

99 & 103 STATE HIGHWAY 1,
WAIKANAE
BULLETIN TRUST

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

JULY 2022

DOCUMENT CONTROL

AUTHOR	Stephanie Blick – Principal Planner
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1. EXECUTIVE SUMMARY

This is an application for referral to an Expert Consenting Panel, under the COVID-19 Recovery (Fast Track Consenting) Act 2020, for consent to undertake a residential development comprising up to 410 residential units at the site located at 99 and 103 State Highway 1, Waikanae (hereafter “the Site”). The allotments will contain a mix of standalone and terrace housing and will result in approximately 410 new dwellings.

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

In all respects the Project is “shovel ready” with enabling works expected to commence within approximately a month of receiving consent, and the Project developed over five years from commencement. Thames Pacific directly manages all of its development projects internally and therefore has a high degree of control over the construction process, including quality and the careful management of temporary construction effects.

The applicant, Bulletin Trust is part of the Thames Pacific Limited (“Thames Pacific”) group of companies. Thames Pacific has significant experience in developments of this nature and has financing to fund the Project to completion. This has been outlined in the Business Case attached as **Appendix Three** to this application.

The development proposed has not progressed through any Resource Management Act 1991 (“the RMA”) processes, however engagement has been undertaken with Kāpiti Coast District Council (“the District Council”) regarding the Project and the site’s inclusion in the Growth Strategy.

The Applicant is seeking to seize the opportunity to consent the development through the COVID 19 Recovery (Fast Track Consenting) Act 2020 (hereafter “the Act”). The Project will progress faster than using the alternative RMA processes. Obtaining consent by way of a plan change and subsequent consents under the ‘standard’ RMA process is expected to take 2 – 4 years depending on appeals. Subdivision would likely occur in 2026/2027.

The development will allow for significant investment in the local community of approximately \$600 million, providing jobs and significant flow-on economic benefits. There are opportunities through the Project for employment both locally, and for those in sectors that have been affected by COVID-19 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 proposal will add significantly to development capacity of the District given that it will account for nearly 15% of the shortfall in housing demand. Therefore, the Project will help to reduce land demand pressure and increase housing supply that will in turn help to relieve pressure on the housing market and will contribute towards improved housing affordability in the long term.

There is no potential for the proposal to have residual significant adverse environmental effects, and as outlined in Section 4 below, adverse effects will be avoided, remedied or mitigated. Many potential adverse effects have already been mitigated through subdivision design and avoiding wetlands, significant reclamation of watercourses and avoiding the removal of natural site features (i.e. sand dunes). Effects associated with earthworks and construction can be readily managed through conditions.

The proposal is consistent with the objectives and policies in the National Policy Statement for Urban Development (“NPS-UD”). Further, while the Project may be inconsistent with the provisions of the District Plan that relate to the current zoning of the Site, this inconsistency will be remedied when the Project is formally identified as a growth area in the Growth Strategy.

Put simply, the NPS-UD provides the opportunity for decisions to be made on plan changes for urban development proposals which are unanticipated in or out of sequence with the relevant resource management plans. As set out in the application, a rezoning by way of plan change or plan review will follow the grant of these consents. In the meantime, the NPS-UD is considered to provide the overarching policy direction, this enables the constraints of the [outdated] District Plan to be overcome for proposals which provide development capacity and contribute to a well-functioning urban environment.

2. INFORMATION REQUIREMENTS

2.1 COVID 19 RECOVERY (FAST TRACKING CONSENTING) ACT 2021

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

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

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

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

- Ecologists – WSP
- Civil Engineering: Cuttriss Consultants
- Planning: Scope Planning
- Urban Design: Urban Acumen
- Economics: Urban Economics
- Traffic: Stantec
- Landscape Architecture: LOCAL Landscape Architecture
- Geotechnical Engineering: ENGEO

In addition, this referral application is supported with the following memos and assessments:

- Infrastructure Report (**Appendix Eight**)
- Ecological Assessment (**Appendix Nine**)
- Economic Assessment (**Appendix Ten**)
- Traffic Assessment (**Appendix Eleven**)
- Urban Design Assessment (**Appendix Twelve**)

3. PROPOSAL AND EFFECTS

3.1 THE PROJECT

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

3.1.1 PROJECT NAME

The **name** of the project is 'Waikanae North' ("the project").

3.1.2 PROJECT AUTHORISED PERSON

The **authorised person** for this Project and Applicant of this referral application is Bulletin Trustee Limited as trustee for the Bulletin Trust. This entity is a member of the Thames Pacific Limited group of companies, where bulletin trust is the SPV set up specifically to develop 99-103 State Highway 1, Waikanae.

Thames Pacific has significant experience in developments of this nature and has financing to fund the Project to completion. Details of the recent projects underway or currently in progress are outlined in the Business Case attached as **Appendix Two**.

3.1.3 PROJECT DESCRIPTION

Thames Pacific seek referral to utilise the fast-track consent process to obtain the necessary resource consents for the residential development at 99 and 103 State Highway 1, Waikanae.

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

The development will comprise:

- a) Subdivision to create up to 410 residential allotments;
- b) Land use to construct up to 410 residential units;
- c) Creation of open space areas including a large reserve area that, subject to agreement by Council, may be vested as reserve;
- d) Infrastructure servicing associated with the subdivision and development, including roads, parking, and three waters infrastructure including the creation of a stormwater detention basin to ensure hydraulic neutrality is achieved as part of the development.

The project may involve the following activities:

- a) Subdividing land;
- b) Bulk earthworks that include discharges to land and water, stream reclamation, minor culverting works, and erosion and sediment control;
- c) Earthworks and development within Flood Hazard (ponding) areas;
- d) Constructing residential units;
- e) Developing open space, including planting of the ecological site;

- f) Diverting and discharging stormwater run-off within 100m of a wetland;
- g) Earthworks within 10m of a wetland;
- h) Constructing infrastructure for three waters services;
- i) Constructing roads, vehicle access, and other transport infrastructure including a culvert over the Waimeha Stream;

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

While the Site is currently zoned Rural under the District Plan, the subdivision and development are predicated on the adoption of residential subdivision, roading and building standards. Accordingly, a compliance assessment of the development in terms of both the rural and residential rules will be provided with the resource consent application, if this referral application is approved.

PROJECT SERVICING

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

- With respect to water supply, Manu Parks (being the development to the south) Engineering Approval required them to install a 200mm diameter pipe in anticipation of a future Council watermain upgrade.
- With respect to wastewater, wastewater connections are available from the Manu Park development. A pump station or low-pressure pump system will be required to connect to the main in Manu Park. Cuttriss consider there to be sufficient capacity in the Council system for the proposed development. If there is insufficient capacity, the likely option will be the construction of a low-pressure pump system which would allow off-peak discharge to the mains. This would assist with any capacity issues by delaying discharge to the main. The developer would incur the full cost of this system.

If Council are required to bring forward the water supply upgrade works then it is expected that the developer will contribute. This would likely be contributing to paying interest on borrowed money to fund the works earlier than expected. This would form part of a Developers Agreement.

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

3.2 PROJECT GEOGRAPHICAL LOCATION

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

The Project will occur at the site located at 99 and 103 State Highway 1, Waikanae, is held in two titles being Lot 1 DP 87123 & Part Lot 4 DP 7019. Refer Record of Titles attached in **Appendix One**.

The previous owner undertook a subdivision to carve off the existing homestead from the balance of the site and sold the balance as a future development block.

The site is essentially a modified rectangle, with an east-west orientation. Refer **Figure One** below.



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

3.2.1 RECORD OF TITLE INFORMATION

As noted above, the site is held in two titles being Lot 1 DP 87123 & Part Lot 4 DP 7019. The titles include a number of consent notice and we understand that approvals under the Act do not extend to authorising the amendment or cancellation of consent notices under Section 221 of the RMA.

To provide sufficient certainty to the Minister that the existing consent notices can be appropriately dealt with should this application be approved, and a fast-track application is granted, the project engineers engaged with relevant Council officers to confirm whether Council would support the removal of the applicable consent notices. This correspondence is provided in **Appendix Seven**. In this correspondence, Council officers state the following:

“... I see no reason why Council wouldn’t support the variation or cancellation of the consent notice conditions. As you mention the will still be subject to an application being submitted to Council pursuant to s221 of the RMA after the panel has made their decision.

