

## **Appendix K: Assessment of relevant planning documents**

Appendix K outlines the assessments of the following planning documents:

- National policy statements
- National environmental standards
- Statutory Acknowledgements
- Regional Policy Statement
- Regional Plan
- District Plans

### **1. National Policy Statements**

#### **1.1 National Policy Statement for Freshwater Management**

The National Policy Statement for Freshwater Management (NPS-FM) addresses, as a matter of national significance, the management of fresh water through a framework that considers and recognises Te Mana o te Wai as an integral part of freshwater management. It is relevant when assessing the effects of the Project on the quality of fresh water, freshwater ecosystems and values associated with freshwater bodies (streams and natural wetlands).

The concept of Te Mana o Te Wai, as described within the NPS-FM, refers to the integrated and holistic well-being of a freshwater body. Te Mana o te Wai acknowledges each water body has its own mauri and its own mana which must come first to protect the integrity of the water body.

This application acknowledges that each water body is a receiving water body for stormwater discharges, albeit that stormwater discharges to land will to a degree soak to ground via swales.

At the onset of the Project during the Single Stage Business Case (SSBC), Waka Kotahi has worked closely with Ngāti Pāhauwera and Maungaharuru Tangitū Trust as project partners. The advice received in cultural walkovers and ongoing discussions has informed ongoing project development. It is envisaged that further information provided by iwi in the Cultural Impact Assessment (CIA) reports will assist to identify potential effects of the Project on cultural values, aspirations and sites, and what measures might be taken to manage or mitigate those effects.

While traditionally, stormwater infrastructure has addressed and dealt primarily with water quantity, in order to meet NPS-FM policies, the stormwater infrastructure that formed the stormwater preliminary design report addressed, amongst other things, water quality (treatment), stream health (erosion protection), amenity and recreational values and cultural values.

The NPS-FW sets out objectives and policies for HBRC to implement freshwater management.

The level of stormwater treatment via STF’s, will safeguard the life-supporting capacity and aquatic values of Waikari River, Kings Creek and other waterbodies. Implementing the ESCP will ensure the temporary effects of earthworks and vegetation removal will mitigate and sustainably manage sediment being released into these waterbodies.

An assessment of relevant freshwater policies follows:

POLICY	ASSESSMENT
<p>Policy 1: Freshwater is managed in a way that gives effect to Te Mana o te Wai.</p>	<p>The advice received in cultural walkovers from Maungaharuru Tangitū Trust and Ngāti Pāhauwera, and ongoing discussions has informed the Project design and development. Further information provided by Maungaharuru Tangitū Trust and Ngāti Pāhauwera in the CIA reports will assist to identify potential effects of the Project on cultural values, aspirations and sites, and what measures might be taken to manage or mitigate those effects. The CIA reports are integral to put into effect the concept of Te Mana o Te Wai.</p>
<p>Policy 2: Tangata whenua are actively involved in freshwater management (including decision-making processes), and Māori freshwater values are identified and provided for.</p>	<p>The early and ongoing involvement of Maungaharuru Tangitū Trust and Ngāti Pāhauwera demonstrates their active involvement to inform the decision-making process. Upon receipt of their respective CIA’s, their findings will assist Waka Kotahi further refine the final Project design.</p>
<p>Policy 3: Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.</p>	<p>The catchment wide approach to managing freshwater incorporates mitigation measures, including to minimise vegetation removal, undertake construction methods to minimise stream disturbance and stormwater treatment train approach to address the ‘whole of catchment’ approach. Furthermore, the NPS-FM (2020) has an obligation to achieve no net loss, and preferably a net gain, in the extent and values of wetlands. This includes the requirement to investigate opportunities to avoid, minimise, restore and offset wetland loss and is addressed in detailed with the Ecological Assessment Report coupled with the Stormwater Preliminary Design Report.</p>
<p>Policy 4: Freshwater is managed as part of New Zealand’s integrated response to climate change.</p>	<p>This policy is addressed through implementation of low impact design in stormwater infrastructure and stormwater treatment facilities.</p>

