectivity, the modification of landform and drainage patterns, along with the removal of vegetation is required. From an urban design perspective, and in the context of the detailed site specific approach to identify different precincts and their corresponding treatment relative to proximity, topography and visibility, this is considered appropriate due to the benefits derived from increased connectivity, residential yield, and the provision and support of public transport infrastructure.*
>
> *Furthermore, the proposal to retain, extend and enhance wetland and stream corridors in other precincts achieves a balance between connectivity, environmental response and land utilisation when considering the wider Plimmerton Farm site.*

The Project aligns with the overall masterplan for Plimmerton Farm that was developed by the project team to inform the staged resource consents and to assist with local and central government and stakeholder engagement. To further assist in outlining its aspirations for Plimmerton Farm a video was prepared (https://vimeo.com/718032768/ac6309b4fa). The video is based on the Plimmerton Farm Precinct Plan and the subsequent development plan so is an accurate visualisation of the ecological retention, enhancement and offsetting works that are proposed to be delivered across Plimmerton Farm.

4.1.4 PROJECT DESCRIPTION

A referral is requested from the Minister for the Environment to utilise the fast-track consent process to obtain the necessary PCC and GWRC resource consents for Stage One of the Plimmerton Farm development.

In summary, the key elements of the Project are as follows:

a) Land use to construct between 880 - 1050 residential units.

b) Land use to undertake bulk earthworks, including undertaking earthworks within 10m of a natural inland wetland;

c) Land use to construct infrastructure servicing associated with the subdivision and development, including roads, parking, and three waters infrastructure including a new water reservoir and the

[2] Policy P110 of the Natural Resources Plan

creation of stormwater detention basins to ensure hydraulic neutrality is achieved as part of the development.

d) Creation of both public and private open space areas including large public reserves areas proposed to be vested with PCC (subject to agreement by PCC);

e) Land use consent to clear vegetation within a Significant Natural Area to, among other things, construct a road in accordance with the Plimmerton Farm Precinct Plan;

f) Land use consent and discharge permits to reclaim natural inland wetland as now provided for under the amended NES-F;

g) Wetland offsetting and restoration works to restore existing wetlands and create new wetland areas and to ensure 'no net loss' of wetland area and values; and,

h) Subdivision to create residential lots, road and reserve lots to vest and future development lots.

The project will involve the following resource consent activities:

a) Subdividing land;

b) Bulk earthworks that include discharges to land and water, and erosion and sediment control;

c) Earthworks and development within Flood Hazard (stream corridor) 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, shared paths and other transport infrastructure;

i) Wetlands and stream reclamation and associated biodiversity offsetting;

j) Vegetation clearance and associated biodiversity offsetting and enhancement works;

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

HOUSING

The Project seeks to construct between 880 – 1050 dwellings across 9 development stages. Approximately 880 residential units will be delivered within stages 3, 4, 6, 7, 8 and 10 as outlined in the detailed architectural plans attached in **Appendix Three**, and a further 170 residential units are estimated within stages 5, 9 and 11. While the individual residential units and allotment layout have not been designed for stages 5, 9 and 11 to the same fine-grain detail as the other stages, yield within these stages has been estimated based on the preliminary roading design and the underlying masterplan. In order to include the development of these stages in this referral, the necessary earthworks and infrastructure to support development within these stages has been included in the proposal.

HOUSING TYPOLOGIES AND TENURE

Housing typologies include standalone, detached, terraced and apartment typologies as outlined in **Table Three** below. In addition, some vacant allotments will be provided to sell to other building companies. Development plans, housing typology plans, block plans and renders and typology schedules are provided in **Appendix Three**.

TABLE THREE: HOUSING TYPOLOGIES	
BUILDING TYPE	**APPROXIMATE YIELD**
Detached	77
Duplex	268
Apartments	310
Terraces	296
Vacants	98
TOTAL	**1049**

The range of housing proposed will provide choice and support community diversity by catering for people at all stages of life. The final decision on the exact make-up of the development will be subject to a number of factors primarily related to market demand, feasibility and affordability.

Housing tenures may include:

- Market houses;
- House and land packages;
- Land packages to be sold to house builders; and,
- Social housing (Kainga Ora homes)

Further details on the proposed residential development and assessment against relevant statutory documents is provided in the *Urban Design Assessment* attached in **Appendix Four**.

SUBDIVISION

The proposed subdivision will create:

i) Between 880 - 1050 residential allotments.

ii) Road allotments to vest that includes the main gateway /entry road to future stages;

iii) Road allotments that will either be vested or become jointly owned access lots held in shared ownership by the applicable residential allotments

iv) Reserve lots whereby some may be vested with Council as local purpose reserves and some may be held in ownership by a future residents association or owned by neighbouring lots;

v) One allotment that will accommodate a future commercial hub;

vi) One allotment that will accommodate a future primary school;

vii) One allotment that will accommodate a future retirement village; and,

viii) Two future development lots (stages 12 and 13) that will be earthworked to ensure a cut/fill balance on site. Development of these allotments will be subject to future resource consents.

Draft subdivision plans are included in the architectural drawing set attached in **Appendix Three** and a subdivision super lot / development stages plan is provided in the Infrastructure Memo attached in **Appendix Five**.

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 Five** and summarised in the following sections.

Wastewater

- It is proposed to connect the development to the existing wastewater infrastructure at the southwestern side of the site adjacent James Street. A new sewer reticulation network is required for the Stage One development aligning with the proposed road network and avoiding sensitive wetland areas. All allotments will include a connection at the boundary as per WWLs Regional Standard.

- Wastewater generated by the development will be managed to ensure that the Stage One development does not exacerbate capacity issues within the existing wastewater network. To do this a detention tank with approximately 1000m3 of capacity will be required for Stage One to provide 12 hours of average dry weather flow (ADWF) storage, plus an additional 8-hour buffer for resilience and maintenance requirements. The tank will be sited at the south-west of the Stage One area comprising a single tank structure or connected cellular structures. Refer tank location provided in Figure 5 of the *Infrastructure Memo*.

- The wastewater detained in tanks will be gradually discharged to the downstream network at controlled volumes outside the times of peak flow in the existing trunk main. Controlled discharge will be completed when levels are lower in the existing network. Controls will be linked to the James St pump station level sensors (PCC_WWPS213). Further engagement with Wellington Water will ensure integration with existing networks, proposed upgrades, discharge limits, and controls during heavy rainfall events.

Potable Water

- A new reservoir will be constructed to service the entirety of Stage One development. The reservoir will have a total storage of 3.35Ml / 3,350m^3 and will be located at an RL of approximately 115m.

- Trunk potable water mains within the development will connect from the reservoirs to supply the Stage One development. Connections will be made to neighbouring networks (e.g. Mo Street to Camborne Reservoir) to allow for integrated management of the water networks by Wellington Water. The transmission main will feed into principal mains and rider mains laid on every new proposed road.

- The bulk transmission main supplying the reservoir will connect to the GWRC transmission mains on SH59, with new pumps installed to supply the reservoirs.

- The proposed reservoir site will also facilitate future development of subsequent site stages with space to construct a second reservoir, or a larger single reservoir at Stage One (up to 6.2Ml capacity).

Stormwater – Hydraulic Neutrality

- Hydraulic neutrality for this site is the reduction of peak flows for events up to the 100-year ARI event. It also includes maintaining the frequency of existing channel forming flows (low return period events, 2-year ARI, PC18 Freshwater Principles SWMP30). Hydraulic neutrality will be

designed based on the stormwater management and freshwater principles in the Plimmerton Farm Zone Chapter of the District Plan.

- Based on a preliminary catchment assessment of Stage One development runoff and including the existing flood hazard within the low-lying area of the Site, the project engineers confirm that it is feasible to provide stormwater attenuation during extreme rainfall events to manage the combined flood hazard at the site without increasing flood risk external to the site.

Stormwater – Flood Hazard Mitigation

As further described in Section 6 of the *Infrastructure Memo*, a portion of the Stage One development area currently experiences inundation during large flood events. To prevent impact on downstream properties, removal of flood storage within low lying zones due to roading or development will require compensatory storage in addition to increased runoff from the Stage One development.

Detailed flood modelling of the impact of proposed flood storage devices will be completed to demonstrate that attenuation devices are effective to mitigate downstream impacts. A 6.8ha flood detention zone is proposed and will form a significant part of the stormwater strategy to ensure hydraulic neutrality for the Stage One development. This area will be accommodated within the proposed wetland restoration area that will be able to function as a natural wetland given that no stormwater treatment functions are proposed in this area.

Stormwater – Treatment

Stormwater treatment measures are proposed to be implemented on a superlot basis near to source. Treatment devices will be designed based on the Freshwater Principles in the Plimmerton Farm Zone chapter of the Operative District Plan.

Stormwater – Other measures

The Infrastructure Memo details other measures that will be incorporated into the stormwater design to enhance stormwater outcomes for the development:

- *Protect headwaters from development by planting, setting back development where possible and keeping these areas pervious. This has the benefit of controlling temperature and baseflow in the stream.*

- *Avoid mixing water from different catchment sources. Focus on having a natural distribution of stormwater outlets to mimic the diversity of stormwater contributions in the current environment.*

- *Run water over land and rock prior to discharge in harmony with Te Mana o Te Wai principles.*

- *Protect overland flow paths.*

PROJECT ACCESS AND TRANSPORT

As further described in the *Transport Assessment* attached in **Appendix Eight**, the key transport components that are proposed to support the Project are summarised as follows:

- All vehicular access to and from the Stage One site is proposed off James Street, with the new site access road lending itself to a priority change, with traffic travelling between the roundabout and the Site having priority;

- A series of new internal roads including a main north-south spine connection off James Street that will in turn connect with a series of local roads and neighbourhood streets that distribute traffic across the various development areas;

- Provision for active mode users including roadside footpaths, shared paths, as well as off-road walking and cycling trails that provide more direct connection between development areas; and,

- Provision of a controlled pedestrian / cycle crossing on SH59 to the south of the James Street roundabout, to facilitate safe active mode connection between the Site and the nearby Plimmerton rail station / shopping area; and,

- A subdivision design and creation of a lot to provide potential future access to an adjacent rural block that falls within the Northern Growth Area.

OPEN SPACE

Three types of open space are provided:

- Public open spaces including the wetland restoration / enhancement area in the low-lying portion of the site, parks, pocket parks, 'parklets', streets, lanes and walkways. The new wetland area will become a significant asset to the development and wider community and the smaller park areas have been 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 being in close proximity to one or more public open spaces and the proposed walking/cycling tracks. 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 consent application (if approved).

EARTHWORKS

Earthworks are required to develop the Stage One development suitable for construction of housing in alignment with the Plimmerton Farm Precinct Plan. Earthworks will be required to construct roads into the site, graded platforms for housing, managing excess cut into engineered fill sites for future development, construction of bulk potable water storage reservoirs, and construction of stormwater management devices.

In addition, the future retirement village, commercial zone and school site will be earthworked to satisfy the particular requirements of the future development.

As outlined in the *Infrastructure Memo*, there will be an excess of excavated earthwork material to support the Stage One development that is proposed to be moved to future stage fill zones as part of the Stage One works. These fill-only areas are identified on the earthworks plan attached to the *Infrastructure Memo* and fall within the full Stage One earthworks extent that was assessed by the project ecologists.