Please note if the proposal approved by expert consenting panel does not sufficiently address the consent notice requirements Council may not support the variation/ cancellation. If the proposal is not referred by the Minister then this could be addressed through any resource consent application for the development.”

The fast track application will adequately address the matters of the consent notices including access and servicing.

3.2.2 SITE ZONING AND OVERLAYS / AREAS

KĀPITI COAST OPERATIVE DISTRICT PLAN

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

The site is located in the General Rural Zone and the Waikanae north Eco Hamlet Precinct of the District Plan. The precinct is intended on providing a transition between urban areas and rural zones and provides for clustered development.

Other District Plan notations and overlays are as follows:

- a) Flood hazard (ponding) – blue.
- b) Flood hazard (stream corridor) – pink.
- c) Ecological site K065 – green hatch.
- d) Noise corridor – orange stripe.

Refer **Figure Two** below.

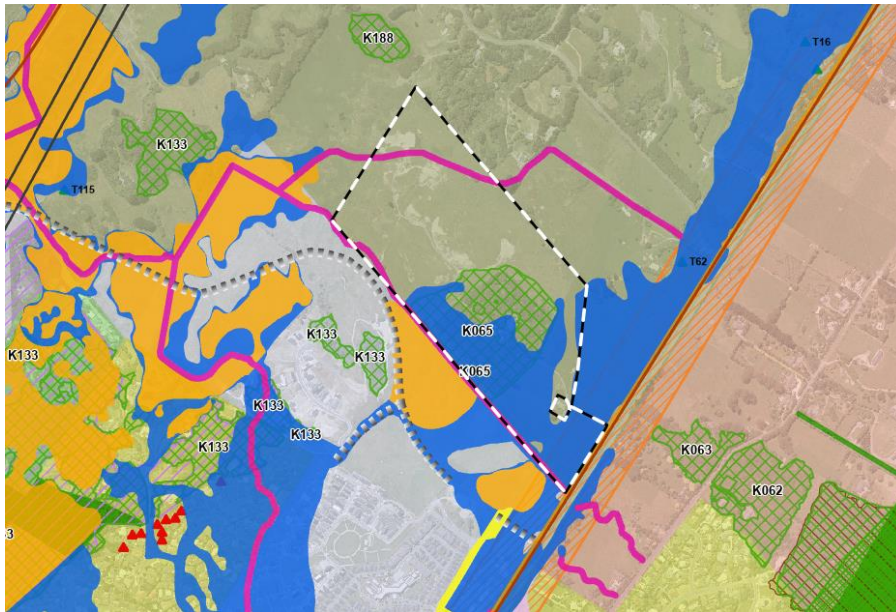


FIGURE TWO: KĀPITI COAST OPERATIVE DISTRICT PLAN ZONING, OVERLAYS AND NOTATIONS

While the site is currently zoned Rural, it is acknowledged that the site has been identified as a 'Medium Priority Greenfield Growth Area' in the District Council's growth strategy consultation document¹. Refer **Figure Three** below where the Site is circled red. The strategy is intended to inform a plan change to the District Plan that will give effect to the the NPS-UD.

¹ Kāpiti Coast District Council – Te tupu pai / Growing Well, Community Consultation Document, October 2021

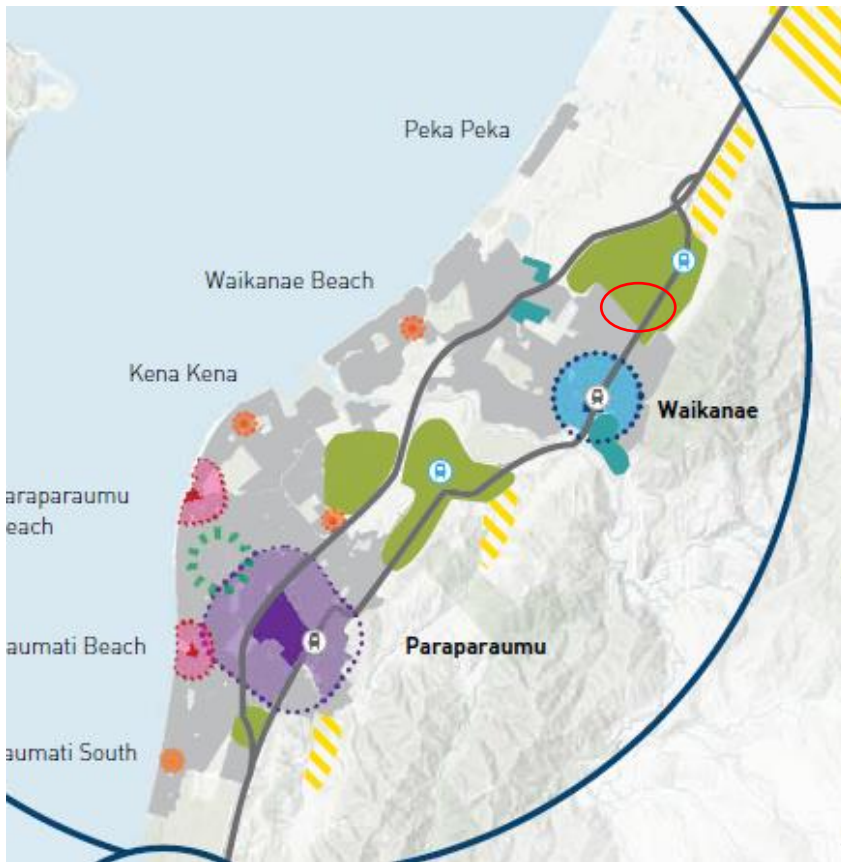


FIGURE THREE: KCDC GROWTH STRATEGY

This document sets out the District Council’s proposed approach for growth of the district over 30 years. In an effort to minimise further fragmentation of highly productive farming and horticulture land, the growth strategy has sought to identify the areas for future housing through to 2051.

As further detailed on page 55 of the document, the identification of growth areas included consideration of their proximity to existing centres, access to transport and infrastructure, natural hazards, potential effects on the environment, effects on highly productive land and impact on climate change.

NATURAL RESOURCES PLAN

The only NRP notation on the site relates to the Waimeha Stream tributary, as illustrated in **Figure Four**. This stream is scheduled under Schedule B – Nga Taonga Nui a Kiwa.

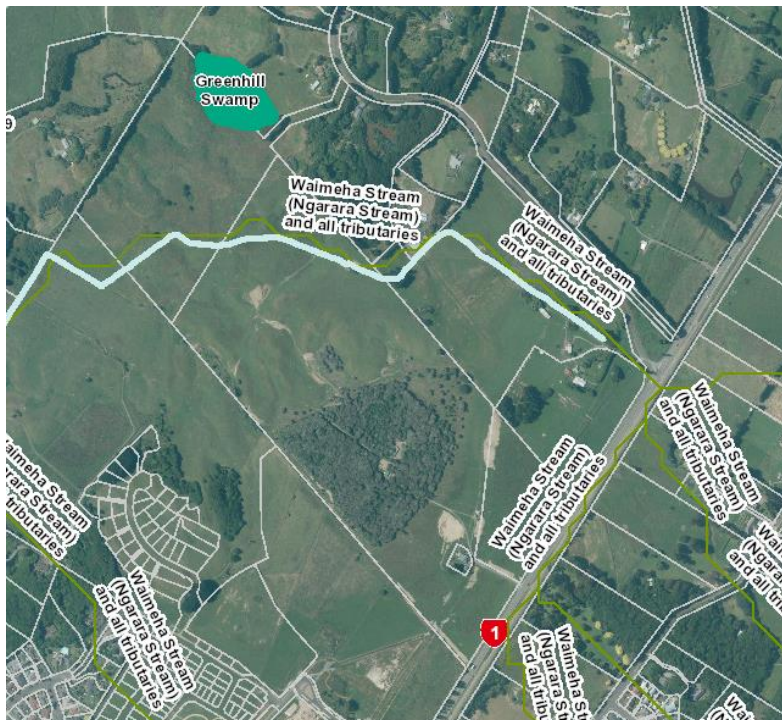


FIGURE FOUR: NATURAL RESOURCES PLAN NOTATIONS

3.2.3 CURRENT LAND USES

The site is currently rural land and utilised for grazing. It is generally grassed, with a stand of native bush, and a tributary of Waimeha Stream bisecting the site. The site is identified as LUC Class 3 and LUC Class 6 on the Land Use Classification maps on the LRIS portal.