POLICY	ASSESSMENT
<p>Policy 5: Freshwater is managed through a National Objectives Framework to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.</p>	<p>HBRC has not yet commenced its process for the National Objectives Framework (NOF) and so there are no limits to manage against. However, under the RMA there is an obligation to apply the mitigation hierarchy of avoiding, minimising, and mitigating adverse effects, including on wetlands. Under the NES-FW there is also an obligation avoid the loss of the extent of natural wetlands. This obligation was addressed as design options were assessed at the outset of the Project as part of a Multi-Criteria Analysis (MCA) that was undertaken during the SSBC, and further examined within the Ecological Assessment Report, with appropriate findings and suggested offsets.</p>
<p>Policy 6: There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.</p>	<p>This policy is addressed under the biodiversity offset section within the Ecological Assessment Report, noting the potential loss of natural stream habitat and natural wetland habitat that cannot be adequately mitigated will require biodiversity offsets.</p>
<p>Policy 8: The significant values of outstanding water bodies are protected.</p>	<p>These policies are addressed, where applicable, in the context of minor watercourse diversions, interceded with low impact stormwater design solutions and the mitigation measures including to minimise vegetation removal, undertake construction methods to minimise stream disturbance, stormwater treatment train approach as demonstrated in the Ecological Assessment Report.</p>
<p>Policy 9: The habitats of indigenous freshwater species are protected.</p>	
<p>Policy 10: The habitat of trout and salmon is protected, insofar as this is consistent with Policy 9.</p>	
<p>Policy 11: Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.</p>	<p>Not applicable.</p>
<p>Policy 12: The national target (as set out in Appendix 3) for water quality improvement is achieved.</p>	<p>Not applicable.</p>

POLICY	ASSESSMENT
<p>Policy 13: The condition of water bodies and freshwater ecosystems is systematically monitored over time, and action is taken where freshwater is degraded, and to reverse deteriorating trends.</p>	<p>The outcomes and mitigation measures such as minimising vegetation removal and good practice associated with construction methods may assist to mitigate existing freshwater degradation of Waikare River, Kings Creek and other unnamed water bodies and freshwater ecosystems.</p>

## 1.2 Assessment of the National Policy Statement for Highly Productive Land 2022

The National Policy Statement for Highly Productive Land 2022 (NPS-HPL) came into effect on 17 October 2022. It sets out the single objective and policies that direct local government to protect highly productive land from inappropriate use and development.

The single objective is that highly productive land is protected for use in land-based primary production, both now and for future generations. Under the NPS-HPL, highly productive land is defined as:

*land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land).*

As a transitional stage, until the Hawke’s Bay Regional Policy Statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must apply the NPS-HPL as if references to highly productive land were references to land that, at the commencement date of this NPS, where:

- (a) is
  - (i) zoned general rural or rural production; and
  - (ii) LUC 1, 2, or 3 land; but
- (b) is not:
  - (i) identified for future urban development; or
  - (ii) subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.

As shown in Figure 28, the Project route only traverses Land Use Capability (LUC) 3, 4 and 5 land zoned Rural in both the Hastings District Plan and the Wairoa District Plan.



Figure 1: Realignment traversing LUC 3, 4 and 5

In terms of highly productive land, the portion of the Project ‘covering’ LUC 3 is shown as the green portion in the figures above. Thus, the NPS-HPL is applicable to the Project, insofar as the alignment traverses only LUC 3 class of soil, as LUC 1 and 2 are not within the Project realignment.

Turning to the policies from the NPS-HPL, those directly relevant to this Project are:

- Policy 1: Highly productive land is recognised as a resource with finite characteristics and long-term values for land-based primary production.
- Policy 8: Highly productive land is protected from inappropriate use and development.
- Policy 9: Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land.

The Project is consistent with these policies. The finite characteristics of the highly productive land that the Project traverses will be recognised (Policy 1) through minimising the final footprint of the works, noting that only portions of LUC 3, 4 and 5 class land is being utilised for the Project. The Project has four stock underpasses, and a stock overpass and bridge traversing Kings Creek, incorporated in the design to support ongoing farming operations.

