Appendix 6: NES-F Assessment

Purpose

The purpose of this assessment is to assess the proposal against Regulation 45C of the National Environmental Standards for Freshwater (NES-F) with regard to wetland works.

NES-F requirements

Works in or near wetlands for urban development is a Restricted Discretionary Activity under Regulation 45C(1)-(5) of the NES-F. The proposal involves the works listed under (1) to (5) including vegetation clearance, earthworks/land disturbance, diversion and discharges of water.

Regulations 45C(6) and (7) set out the criteria that must be considered for consent to be granted:

> *(6) A resource consent for a restricted discretionary activity under this regulation must not be granted unless the consent authority has first—*
>
> *(a) satisfied itself that the urban development—*
>
> *(i) will contribute to a well-functioning urban environment; and*
>
> *(ii) will provide significant national, regional, or district benefits; and*
>
> *(b) satisfied itself that—*
>
> *(i) there is no practicable alternative location for the activity within the area of the development; or*
>
> *(ii) every other practicable alternative location in the area of the development would have equal or greater adverse effects on a natural inland wetland; and*
>
> *(c) applied the effects management hierarchy.*
>
> *(7) A resource consent for a restricted discretionary activity under this regulation must not be granted if the activity—*
>
> *(a) occurs on land other than land that is identified for urban development in the operative provisions of a regional or district plan; or*
>
> *(b) occurs on land that is zoned in a district plan as general rural, rural production, or rural lifestyle.*

The matters of discretion under Regulation 45C(11) cover similar matters as Regulations 45C(6) and (7):

> *(11) The discretion of a consent authority is restricted to the matters set out in regulation 56 and the extent to which—*
>
> *(a) the urban development will be of significant national, regional, or district benefit; and*

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

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

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

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

The above matters are assessed in turn below.

Regulation 45C(6)(a)(i): Will the urban development contribute to a well-functioning urban environment?

Policy 1 of the National Policy Statement on Urban Development (NPS-UD) provides a set of criteria for what can be considered a 'well-functioning urban environment'.

Policy 1: *Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*

(a) have or enable a variety of homes that:

(i) meet the needs, in terms of type, price, and location, of different households; and

(ii) enable Māori to express their cultural traditions and norms; and

(b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and

(c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and

(d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and

(e) support reductions in greenhouse gas emissions; and

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

These criteria are assessed in Appendix 5 on page 3 which finds that the Proposal will contribute to a well-functioning urban environment. This is because:

- Clause (a) – As detailed in the Economic Assessment (Appendix 15), the Proposal will contribute to meeting the District's housing demand as it will provide for an increase in housing supply, including in the aged-care housing typology that is in demand. This will cater for Kāpiti's ageing population while freeing up existing residential housing stock for others in the market reducing land demand pressure. There has been a significant increase in demand for retirement housing in the Kāpiti Coast as elderly people gravitate towards the area due to proximity to the coast and slower lifestyle. The Proposal would enhance the variety of living options, price points, and overall growth potential within Kāpiti Coast's senior residential

market, contributing positively to the creation of a 'well-functioning' urban environment. The proximity of the Site abutting existing urban development also assists the Proposal with being an appropriate use of the land. The retirement village will include on-site hospital and rest home level care which will reduce pressure on the existing healthcare network in Kāpiti where there is no hospital and current medical centres are at capacity.

- Clause (b) – The Proposal is predominantly for residential and aged-care development and does not provide sites for different business sectors, however the proposed development includes provision of housing, healthcare, recreation and other facilities within the site which will serve the daily convenience needs of residents.
- Clause (c) – The proposed development will provide housing, healthcare, recreation and other facilities within the site which will serve the daily convenience needs of residents, reducing reliance on private vehicles. The Site is well-located for multi-modal transport outside the development, including being in close proximity to the Paraparaumu Metropolitan Centre and its associated facilities and amenities.
- Clause (d) – The Proposal supports competitive land markets as it enables housing in a location where there is high demand and constrained supply as outlined in the Economic Assessment provided in Appendix 15.
- Clause (e) – Greenhouse gas emissions from vehicle travel are addressed through the provision of multi-modal transport options, while removing stock from the Site will reduce methane emissions. The Site is well located in relation to commercial and community services, natural and open spaces, and active transport routes, including through its proximity to the Paraparaumu Metropolitan Centre and its associated facilities and amenities. The design and layout of the development will encourage low-emission transport modes, including walking and cycling, as alternatives to private vehicle use. In addition, the provision of housing, healthcare, recreation, and other facilities on site will meet residents' daily needs and further reduce reliance on private vehicles.
- Clause (f) – The future impacts of climate change have been considered through design of the stormwater management system, including the use of nature-based solutions such as retention wetlands. These systems are designed to future proof the development against the predicted impacts of climate change such as increased rainfall intensity.