3.2.4 BUILDINGS AND SERVICING

Three farm buildings are located on the site, two are located within the ecological site. Services connections are available from the State Highway or adjacent sites. As noted, the existing homestead associated with the site is held in a separate title and is not proposed to be developed.

3.2.5 SITE ACCESS

Access to the site is provided via an existing crossing place from State Highway 1 (Main road). As further described below and in the Traffic Assessment provided in Appendix Eleven, the access strategy includes a new t-intersection at Main Road, along with a local road link to the adjacent residential subdivision block to the south. These roading connections will be supplemented by active mode links to support walking and cycling trips to the nearby town centre and public transport nodes.

3.2.6 SURROUNDING ENVIRONMENT

The site is located on the periphery of Waikanae with residentially zoned land to the south, rural zoned land to the north and west, and rural lifestyle and residential zoned land to the east on the opposite side of State Highway 1.

The rural properties are small landholdings of approximately 4 – 8 hectares that contain rural lifestyle type land uses. These properties have also been identified as growth areas in the District Council's Growth Strategy.

Refer **Figure Five** below for the Concept Masterplan of the development.



FIGURE FIVE: MANU PARK CONCEPT MASTERPLAN

In anticipation of future residential development on the subject site, this development includes a link road connecting the development to the site. Refer Stage 2 subdivision plan in **Figure Six** below where the road connection is identified with the red arrow.

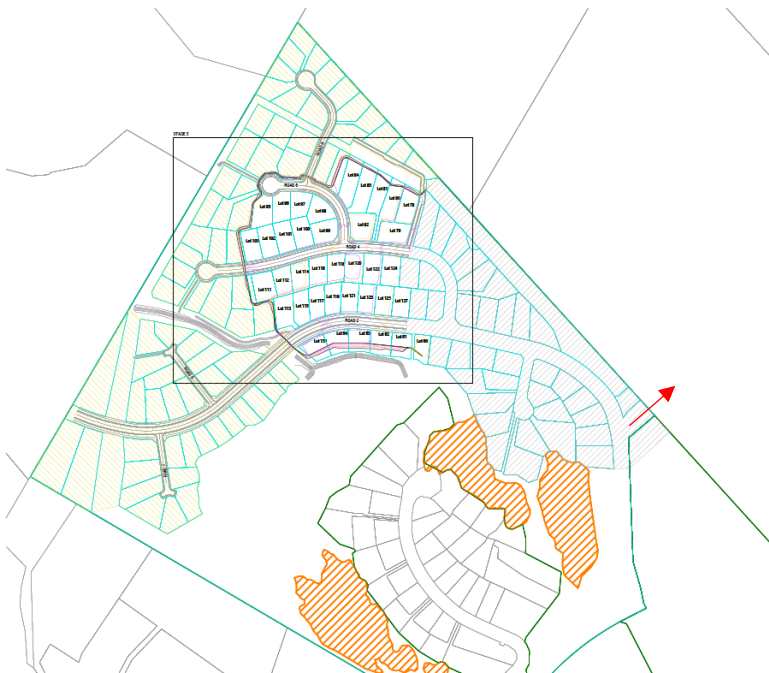


FIGURE SIX: MANU PARK STAGE TWO PLAN

The Manu Park development is located adjacent to the site's southern boundary. The staged development comprises 162 sections ranging in size from 600m² to 2,200m². Features of the development as identified on the Manu Park website² include:

- a) *Close to Nga Manu nature reserve, bird sanctuary, wetlands, the Waikanae River walk and cycleways and Kāpiti Island;*
- b) *A short drive from Waikanae Beach, swimming pool and golf courses;*
- c) *Walking distance to the Waikanae town centre;*
- d) *55 minutes by rail to Wellington;*
- e) *35 minutes by car to Wellington when Transmission Gully is finished;*
- f) *10 minutes by car to Waikanae Beach;*

The site is approximately 1km from the Waikanae Train station and 800m to the Waikanae shopping area and supermarket making it an ideal location for residential development.

3.3 CONSTRUCTION DATES AND STAGING

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

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

- a) Planning Fast Track – 12 Months (July 2022 – July 2023)
- b) Detailed Design and Council Engineering Approvals – 6 Months (August 2023 – January 2024)
- c) Civils and Earthworks – 18 Months (January 2024 – July 2025)
- d) Housing Construction – 24 Months (May 2024 – May 2026)

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

3.4 DESCRIPTION OF ANTICIPATED AND KNOWN ADVERSE EFFECTS

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

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

- a) Social and economic effects;
- b) Ecological effects;
- c) Landscape and natural character effects;
- d) Visual effects;

² <https://manupark.nz/>

- e) Earthworks and construction effects;
- f) Traffic effects;
- g) Subdivision effects;
- h) Geotechnical effects;
- i) Residential character and amenity;
- j) Climate change and natural hazard effects;
- k) Historical and archaeological effects;
- l) Cultural effects; and,
- m) Reverse sensitivity effects.

3.4.1 SOCIAL AND ECONOMIC EFFECTS

The Project will enable the development of approximately 410 homes in an area that is facing a shortfall in development capacity. As an indication of the current demand, the developers and agents for Manu Park have received thousands of registrations of interest for purchasing within the development and the development stages have taken less than 48 hours to sell.

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 by the District Council as being appropriate for that purpose. This increase in housing supply will enable the social and economic wellbeing of the community to be maintained and enhanced.

The Project provides for residential development at a density of nine 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 potential economic impacts of the proposal were assessed by Urban Economics and this has formed part of the *Economic Assessment* provided in **Appendix Ten**. The assessment states the following:

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

Figure 12 in the Economic Assessment outlines the value-added and FTEs that the proposed development would generate. It is estimated that the construction of the proposed development would result in a total of 747 FTE jobs (186 FTE per year) and would contribute \$99.3 million to GDP. These jobs would be in roading, construction, landscaping, planting, land surveying, administration and support services and other related activities.

Figure 13 in the Economic Assessment estimates national ‘value-added per FTE employee’. These values added per employee figures are used to estimate the FTE employees created by the construction project expenditure.

More generally, the *Economic Assessment* states that:

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

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

“The proposal helps to achieve the NPS-UD objectives as it increases the range of housing available to the market. The proposal would provide additional housing within the \$610,000 - \$1,310,000 price range with around 234 (57%) of dwellings selling for an estimated price between \$610,000 and \$750,000. The proposal therefore, provides housing that meets the market demand for additional dwellings”

3.4.2 ECOLOGICAL EFFECTS

IMPACTS ON WETLANDS

Thames Pacific have engaged expert ecologists to determine the location and extent of wetlands on the site. This application is supported with an *Ecological Assessment* attached in **Appendix Nine**.

As illustrated on the scheme plan, the Project avoids the reclamation of the wetlands identified in the *Ecological Assessment* and the resource consent application will include an assessment of the proposed earthworks and diversion works within the vicinity of these wetlands.

IMPACTS ON THE ECOLOGICAL SITE

Removal of indigenous vegetation occurred within the ecological site prior to the current landowner acquiring the site and retrospective resource consent is required for this work. The *Ecological Assessment* that will accompany the fast-track resource consent application will include restoration and mitigation measures that will mitigate the loss of the vegetation. Restoration planting will ensure that the ecological values of the site are, as a minimum, maintained to the pre-existing state prior to vegetation removal.

IMPACTS ON WATERCOURSES

As noted, a tributary of Waimeha Stream bisects the site. The only works proposed within the stream bed is the construction of a culvert to create a road connection to future allotments in the north-western corner of the site. The *Ecological Assessment* attached in **Appendix Nine** identifies other watercourses within the site.

Potential effects on stream ecology relate to the control of stormwater and sediment from the site, and failure of sediment and erosion controls during high rainfall events. Given the low likelihood of such an occurrence given adherence to applicable District and Regional erosion and sediment control guidelines, such effects will likely be low. This will be outlined in the *Ecological Assessment* that will accompany the resource consent application if the referral is approved.