With regards to Policy 8, clause 3.9(2) of the NPS-HPL states that a use or development of highly productive land is inappropriate except where at least one of the following applies to the use or development, and the measures in subclause (3) are applied:

...

(b) it addresses a high risk to public health and safety:

...

(h) it is for an activity by a requiring authority in relation to a designation or notice of requirement under the ...

(j) it is associated with one of the following, and there is a functional or operational need for the use or development to be on the highly productive land:

(i) the maintenance, operation, upgrade, or expansion of specified infrastructure:

...

The matters set out in subclause 3.9(2)(b), (h) and (j) are applicable to the Project given it will address the high risk to the health and safety of road users, which is one of the three project objectives for this Project, and the Project is the subject of a Notice of Requirement which once confirmed will become a designation for state highway 2. Once constructed the Project will be a specified infrastructure, i.e. state highway, that will require ongoing maintenance and operation.

Further, under the NPS-HPL definition of *specified infrastructure*, infrastructure that delivers a service operated by a lifeline utility, which has a meaning in section 4 of the Civil Defence Emergency Management Act 2002. State highways are included in the definition of Lifeline Utility in the Civil Defence Emergency Management Act 2002 as they are listed in Schedule 1 (Part B). This aligns with the resilience and access objectives for the Project as discussed earlier in this report.

Clause 3.9(3) provides that territorial authorities must take measures to ensure that any use or development on highly productive land:

(a) minimises or mitigates any actual loss or potential cumulative loss of the availability and productive capacity of highly productive land in their district; and

(b) avoids if possible, or otherwise mitigates, any actual or potential reverse sensitivity effects on land-based primary production activities from the use or development.

The Project achieves clause 3.9(3)(a) and (b) in that through the design refinement process the actual loss of highly productive land will be minimised and given the nature of the Project it will avoid reverse sensitivity effects on primary production activities, through minimising the state highway 'footprint' on LUC 3,4 and 5 class soil. In addition, the alternatives consideration process including MCA analysis, resulted in the preferred alignment for the Project addressing cumulative impacts upon productive land.

On that basis the Project is consistent with Policy as it does not represent inappropriate use and development of highly productive land.

Under Policy 9, the construction and operation of the realigned state highway will not generate reverse sensitivity effects on any primary production activities. Furthermore, as mentioned above, stock underpasses are also provided to give access and maintain existing uses of highly productive land.

Overall, taking into account the above, the Project is consistent with the NPS-HPL.

## 2. National Environmental Standards

### 2.1 Assessment of the National Environmental Standards for Freshwater

Given that the Project will be undertaken within both 10m and 100m of a natural wetland, the National Environmental Standard on Freshwater 2020 (NES-F) is relevant to the Project. An assessment of the relevant regulations of the NES-F is provided below.

ACTIVITY	RELEVANT RULES	ACTIVITY STATUS	ASSESSMENT
Vegetation clearance in, or within a 10m setback from wetlands	NES-F Reg 45 (1) Vegetation clearance for constructing specified infrastructure within, or within a 10m setback from a natural wetland	Discretionary Activity	There is likely to be vegetation clearance in, or within 10m of six natural wetlands along the proposed realignment, as identified on the Ecology Maps in the Ecological Assessment (Appendix B). Mitigation measures include minimising vegetation removal, minimise construction areas and isolating work areas from sensitive receiving environments.
Earthworks, land disturbance and diversion and drainage within, or within a 10m setback from a wetland	NES-F Reg 45 (2) Earthworks or land disturbance for constructing specified infrastructure within, or within a 10m setback of a natural wetland	Discretionary Activity	There is likely to be earthworks and land disturbance in, or within 10m of six natural wetlands along the proposed realignment, as identified on the Ecology Maps in the Ecological Assessment (Appendix B). Mitigation measures include for example, minimising construction areas through clear demarcation of natural wetlands to avoid unwarranted land disturbance.