Temporary haul roads will be installed through the fill only zones to support these advance works without impacting the Stage One finished roading.

Indicative bulk earthworks volumes provided in the *Infrastructure Memo* are as follows:

- Stage 1 Cut Volume: 1,900,000m^3

- Stage 1 Fill Volume: 1,300,000m^3

- Surplus Stage 1 Cut: 600,000m^3

The identified fill zones on the indicative super-lot scheme plan attached in the *Infrastructure Memo* allow for up to 1,000,000m^3 of fill with provision for bulking and contingency within the indicative earthwork figures.

The total earthworks area including fill only areas for excess cut is 83.5ha

VEGETATION CLEARANCE

Early in the Plimmerton Farm masterplanning process it was determined that removal of a small portion of vegetation within Significant Natural Area 050 would be required in order to construct the main entry road through the development. This is acknowledged / illustrated on the Plimmerton Farm Precinct Plan which shows the road connection bisecting SNA050. Refer **Figure One** below. **Figure Two** below illustrates SNA050.

FIGURE ONE: ROAD CONNECTIONS ON THE PLIMMERTON FARM PRECINCT PLAN

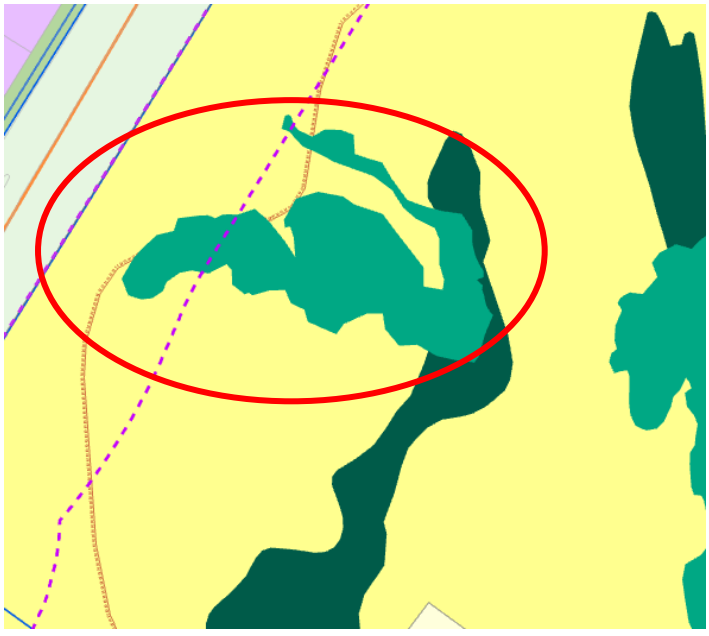

FIGURE TWO: SNA050 (Source: PCC Operative District Plan)

In total approximately 1.59ha of clearance is required within the SNAs adjacent to the Stage One site. This accounts to 4.87% of the SNA forest within the Stage One area and 4.57% of the SNA wetland within the Stage One area. To offset the proposed vegetation loss, offsetting is proposed as outlined in the *Ecological Assessment*.

ECOLOGICAL OFFSETTING AND RESTORATION

In an acknowledgment that on-site ecological offsetting would be required to offset the loss of wetlands to deliver the Plimmerton Farm Precinct Plan, Biodiversity Offsetting Restoration Areas ("BORAs") were identified on the Precinct Plan. However, the NES-F 2020 version failed to include a consenting pathway for wetland reclamation (and associated ecological offsetting) instead prohibiting this activity. However, the updated changes to the NES-F now provide a consenting pathway for the development contained in the application here-in.

As noted earlier, the site extent has been through a highly iterative design process over a number of years. At each iteration the level of unavoidable adverse effects has been reduced based on advice and detailed analysis of development extents undertaken by RMA Ecology in conjunction with the project engineers, architects, urban designers and planners.

The remaining scale of ecological adverse effects reflects the PC18 Plimmerton Farm precinct plan, engineering and geotechnical constraints, as well as economic considerations being the need to develop the land in a cost-efficient way. That means the provision of roading that meets minimum standards (including layout and gradient for public transport routes), and housing and infrastructure that meets urban design principles and the outcomes envisaged in the PFZ Precinct A provisions.

In doing so, infilling of some gully areas, crossings of over streams and wetlands and provision of engineered building platforms is necessary. With the moderate-steep topography of the site, and with ecological values being in close proximity within gully systems, it is inevitable that some degree of ecological effect will result from the efficient development of the site. As outlined above, this was envisaged at the outset of the precinct planning process and led to the identification of specific offsetting areas in an acknowledgement of this.

The approximate amount of stream, SNA and wetland reclamation is outlined in Table 2 of the Ecological Assessment. These calculations are based on full reclamation of ecological features within the development / earthworks extent and therefore represent a very 'worst-case scenario' as there will be opportunities through the further design process to retain some natural elements within the development extent.

In summary, the total area of length proposed for removal within the Stage One site is as follows:

- Steams – 0.31km (2.48% of the total length of stream within the Stage One site).
- Forest area – 2.61ha (4.91% of the total area of forest within the Stage One site). 1.25ha of the area to be removed has no formal protection under the District Plan (i.e. is not an identified SNA);
- Wetlands – 2.3ha (14.66% of the total area of wetlands within the Stage One site).

As noted in the Ecological Assessment, the figures provided above do not express the relative significance of individual streams, wetlands or vegetation or the condition or state of those features and that -

> *Condition or state of these ecological features is an important consideration when assessing the importance of protection and the degree to which biodiversity offsetting or ecological compensation should be offered up to balance residual effects, and the amount of each to provide assurance of no-net-loss or net-gain for ecology across the site.*

These considerations are addressed in the ecological effects assessment in the Ecological Assessment and summarised in Section 4.4 below.

4.2 SECTION 20(3)(B): PROJECT LOCATION

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

The Site, located at 18 State Highway 59, Plimmerton Farm, is held in one title being Lot 2 DP 489799. Refer Record of Title attached in Appendix One. The title includes the following interests:

- *989190 Gazette Notice declaring portion of State Highway No.1 to be a Limited Access Road*

  This relates to James Street. No new accesses are proposed as part of this application; rather an upgrade to the existing site access.

- *Subject to a right to supply gas (in gross) over part marked BA on DP 489799 in favour of The Hutt Valley Electric Power and Gas Board created by Transfer 295467.6 - 13.12.1979 at 2:36 pm*

  This relates to a gas main that bisects the site. The Project has been designed to sit outside the current gas alignment but there will be a requirement to protect or realign the gas main where it bisects the main road. The project engineers have had initial discussions with Powerco regarding this.

- *Subject to a right to supply water and a right to drain stormwater and sanitary sewer(in gross) over part marked W and a right to drain sewage(in gross) over part marked C on DP 489799 in favour of Porirua City Council created by Easement Instrument 7504929.17*

  Not affected by the Project

The site is essentially a modified rectangle, with an north-south orientation. Refer **Figure Three** below.

FIGURE THREE: LOCATION MAP (*Source: PCC Online Maps*)

The Stage One development area is identified in figure three of the *Urban Design Assessment* provided in **Appendix Four** and included as **Figure Four** below.

FIGURE FOUR: STAGE ONE DEVELOPMENT AREA (*Source: Urban Design Assessment – Urban Acumen)*

4.2.1 SITE ZONING AND OVERLAYS / AREAS

PORIRUA CITY OPERATIVE DISTRICT PLAN

The site is located in the Plimmerton Farm Zone of the District Plan and sites within this zone are subject to the Plimmerton Farm Precinct Plan ("the Precinct Plan"). The Site is located in Precinct A of the Precinct Plan and a figure illustrating how the project aligns with the Precinct Plan is provided in the *Urban Design Assessment* and included as **Figure Five** below.

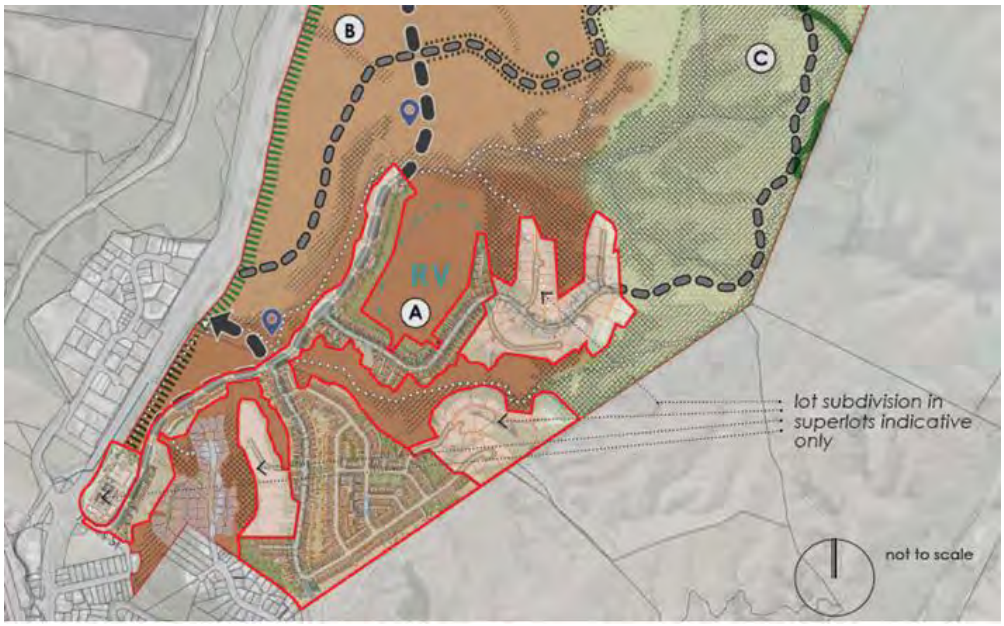

FIGURE FIVE: PROJECT ALIGNMENT WITH PLIMMERTON FARM PRECINCT PLAN

PLAN CHANGE 19 TO THE OPERATIVE DISTRICT PLAN

In August 2022 the District Council notified Plan Change 19 – Plimmerton Farm Intensification to the Operative District Plan. This Plan Change seeks to help the Council meet its obligations under the Resource Management (Enabling Housing Supply and Other matters) Amendment Act and National Policy Statement on Urban Development. It amends the Plimmerton Farm Zone chapter to allow for greater residential density close to the Plimmerton train station (through a new high density sub-precinct) and applies the Medium Density Residential Standards ("MDRS") to the balance of Precinct A and all of Precinct B.

The Stage One development area includes the high-density sub-precinct and the balance being Precinct A with amended provisions to align with the MDRS. Refer **Figure Six** below.