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

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

3.4.3 LANDSCAPE AND VISUAL EFFECTS

The Site and surrounding area is not located within a significant landscape. Also, there are no identified areas of recreational, scientific, historical, or spiritual value on or near the Project site. Irrespective, the development has sought to respect the natural landform and the allotments have been designed to enable open space around dwellings, as well as providing public open spaces and connections to adjacent properties. Important site features, namely the sand dunes that are identified on the Waikanae Eco-Hamlet Structure Plan have also been retained and will be 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, as well as a landscape and visual effects assessment that will address these potential effects.

3.4.4 EFFECTS ON RURAL CHARACTER AND AMENITY

The development of the site for residential purposes has the potential to impact on rural character via the loss of rural land for residential use. The Project is designed to provide the most appropriate form of transition between the rural and urban interfaces. In addition, it must be acknowledged that any loss of rural character and amenity has been anticipated by the inclusion of this area in strategic documents such as the recent Growth Strategy.

It is considered that the loss of rural land in this location will not give rise to any significant adverse effects. The rural land comprised within the Project site is highly fragmented and modified. Furthermore, the site comprises soils with a Land Use Capability of 3 and 6, meaning that protection of the soils on the site for production purposes will be required under the National Policy Statement on Productive Soils that is understood to have been delayed.

With respect to immediately adjacent rural and rural lifestyle properties, it is acknowledged that these sites have also been identified by the District Council for future urban development. Irrespective, the Applicant will proffer a consent condition requiring close boarded wooden fencing along the shared boundaries with these sites.

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

The proposal has been developed with input from Lauren White of Urban Acumen. An *Urban Design Assessment* has been prepared and is attached in **Appendix Twelve**. With respect to the integration of the development with the surrounding locality, Ms White makes the following comments:

- *The medium density component is generally situated such that it is internal to the development and away from external interfaces where it could generate effects. Lower density development is proposed along Main Road and adjacent to the rural boundary.*
- *Any potential negative effects of higher residential density can be internalised within the wider development.*

3.4.5 EARTHWORKS AND CONSTRUCTION EFFECTS

As noted, the Project requires earthworks to create building platforms, roading, associated batters, installation of infrastructure and the formation of stormwater detention basins. In total, earthworks will involve a volume of approximately 120,000m³ cut to fill and 90,000m³ of imported fill and will be spread over an area of approximately 27.9 hectares. The works will likely have maximum cut depths of 7 metres and maximum fill depths of 1.5 metres.

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

- a) Final earthworks volumes and earthworks methodology;
- b) Construction hours;
- c) Construction noise;
- d) Construction traffic management;
- e) Erosion and sediment control;
- f) Dust control; and,
- g) Complaint management.

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

VISUAL EFFECTS

As noted, the site is not identified in an area of outstanding or special amenity character. Notwithstanding, the proposed earthworks have been designed to maintain the current characteristics of the site including the retention of prominent sand dunes.

The proposed earthworks are relatively uniform and once construction is completed, the fill will be covered by buildings, roading and landscaping. No exposed earth will remain visible and there will be no visible scarring following completion of the works. In addition, the earthworks are on a relatively flat site, and will create a relatively flat area, so will reflect the natural landform of the site in which it is situated.

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

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

EROSION AND SEDIMENT CONTROL

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

The erosion and sediment control methods will reference to the relevant GWRC guidelines as well as KCDC's *"Subdivision and Development Principles and Requirements"* and the Applicant will proffer a condition of consent that requires that earthworks and erosion and sediment control comply with these guidelines.

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

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

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

EARTHWORKS AND CONSTRUCTION EFFECTS SUMMARY

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

- a) Site works will be temporary in nature and will be permanently screened by the proposed buildings, access, carparking and landscaping;
- b) Site works will be screened from residential properties to the west of the site via construction fencing covered in a suitable screening material; and,
- c) The site will be managed in accordance with an approved ECMP that will adhere to District and Regional Council guidelines.

3.4.6 ACCESS AND TRAFFIC EFFECTS

The proposed access and roading through the site have been designed to meet Council standards and it is anticipated that the road will be vested with the District Council as a public road. Potential access and traffic related effects are addressed below with reference to the Traffic Assessment provided in **Appendix Eleven**.

ACCESS AND TRAFFIC GENERATION EFFECTS

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

- *The change in land use at the Site from its current rural/rural residential activity to a more conventional suburban residential environment, will be supported by means of new transport infrastructure and off-site connections delivered as part of the subdivision development. Supplementary to the existing public transport network, a future rapid transit stop is identified within the Growth Strategy adjacent to Main Road in the vicinity of the Site. This represents what would be a significant public transport access node for those future residents of the Site, and underlines Council's intent to realise development along key public transport routes such as the Kapiti Rail Line to support multi-modal travel.*
- *Waikanae has experienced some key transport changes in recent years, with the opening of the Kapiti Expressway in 2017 delivering a step change reduction in traffic volumes on the Site frontage to Main Road (former State Highway 1 alignment), which presents opportunities to accommodate growth in local traffic as well as support improved active mode connectivity between emerging development areas and the town centre. In addition, the 2018 increase in service frequency for trains operating between Wellington and Waikanae represents an improvement for public transport access to key centres to the south through to the capital.*
- *The proposed internal movement network has been designed to provide a legible and well-connected development supporting both vehicular and active mode trips, with the new infrastructure being designed in accordance with the latest industry standard NZS4404:2010 'Land Development and Subdivision Infrastructure', as required by the Council's subdivision design guidance⁴ for new roads, inclusive of appropriate provision for both vehicular and active mode users.*

By way of summary, the Traffic Assessment finds that –

“there are no fundamental transport flaws associated with development of the proposal Site for residential subdivision, with appropriate roading and active mode infrastructure and connections to the adjacent networks delivered at the resource consent stage, able to support transport demands including multi-modal trips. Importantly, active mode linkages to the Waikanae rail station will serve to promote sustainable travel behaviours”

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

At this stage however, Stantec state that –

“...at this stage it is not expected that any significant adverse effects warranting substantial mitigation would be triggered by the development Site, noting that prior to the opening of the Kapiti Expressway the existing roading network in the vicinity has previously accommodated significantly higher volumes than it does at present, even with the proposed new development traffic added”

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

Ultimately, Stantec conclude that –

Council's inclusion of the proposal Site within its Growth Strategy as a greenfield growth area, signals the intent to enable the extension of residential activity to the north of Waikanae.

Recent investment in the local transport system with the opening of the new SH1 alignment (Kapiti Expressway) to the west, has delivered a step reduction in traffic volumes through Waikanae, presenting an opportunity to accommodate local land use development without the need for significant roading upgrades.

The Site's proposed transport connections and infrastructure will ensure a safe and appropriate outcome can be achieved for all transport modes, noting the proximity of the Waikanae rail station will provide associated benefits of supporting sustainable travel habits.

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

CONSTRUCTION TRAFFIC

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

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

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

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

3.4.7 SUBDIVISION AND SERVICING EFFECTS

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

- With respect to water supply, Manu Parks (being the development to the south) Engineering Approval required them to install a 200mm diameter pipe in anticipation of a future Council watermain upgrade.
- With respect to wastewater, wastewater connections are available from the Manu Park development. A pump station or low-pressure pump system will be required to connect to the main in Manu Park. Cuttriss consider there to be sufficient capacity in the Council system for the proposed development. If there is insufficient capacity, the likely option will be the construction of a low-pressure pump system which would allow off-peak discharge to the mains. This would assist with any capacity issues by delaying discharge to the main. The developer would incur the full cost of this system.

If Council are required to bring forward the water supply upgrade works then it is expected that the developer will contribute. This would likely be contributing to paying interest on borrowed money to fund the works earlier than expected. This would form part of a Developers Agreement.