ACTIVITY	RELEVANT RULES	ACTIVITY STATUS	ASSESSMENT
	<p>NES-F Reg 45 (4)</p> <p>Taking, use, damming, diversion, or discharge of water for specific infrastructure within, or within a 100 m setback from a natural wetland if for the purpose of constructing specified infrastructure</p>	<p>Discretionary Activity</p>	<p>The discharge of water from the state highway, and the discharge from culverts are likely to occur within a 100m setback from wetlands, as identified on the Ecology Maps in the Ecological Assessment (Appendix B). During detailed design, there may be opportunity to investigate areas to avoid or minimise stream loss at locations where culvert installation or extension is proposed within the 100m setback from wetlands.</p>

Overall, the proposal requires resource consent under the NES-F as a discretionary activity.

## 2.2 National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 (NES-CS) provides a nationally consistent set of planning controls for contaminated land and ensures contaminated land is identified, assessed, and (if necessary) made safe for human activity.

The NES-CS applies to a limited number of activities undertaken on land on which any activity listed on the HAIL is more likely than not to have occurred. The regulations do not apply for a piece of land about which a detailed site investigation exists that demonstrated that any contaminants in or on the piece of land are at, or below, background concentrations.

As discussed under the contaminated soil section of the AEE, the preliminary site investigation concludes that the realignment works meet the permitted activity requirements of the NES-CS.



### 3. Statutory Acknowledgements

A statutory acknowledgment recognises the cultural, spiritual, historical and traditional association of mana whenua with an identified site/area. For this Project, Statutory Acknowledgements exist with Maungaharuru Tangitū hapū under the Maungaharuru-Tangitū Hapū Claims Settlement Act 2014 and Ngāti Pāhauwera under the Ngāti Pāhauwera Treaty Claim Settlement Act 2012.

In accordance with Section 72 of the Ngāti Pāhauwera Treaty Claim Settlement Act 2012, information regarding statutory acknowledgements is attached to the Hawke’s Bay Regional Resource Management Plan. This information includes the relevant provisions from the schedules to the Ngāti Pāhauwera Treaty Claim Settlement Act 2012, the description of the Statutory Areas, and the statement of association as recorded in the statutory acknowledgements.

In accordance with Section 43 of the Maungaharuru-Tangitū Hapū Claims Settlement Act 2014, information regarding statutory acknowledgements is attached to the Hawke’s Bay Regional Resource Management Plan. This information includes the relevant provisions from the schedules to the Maungaharuru-Tangitū Hapū Claims Settlement Act 2014, the description of the Statutory Areas, and the statements of association as recorded in the statutory acknowledgements.

The Deed of Settlement maps shown below in Figures 30 and 31 to which both the statutory acknowledgement apply are:

Hapū	ID	Area/ Feature	Deed of Settlement Map Reference
Ngāti Pāhauwera	11, 16	Relevant part of Earthquake Slip Conservation Area	OTS-201 - 20
Maungaharuru Tangitū Trust	20, 28	Waikari River and its tributaries	OTS-201 - 37

In having regard to this statutory acknowledgement, HBRC when assessing this application against the Project within, adjacent to, or impacting directly on the statutory area, must have regard to the statutory acknowledgement when forming an opinion as to whether the hapū of Maungaharuru Tangitū Trust and Ngāti Pāhauwera is adversely affected by this application. In any case, HBRC decision making in relation to the statutory acknowledgement is still subject to Part 2 provisions of the RMA.

#### Ngāti Pāhauwera Statutory Acknowledgement

The statement of association for Ngāti Pāhauwera includes particular cultural, spiritual, historical, and traditional associations with the Waikari River and the Waikari River mouth, to the extent that this area is within the area of interest. However, the area / feature for Ngati Pahauwera statutory acknowledgements shown below, is not located in the vicinity of the Project.



Figure 2: Ngāti Pāhauwera: statutory acknowledgement

Ngāti Pāhauwera are currently preparing a CIA which will assist to identify potential effects of the Project on cultural values, aspirations and sites, and what measures might be taken to manage or mitigate those effects.

### Maungaharuru-Tangitū Statutory Acknowledgement

The statement of association for Maungaharuru-Tangitū includes particular cultural, spiritual, historical, and traditional associations with the Waikari River and their associated tributaries, to the extent that these areas are within the area of interest.