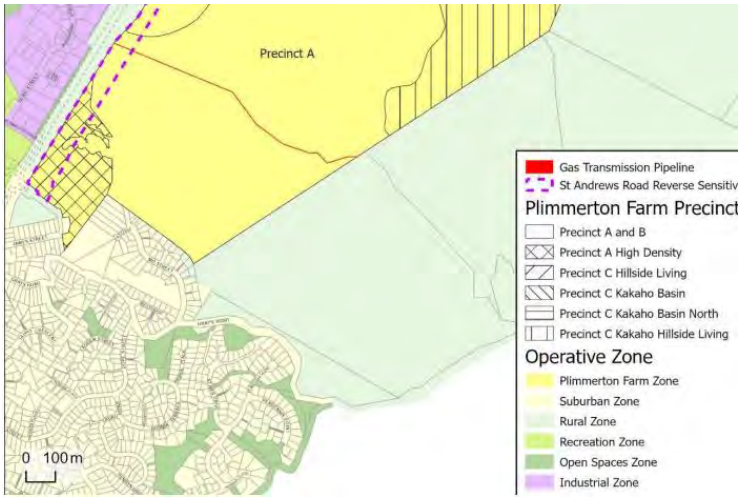

FIGURE SIX: PLAN CHANGE 19 PROPOSED ZONING

NATURAL RESOURCES PLAN

As illustrated in **Figure Seven** below, the only notation on the site is Plimmerton Swamp East that is identified as a Schedule F and Category 1 waterbody and streams that are identified as Taupo Stream tributaries (Schedule F1).

FIGURE SEVEN: NATURAL RESOURCE PLAN NOTATIONS

4.2.2 CURRENT LAND USES

The Site is currently rural land and utilised for grazing. It is generally grassed, with stands of native bush. The site is identified as LUC Class 6 on the Land Use Classification maps on the LRIS portal.

4.2.3 BUILDINGS AND SERVICING

Several farm buildings and a dwelling are located on the Site. Services connections are available from the State Highway and Mo Street.

4.2.4 SITE ACCESS

Access to the Stage One site is provided via the existing vehicle crossing on James Street.

4.2.5 SITE ECOLOGY

A detailed account of the ecological values of the Site is provided in Section 2 of the Ecological Assessment in Appendix Six. The most important ecological values at the site that were identified include:

- *The network of streams and wetlands, especially wetlands that have retained or developed flaxland, and those streams that have a regenerated native riparian margin;*
- *The native scrub and forest that has regenerated throughout the gully systems on site, especially those which are large, or those which are representative of the original forest composition at the site; and*
- *The maintenance of water quality and quantity entering the downstream nationally significant Taupō swamp complex to the west of the site.*

4.2.6 SURROUNDING ENVIRONMENT

Due to SH59, the site is relatively isolated and has limited interface with adjacent development. The southern boundary adjoins established residential development, with a wide range of lot sizes from approximately 300m^2 to 2000m^2. State Highway 59 forms the western boundary, and Taupo Swamp and an industrial area at Ulric Street are located on the opposite side of SH59.

The northern and eastern boundaries adjoin rural land with similar landscape characteristics. Plimmerton town centre is small and compact and includes shops and cafés. The railway station and a primary school are within walking distances.

Further site context details are provided in Section 1 of the Urban Design Assessment attached in Appendix Four.

4.3 SECTION 20(3)(C) & (D) CONSTRUCTION DATES AND STAGING

Under Section 20(3)(c) an application must outline the anticipated commencement and completion dates for construction activities, and under Section 20(3)(d) an application 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 uptake assumptions being in alignment with market and housing needs data, the development will commence on site in early 2024 with completion in 2031.

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

- Planning Fast Track and EPA process – 9 Months (February 2023 – December 2023)
- Detailed Design and Council Engineering Approvals – 6 Months (January 2024 – June 2024)

- Civils and Earthworks – undertaken in stages commencing December 2023
- Housing Construction – undertaken in stages commencing April 2024 (stages 2, 3 and 4 adjacent to Road 01). Refer **Table Three** below.

The draft housing completion programme is outlined in **Table Three** below and is based on the master Stage One programme prepared by the project engineer. The table outlines both housing construction and allotment titling identifying that houses will be occupied on freehold titles from 2025.

It is noted that this table does not include the individual apartment numbers, of which there are approximately 340 within the 38 apartment superlots.

TABLE THREE: DRAFT HOUSING COMPLETION PROGRAMME

	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	Total
DEVELOPMENT AREAS		**2, 3, 4**	**10, 11**	**6, 10, 11**	**6, 7**	**7, 8**	**8, 9**	**5, 9**			
Detached dwelling lots Construction No.		0	21	0	17	21	18	0	0	0	**77**
Duplex lots Construction No.		0	35	55	0	94	48	36	0	0	**268**
Terraced lots Construction No.		23	76	65	75	0	49	60	0	0	**348**
Vacant lots Construction No.		0	3	3	15	0	6	19	0	0	**46**
Number of Completed Dwellings Titled (stages)	0	0	12	79	129	115	111	118	118	58	**739**
Number of Completed Dwellings Titled (Cumulative)	0	0	12	91	220	335	446	564	682	0	**739**
Apartment Superlots Generated	0	10	0	10	4	2	0	12	0	0	**38**
Serviced Superlot – MOE school site						2028					
Serviced Superlot - retirement					2027						
Serviced Superlot - commercial				2026							

For further reference, a draft development programme is attached as **Appendix Two**.

4.4 SECTION 20(3)(E) 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.

Measures have been incorporated into the proposal to ensure potential significant adverse effects can be avoided and/or reduced to an acceptable level. In this respect, a number of potential significant adverse effects have already been avoided through the iterative and comprehensive masterplanning process. Through this process, reclamation of watercourses and wetlands determined to be of the highest value have been nearly avoided altogether. Where effects on ecological values have not been able to be avoided, residual effects are proposed to be offset in line with the effects mitigation hierarchy as further detailed in the *Ecological Assessment*. This process is set out in Figure 2 of GWRC's recently released

offsetting guideline titled *'Managing adverse effects on indigenous biodiversity in the Wellington Region'*. Refer extract provided as **Figure Eight** below.

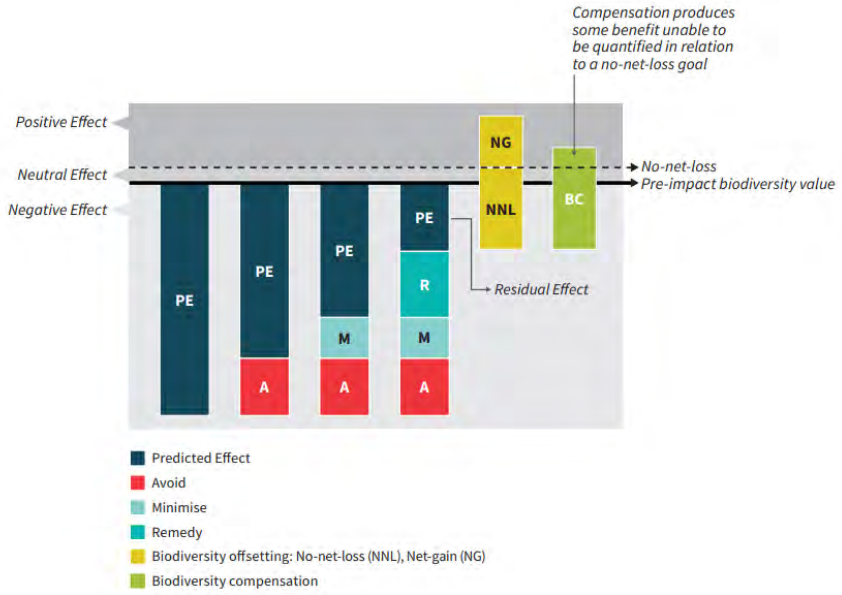

Figure 2: Conceptual illustration of the effects management hierarchy (adapted from the Business and Biodiversity Offsets Programme, 2013[2]) progressing from avoidance (least risk and most certainty) to biodiversity compensation (greatest risk and least certainty) and showing the difference between a neutral 'no-net-loss' outcome and positive 'net gain' outcome. The no-net-loss line is above the pre-impact biodiversity value as more gains than losses are required to achieve no-net-loss when accounting for uncertainty and time-lags.

FIGURE EIGHT: GWRC EFFECTS MITIGATION HIERARCY

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

- Social and economic effects;
- Ecological effects;
- Landscape and visual effects;
- Earthworks and construction effects;
- Traffic effects;
- Subdivision and servicing effects;
- Urban design / residential character and amenity;
- Geotechnical effects;
- Climate change and natural hazard effects;
- Historical and archaeological effects; and,
- Cultural effects.

4.4.1 SOCIAL AND ECONOMIC EFFECTS

The Project will enable the development of between 880 - 1050 dwellings on a Site that has been recently rezoned for residential and commercial development and in an area that is facing a significant shortfall in development capacity. As an indication of the current demand, the developers and agents for KMMGH have received hundreds of enquires for purchasing a property in Plimmerton Farm.

Against that background, the Project provides for the development of housing to meet the identified shortfall and this increase in housing supply will enable the social and economic wellbeing of the community to be maintained and enhanced.

The Project provides for residential development at a density averaging between 5-14 households per hectare, which consists of lots of varying sizes and dimensions. The variety of lots provided enables the delivery of the range of housing typologies proposed. This range will cater for residents of differing demographics and stages of life, which will satisfy the on-going needs of future generations.

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

- The economic impacts of the Project will also include flow-on effects that arise indirectly from the development. These include:

- Increased land/dwelling supply, which is likely facilitate further growth within the area with an increase in overall competitiveness.

- More affordable housing, reducing price pressure in the local and surrounding markets.

- Decreased marginal infrastructure costs through economies of scale associated with a master planned area, as well as the futureproofing of the infrastructure requirements.

- Impact on employment levels, contributing substantially to overall community wellbeing and supporting greater spend and general economic activity that in turn supports greater activity in the sectors more greatly affected by Covid-19.

The potential economic impacts of the Project are quantified in the *Economic Assessment* prepared by Urban Economics (refer Appendix Seven) and summarised in the following sections.

EMPLOYMENT

With respect to the potential employment related benefits of the Project, the *Economic Assessment* outlines that the construction of the Project would generate 1,213 full-time equivalent jobs and contribute $160.9 million to the construction sector GDP.

HOUSING

With respect to housing supply benefits of the Project, the *Economic Assessment* makes the following statements:

- *The proposal would increase the range of housing at affordable price points supplied to the market (development average of approximately $780,000) in a location close to a wide range of employment and amenities (supermarket, schools etc.).*

- *There is a relatively low proportion of terrace dwellings (25%) and apartments (0%) consented over the last 5 years in the Porirua City district compared with the Region as a whole. The proposed development is anticipated to provide terrace and apartment housing that will address this comparative shortage.*

- *There is one small scale and two medium-large scale residential developments currently selling within Porirua City, with a total supply of 1,122 new dwellings. Of the total supply, there are*

approximately 727 dwellings remaining. This equates to 2-3 years of supply based on the annual demand of approximately 335 dwellings per annum, indicating there is a shortage of new residential dwellings resulting in unmet demand in Porirua City.

- *A key finding from the latest Housing and Business Capacity Assessment (HBA) completed for Porirua City is housing affordability is worsening in the district, as "indicators of housing affordability identify that housing affordability is declining in Porirua. House prices are increasing due to increased demand, and this is not being met by a commensurate increase in new supply. This is exacerbated by a declining number of existing houses for sale. Incomes are also not increasing as much as house prices and this is in turn is further reducing housing affordability"*

- *The proposal would make a notable contribution towards meeting the need for more new housing to enter the market, while increasing competition among developers.*

ECONOMIC EFFECTS SUMMARY

Based on the analysis undertaken by Urban Economics, the Project will give rise to significant positive economic effects. These will also be delivered significantly earlier than if the Project had to be consented through traditional RMA means.