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

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

3.4.8 RESIDENTIAL CHARACTER AND AMENITY

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

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

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

- Whilst Appendix 2 – Medium Density Housing Guide only references a 400m radius of Paraparaumu and Paraparaumu Beach as appropriate for medium density housing, it does acknowledge that other locations for pockets of medium density are appropriate if accessible by public transport and in close proximity of services and open spaces. This proximity and convenience is considered to offset the (comparatively) reduced visual amenity/ outlook and privacy associated with this type of housing.
- The proposed medium density block is located on the fringe of Waikanae. The immediate future environment along the south-western boundary of the site, namely the remaining development of Waikanae North, is illustrated on Map 3 below. This image indicates the close proximity and relationship of the site (and its proposed medium density housing block) to a proposed primary school site, potential mixed use area/local centre and active and passive open spaces. The proposed medium density housing block is located within easy walking distance of key amenities which contributes to future residents' abilities to meet their daily convenience needs without the need for a car. Whilst some of these destinations are further than 400m, they are within an easy 10m in walking distance. A walkable catchment is widely accepted and defined by the Ministry for the Environment's Urban Design Toolkit to be 800m/10 min walk. Recent advice from MoE (Understanding and implementing intensification provisions for the National Policy Statement on Urban Development, 2020) indicates a 1km or 20min walk to a town centre or rapid transport stop is acceptable.
- The map below also indicates the proximity of the proposed medium density housing to existing and potential bus routes which could connect residents to Waikanae town centre and future development in the wider area.
- The proposed medium density block is located adjacent to proposed open spaces (both within the development and in the Waikanae North development area) and which can provide opportunities for both passive recreation and outlook. This adjacency and opportunity for passive recreation will contribute to the health and wellbeing of residents in this area of the development. These open spaces also provide opportunities for dwellings to capture views and establish visual connections to the natural environment. Medium density housing adjacent to open space also encourages the safety of these spaces, both by increasing their use and also providing real and perceived surveillance over them.
- The medium density component is generally situated such that it is internal to the development and away from external interfaces where it could generate effects. Lower density development is proposed along Main Road and adjacent to the rural boundary.

Ms White states that the proposal is supportable from an urban design perspective for the following reasons:

- the proposed site is of a size and shape that can be comprehensively and efficiently masterplanned and staged and accommodate a variety of block and road layouts
- it extends the variety of living options in the proposed development and in Waikanae generally, providing greater choice and promoting housing affordability
- it can access existing and potential future public transport routes, both bus and train
- it is in close proximity of a proposed school site (Waikanae North)
- it is close proximity of potential community services and facilities planned in Waikanae North
- it benefits from good proximity to a range of active and passive recreational spaces, including neighbourhood parks, walking tracks and nature reserves
- it has good internal visibility and connection to the proposed internal collector road network

- *the site is flat and there are no topographical constraints that would require significant earthworks and/or retaining structures in order to accommodate medium density development*
- *it benefits from visual relief provided by adjacent passive open spaces and increases the surveillance and safety of them*
- *any potential negative effects of higher residential density can be internalised within the wider development*

3.4.9 GEOTECHNICAL EFFECTS

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

3.4.10 CLIMATE CHANGE AND NATURAL HAZARD EFFECTS

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

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

Land contouring undertaken during construction of the development will ensure all surface water drains to the road and reserve corridors. Building platforms will be set at levels that will comply with the NZ Building Code and will be calculated at building consent stage. Stormwater up to the 1 in 50-year storm will be discharged to ground within soakpits on site. 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.

The Project also includes the creation of a stormwater detention basin to accommodate flood volumes within the site to ensure that flood hazard is not exacerbated on adjacent properties. To inform the SMP, flood modelling undertaken as part of the adjacent residential development will be utilised.

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. This is achieved by providing housing capacity in close proximity to community infrastructure and employment opportunity, and providing infrastructure which will encourage alternative, low-emissions forms of transport (i.e. utilisation of public transport).

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

The GWRC GIS data maps the Project Site as having a moderate ground shaking hazard, this will be taken into account in the geotechnical assessment provided with the resource consent application.

3.4.11 HISTORICAL AND ARCHAEOLOGICAL EFFECTS

An archaeological is currently undertaking an archaeological assessment of the site. The final design of the development will incorporate any recommendations made as part of the assessment. In addition,

separately to the resource consent process, the Applicant will obtain an Archaeological Assessment under the Heritage New Zealand Pouhere Taonga Act 2014.

3.4.12 CULTURAL EFFECTS

Initial correspondence has been undertaken with Te Atiawa and they will be engaged to prepare a Cultural Impact Assessment that will accompany the resource consent application.

3.4.13 REVERSE SENSITIVITY EFFECTS

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

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

3.4.14 ADVERSE EFFECTS SUMMARY

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

3.5 ASSESSMENT OF RELEVANT PLANNING DOCUMENTS

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

3.5.1 NATIONAL POLICY STATEMENT FOR URBAN DEVELOPMENT

The NPS-UD 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 Wellington Regional Council is identified as a Tier 1 Local Authority. The District Council and the Regional Council, in their regulatory capacity, have not yet responded to the NPS-UD and the current provisions of the Regional Policy Statement do not reflect this new and directive higher order planning document. Therefore, significant weighting should be afforded to the Project's consistency with the NPS-UD.

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

Objective 1: *New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*

Objective 2: *Planning decisions improve housing affordability by supporting competitive land and development markets.*

Objective 3: *Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:*

- (a) the area is in or near a centre zone or other area with many employment opportunities.*
- (b) the area is well-served by existing or planned public transport.*
- (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.*

Objective 4: *New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities and future generations.*

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

- (a) support reductions in greenhouse gas emissions;*
- (b) and are resilient to the current and future effects of climate change.*

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

- a) If consent for this Project is granted, it will enable it to progress ahead of the changes to those planning documents to give effect to the new Growth Strategy that has been drafted to ensure that the District Council meets its obligations under the NPS-UD. The Project is therefore consistent with strategic growth intentions of the District.
- b) The Project will also enable enhanced competitiveness which will assist with housing affordability. Affordability is not the sole outcome of encouraging competitive markets as competitiveness can also promote a higher quality of developments as competitors seek to create points of difference to attract purchasers.
- c) The infrastructure assessment and ITA will demonstrate that the Project can be effectively integrated with infrastructure planning, funding and delivery. The project engineers have confirmed that no significant upgrades are necessary to enable the Project.
- d) Based on satisfying the first two components of Objective 6, the Project is entitled to benefit from 'responsive' decision making.
- e) As per the earlier assessment of a well-functioning urban environment, the location and layout of the project, as well as the provision of shared paths, are intended to encourage alternative transport modes which will support reductions in greenhouse gas emissions. Resilience to climate change is catered for by the engineering design which accounts for the 1:200 year and 1:500 year flood events.

Policy 2 of the NPS-UD requires that Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.

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

- a) *On-going demand and a lower level of supply of housing has seen land and house prices, and weekly rent levels, increase significantly over the last 10 years.*

- b) *Kāpiti District will grow by between 13,441 to 15,761 people from 2017 to 2047.*
- c) *To accommodate this growth, the District will require between 6,595(134) and 6,707 new dwellings.*

The specific demand for Waikanae is illustrated in the table below.

Waikanae	2017-2020	2020-2027	2027-2047	Total
Stand-alone housing	188 - 226	561 - 617	1965 - 1780	2714 - 2622
Terraced housing, flats and apartments	27 - 33	86 - 95	281 - 254	395 - 382
Other Dwellings	8 - 9	23 - 26	80 - 74	111 - 108
Total	223 - 268	670 - 738	2326 - 2108	3220 - 3112

Considering dwelling demand across the District confirms some existing and expected growth patterns:

- a) *The strongest demand for residential housing is in the Waikanae area which accounts for almost half of all the Districts anticipated growth and development out to 2047.*
- b) *A strong preference for standalone housing continues across the District making up 84% of future demand. Higher levels in Waikanae and Ōtaki likely reflect opportunities for greenfield development, whereas standalone housing in Paraparaumu and Raumati is likely to increasingly reflect infill development.*
- c) *Terraced housing, flats and apartments is set to increase, up to 12% of future demand to 2047. Half of this is expected in Waikanae, just under a quarter in Paraparaumu, and 12% and 7% in Raumati and Ōtaki respectively.*
- d) *Opportunities for development may look different across these areas. Development in Waikanae is likely to come from a mix of development types such as terraced housing and townhouses in Ngārara, as well as future retirement developments which are typically higher density. Paraparaumu is likely to see development of terraced housing and apartments in proximity to the District centre and close to transport connections and amenities.*

With respect to housing feasibility and realisation, the HBA Report outlines that Kāpiti District has a feasible residential capacity of 6,052 dwellings across all forms of residential development. Of the 6,052 feasible dwellings, 2,742 come from greenfield land supply. The remaining 3,310 come from potential infill development, redevelopment or intensification of existing urban areas. Applying a further test of the likelihood of development identifies, the HBA report identifies a realisable development capacity of 4,935 dwellings over the 30 years to 2047.