For these reasons, the Proposal is consistent with Objective 1 and Policy 1 of the NPS-UD as it contributes to a well-functioning urban environment which will provide for the social and economic wellbeing, and health and safety of the occupants.

Regulation 45C(6)(a)(ii): Will the urban development provide significant national, regional or district benefits?

The development will provide significant economic benefits, as well as environmental, social and cultural benefits, as outlined below. As such, it is consistent with Regulation 45C(6)(a)(ii).

<u>Economic benefits</u>

The Proposal will provide significant district and regional economic benefits. It will deliver 257 independent living units, 40 assisted living suites and 30 care suites, and 20 memory care suites

materially increasing the supply of retirement and aged-care accommodation in response to identified demand from Kāpiti's ageing population. This additional supply will also enable some existing family homes to return to the wider housing market.

The Economic Assessment estimates that the project will result in $258m in Net Present Value to the Wellington Regional Economy[1]. Construction is expected to support approximately 738 FTE-years of direct employment, with further indirect and induced employment created through expenditure on professional services, materials, contracting and local suppliers.

Once operational, the village is expected to support approximately 53 ongoing FTE positions, including caregiving, housekeeping, administration and maintenance roles. The Proposal will therefore provide both substantial short-term construction activity and enduring local employment and expenditure.

Environmental benefits

The proposed retirement village will deliver significant environmental benefits compared with the site's existing rural use. Ecological assessments identified the existing wetlands and stream as highly modified and of generally low ecological value. The development provides an opportunity to restore and enhance these habitats through extensive indigenous planting, wetland creation, and riparian restoration, resulting in a net gain in biodiversity and ecological function.

The Proposal will also improve freshwater management through the creation of integrated wetland and stormwater systems that provide water quality treatment, flood storage, and hydraulic neutrality.

More broadly, the retirement village represents an efficient form of urban development within an area now zoned for residential growth. By utilising existing infrastructure, incorporating energy-efficient design, extensive landscaping, and reducing the need for travel through on-site amenities and services, the proposal supports climate change mitigation while creating a more sustainable and environmentally responsive urban environment.

Social benefits

The Proposal will provide a range of purpose-built housing and care options that enable older people to remain within the Kāpiti community as their needs change. The combination of independent living, assisted living and care suites will support ageing in place, while on-site healthcare, recreation and communal facilities will promote residents' health, independence and social connection.

On-site hospital and rest-home-level care will also reduce pressure on the existing Kāpiti healthcare network. Providing services within the village will improve access to care for residents and reduce the need for travel to external health and community facilities.

The Proposal will contribute to a well-functioning urban environment by increasing housing choice in an identified growth area now zoned for urban development. It will also support more efficient use of the wider housing stock by providing downsizing opportunities for older residents, potentially releasing larger homes for families and other households.

[1] Refer page 26 of Economic Assessment (Total NPV at 2% over a 7-year development period).

Cultural benefits

The Proposal has been informed by engagement with iwi authorities and relevant Māori groups, predominantly Ātiawa ki Whakarongotai. That engagement identified particular mana whenua interests in freshwater, ecological restoration and the management of any archaeological discoveries. Ongoing engagement will enable those interests to continue to inform detailed design, construction and monitoring.

The proposed restoration and enhancement of wetlands, riparian areas and the modified watercourse will support improved freshwater health and biodiversity. These outcomes align with mana whenua aspirations for kaitiakitanga, wai ora and the restoration of degraded waterways expressed through engagement and Te Whaitua o Kāpiti Implementation Programme.

Although no recorded archaeological sites are located within the Site, the wider area has a history of Māori occupation and there remains potential for subsurface material to be encountered. The proposed archaeological authority and accidental discovery procedures will ensure that any archaeological or cultural material discovered during earthworks is appropriately identified and managed.