4.4.2 ECOLOGICAL EFFECTS

The *Ecological Assessment* provided by RMA Ecology in Appendix Six provides ecological advice with respect to the Project by addressing ecological values, and possible impacts and effects management.

As noted in the *Ecological Assessment*, conceptual design for the site has been an iterative process over a number of years involving RMA Ecology Ltd and the planning and engineering teams, with an acknowledged focus on avoiding adverse effects on features with ecological protection status or of ecological value.

Lot layout and associated infrastructure were laid out around the ecological features of the site, as far as practicable. The development design also recognises that Plimmerton Farm is zoned residential and is intended to be developed for that purpose in accordance with the Plimmerton Farm Precinct Plan and in order to meet national objectives such as the NPS-UD.

In general, through the iterative process, the most valuable ecological features within general vicinity of the site, such as the larger swathes of indigenous vegetation, and the eastern arm of the Taupō Swamp complex are retained (i.e adverse effects are avoided).

The project ecologists identify that, where effects cannot be avoided due to urban design, planning, economic (being development feasibility) and engineering constraints, the affected ecology features are generally of lower value, and the full effects management hierarchy has been applied to ensure that opportunities for remediation and mitigation are considered, as well as offsetting and compensation for residual adverse effects.

The project ecologists have assessed the potential adverse effects on ecological values against the mitigation hierarchy (avoid, remedy, mitigate, offset, compensate), as is required under the RMA, and as is laid out in the Greater Wellington Regional Policy Statement, and the recently revised NPS-FM.

Outlined in Section 3.3 of the Ecological Assessment, the mitigation hierarchy has been applied for the site by –

- *Avoidance, through an extensive and iterative design has been discussed previously in this report;*

- *Remediation, especially where batter slopes or cuts remove indigenous vegetation, and which can be replanted following engineering works; and*

- *Mitigation, which will include the salvage of native fish and wildlife from clearance areas, undertaking clearance outside of the native bird breeding season where feasible, and implementing erosion and sediment control measures in line with the operative Plan Change 18 Plimmerton Farm provisions in the operative Porirua District Plan and regional standards in order to prevent sediment discharges to waterways. Revegetation to replace nearby vegetation clearance could be considered mitigation (cf. offsetting) if undertaken near to and connected to the same patch of native shrubland or forest.*

Residual effects that are not avoided, remedied or mitigated, are proposed to be offset onsite within other parts of the Plimmerton Farm area where forests, shrubland, streams and wetlands exist with potential to restore degraded ecological values.

An assessment of the offsetting approach undertaken against the GWRC offsetting principles is provided in Table 2 of the *Ecological Assessment* where it is outlined that these principles can be achieved.

Table 3 of the Ecological Assessment provides a summary of the conservative and precautionary ratios and multipliers that will be used to determine the scale of offset required given the state and condition of ecological values that are proposed to be impacted. The results of this analysis, together with RMA Ecology determining suitable offset locations across the wider Plimmerton Farm site provide the assurance that there are sufficient areas within the Plimmerton Farm site that can be restored and protected to offset the level of impacted values to a non-net-loss or greater level of management. In other words, under the effects management hierarchy framework and offset accounting approach for restoration, there will be no-net-loss, and most probably a clear net-gain for ecology across the site.

For this referral application, the project ecologists confirm that –

> *unavoidable, residual, adverse, effects on ecology values can be offset to the standard advocated in this GWRC guidance, without the need to develop biodiversity compensation programmes.*

And –

> *Avoidance of the majority of ecological features (including the highest value features) in combination with an offsetting programme that can be facilitated onsite will ensure that there will be a no-net-loss of ecological values.*

Ultimately the project ecologists conclude the following:

> *From our involvement in the iterative design process, and from our knowledge of the site and its ecological values, we are of the view that the proposed development within the site will be undertaken to avoid the highest value ecological features. Where residual adverse effects remain after avoidance, remediation and mitigation, onsite offsetting will be applied so that there is no-net-loss of ecological values.*
>
> *The development of the site offers the opportunity to significantly enhance degraded ecological values, that may not otherwise occur under the current land use. This includes the restoration of the large low-lying area of pasture adjacent to State Highway 59 into a wetland that resembles pre-human composition and function.*
>
> *Overall, there are a range of accepted management tools, and available opportunities on the site to appropriately address, and where necessary mitigate and offset, the potential adverse ecological effects associated with the proposed development designs.*

4.4.3 LANDSCAPE AND VISUAL EFFECTS

The Stage One site is not located within the Special Amenity Landscape. The masterplanning of the Site and the wider Plimmerton Farm has been largely ecology and landscape led whereby the development has sought to maintain, restore and enhance large tracts of regenerating native bush and high value wetlands.

In developing the proposed Stage One site layout a number of critical factors have been closely considered including:

- Sustainability (ecological/ social/ cultural/ economic);
- Physical conditions: ecology (SNA's, wetlands, streams and enhancement and offsetting opportunities), topography, geology and hydrology (landform) and climate;
- Condition of the site's existing vegetation/ potential for restoration;
- Existing access and proximity to Plimmerton Village and established residential areas;
- Envisaged demographic for the proposed community; and,
- Connection to existing reserves and open spaces and creation of new open space opportunities.

The development areas have been dispersed in such a way to capitalise on the natural amenity of the site. While landform modification is proposed, the development has been designed to enable open space around dwellings, as well as public open spaces and connections along and through open space areas. Important site features, namely the high value wetlands and ecological sites have been incorporated into the development with appropriate landscape activation and pedestrian connection.

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.

4.4.4 EARTHWORKS AND CONSTRUCTION EFFECTS

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

The fast-track resource consent application will be accompanied by a Draft Earthworks and Construction Management Plan ("ECMP") that will address the following:

- Final earthworks volumes and earthworks methodology;
- Construction hours;
- Construction noise;
- Construction traffic management;
- Erosion and sediment control;
- Dust control; and,
- Complaint management.

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

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 *"Plimmerton Farm Erosion and Sediment Control Principles"* in the Plimmerton Farm Precinct Plan of the Operative District Plan that were developed specially to manage earthworks on the Site given sensitive environments in proximity to the Site, including Taupo Swamp. These principles adopt a higher level of protection and erosion and sediment control management than city-wide District and Regional Council guidelines. They represent "better than best practice".

Measures related to erosion control will be 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 likely 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 principles and proffered consent conditions.

GEOTECHNICAL CONSIDERATIONS

Geotechnical investigations have been 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.

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 ITA.

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:

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

- The site will be managed in accordance with an ECMP that will, via consent conditions, require approval from the District and Regional Council and that will adhere to the Plimmerton Farm Zone Erosion and Sediment Control Principles; and,

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

4.4.5 ACCESS AND TRAFFIC EFFECTS

The proposed access and roading through the site have been designed to meet Council standards including the Plimmerton Farm road typologies adopted as part of the Plimmerton Farm SPP. It is anticipated that the proposed road network will be vested with the District Council as public roads.

Stantec provided traffic engineering input into the design and layout of the Project and prepared a traffic assessment report to evaluate the potential access and traffic effects of the Project (refer Appendix Eight). The report concludes the following:

> *The inclusion of the Site in the Council's Northern Growth Area and recent rezoning through Plan Change 18 to allow residential subdivision activity, signals the intent for extension of the existing suburbs of Plimmerton and Camborne north through the Site. The 880 new dwellings to be delivered by the proposal represents a significant contribution to the required new housing stock identified by the Council's PGS.*
>
> *Recent investment in the strategic transport infrastructure of Transmission Gully Motorway has led to a step-reduction in traffic on the roads in the vicinity of the Site, which presents an opportunity to accommodate new development growth without requiring significant roading upgrades.*
>
> *The Site's proposed transport infrastructure and associated connection to the external network will ensure a safe and appropriate outcome can be achieved for all transport modes, noting the proximity of the Plimmerton rail station strongly supports sustainable travel choice.*
>
> *From a transport perspective, the effects of the additional traffic activity generated by the proposed residential development of land within the Site can be appropriately avoided, remedied, or mitigated. As noted, it is not anticipated there would be any significant adverse effects warranting substantial mitigation arising from the introduction of the development traffic on the adjacent network.*

The application will be supported by an Integrated Transportation Assessment ("ITA") that will address traffic effects during construction and following completion of the development. The ITA will also record consultation that will be undertaken with Waka Kotahi with respect to access to the State Highway.

4.4.6 SUBDIVISION AND INFRASTRUCTURE SERVICING EFFECTS

The project engineers have confirmed that the site can be adequately serviced with water supply, wastewater disposal, stormwater disposal and telecommunications. The proposed stormwater, wastewater and water reticulation will be designed to Council and Wellington Water Limited standards. The final infrastructure design will be developed in consultation with PCC and WWL to achieve an acceptable outcome with regard to the PCC's District Plan and other standards.

The project engineers conclude in the Infrastructure Memo 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, no bulk off-site infrastructure upgrades appear to be necessary to support the development at this stage.*

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

4.4.7 URBAN DESIGN EFFECTS / RESIDENTIAL CHARACTER AND AMENITY

The layout of the Project is consistent with the Plimmerton Farm Zone residential standards for Precinct A and 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 Project.

The Project has been based on the Plimmerton Farm Precinct Plan and the subsequent masterplan prepared by Lauren White of Urban Acumen. To support the referral application, Ms White prepared an *Urban Design Report* – refer **Appendix Four**. In summary, Ms White concludes the following:

> *The development proposed in the referral application is a product of an integrated design-led process which has sought to respond to site-specific opportunities and constraints and balance residential yield and landscape and biodiversity values. It represents a new, ambitious and contemporary neighbourhood that extends housing choice in Porirua and offers a wide variety of housing typologies and designs, promoting a mixed community and enhances landscape values of large areas of adjacent open space and wetlands.*
>
> *The design is consistent with respect to the Operative District Plan and further current and future national and regional directions relating to increasing residential density/yield in appropriate locations. The intentions for Precinct A as described and permitted in the Plimmerton Farm Zone are consistent with outcomes described by the National Policy Statement on Urban Development (2020), the Proposed District Plan and the National Medium Density Standards.*
>
> *This assessment is based on the proposed development plans and catalogue of housing designs. Many urban design outcomes can only be assessed at a more detailed design and consenting stage (Fast Track Stage 2) but initial assessment has indicated close alignment with direction and guidelines, both operative and proposed.*
>
> *The proposal will enable a sustainable and well-functioning urban environment, with good residential density based around a local centre and public transport infrastructure and has the potential to establish a strong gateway to the rest of Plimmerton Farm.*
>
> *Recognising this project is currently at an advanced conceptual stage, a number of urban design issues will be refined and resolved during the next stage of planning and design. This notwithstanding, these plans and drawings describe a robust and complete concept and the approach that will be taken to deliver a suitably high amenity outcome in all areas.*
>
> *On this basis, 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. In conclusion, the proposal can be supported from an urban design perspective and offers an exciting opportunity to deliver a quality urban design outcome that sets a high benchmark for future development stages.*

4.4.8 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 the low-lying portion of the site 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 new road and reserve corridors in the proposed development. Building platforms will be set at levels that will comply with the NZ Building Code and will be calculated at building consent stage. Secondary flow paths will be provided along these road and reserve corridors to ensure all flow over and above the 1 in 50-year event (including 1 in 100 year events) is directed down contour and away from residential lots.