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

Waikanae is expected to sustain its current high levels of greenfield activity through the medium-term and into the long-term, where current greenfield opportunities will start to become exhausted. Some intensification will start to emerge in proximity to the train station and town centre.

Even if there wasn't a shortfall in housing supply, the NPS-UD calls for a 20% oversupply of feasible development to be provided in the short and medium term, and a 15% oversupply in the long-term to overcome the issue of housing supply. As noted above, this recognises that, for a range of reasons, not all feasible development capacity will be taken up.

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

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

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

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

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

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

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

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

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

The proposal will add significantly to development capacity of the District given that it will account for nearly 15% of the shortfall in housing demand.

Prior to exploring this referral process, work had advanced to explore a private plan change as an out of sequence land release (as envisaged by Policy 8 NPS-UD). Given the timing advantages of consents processed under this Act, these plan change works have been placed on hold. Importantly, development of this site in the manner proposed (irrespective of the process used) accords with meeting an identified housing capacity constraint described above.

While the Proposal might be considered to be “ahead” of the action being taken to respond to the capacity shortfall, it is consistent with the NPS-UD, which envisages that situations may arise in which planning decisions must be made which are ‘unanticipated’ or ‘out of sequence’. In this instance the outcome is not unanticipated but the mechanisms to achieve that outcome are lagging. The granting of consents under this Act enables development to progress to meet the capacity constraint and contribute significantly to the provision of employment and economic stimulus in the wake of the pandemic and will be followed by a rezoning to Residential via the District Plan review process that will give effect to the outcomes envisaged in the Growth Strategy.

In that context, the provision of approximately 410 homes over the next decade, will deliver significant development capacity to an area of high demand. Further, it will enable more people to live in an urban environment which is close to a centre zone and where, based on population projections and the shortfall in land supply, there is high demand for housing relative to surrounding areas.

The location and layout of the project, as well as the provision of pedestrian and cycle ways, are intended to encourage alternative transport modes which will support reductions in greenhouse gas emissions. The project will also deliver a variety of homes at a range of typologies and prices (including affordable housing) to meet the needs of different households. Its close proximity to Waikanae and the key transport links into Wellington will ensure good accessibility for residents.

The Economic Assessment provided in Appendix 10 states the following with respect to consistency with the NPS-UD:

“The proposal helps to achieve the NPS-UD objectives as it increases the range of housing available to the market. As outlined above, the proposal would provide additional housing within the \$610,000 - \$1,310,000 price range with around 234 (57%) of dwellings selling for an estimated price between \$610,000 and \$750,000. The proposal, therefore, provides housing that meets the market demand for additional dwellings”

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

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

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

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

- a) The proposal seeks to avoid effects on the identified wetlands and only includes limited works adjacent to the Waimeha Stream. Any culvert works will be subject to the conditions of the NES-F.
- b) While the policies in relation to Te Mana o te Wai require regional councils to engage with mana whenua to determine these principles, the effects of the works which relate primarily to the control of stormwater and sediment will be minimised. Consequently, the health of freshwater will be protected in a manner that is consistent with Te Mana o te Wai.
- c) While Policy 3 is directed to local authorities, the Project is consistent with this policy insofar as it has been designed and planned in an integrated manner, recognising potential impacts of the proposal on water quality in the receiving environment and implementing appropriate measures to avoid and minimise such impacts. These will include a range of management techniques relating to the control of erosion and sediment discharges from earthworks to maintain freshwater quality, and the use of a stormwater detention area to control stormwater quality and discharge rates to ensure freshwater is not adversely affected by stormwater from the site.
- d) The proposal has been designed to achieve hydraulic neutrality and the design of the stormwater system for the site has taken account of climate change impacts. Therefore, the proposal has been designed to take into account public stormwater infrastructure and avoid adverse effects on it.
- e) The ECMP will include measures that will be undertaken to monitor the effects of the proposal on receiving environments.

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

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

The NES includes provisions for rivers and wetlands as well as farming activities. The resource consent application will include seeking consent under the NES for earthworks and diversion of water within 100m and 10m of a wetland and for a culvert within a watercourse.

4. ALIGNMENT WITH CRITERIA

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

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

Refer commentary below.

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

Refer detailed discussion in Section 5.1 below. The assessment concludes that the Project will achieve the purpose of the Act.

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

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

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

(b) an activity that—

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

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

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

The subject site is a single landholding owned by Thames Pacific who are the applicants for this referral.

(c) an activity that—

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

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

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

(d) an activity that—

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

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

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

(4) To avoid doubt,—

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

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

The above point is noted.

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

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

The purpose of this Act is to urgently promote employment growth to support New Zealand's recovery from the economic and social impacts of COVID-19 15 and to support the certainty of

ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources.

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

- (a) the project's economic benefits and costs for people or industries affected by COVID-19:*
- (b) the project's effect on the social and cultural well-being of current and future generations:*
- (c) whether the project would be likely to progress faster by using the processes provided by this Act than would otherwise be the case:*
- (d) whether the project may result in a public benefit by, for example,—*
 - (i) generating employment:*
 - (ii) increasing housing supply:*
 - (iii) contributing to well-functioning urban environments:*
 - (iv) providing infrastructure in order to improve economic, employment, and environmental outcomes, and increase productivity:*
 - (v) improving environmental outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity:*
 - (vi) minimising waste:*
 - (vii) contributing to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy (in terms of reducing New Zealand's net emissions of greenhouse gases):*
 - (viii) promoting the protection of historic heritage:*
 - (ix) strengthening environmental, economic, and social resilience, in terms of managing the risks from natural hazards and the effects of climate change:*
- (e) whether there is potential for the project to have significant adverse environmental effects, including greenhouse gas emissions:*
- (f) any other matter that the Minister considers relevant.*

These matters are assessed in the following sections and are also addressed in the Business Case attached as **Appendix Two**.

4.1.1 ECONOMIC COSTS AND BENEFITS

ECONOMIC BENEFITS DURING CONSTRUCTION

Construction has historically been a major driver for growth within New Zealand, directly employing about 258,000 people in residential, heavy and civil construction, and constructions services.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 potential economic impacts of the proposal were assessed by Urban Economics and this has formed part of the *Economic Assessment* provided in **Appendix Ten**. The assessment states the following:

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

Figure 12 in the Economic Assessment outlines the value-added and FTEs that the proposed development would generate. It is estimated that the construction of the proposed development would result in a total of 747 FTE jobs (186 FTE per year) and would contribute \$99.3 million to GDP. These jobs would be in roading, construction, landscaping, planting, land surveying, administration and support services and other related activities.

Figure 13 in the Economic Assessment estimates national ‘value-added per FTE employee’. These values added per employee figures are used to estimate the FTE employees created by the construction project expenditure.

More generally, the *Economic Assessment* states that:

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

Additionally:

- a) The development will deliver 410 new homes into the market, with a focus on delivering a range of tenure types, including standalone housing and more affordable terrace houses.
- b) The development of the Waikanae site will address a significant under supply of housing in Kāpiti Coast and the Wellington Region – Kāpiti is experiencing chronic housing affordability issues and Waikanae, which has historically been seen as being affordable, is now unaffordable to most.
- c) There will also be associated financial and development contributions for local councils as part of the development.

Indirect benefits include supplies and services purchased by the construction team, or by contractors engaged by Thames Pacific. These include the wholesale and retail building supplies, and legal,

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

telecommunications, administrative and accounting services. The vast majority of Thames Pacific's contractors and materials are locally sourced, ensuring that the benefits remain within the local economy. Other professional services, such as real estate and conveyancing services, are expected to benefit as housing is released into the market

ECONOMIC BENEFITS POST COMPLETION

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

- a) Salaries earned by local residents being spent on purchasing household goods and services, boosting the regional economy;
- b) Increased housing both through the provision of new housing in the development and the release of existing homes which are released back on the market;
- c) "New money" coming into the area as a result of the development;
- d) Increased household incomes flowing through the local community; and
- e) Possible increased visitor benefits.

4.1.2 SOCIAL AND CULTURAL WELLBEING

The Project will enable the development of 410 homes in an area that is facing a shortfall in development capacity. As an indication of the current demand, the developers and agents for Manu Park have received thousands of registrations of interest for purchasing within the development and the development stages have taken less than 48 hours to sell.

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 by the District Council as being appropriate for that purpose. This increase in housing supply will enable the social and economic wellbeing of the community to be maintained and enhanced.