Through wetland restoration, riparian enhancement and continued engagement with mana whenua, the proposal provides opportunities to support cultural values associated with freshwater, biodiversity and kaitiakitanga.

Regulation 45C(6)(b)(i): Is there another practicable alternative location for the activity within the area of the development?

The Proposal has been designed to avoid and minimise effects on natural inland wetlands and to locate development within the most suitable areas of the Site, having regard to topography, flood management requirements, transport access, geotechnical constraints, infrastructure servicing, and the need to provide an integrated retirement village layout.

The identified wetlands are dispersed throughout the site, including within areas required for internal roads, building platforms, stormwater infrastructure and the central village layout. Relocating the activity to other parts of the development area would not avoid effects on natural inland wetlands to any meaningful extent because wetlands are distributed across the site and many alternative locations are constrained by flood storage requirements, significant landforms, access arrangements, or the need to establish the centralised wetland and stormwater treatment areas that form part of the development design. Accordingly, there is no practicable alternative location within the development area that would enable the activity to achieve its purpose while materially reducing effects on natural inland wetlands.

Regulation 45C(6)(b)(ii): To what extent do other practicable alternative locations within the area of development have equal or greater adverse effects on natural inland wetlands?

The wetlands present on the Site are small, fragmented features distributed throughout the development area rather than being confined to a discrete locality. Shifting buildings, roads, or other infrastructure to alternative locations would simply transfer effects to other wetland features and may increase overall wetland impacts by reducing the ability to consolidate development and establish the large centralised wetland system proposed as mitigation. The proposed layout has been developed to

enable integrated stormwater management and ecological restoration, including the creation of approximately 5,480m² of new wetland habitat and enhancement of the modified watercourse. Alternative configurations would likely reduce the efficiency and ecological functionality of these restoration measures while affecting a similar or greater extent of existing wetlands.

Accordingly, any other practicable alternative location within the development area would have equal or greater adverse effects on natural inland wetlands than the proposal as designed.

Regulation 45C(6)(c) – Has the effects management hierarchy been applied to wetland reclamation?

The Ecological Assessment follows the effects management hierarchy to address potential adverse effects noting that:

> *Arguably then there is no effect-based reason to undertake any offset actions because the effect is not more than minor after avoidance, minimisation and remedy (of which there is currently replacement of wetlands 4, 19, 6, 7 and 8 by the proposed better indigenous wetland system proposed). However, the NRP, and NPS FM both direct councils to avoid loss of extent and values of wetlands and despite the valid argument that the effect level does not warrant an offset (see Appendix 6 of the NPS FM i.e. to "redress more than minor residual adverse effects"). Summerset are interested in applying an ecological approach to their developments and are comfortable to offset the 1260m^2 of natural wetland not remedied with an onsite indigenous representative wetland development (two wetlands) totally some 5,480 m^2. This should be seen in the hierarchy as mitigation (i.e. remedial actions to return wetlands on site (in addition to those areas directly replaced), to a greater extent rather than lost requiring offset. For that reason also no BOAM model offset calculation is needed, but if one was to be undertaken in my experience it would result in a 1:1 ECR in any case.*

The Proposal is to create two large central wetlands totalling 5,480m² as mitigation for works affecting existing wetlands. The areas are proposed in the centre of the Site which is currently grazed, in poor condition, and cannot achieve better indigenous biological diversity without different management and restoration.

These two wetlands are designed to be at the end of a treatment train including rain gardens and a forebay and settlement area prior to water entering the wetlands.

The Ecological Assessment considers[2]:

> *Overall, the proposal is expected to deliver a significant net ecological gain for natural wetlands when compared with the ecological outcomes anticipated under the current land use.*

The Proposal is therefore consistent with **Regulation 45C(6)(c).**

[2] Refer page 35 of the Ecological Assessment.

Regulation 45C(7): Is the activity occurring on land identified for urban development?

The subject Site is identified for urban development in KCDC's 2022 Growth Strategy – Te Tupu Pai; and in the Kāpiti Coast District Plan as it is zoned general residential. The reclamation is not occurring on land that is zoned in a district plan as general rural, rural production, or rural lifestyle as per Regulation 47C(7)(b).

The Proposal is therefore consistent with Regulation 45C(7).