Figure 3: Maungaharuru-Tangitū Hapu: statutory acknowledgement area

The importance of the statutory areas and acknowledgements follows:

**WAIKARI RIVER AND ITS TRIBUTARIES (AS SHOWN ON OTS-201-37 & HBRC MAP E)**

29.1. *The Waikari River flows south-east from its origin at Maungaharuru out to Tangitū (the sea). Accordingly, the following statements of association relate to this awa (river). Peaks of Maungaharuru Range; and · Rocks and Reefs and Hapū Coastal Marine Area.*

29.2. *This awa lies within the takiwā (traditional area) of the Hapū, Ngāi Tahu, which held ahi-kā-roa along this awa and its tributaries. The eponymous ancestor for Ngāi Tahu is Tahumatua II. Tahu's descendant, Te Keu-o-te-Rangi fathered four children: Toenga, Tukapuarangi, Te Whiunga and Hinekaraka.*

29.3. *The four children were placed by their father on different parts of the Waikari River and its tributaries, both north and south. It is said that Toenga and Tukapuarangi occupied the southern side of the Waikari River, with Toenga occupying the Heru-a-Tureia block stretching south from the Waikari River up onto Maungaharuru. Hinekaraka and Te Whiunga are said to have occupied the northern side of the Waikari River, with Te Whiunga occupying the Anaura valley. Regardless, their territories were not exclusive and each had access to the other's mahinga kai (food gathering areas).*

29.4. *The descendants of these four children were known as Ngāi Tahu and those who maintained their occupation were the tāngata whenua. Various branches of Ngāi Tahu were later known by other names and represented smaller family groups such as Ngāti Hikapii, Ngāti Hineiro, Ngāti Moe, Ngāti Peke, Ngāti Rangitakuao, Ngāti Tataku and Ngāi Te Maaha.*

29.5. *Tīpuna (ancestors) have identified the kāinga (villages) and pā (fortified villages) of Ngāi Tahu in the lower Waikari River area, and as far north as the Waitaha Stream, including Kumarawainui, Tutaekaraka, Hurihanga, Takapuwahia, Tokatea, Pukepiripiri, Puketaiata, Tauwhare and Kaiwaka. 52 They have also identified kāinga and pā in the upper Waikari River and its tributaries including Te Nakunaku, Waipopopo, Tawhitikoko, Patokai and Tiekenui.*

29.6. *The mouth of the Waikari River is known as Te Puta-o-Hinetonga, after Hinetonga, the mother of Te Keu-o-te-Rangi. The river mouth, the Waikari River and its tributaries have long been recognised as important mahinga kai. They provide the habitat for many taonga (treasured) fish species including īnanga (whitebait), mullet, tuna (eels), pātiki (flounder), kahawai and herring. The Waikari River also flows onto Omoko, a fishing reef located at the mouth of the river, which was a site renown for kaimoana (seafood), in particular hāpuku (grouper). The following Hapū whakatauākī (tribal proverb) refers to the sound of the sea lapping up against the river mouth during the day and night, bringing a bounty of kaimoana with each incoming and outgoing tide. This whakatauākī is still recited today in whaikōrero (formal speeches) on Tangoio Marae. "Pātōtō ki te ata, pātōtō ki te pō" – "the sound of the tide in the morning and at night"*

29.7. *The Hapū have cultural, spiritual, traditional and historic associations with ngā awa, their waters, associated land and flora and fauna and have a responsibility as kaitiaki (guardians) in accordance with their kawa (rules) and tikanga (customs) to restore, protect and manage all those natural and historic resources. This relationship is as important to present day whānau (families) as it was to their tīpuna.*

### **ANAURA STREAM AND ITS TRIBUTARIES (AS SHOWN ON OTS-201-32 & HBRC MAP E) 30.1.**

*30.1 The Anaura Stream flows south-east from its origin at Maungaharuru, into the Waikari River and out to Tangitū (the sea). Accordingly, the following statements of association relate to this awa (stream). · Peaks of Maungaharuru Range; · Waikari River and its tributaries; and · Rocks and Reefs and Hapū Coastal Marine Area.*