The Project provides for residential development at a density of nine 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 that will cater for residents of differing demographics and stages of life which will satisfy the on-going needs of future generations.

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

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

4.1.3 CONSENTING PROCESS

The Project will progress faster than using the alternative RMA processes. Obtaining consent by way of a plan change and subsequent consents under the 'standard' RMA process is expected to take 2 – 4 years depending on appeals. Subdivision would likely occur in 2026/2027.

4.1.4 PUBLIC BENEFITS

EMPLOYMENT

As noted in the attached Business Case and Economic Assessment, over 747 FTE will be created by the Project and will contribute \$99.3 million to the economy.

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

HOUSING SUPPLY

The Kāpiti Coast, including Waikanae, has seen significant development in recent years and is expected to continue to grow with the completion of Transmission Gully (in addition to the new Expressway). This has driven strong growth in the residential market with median prices in Waikanae increasing by approximately 46% since 2016.

As noted above, the HBA Report has identified that:

- f) *Kāpiti District will grow by between 13,441 to 15,761 people from 2017 to 2047.*
- g) *To accommodate this growth, the District will require between 6,595(134) and 6,707 new dwellings.*

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

Waikanae is expected to sustain its current high levels of greenfield activity through the medium-term and into the long-term, where current greenfield opportunities will start to become exhausted. Some intensification will start to emerge in proximity to the train station and town centre.

The Project would reduce land demand pressure and make further residential housing available as new owners release their properties to the market. The Project will account for over 12% of the shortfall in housing in the District, therefore providing a significant contribution to alleviating current and forecast housing supply pressures.

CONTRIBUTING TO WELL-FUNCTIONING URBAN ENVIRONMENTS

The Project is located on a site that is adjacent to a new residential development and on the periphery of the Waikanae township. In anticipation of future residential development on the site, the adjacent development has been designed to include a future road connection. This road connection is currently under construction as part of the Stage 3 works. The Site therefore represents a logical expansion of an existing urban area.

Given its excellent location with respect to services, amenities and transport and that it doesn't contain LUC Class 1 or 2 soils, the site has been identified by the District Council as a greenfield growth area.

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

- a) The Project will achieve a positive interface with the emerging adjacent residential environment and maintain the amenity and operational functions of surrounding rural properties.
- b) The Project provides appropriate connectivity to adjacent urban areas. Refer further assessment in the *Traffic Assessment*.

- c) Given its location in close proximity to public transport and the Waikanae town centre, it is suitable for the level of density proposed. Refer further assessment in the *Urban Design Assessment*.
- d) While the Site will be modified through earthworks and building construction, the proposal will result in a concentrated urban form surrounded by considerable areas of open space, including the large stand of native bush.
- e) Access, parking and servicing will be designed to meet the relevant provisions of the District Plan or industry recognised best practice standards;

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

PROVISION OF INFRASTRUCTURE

The Project would contribute to improving housing infrastructure in the Waikanae area. On average, for every dollar spent on construction, around 77% to 88% is retained in the region and the remaining 12% to 23% is present within the wider New Zealand economy.

The Applicant will also pay approximately \$7m in development and reserves contributions for the District Council as part of the Project. This will support local public growth infrastructure, public community reserves (including environmental initiatives) and employment from infrastructure and reserve projects.

ENVIRONMENTAL OUTCOMES – FRESHWATER QUALITY

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

The Project will preserve the identified wetlands and offer possibility for enhancement. The Project would result in changes to the hydrology of the wetlands to make them wetlands in perpetuity. In addition, the creation of the enhancement wetland will result in an overall improvement in wetland habitat provided by the Project.

As noted, a tributary of Waimeha Stream bisects the site. Potential effects on stream ecology relate to the construction of a culvert, the control of stormwater and sediment from the Site, and management measures proving inadequate during high rainfall events. Given the low likelihood of such an occurrence, and subject to appropriate monitoring and maintenance, such effects will be low. This will be outlined in the Ecological Assessment that will accompany the resource consent application if the referral is approved.

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

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

ENVIRONMENTAL OUTCOMES – INDIGENOUS BIODIVERSITY

As noted, resource consent is sought to account for the loss of indigenous vegetation on site prior to the purchase of the site by the current landowner. Restoration planting is proposed to improve the ecological value of the ecological site. Subject to agreement with Council, it is proposed that the ecological area is vested in order to enable public access within the area (via existing tracks). This would provide a significant asset to the proposed development.

In addition, street and reserve plantings as part of the Project will be dominated by native species. In that regard, the project will support the establishment and prosperity of indigenous biodiversity.

CLIMATE CHANGE

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

Also, climate change effects such as an increase in extreme weather events including storms has been taken into account in the design of the development. The stormwater concept will be designed to the Council standards, with the general design to a 10% AEP rainfall level including 20% increase for climate change. Climate change will also be taken into account in the sizing of the design and sizing of sediment control devices including the DEBs and SRPs and the associated catchments of these devices. Also, freeboard levels will be set at levels that are compliant with the NZ Building Code.

HISTORIC HERITAGE

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

In addition, the Applicant has commenced engagement with Te Atiawa over the proposed development and any further updates on this consultation will be provided to MfE. As required, a Cultural Impact Assessment will be provided with the fast-track resource consent application if the referral application is approved.

4.1.5 SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECTS

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

5. PERSONS AFFECTED

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

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

- a) Te Atiawa;
- b) Kāpiti Coast District Council;
- c) Greater Wellington Regional Council;
- d) Waka Kotahi NZ Transport Agency; and,
- e) Electra Limited.

5.1 CONSULTATION

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

5.1.1 KĀPITI COAST DISTRICT COUNCIL

Correspondence has been undertaken with Kāpiti Coast District Council on all levels including with Senior Executives and with Council Officers, including the team responsible for the development of the Growth Strategy. The Project Authorised Person presented to Counsellors at the Growth Strategy hearing where there was general discussion relating to the possibility of applying to advance the development via the fast-track consenting process.

5.1.2 GREATER WELLINGTON REGIONAL COUNCIL

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

5.1.3 WAKA KOTAHĪ NZ TRANSPORT AGENCY

At the time of writing no formal correspondence has been undertaken with Waka Kotahi. Given recent restructures within Waka Kotahi, the Applicant is still awaiting confirmation of the relevant staff to engage with.

5.2 TREATY SETTLEMENTS

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

There are no treaty settlements that apply to the Site.

6. WHAT IS NEEDED TO COMPLETE THE PROJECT

6.1 LEGAL INTERESTS

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

6.2 LEGAL AUTHORISATIONS

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

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

6.3 RESOURCE CONSENTS AND RESOURCE CONSENT STATUS

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

The Applicant seeks all necessary consents for the proposal.

Resource consent(s) / Designation required (click to place an "X" in the relevant box/s):

- ☒ Land-use consent
 ☐ Subdivision consent
 ☐ Coastal permit
☒ Water permit
 ☒ Discharge permit
 ☐ Designation
☐ Alteration to designation

Thames Pacific seeks all necessary consents for the project as detailed in **Table Two** below.

Lot 1 DP 87123 & Part Lot 4 DP 7019

TABLE TWO: RULE AND STANDARD ASSESSMENT		
RMA SECTION	RULE / ACTIVITY	COMMENT
KAPITI COAST OPERATIVE DISTRICT PLAN		
15	GRUZ-R10	Restricted Discretionary Activity Buildings and development in the Rural Eco-Hamlet Precinct that does not comply with applicable standards.
15	GRUZ-R14 SUB-RUR-R53	Restricted Discretionary Activity Development which is undertaken in accordance with the Development Incentives Guidelines set out in Natural Environment Appendix 1.
15	SUB-RUR-R54	Non-Complying Activity Subdivision in any Rural Zone which does not comply with one or more of the restricted discretionary activity subdivision standards 2 to 7 in Rural SUB-RUR-R51 or Standards 1, 2 and 4 in Rule SUB-RUR-R52.
15	EW-R5	Restricted Discretionary Activity Earthworks not complying with one or more of the permitted activity standards in EW-R2 or EW-R3. Earthworks will be required to form the road and create level building platforms.
15	ECO-R7	Restricted Discretionary Activity Retrospective resource consent for the clearance of indigenous vegetation protected in Schedule 1 of the District Plan.
15	NH-FLOOD-R8	Restricted Discretionary Activity Earthworks within a flood hazard (ponding) area.
15	NH-FLOOD-R9	Restricted Discretionary Activity Any activity within a flood hazard (ponding) area which does not comply with one or more of the associated standards.
15	TR-R10	Restricted Discretionary Activity For generating more than 100 vehicle movements per day