Flood modelling was undertaken as part of the plan change process to confirm that hydraulic neutrality, together with flood mitigation (i.e. hydraulic positivity) could be achieved. The Project also includes the creation of a permanent stormwater detention basin and constructed wetland to accommodate flood volumes within the Site to assist in alleviating flooding on adjacent properties and SH59.

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

Also with respect to climate change, if realised, the Project will assist in facilitating a reduction in greenhouse gas emissions compared to what would otherwise result if that housing capacity was delivered further afield (including other properties within the Northern Growth Area). This is achieved by providing housing capacity including a range of house typologies that provide intensification in close proximity to community infrastructure and employment opportunities, and providing infrastructure which will encourage alternative, low-emissions forms of transport (i.e. access and utilisation of public transport).

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

4.4.9 HISTORICAL AND ARCHAEOLOGICAL EFFECTS

An archaeologist is currently undertaking an archaeological assessment of the site. The final design of the development and consent application 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.

4.4.10 CULTURAL EFFECTS

Ngāti Toa Rangatira provided a Cultural Impact Assessment ('CIA") to inform the now operative Plan Change, a letter of support with respect to the streamlined plan change process and a submission in support of the Plan Change. In addition, Ngāti Toa Rangatira were involved in the development of the Plimmerton Farm Freshwater Principles that are now included in the Operative District Plan.

In response to the CIA and involvement of Ngāti Toa Rangatira throughout the development of the Plan Change, the Plimmerton Farm Zone Chapter in the Operative District Plan includes:

- Freshwater principles including specific mana whenua principles;
- Requirements to adhere to the Te Rūnanga o Toa Rangatira Accidental Discovery Protocol (provided as an appendix to the earthworks section of the chapter);
- Provisions that require earthworks applications to detail how earthworks will be managed to recognise and provide for Te Mana o te Wai in receiving waters;
- Provisions that permit cultural harvesting; and,
- Provisions relating to the protection of two trees.

A copy of this application has been sent to Ngāti Toa Rangatira for review.

4.4.11 ADVERSE EFFECTS SUMMARY

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

4.5 SECTION 20(3)(F) NPS AND NES ASSESSMENT

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).

4.5.1 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 PCC and GWRC are identified as Tier 1 Local Authorities. PCC has notified its IPI plan change that responds to the NPS-UD and the GWRC have notified a plan change to amend the provisions of the Regional Policy Statement to reflect this new and directive higher order planning document.

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 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.*

The Project will give effect to Objective 1, and will be supported by the changes provided for by Objective 4, in the following ways:

- If consent for this Project is granted, it will enable it to progress in a timely and efficient manner much faster than the standard resource consent process thereby giving effect to the approved Plan Change that was brought forward to assist the District Council meet its obligations under the NPS-UD.
- The Project will also enable enhanced competitiveness which will assist with housing affordability. Affordability is not the sole outcome of encouraging competitive markets as competitiveness can also promote a higher quality of developments as competitors seek to create points of difference to attract purchasers.
- The Project can be effectively integrated with infrastructure planning, funding and delivery. The project engineers have confirmed that no off-site upgrades needed to enable the Project.
- Based on satisfying the first two components of Objective 6, the Project is entitled to benefit from 'responsive' decision making.

A separate assessment of how the Project will assist in achieving a well-functioning urban environment is provided below.

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.

The NPS-UD obliges local authorities to respond to this information, in that if it is determined that more development capacity needs to be provided to meet demand, local authorities must then do so. Providing

a greater number of opportunities for development that are commercially feasible will lead to more competition among developers and landowners to meet demand.

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

Policy 6 states that, when making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:

> *(a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement*
>
> *(b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:*
>
> *(i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and*
>
> *(ii) are not, of themselves, an adverse effect*
>
> *(c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)*
>
> *(d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity*
>
> *(e) the likely current and future effects of climate change.*

Policy 6(b) acknowledges that planning decisions (including decisions on resource consents) under the NPS-UD may involve changes to urban areas that result in a detraction of amenity values in the local area. However, the NPS-UD promotes these changes lead to improved amenity values for the wider residential community and future generations. To this extent the NPS-UD confirms that such a detraction in localised amenity values is not an adverse effect.

Policies 6(c) and 6(d) also require planning decisions to have particular regard to the benefits of urban developments that create well-functioning urban environments and that provide development capacity as envisaged by the NPS-UD. The Project assists in facilitating the development of an existing residentially zoned site for residential purposes and will therefore assist in providing benefits for the social, economic and cultural wellbeing of the District. The Project comfortably satisfies the requirements 'to provide or realise development capacity' and does so on a site specifically zoned for residential development via the SPP.

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

> *(a) unanticipated by RMA planning documents; or*
>
> *(b) out of sequence with planned land release.*

The Project will add significantly to development capacity of the District as outlined in the *Economic Assessment*. Prior to exploring this referral process, significant work had advanced to proceeding down the standard resource consenting process. Given the timing advantages of consents processed under this Act, the Project accords with meeting an identified housing capacity constraint described in the *Economic Assessment*.

The provision of 880 - 1050 new dwellings over the next 6-7 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 pedestrian and cycle connections, are intended to encourage alternative transport modes which will support reductions in greenhouse gas emissions. The project will also deliver a variety of homes at a range of typologies and prices (including affordable housing) to meet the needs of different households.

For these reasons, the Project is consistent with the objectives and policies in the NPS-UD. The NPS-UD is considered to provide the overarching policy direction for proposals which provide significant development capacity.

WELL-FUNCTIONING URBAN ENVIRONMENTS

Policy 1 of the NPS-UD describes a well-functioning environment as a planned environment that as a minimum have or enable a variety of homes that serve the following functions:

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

Under new Regulation 45C of the NES-F (relating to wetland reclamation associated with urban development), a resource consent for a Restricted Discretionary activity under this regulation must not be granted unless the consent authority is satisfied that, among other things, the Project will contribute to a well-functioning urban environment.

If approved, the fast-track consent application will include a detailed assessment of the Project against Policy 1. However, for completeness, the concept of 'well-functioning urban environments' has been canvassed by the project team as further detailed in the accompanying technical reports. In summary the project team have confirmed that:

- The proposed housing typologies will meet the housing needs of different households, including affordable houses;
- Enables future commercial activities that are suitable for different business sectors in terms of location and site size (refer *Economic Assessment* for further assessment);
- The Project would make a notable contribution towards meeting the need for more new housing including detached, duplex, terrace and apartment typologies to enter the market, while increasing competition among developers. The proposal therefore supports and improves the

competitive operation of land and development markets in Porirua and thus contributes towards meeting the provisions of Policy 1(d) (refer *Economic Assessment* for further assessment);

- The location and layout of the project, which integrates multi-modal transport choices, are intended to encourage alternative transport modes which will support reductions in greenhouse gas emissions.

- The Operative Plimmerton Farm Zone in the District Plan provides for cultural harvesting on the site as requested by Ngati Toa Rangatira.

- Resilience to climate change is catered for by the engineering design which accounts for the 1:200 year and 1:500 year flood events.

The *Urban Design Assessment* states that aspects of the Project which contribute to achieving well-functioning urban environment include:

- *the inclusion of a wide variety of housing types, including detached dwellings, duplexes, terraces and low rise apartments, which promote housing choice, social resilience and a broad demographic*

- *site and housing typologies which promote affordability*

- *an overall residential density which maximises potential residential yield in close proximity to public transport infrastructure while responding to site constraints such as topography and ecological values*

- *a connected road network that can accommodate walking, cycling and bus services to promote public transport and reduce green house gas emissions associated with individual car use*

- *provision/support for a local centre development block which can promote accessibility to local jobs and services*

- *the provision of a range of open spaces, both active public open space as well as passive open spaces accommodating trails and providing visual relief/outlook for residents*

- *the retention of significant native bush and some natural drainage corridors, civil design to address extreme flood events and a water sensitive design approach to stormwater*

The Urban Design Report concludes that *"the proposal will enable a sustainable and well-functioning urban environment, with good residential density based around a local centre and public transport infrastructure and has the potential to establish a strong gateway to the rest of Plimmerton Farm"*

NPS-UD SUMMARY

For these reasons provided above, the Project is considered to be inherently consistent with the objectives and policies in the NPS-UD.

4.5.2 NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT 2022 (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.

In December 2022 the NPS-FM and NES-F was amended to:

- amend NPS-FM and NES-F provisions to:
  - clarify the definition of a natural wetland
  - provide consent pathways for certain activities
  - make restoration and wetland maintenance easier to undertake
- improve the clarity of policies, reduce the complexity of drafting and, in some cases correct errors.
- amend the NES-F so its wetland provisions no longer apply to wetlands in the coastal marine area
- revise the low slope map for stock exclusion to address some inaccuracies and better capture land that was intended to be included.

The above amendments came into effect on the 5th of January 2023.

A thorough assessment of the relevant objective and policies which are relevant to the Project will be provided in the resource consent application. However, given that consents are sought under the NES-F a brief assessment of the proposal against the relevant objectives and policies of the NPS-FM is provided in **Table Four** below.

TABLE FOUR: NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT

REQUIREMENT		COMMENT
Objective (1)	The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises: (a) first, the health and well-being of water bodies and freshwater ecosystems (b) second, the health needs of people (such as drinking water) (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.	This objective is given effect to through the policies. Refer assessment below.
Policy 1	Freshwater is managed in a way that gives effect to Te Mana o te Wai	The NPS-FM specifies that Policy 1 is given effect to by Regional Councils through engagement with communities and tangata whenua to determine how Te Mana o te Wai applies to water bodies and freshwater ecosystems in the region. Policy 1 is therefore not directly applicable to the proposal. Notwithstanding the above, Ngati Toa Rangitira have been consulted with in respect of the Plimmerton Farm development and the proposal has been designed in such a way as to avoid where possible and then minimise direct effects on adjacent waterbodies, wetlands or the downstream receiving environment. Resultingly the health of freshwater will be protected in a manner consistent with Te Mana o te Wai. Ngati toa Rangitira were involved in the development of the Plimmerton Farm Freshwater Principles and Erosion and Sediment Control Principles which are now operative in the Plimmerton Farm Zone of the District Plan, and this application is consistent with these.
Policy 2:	Tangata Whenua are actively involved in freshwater management (Including decision – making processes), and Maori freshwater values are identified and provided for.	Ngati toa Rangitira were involved in the development of the Plimmerton Farm Freshwater Principles and Erosion and Sediment Control Principles and this application is consistent with these. Further engagement with Ngati Toa Rangitira will be undertaken in the resource consent application.