*30.2. This awa lies within the takiwā (traditional area) of the Hapū, Ngāi Tahu, which held ahi-kā-roa along this awa and its tributaries. The eponymous ancestor for Ngāi Tahu is Tahumatua II. Tahu's descendant, Te Keu-o-te-Rangi fathered four children: Toenga, Tukapuarangi, Te Whiunga and Hinekaraka.*

*30.3. The four children were placed by their father on different parts of the Anaura Stream, the Waikari River and their tributaries, both NORth and south. It is said that Toenga and Tukapuarangi occupied the southern side of the Waikari River, with Toenga occupying the Heru-a-Tureia block stretching south from the Waikari River up onto Maungaharuru. Hinekaraka and Te Whiunga are said to have occupied the northern side of the Waikari River, with Te Whiunga occupying the Anaura valley. Regardless, their territories were not exclusive and each had access to the other's mahinga kai (food gathering areas).*

*30.4. The descendants of these four children were known as Ngāi Tahu and those who maintained their occupation were the tangata.*

The Maungaharuru Tangitū Trust are currently preparing a CIA which will assist to identify potential effects of the Project on cultural values, aspirations and sites, and what measures might be taken to manage or mitigate those effects.

## **3.1 Hawke's Bay Regional Policy Statement**

The operative Hawke's Bay Regional Policy Statement (RPS) identifies the regionally significant issues relating to the management of the region's natural and physical resources and sets out what needs to be achieved (objectives) and the way in which the objectives will be achieved (policies and methods).

The Hawke's Bay Regional Resource Management Plan (RRMP) must give effect to the RPS. The RPS is encompassed within the RRMP. The RPS sets out the strategic direction to achieve the purpose of the RMA, thus as a hierarchical document the RPS gives effect to Part 2 of the RMA.

In terms of this application and Project, the following issue headings and their objectives and policies are considered relevant to the Application:

- Integrated Land Use Management
- Surface Water Quality
- Natural Hazards
- Maintenance and Enhancement of Physical Infrastructure

- Matters of Significance to Iwi/Hapū

As assessment of each relevant objective and policy are set out in the following tables.

### Integrated Land Use Management

The following relevant objectives and policies are contained under the heading Integrated Land Use Management in the Regional Policy Statement. Objective LW2 and LW3 are relevant to this proposal and are discussed below.

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
OBJ LW2	<p>Integrated management of freshwater and land use development.</p> <p>The management of land use and freshwater use that recognises and balances the multiple and competing values and uses of those resources within catchments. Where significant conflict between competing values or uses exists or is foreseeable, the regional policy statement and regional plans provide clear priorities for the protection and use of those freshwater resources.</p>	<p>The integrated management of land use, earthworks for the realignment of SH2 and the discharge of stormwater’s impact on water quality in the receiving water environment, amongst other things, are inextricably linked. Land use activities and the impacts upon freshwater and highly productive land are regulated by the NES-F and the NPS-HPL respectively and provided for within the RRMP. In acknowledging that approach, and the potential for water quality to be impacted upon by land use activities, ecology and stormwater integration have balanced the multiple and competing values and uses resulting from activities being carried out to construct the Project.</p>
OBJ LW3	<p>Tāngata whenua values in management of land use and development and freshwater Tāngata whenua values are integrated into the management of freshwater and land use and development including:</p> <p>(a) recognising the mana of hapū, whānau and iwi when establishing freshwater values; and</p> <p>(b) recognising the cumulative effects of land use on the coastal environment as recognised through the Ki uta ki Tai (‘mountains to the sea’) philosophy; and</p>	<p>The advice received in cultural walkovers from Maungaharuru Tangitū Trust and Ngāti Pāhauwera, and ongoing discussions has informed the Project design and development. It is envisaged that Maungaharuru Tangitū Trust and Ngāti Pāhauwera will provide further guidance and recommendations within their respective CIA reports to guide the design of the Project on cultural values, aspirations and sites.</p>

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
	<p>(c) recognising and providing for wairuatanga and the mauri of freshwater bodies in accordance with the values and principles expressed in Chapter 1.6, Schedule 1 and the objectives and policies in Chapter 3.14 of this Plan; and</p> <p>(d) recognising in particular the significance of indigenous aquatic flora and fauna to tāngata whenua.</p>	

### Surface Water Quality

The following relevant objective and policies are contained under the heading Surface Water Quality in the Regional Policy Statement. Objective 27 and Policies 47 and 49 are relevant to this proposal and are discussed below.