TABLE TWO: RULE AND STANDARD ASSESSMENT

RMA SECTION	RULE / ACTIVITY	COMMENT
15	TR-R9	Controlled Activity For the construction of a new road
PROPOSED NATURAL RESOURCES PLAN (APPEALS VERSION)		
LAND DISTURBANCE		
9 AND 15	R99 (PERMITTED)	Discretionary Activity
	R101 (DISCRETIONARY)	<p>Under Rule R99 of the PNRP-AV, the use of land, and the associated discharge of sediment-laden runoff stormwater into water, or onto or into land where it may enter water, from earthworks of up to a total contiguous area up to of 3,000m² per property per 12-month period is a Permitted Activity, provided that conditions are met.</p> <p>The proposal will exceed 3,000m² in area per 12-month period. Therefore, the earthworks and associated discharges of sediment laden stormwater to land where it may enter water requires consent for a Discretionary Activity under Rule R101.</p> <p>For completeness and while not applicable, the project engineer has confirmed that the proposed earthworks will comply with the conditions of Rule R99.</p>
VEGETATION CLEARANCE		
9	R100 (PERMITTED)	Discretionary Activity
	R100 (DISCRETIONARY)	<p>Vegetation clearance rules in the PNRP-AV apply to erosion prone land (being land with a pre-existing slope that exceeds 20 degrees). Under Rule R100, vegetation clearance on erosion prone land is a Permitted Activity provided that the conditions are met.</p> <p>As vegetation clearance will be undertaken within 5m of a stream, the proposal does not comply with clause (c) of Rule R100 of the PNRP-AV and Discretionary Activity resource consent is required under Rule R101. All other conditions of R100 will be complied with.</p> <p>The Applicant and its consultants will confirm in the resource consent application that the site works will be undertaken to ensure compliance with the relevant 'uses of beds of lakes and rivers general conditions' in Section 5.5.4 of the PNRP-AV.</p>
DISCHARGE OF STORMWATER (OPERATIONAL)		
9	R48A (PERMITTED)	Restricted Discretionary Activity
	R52A (RESTRICTED DISCRETIONARY)	<p>The proposal includes the discharge of stormwater to a new piped network that will discharge to the existing reticulated network.</p> <p>Under Rule R48A of the PNRP-AV, the discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing local authority stormwater network, from:</p> <ol style="list-style-type: none"> a new urban subdivision or development associated with earthworks up to a total area of 3,000m² per property per 12-month period, or a new urban subdivision or development in an area where a stormwater management strategy in accordance with Schedule N (stormwater strategy) applies is a permitted activity provided the following condition is met: the discharge shall comply with the conditions of Rule R48 except condition R48(c). <p>is a Permitted Activity provided that conditions are met. The new development includes associated earthworks that exceed 3,000m² and therefore the proposal is unable to comply with the above rule. In relation to the R48 conditions, the project engineers will confirm in the application that:</p>

TABLE TWO: RULE AND STANDARD ASSESSMENT

RMA SECTION	RULE / ACTIVITY	COMMENT
		<p>f) The discharge does not originate from industrial or trade premises where hazardous substances are stored;</p> <p>g) The discharge is from a contaminated site;</p> <p>h) The discharge will not contain wastewater;</p> <p>i) The total concentration of total suspended solids in the discharge shall exceed: 100g/m³ where the discharge enters any other fresh or coastal water</p> <p>j) The discharge will not cause any erosion of the channel or banks of the receiving coastal marine area;</p> <p>k) The discharge will not give rise to the following effects beyond the zone of reasonable mixing:</p> <ul style="list-style-type: none"> - The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or - Any conspicuous change in the colour or visual clarity, or - Any emission of objectionable odour, or - Any significant adverse effects on aquatic life. <p>Under Rule R52A of the PNRP-AV, the discharge of stormwater from a new subdivision or development into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing local authority stormwater network, that is not permitted by Rule R48A is a Restricted Discretionary Activity.</p> <p>The matters to which Council have restricted its discretion are as follows:</p> <ol style="list-style-type: none"> 1. <i>Measures to minimise the adverse effects of stormwater discharges in accordance with Policy P73, including the extent to which water sensitive urban design measures are employed;</i> 2. <i>Measures to manage runoff volumes and peak flows in accordance with Policy P79; and,</i> 3. <i>Requirements of any relevant local authority stormwater network discharge consent.</i>
DISCHARGE OF STORMWATER TO LAND		
9	R49 (PERMITTED)	Discretionary Activity
	R53 (DISCRETIONARY)	It is not clear in the Summary of Decisions documentation whether the 'stormwater to land' provisions apply in addition to the provisions related to stormwater discharge associated with new urban development. For completeness, assessment against the stormwater to land provisions is provided below.
		<p>Under Rule R49 of the PNRP-AV, the discharge of stormwater onto or into land, including where contaminants may enter groundwater, from an individual property is a permitted activity provided that conditions are met. Condition (a) requires that the discharge is not from, onto or into SLUR Category III land contaminated land. The proposed operational stormwater discharges will comply with all of the conditions of Rule R49.</p> <p>Under Rule R53, the discharge of stormwater, including stormwater that may be contaminated by wastewater, into water or onto or into land where it may</p>

TABLE TWO: RULE AND STANDARD ASSESSMENT		
RMA SECTION	RULE / ACTIVITY	COMMENT
		enter water, that is not permitted by Rules R48, R48A or R49, or controlled by Rule R50, or a restricted discretionary activity under Rules R51, R52 or R52A is a Discretionary Activity.
NATIONAL ENVIRONMENTAL STANDARD FOR FRESHWATER		
9	REGULATION 54	Non-Complying Activity Earthworks and diversion of stormwater within 100m of a natural wetland. Earthworks within 10m of a wetland.
15	Regulation 71	Discretionary Activity Placement and use of a culvert

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.

6.3.1 RESOURCE CONSENT STATUS

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

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

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

- a) *the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
- b) *the application is for an activity that will not be contrary to the objectives and policies of—*
 - (i) *the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
 - (ii) *the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
 - (iii) *both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

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

With respect to potential environmental effects, as noted above, there is no potential for the Project to have significant adverse environmental effects and adverse effects will be avoided, remedied or mitigated

and any residential effects will be readily managed through proffered conditions. Given allotment design and layout, the project team are confident that potential effects can be appropriately mitigated to a less than minor extent.

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

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

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

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

7. OTHER MATTERS

7.1 PREVIOUS RESOURCE CONSENTS

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

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

7.2 CLIMATE CHANGE AND NATURAL HAZARDS

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

7.3 ENFORCEMENT

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

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

8. CONCLUSION

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

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

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

Under the Act, the Project will progress faster than using the alternative RMA processes. Obtaining consent by way of a plan change and subsequent consents under the 'standard' RMA process is expected to take 2 – 4 years depending on appeals. Subdivision would likely occur in 2026/2027.

In addition to the Project's outcomes reaching the community faster via the Act, the project will promote employment and growth in a way that supports the region's recovery from the economic and social impacts of COVID-19. There will be significant investment in the local community of approximately \$600 million, providing jobs and significant flow-on economic benefits. There are opportunities through the

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

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

There is no potential for the proposal to have residual significant adverse environmental effects, and as outlined in Section 4 below, adverse effects will be avoided, remedied or mitigated. Effects can be readily managed through conditions.

The Project is considered to be consistent with the objectives and policies in the NPS-UD. Further, while the Project may be inconsistent with the current provisions of the District Plan that relate to the current zoning of the Site, this inconsistency will be remedied when the Project is formally identified as a growth area in the Growth Strategy. In the meantime, the NPS-UD is considered to provide the overarching policy direction, this enables the constraints of the outdated District Plan to be overcome for proposals which provide development capacity and contribute to a well-functioning urban environment.

9. LIMITATIONS

This report:

- a) Is for the use by the Thames Pacific and the Ministry for the Environment only and must not be used or relied upon by any other person or entity or for any other project; and,
- b) Has been prepared for a specific project described to use and its extent is limited to the scope of work agreed between the client and Scope Planning Limited.

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