TABLE FOUR: NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT		
REQUIREMENT		COMMENT
Policy 3:	Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects of receiving environments.	Part 3 of the NPS-FM, 'Implementation', notes in respect of integrated management that: *Adopting an integrated approach, ki uta ki tai, as required by Te Mana o te Wai, requires that local authorities must:* *(a) recognise the interconnectedness of the whole environment, from the mountains and lakes, down the rivers to hāpua (lagoons), wahapū (estuaries) and to the sea; and* *(b) recognise interactions between freshwater, land, water bodies, ecosystems, and receiving environments; and* *(c) manage freshwater, and land use and development, in catchments in an integrated and sustainable way to avoid, remedy, or mitigate adverse effects, including cumulative effects, on the health and well-being of water bodies, freshwater ecosystems, and receiving environments; and* *(d) encourage the co-ordination and sequencing of regional or urban growth.* While directive to local authorities, the proposal 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 include a range of management techniques relating to the control of erosion and sediment discharges from earthworks in order to maintain freshwater quality, and the use of stormwater detention devices and areas to control stormwater quality and discharge rates to ensure freshwater is not adversely affected by stormwater from the site. The site was recently rezoned for urban development as it is located in the Porirua Northern Growth Area, and Greater Wellington Regional Council supported the plan change that rezoned the site.
Policy 4:	Freshwater is managed as part of New Zealand's integrated response to climate change.	The Project 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. The proposed stormwater detention area is intended on alleviating existing flood issues.
Policy 5;	Freshwater is managed through a National Objectives Framework to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.	This policy is not considered to be directly relevant to the proposal itself. The policy requires regional councils to go through a comprehensive process of identifying Freshwater Management Units (FMUs), identify their values, set environmental outcomes for each value and include them as objectives in regional plans, identify attributes for each value and set baseline states for those attributes, set target attribute states, environmental flows and levels, and other criteria to support the achievement of environmental outcomes, set limits as rules and prepare action plans to achieve environmental outcomes. Notwithstanding that the policy is not directly applicable, it is noted that the potential effects on the wetlands will be appropriately addressed in the resource consent application through the effects management hierarchy where appropriate offsets will be included in the final proposal.
Policy 6:	There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.	The project ecologists conclude that – *the proposed development within the site will be undertaken to avoid the highest value ecological features. Where residual adverse effects remain after avoidance, remediation and*

TABLE FOUR: NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT		
REQUIREMENT		COMMENT
Policy 7:	The loss of river extent and values is avoided to the extent practicable.	*mitigation, onsite offsetting will be applied so that there is no-net-loss of ecological values.*
Policy 8:	The significant values of outstanding water bodies are protected.	Measures can readily be incorporated into the proposal (including adherence to the Plimmerton Farm Erosion and Sediment Control Principles and Plimmerton Farm Freshwater Principles) to ensure that the significant values of outstanding water bodies (namely Taupo Swamp) and habitats of indigenous freshwater species will be protected.
Policy 9:	The habitats of indigenous freshwater species are protected.	
Policy 13	The condition of water bodies and freshwater ecosystems is systematically monitored over time, and action is taken where freshwater is degraded, and to reverse deteriorating trends.	This policy is not directly applicable to this proposal as the requirements of the policy are directed at the Regional Council However, the resource consent application will include the implementation of a monitoring regime, that would monitor the effects of the proposal on the wetlands on the site.
Policy 14:	Information (including monitoring date) about the state of water bodies and freshwater ecosystem, and the challenges to their health and well-being, is regularly reported on and published.	Any requirement to monitor environmental outcomes on the site, would be secured by a condition of resource consent, and such monitoring data would be provided to the Council(s). Such an outcome is consistent with and would support this policy.
Policy 15:	Communities are enabled to provide for their social, economic, and cultural well-being in a way that is consistent with National Policy Statement.	The granting of consent to this proposal would allow for a sector of the community to provide for their social and economic wellbeing, as well as providing a wider economic benefit to the community as a whole with respect to providing additional housing supply within a constrained housing market, in a way that is consistent with the NPS-UD.

4.5.3 NATIONAL ENVIRONMENTAL STANDARD FOR FRESHWATER REGULATIONS 2020 (NES-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 updated regulations have effect from 5 January 2023 and as such, all resource consents must consider the provisions of the NES.

An assessment of the Project against the relevant rules of the NES-F is provided in Section 7 below. In summary, if approved, the fast track resource consent application will include seeking consent under the revised NES for stream reclamation, and the reclamation of wetlands diversion of water within 100m of a wetland, and earthworks within and within 10m of a wetland associated with urban development.

4.5.4 NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND

The National Policy Statement for Highly Productive Land (NPS-HPL) was approved on12 September 2022 and released on 20 September 2022. The NPS-HPL will come into force on17 October 2022. The Site is not located in an area of LUC 1-3 soils and has an operative urban zoning and therefore an assessment of the Project against the NPS-HPL is not required.

5. ALIGNMENT WITH CRITERIA

5.1 SECTION 20(3)(G) FAST TRACK 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 in Section 5.2 below.

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

Refer commentary in Section 5.2 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

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

The subject site is a single landholding owned by the applicants for this referral, and is not land returned under a Treaty Settlement.

(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.

5.2 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 a number of matters. The matters within Section 19 have informed the following assessment.

5.2.1 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.[3]

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

The Project represents an approximate s 9(2)(b)(ii) investment in the local area providing jobs and significant flow-on economic benefits to the local community through the construction phase. Of that investment, between 77% and 88% is expected to remain within the region, with the remaining 12% to 23% being spent within the wider New Zealand economy. This will provide jobs and significant flow-on economic benefits to the local community affected by the economic impacts of COVID-19.

There will be direct benefits for construction workers and project managers, architects, engineers and health and safety consulting service providers. It is estimated over 1,213 FTEs will be employed on the development at any one time across a range of sectors directly and indirectly on the development. This will result in significant employment opportunities for peoples living in the Porirua District over a sustained period of time.

Additionally:

- The development will deliver between 880 - 1050 new homes into the market, with a focus on delivering a range of tenure types, including standalone housing and more affordable terrace houses and apartments.
- The development of the site will address a significant under supply of housing in Porirua and the Wellington Region – Porirua is experiencing chronic housing affordability issues and while it was historically seen as being affordable, is now unaffordable to most.
- There will also be associated financial and/or development contributions for local councils as part of the development.

Indirect benefits include supplies and services purchased by the construction team, or by contractors engaged by KMMGH. These include the wholesale and retail building supplies and building fit outs, civil construction supplies, and legal, telecommunications, administrative and accounting services. The vast

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

majority of PDL'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:

- Salaries earned by local residents being spent on purchasing household goods and services, boosting the regional economy;
- 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;
- "New money" coming into the area as a result of the development;
- Increased household incomes flowing through the local community; and
- Possible increased visitor benefits.

Refer further assessment in the *Economic Assessment* where economic benefits have been quantified.

5.2.2 SOCIAL AND CULTURAL WELLBEING

The Project will enable the development of between 880 - 1050 homes in an area that is facing a shortfall in development capacity. As an indication of the current demand, KMMGH have received hundreds of enquires for purchasing within the development.

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

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

With respect to cultural wellbeing, Ngati Toa Rangitira were consulted extensively during the SPP process that rezoned the site. This application has been sent to Ngati Toa and any further updates on consultation with Ngati Toa Rangitira 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.

As further described in the Economic Assessment, the proposed development is located in an attractive location, offering a wide range of amenities that support residential development. In addition, the Project seeks to enable future education with the provision of a primary School site, a retirement village site, and a site for commercial activities and commercial hub to service the new suburb and existing community.

5.2.3 CONSENTING PROCESS / SPEED OF PROGRESSION

The Project will progress faster than using the alternative RMA processes. Obtaining consent by way of a resource consents under the 'standard' RMA process is expected to take a minimum of 18 months depending on GWRC notification decisions. Subdivision under the standard RMA process would therefore not likely occur until 2028/2029.

5.2.4 PUBLIC BENEFITS

EMPLOYMENT

As calculated in the Economic Assessment, the Project will contribute 1,213 FTEs. Providing employment will have significant flow-on economic benefits to the local community through the construction phases.

HOUSING SUPPLY

Refer discussion in Section 4.4 above.

CONTRIBUTING TO WELL-FUNCTIONING URBAN ENVIRONMENTS

This has been discussed in detail in respect of the NPS-UD. From a more general public benefit perspective, the Project contributes to well-functioning urban environments in the following ways:

- The Project will achieve a positive interface with the existing residential neighbourhoods in close proximity to Plimmerton Farm.
- The provision of housing capacity in close proximity to community infrastructure and employment opportunities contributes to the compact urban form of the city.
- Given its location in close proximity to public transport and the Plimmerton township, it is suitable for the level of density proposed.
- While the Site will be modified through earthworks and building construction, the Project will result in a concentrated urban form surrounded by considerable areas of open space, including large stands of native bush and high value wetlands.
- Access, parking and servicing will be designed to meet the relevant provisions of the District Plan or industry recognised best practice standards.
- The substantial increase in the number of new households and their use of local goods and services and community participation will have socio-economic benefits for the local community and economy.

PROVISION OF INFRASTRUCTURE

All on site infrastructure will be paid for the developer and this will be set out in a future development agreement with PCC.

This will support local public growth infrastructure, public community reserves (including environmental initiatives) and employment from infrastructure and reserve projects.

ENVIRONMENTAL OUTCOMES – FRESHWATER QUALITY

Site investigations undertaken by the project ecologists has determined that the induced wetlands have low ecological value, as they are dominated by exotic and terrestrial vegetation.

The Project seeks to preserve high value wetlands on the Site and offers possibility for enhancement. The Project would result in changes to improve the hydrology of the retained wetlands to make them wetlands in perpetuity. In addition, the creation of the enhancement wetlands which will also perform the function of stormwater detention, may result in an overall improvement in wetland habitat provided by the Project.

The Ecological Assessment identifies that there are ample opportunities for the protection and restoration of streams and wetlands across the wider Plimmerton Farm, including within the site. In relation to streams, for the Fast Track Application assessment, stream offsetting will follow good practice guidelines, including an objective calculation for determining the extent of offsetting required, such as through application of the Stream Ecological Valuation (SEV) method.

The specific methodology applied for the SEV is detailed in the Auckland Council technical report 2016/023 for intermittent streams (Neale et al. 2016)[4] and for permanent streams (Storey et al. 2011)[5]. The following hierarchy will be applied for identifying stream offset locations:

1. "Like for like" replacement of stream type, extent and condition;

2. Highly degraded streams; and

3. Streams that provide opportunities to join fragments of riparian vegetation.

The results of the analysis undertaken by the project ecologists confirm that there are sufficient areas on the broader Plimmerton Farm site that can be restored and protected to offset the level of impacted values to a no-net-loss or greater level of management. That is, under the effects management hierarchy framework and offset accounting approach for restoration, there will be no-net-loss, and most probably a clear net-gain for ecology across the site.

With respect to water quality of streams, potential effects on stream ecology relate to the control of stormwater and sediment from the Site, and management measures to address high rainfall events. There is a low likelihood that management measures will prove inadequate during such an occurrence as they will be over-sized to provide for climate change, and subject to appropriate monitoring and maintenance. This will be outlined in the ecology assessment that will accompany the resource consent application if the referral is approved.

Effects on aquatic fauna may 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 EIBMP that will be provided with the resource consent application.

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

ENVIRONMENTAL OUTCOMES – INDIGENOUS BIODIVERITY

As noted, resource consent is sought to remove vegetation within SNAs identified on the planning maps and new SNA areas assessed by the project ecologists (that have no formal protection under the Operative District Plan). Offsetting is proposed to offset the loss of indigenous biodiversity values.

As outlined in the Ecological Assessment, offsetting for loss of shrubland, forest and native species habitat will apply one or more of the commonly used terrestrial offset tools, including the Department of Conservation (DOC) Biodiversity Offset Accounting Model6, or the Biodiversity Compensation Model (BCM) approach.

Table 3 of the Ecological Assessment details the indicative extent of offsetting that will be incorporated into the Proposal. Sites were deemed suitable for offsetting loss of indigenous vegetation where they were outside of PCC SNAs, SNA-qualifying vegetation, wetlands, and the proposed area for creation of wetland extent, and will not be affected by the proposed or future planned earthworks.

The results of this analysis provide assurance that there are sufficient areas on the broader Plimmerton Farm site that can be restored and protected to offset the level of impacted values to a no-net-loss or greater level of management. That is, under the effects management hierarchy framework and offset accounting approach for restoration, there will be no-net-loss, and most probably a clear net-gain for ecology across the site.

WASTE MINIMISATION

Waste minimisation aligning with PCC and GWRC's waste minimisation programmes as well as the wider Wellington Region Waste Management and Minimisation Plan will be outlined in the fast track consent application.

CLIMATE CHANGE

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

Also, climate change effects such as an increase in extreme weather events including storms has been taken into account in the design of the development. The stormwater concept will be designed to the Council standards, with the general design to a 10% AEP rainfall level including 20% increase for climate change. Climate change will also be taken into account in the sizing of the design and sizing of sediment control devices including the Decanting Earth Bunds (DEBs) and Sediment Retention Ponds (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

An archaeologist undertook an archaeological assessment of Plimmerton Farm and there are no features identified within the Stage One site. Irrespective, KMMGH will obtain an Archaeological Assessment under the Heritage New Zealand Pouhere Taonga Act 2014 at the time of the fast track resource consent application.

5.2.5 SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECTS

Section 5(2)(c) of the RMA requires that the adverse effects on the environment be avoided, remedied or mitigated. The avoidance, remediation or mitigation of adverse effects does not however require that there be no residual effects of the environment. While there may be some adverse effects, measures have been included in the proposal to appropriately and sustainably manage the actual and potential environmental effects associated with the Project. The implementation of various mitigation measures that will be outlined in detail in the fast-track consent application and adopted in finalised management plans seeks to ensure that any potential adverse effects from construction activities on water resources and ecosystems are minimised. By way of example, a finalised ECMP will manage and control the potential discharge of stormwater and sediment to waterbodies and adjacent properties.

Overall, and based on the technical assessments that have been prepared to support this referral application, measures have been incorporated into the proposal to ensure there is no potential for the Project to have significant adverse environmental effects. In this respect, a number of potential significant adverse effects have already been avoided through the iterative and comprehensive masterplanning process. The final Stage One development has been developed and progressed over the course of five years. The resource consent application will proffer conditions to ensure the effects are appropriated addressed and mitigated. Specifically related to ecology effects, where potential effects have not been avoided, the effects mitigation hierarchy will be applied to determine offsets required to offset any residual effects.

6. PERSONS AFFECTED

6.1 SECTION 20(3)(H) LIKELY AFFECTED PERSONS

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 that may have an interest in the development are listed as follows:

- Ngati Toa Rangitira;
- Porirua City Council;
- Greater Wellington Regional Council;
- Waka Kotahi NZ Transport Agency;
- Wellington Electricity;
- Wellington Water Limited;
- Ministry of Education;
- Kiwi Rail

6.2 SECTION 20(3)(I) CONSULTATION

Under Section 20(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 Project.

6.2.1 PORIRUA CITY COUNCIL

Correspondence has been undertaken with PCC on all levels including senior executives and regulatory officers. As noted earlier, KMMGH advised both the PCC and GWRC that the Stage One application would be lodged as soon as the Minister for the Environment decision on the SPP was released.

Correspondence with PCC included a Stage One workshop in May 2019 where a previous iteration of the development plans was presented to Council officers and experts by KMMGH representatives, Lauren White (project urban designer), Stephanie Blick (project planner) and the former project ecologist (Paul Blaschke – now retired) and project engineers.

More recently the project engineers have engaged with PCC officers in conjunction with WWL staff regarding the servicing of the Stage One development. KMMGH representatives also worked closely with PCC on their application for funding of infrastructure for the Northern Growth Area.

A copy of this referral application has been sent to PCC officers to allow for review and comment ahead of receiving the application formerly from MfE.

6.2.2 GREATER WELLINGTON REGIONAL COUNCIL

Both formal and informal correspondence has been undertaken with the GWRC. A number of Pre-application meetings were undertaken with relevant GWRC officers and expert advisors in 2018 and 2019 when the Stage One plans were been progressed concurrently with the SPP.

These discussions predated the NES-F so included discussions regarding potential wetland reclamation and associated offsetting. Correspondence included site visits with project team experts and GWRC experts to confirm the extent and values of wetlands and the delineation of streams, intermittent streams, highly modified streams and drains.

It is noted that GWRC provided a letter of endorsement with PCC's application to MfE for the SPP and submitted in support of the plan change that rezoned Plimmerton Farm.

Recent correspondence with GWRC has related to the request for clarification regarding whether the new NES-F regulations prevail over the Natural Resources Plan ("NRP") rules. At the time of writing this has not been provided.

6.2.3 WAKA KOTAHI NZ TRANSPORT AGENCY

Formal correspondence has been undertaken with Waka Kotahi as part of the plan change. Waka Kotahi submitted on the plan change but withdrew opposition to the plan change at the hearing stating that all concerns had been appropriately addressed or could be appropriately addressed through future consenting processes. Further correspondence will be undertaken with Waka Kotahi with respect to the pedestrian connections across the State Highway.

6.2.4 MINISTRY OF EDUCATION

Correspondence with Ministry of Education staff in relation to the future primary school site has been ongoing for a number of years. The proposed allotment has been designed to ensure MoE requirements are met. MoE staff are also aware that the subdivision to create the future MoE school site is been applied for under the fast-track process.

6.2.5 OTHER ENGAGEMENT

KAINGA ORA

Kainga Ora has been engaging with KMMGH regarding the Plimmerton Farm site since 2020. Discussions regarding potential opportunities within the Stage One development (that is subject to this referral) are ongoing.

POWERCO

The project engineers have had initial discussions with Powerco regarding the possible realignment of the gas main to implement the proposed main access road.

6.3 SECTION 20(3)(J) 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. WHAT IS NEEDED TO COMPLETE THE PROJECT

7.1 SECTION 20(3)(IA) LEGAL INTERESTS

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

7.2 SECTION 20(3)(K) 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 and no features within the Stage One area were identified in the archaeological assessment undertaken to support the plan change, KMMGH will however obtain an Archaeological Authority from Heritage New Zealand Pouhere Taonga ahead of commencing works on the site.

7.3 SECTION 20(3)(L) RESOURCE CONSENTS REQUIRED

Under Section 20(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 particular consents required under the relevant PCC and GWRC plans are identified below. The list is exhaustive and covers all likely consent requirements including consents required under rules of the operative regional plans that will not have legal weight when the NRP becomes fully operative. Through further design and refinement there may be aspects of the proposal that may or may not achieve compliance with some or all of the applicable standards.

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

7.3.1 PORIRUA CITY COUNCIL CONSENTS

The Applicant seeks all necessary consents from PCC as follows:

SUBDIVISION

- Rule SUBPFZ-R2 (Restricted Discretionary) – All subdivisions where compliance is achieved with standards SUBPFZ-S1 - SUBPFZ-S5.
- Rule SUBPFZ-R3(2) (Discretionary) – Subdivision of a site containing an SNA, area of terrestrial indigenous biodiversity or BORA where compliance is not achieved with SUB_{PFZ}-R3-1(b). Access to the building platforms is located within an identified BORA area.

TRANSPORT

- Rule TRPFZ-R3(1) (Restricted Discretionary) – New roads and private ways that comply with transport standard TRPFZ-S1.
- Rule TRPFZ-R1 (Restricted Discretionary) – Resource consent for high-trip generating activity (standard TRPFZ-S13)

EARTHWORKS

- **Rule TRPFZ-R3(2) (Restricted Discretionary)** – Earthworks where compliance is not achieved with EWPFZ-R1-1.

ECOSYSTEMS AND INDIGENOUS BIODIVERSITY

- **Rule ECOPFZ-R1(3) (Restricted Discretionary)** – Removal of vegetation within an SNA

PRECINCT A PROVISIONS

- **Rule PAPFZ-R2 (Restricted Discretionary)** - Residential Building Activity (required for minor bulk and location infringements that may be witnessed on individual lots)

- **Rule PAPFZ-R3 (Restricted Discretionary) –** Impervious surfaces except roads

7.3.2 GWRC CONSENTS

While it is likely that the NRP will be fully operative when a fast track application is lodged should this referral application be approved, rules in the operative regional plans have been included below.

- **NRP: Rule R101 (Discretionary Activity)** – land use consent for 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 not permitted by Rule R99 or vegetation clearance on erosion prone land that is not permitted by Rule R99 or Rule R100.

- **NRP: Rule R52A (Restricted Discretionary Activity)** - Discharge permit for 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.

- **NRP: Rule R53 (Discretionary Activity)** – Discharge permit for 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.

- **NRP: Rule R118 (Non-Complying Activity)** – Activities in natural wetlands.

- **RFP: Rule 5 (Discretionary Activity)** – the discharge of stormwater that originates from an area of bulk earthworks greater than 0.3ha.

- **RPDL: Rule 2 (Discretionary Activity)** – the discharge of contaminants to land that may enter water. This rule applies to wet weather overflow discharges of potentially sediment laden stormwater from the proposed SRPs and DEBs, although given the necessary oversizing of these devices, this is not likely to occur.

- **RSP: Rule 4 (Restricted Discretionary Activity)** – vegetation clearance that does not comply with the permitted activity conditions.

NATIONAL ENVIRONMENTAL STANDARD FOR FRESHWATER CONSENTS

Together with the NPS-FM, the NES-F was amended in December 2022 to, among other things, provide a consent pathway for wetland activities associated with urban development. Wetland activity rules in GWRC's NRP include advice notes stipulating what NRP provisions prevail over the NES-F regulations and vice versa. The advice notes do not account for the recent amendments to the NES-F, so for completeness, it is assumed that both the NRP rules and NES-F regulations will apply to wetland activities. Clarification has been sought from GWRC regarding what rules prevail over the NES-F but, at the time of writing this clarification has not been provided.

New Regulation 45C provides for the following activities as a **Restricted Discretionary activity**:

1. *Vegetation clearance within, or within a 10 m setback from, a natural inland wetland is a restricted discretionary activity if it is for the purpose of constructing urban development.*

2. *Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland is a restricted discretionary activity if it is for the purpose of constructing urban development.*

3. *Earthworks or land disturbance outside a 10 m, but within a 100 m, setback from a natural inland wetland is a restricted discretionary activity if it—*

    a) *is for the purpose of constructing urban development; and*

    b) *results in, or is likely to result in, the complete or partial drainage of all or part of the wetland.*

4. *The taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland is a restricted discretionary activity if—*

    a) *the activity is for the purpose of constructing urban development; and*

    b) *there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and*

    c) *(c)the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland.*

5. *The discharge of water into water within, or within a 100 m setback from, a natural inland wetland is a restricted discretionary activity if—*

    a) *the discharge is for the purpose of constructing urban development; and*

    b) *there is a hydrological connection between the discharge and the wetland; and*

    c) *the discharge will enter the wetland; and*

    d) *the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.*

All of the activities detailed above are proposed so **Restricted Discretionary** activity resource consents will be required under regulations 45C(1) – (5).

Under Regulation 45C(6), a resource consent for a Restricted Discretionary activity under this regulation must not be granted unless the consent authority has first—

(a) satisfied itself that the urban development—

i. will contribute to a well-functioning urban environment; and

*ii. will provide significant national, regional, **or** district benefits; and*

(b) satisfied itself that—

i. there is no practicable alternative location for the activity within the area of the development; or

ii. every other practicable alternative location in the area of the development would have equal or greater adverse effects on a natural inland wetland; and

(c) applied the effects management hierarchy.

Matters of discretion are provided under Regulation 45C(11), and a brief assessment of the Project against these matters is provided below.

The extent to which -

*a) the urban development will be of significant national, regional, **or** district benefit; and*

Refer *Economic Assessment* where it is stated that the Project will provide significant regional and district benefits.

b) the activity contributes to a well-functioning urban environment; and

Refer assessment in Section 4 above.

c) there is another practicable alternative location in the area of development for the activity, and the extent to which other practicable alternative locations within the area of development would have equal or greater adverse effects on a natural inland wetland; and

d) an alternative configuration or design is practicable that would avoid, minimise, or remedy adverse effects on the natural inland wetland extent and values; and

As discussed earlier, the Stage One proposal has developed via an extensive and iterative process since 2018 whereby effects on wetlands have been avoided where possible and where they haven't been avoided (due to provision of necessary road crossings, road layout and gradients for public transport or to provide viable yield in line with zoning and the Precinct Plan), they have been minimised to the greatest extent possible. This has included avoiding direct and in-direct effects of high-value wetlands.

There are no other practicable alternative locations within the area as the area not proposed for development within Stage One contains high-value wetlands that are proposed to be retained. Refer plans provided in the *Ecology Assessment*. Furthermore and most importantly, there is no other practicable location for this scale of activity outside of Plimmerton Farm as the balance of the Northern Growth Area is not zoned appropriately (i.e. is currently zoned Future Urban).

e) the effects of the activity will be managed through applying the effects management hierarchy.

Refer *Ecological Memorandum*. Offsetting is proposed as part of the Project in accordance with the effect's mitigation hierarchy and in particular GWRC's recent guidance in relation to this. Final offsetting details will be included in the fast track resource consent application if this referral is approved.

WETLAND RESTORATION

Under Regulation 38, restoration, wetland maintenance, and biosecurity of natural inland wetlands is a **Permitted Activity** provided that -

1. *Vegetation clearance within, or within a 10 m setback from, a natural inland wetland is a permitted activity if it—*

   a) is for the purpose of natural inland wetland restoration, wetland maintenance, or biosecurity; and

   b) complies with the conditions.

2. *Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland is a permitted activity if it—*

   a) is for the purpose of natural inland wetland restoration, wetland maintenance, or biosecurity; and

b) complies with the conditions.

3. The taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural inland wetland is a permitted activity if—

a) the activity is for the purpose of natural inland wetland restoration, wetland maintenance, or biosecurity; and

b) there is a hydrological connection between the taking, use, damming, diversion, or discharge and the wetland; and

c) the taking, use, damming, diversion, or discharge will change, or is likely to change, the water level range or hydrological function of the wetland; and

d) the activity complies with the conditions.

7.3.3 OTHER RESOURCE CONSENTS

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.

7.3.4 OVERALL RESOURCE CONSENT STATUS

As outlined above, while the majority of the consent requirements are Restricted Discretionary, Rule R118 of the NRP is a Non-Complying Activity. It is noted that resource consent for the same activity covered in Rule R118 is a Restricted Discretionary Activity in the NES-F.

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

a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or

b) the application is for an activity that will not be contrary to the objectives and policies of—

(i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or

(ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or

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

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.

A preliminary assessment of the Project against the relevant district, regional and NPS-FM objectives and policies is provided in Appendix Nine. The assessment of the Project against the objectives and policies of the NRP are of particular importance given that the proposed wetland activities are non-complying activities under this plan. In summary, the Project is not contrary to the objectives and policies of this plan for the following reasons:

- In respect of earthworks, 'better than best practice' sediment control measures are proposed in line with the Plimmerton Farm Erosion and Sediment Control Principles that will ensure that any

sediment related effects on waterbodies are appropriately avoided. This addresses the integrated site management in respect of earthworks having 'downstream' effects on nearby waterbodies.

- Effects on freshwater will be minimised via the adherence to the Plimmerton Farm Erosion and Sediment Control Principles and the Freshwater Principles. This will include the implementation of monitoring regimes to monitor impacts on freshwater.

- The avoidance of direct effects of wetlands has been prioritised and where residual adverse effects remain after avoidance, remediation and mitigation, onsite offsetting will be applied so that there is no-net-loss of ecological values.

- The Project will not result in a loss of extent and values of the beds of lakes and rivers and natural wetlands. Therefore, the Project does not require assessment against the exceptions listed in Policy P110.

- Potential adverse effects on ecological values of the identified natural wetlands on the site have been assessed against the mitigation hierarchy (avoid, remedy, mitigate, offset, compensate), as is required under the RMA, and as is laid out in the Greater Wellington Regional Policy Statement, and the recently revised National Policy Statement on Freshwater Management (NPS-FM).

- Guidance on applying the mitigation hierarchy is provided in the Greater Wellington Regional Council publication '*Managing adverse effects on indigenous biodiversity in the Wellington Region'* (2022), which sets out principles to be applied when undertaking biodiversity offsetting or biodiversity compensation in the Wellington Region. As outlined in the *Ecological Assessment*, the proposed offsetting proposals adhere to the relevant principles.

- Monitoring will be outlined in the fast track resource consent application to ensure any potential changes to wetland hydrology or vegetation are appropriately monitored and addressed to ensure the hydrological integrity of the existing wetlands is maintained.

- With respect to the discharge of operational stormwater, the Project is consistent with the applicable policy framework given the proposed treatment train approach and implementation of Water Sensitive Urban Design ("WSUD") principles. The future resource consent application will include a detailed assessment of the biophysical and sociocultural considerations that have influenced the concept design and selection of appropriate WSUD devices. The assessment will also provide the rationale for device and preferred concept.

- In relation to the proposed stormwater strategy –

    - WSUD measures include a catchment flow management solution that has made allowances for subsequent development in the catchment;

    - WSUD measures will be designed in accordance with the Wellington Water Limited Regional Standard for Water Services (2019) and the Wellington Water Limited Water Sensitive Design for Stormwater: Treatment Device Design Guideline (2019;

    - Stormwater hydrology mitigation is proposed for increases in mean annual exceedance frequency of the 2-year Average Recurrence Interval flow and mean annual volume of stormwater runoff. This includes the creation of a large stormwater detention area that will be integrated with the wetland restoration area;

    - The stormwater concept avoids mixing of waters of different catchments;

    - Stormwater treatment devices will be appropriately located and designed to ensure continued access for device inspection, maintenance and upgrade.

- A 6.8ha flood detention zone is proposed and will form a significant part of the stormwater strategy to ensure hydraulic neutrality for the Stage One development and to mitigate flood hazard effects. This area will be accommodated within the proposed wetland restoration area that will be able to function as a natural wetland given that no stormwater treatment functions are proposed in this area.

7.3.5 SECTION (20)(3)(M) OTHER 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.

The following authorisations will be sought in conjunction with, and at the time of the resource consent process:

- KMMGH will obtain an Archaeological Authority from Heritage New Zealand Pouhere Taonga ahead of commencing works on the site.

- A Wildlife Act Authority from Department of Conservation will be sought by the Applicant if, through further ecological assessment of the proposal, it is found that the Project will require activities to be undertaken within habitat that may support native lizards and where activities may result in a significant impact on a species or habitat.

8. OTHER MATTERS

8.1 SECTION (20)(3)(N) OTHER APPLICATIONS

Under Section 20(3)(n) 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:

KMMGH confirms that no such consent applications have been made with respect to the Project.

8.2 SECTION 20 (3)(O) 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 5 above.

8.3 SECTION 20(3)(P) TRACK RECORD

Under Section 20(3)(p) 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 KMMGH.

9. CONCLUSION

This is an application made by KM & MG Holdings Limited ("KMMGH") for referral to an Expert Consenting Panel, under the COVID-19 Recovery (Fast Track Consenting) Act 2020, for consent to undertake a residential development and wetland restoration project at the site located at 71 State Highway 1, Plimmerton.

In all respects the Project is "shovel ready" with enabling works expected to commence within approximately 3-4 months after receiving consent, and the Project developed over 6-7 years from commencement. KMMGH and associated entities directly manage 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 Project will progress faster than using the alternative RMA processes. Obtaining resources consents under the 'standard' RMA process is expected to take up to 18 months depending on notification of the Regional Council consents. Subdivision would therefore not likely occur until 2028/2029 under standard RMA consenting processes.

The development will provide 1,213 FTE jobs and allow for significant investment in the local community of approximately $160.9 million. There are opportunities through the Project for employment both locally, and for those in sectors that have been affected by COVID-19 and the local construction industry will benefit. The assessment included in this referral application confirms that the Project is strongly aligned with the purpose of the Act.

The Project will add significantly to development capacity of the District given that it will account for over 20% of the shortfall in housing demand for the Porirua area over the next 30 years. 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.

There is no potential for the Project to have residual significant adverse environmental effects, and as outlined in Section 4 above, adverse effects can be appropriately avoided, remedied or mitigated. Many potential adverse effects have already been mitigated through the collaborative and extensive masterplanning process undertaken since 2018. A heavily iterative process has sought to ensure that potential effects on wetlands has been avoided to the greatest extent practicable. Effects associated with earthworks and construction can be readily managed through conditions of the fast track resource consent process if the referral is approved.

The Project is consistent with the objectives and policies in the NPS-UD and the flood mitigation, stormwater detention and significant wetland construction, restoration and enhancement works will ensure that the Project aligns with the NPS-FM and NES-F.

Most importantly, the Project is inherently consistent with the Plimmerton Farm Zone provisions and the Plimmerton Farm Zone Precinct Plan that was included in the District Plan via the plan change approved by the Minister for the Environment.

Overall, this application and accompanying documentation confirms that the Project achieves the purpose of the Covid-19 Act and therefore it should be considered for referral.

10. LIMITATIONS

This report:

a) Is for the use by KM and MG Holdings 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 their directors, 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.

11. COPYRIGHT