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
<b>OBJ 27</b>	<p><b>Surface Water Quality</b></p> <p>The maintenance or enhancement of the water quality of rivers, lakes and wetlands in order that it is suitable for sustaining or improving aquatic ecosystems in catchments as a whole, and for contact recreation purposes where appropriate.</p>	<p>The maintenance and where appropriate enhancement of the sensitive receiving environment, will be directly and indirectly achieved through, amongst other things, encouraging and adopting best stormwater practices through the implementation of the ECSP and installation of the STF's.</p>
<b>POL 47</b>	<p><b>Decision Making Criteria – Discharges</b></p> <p>To manage activities affecting the quality of water in rivers and lakes in accordance with the environmental guidelines and implementation approaches set out in Chapter 5 of this Plan.</p>	<p>This policy is to ensure that point source discharges are managed in accordance with surface water quality environmental guidelines set out in Chapter 5 of the RRMP and to ensure surface water quality guidelines are able to be met.</p>

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
POL 49	<p><b>Diversion and Discharge of Stormwater</b></p> <p>To permit the diversion and discharge of stormwater from constructed open drainage systems or piped stormwater drainage systems into surface water without the need for a resource consent, subject to conditions in this Plan which are intended to adequately avoid, remedy or mitigate any significant adverse effects.</p> <p>To promote mitigation of the cumulative effects of stormwater discharges on water quality where appropriate.</p>	<p>This policy acknowledges that generally stormwater diversions and discharges should be permitted.</p> <p>The actual and potential adverse effects on the environment that can be attributed to the discharge of stormwater are generally no more than minor, with the mitigation measures, including to minimise vegetation removal, undertake construction methods to minimise stream disturbance and stormwater treatment train approach. The cumulative effects of stormwater discharges are able to be mitigated through design of the STF's.</p>



## Natural Hazards

Objective 31 provides guidance for decision making in respect to natural hazards.

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
OBJ 31	The avoidance or mitigation of the adverse effects of natural hazards on people's safety, property, and economic livelihood.	<p>All structures including, bridges (rail, road and watercourses), culverts and stock underpasses have taken into account natural hazards attributable to flooding, hydrology, site seismic, liquefaction and climate change. The measure to mitigation natural hazards effects have informed the overall design of the Project.</p> <p>From a stormwater discharge perspective, individual high intensity rainfall events have the potential to cause localised and secondary overland flooding in some catchments. These considerations have been addressed in the design of the stormwater treatment facilities, and through the consideration of hydrology and stormwater network modelling. Waka Kotahi approach to stormwater management is multifaceted, taking into account, landowner views, stormwater design, ecological matters and landscape mitigation measures.</p>

## Maintenance and Enhancement of Physical Infrastructure

Objectives 32 and 33 and supporting Policy 56 provides guidance for decision making in respect to physical infrastructure, namely the state highway and associated structures, for example, bridges, culverts and stock underpasses. These objectives and policy are discussed in the table below.

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
OBJ 32	The ongoing operation, maintenance and development of physical infrastructure that supports the economic, social and/or cultural wellbeing of the region's people and communities.	<p>The realignment directly contributes to the economic and social wellbeing of those communities.</p> <p>The location of the state highway has been investigated and several alternatives robustly assessed using the MCA approach to select this</p>

OBJ 33	Recognition that some infrastructure which is regionally significant has specific locational requirements.	alignment for which consent is sought and notice of requirement being submitted.
POL 56	<p><b>Role of Non-regulatory Methods</b></p> <p><b>Provision of Information</b> – Recognising the regional importance of significant infrastructure, and assisting territorial authorities and the regional population, in understanding the importance of this infrastructure and its environmental effects. The Council will hold and, as provided for in the Annual Plan, investigate aspects of regional infrastructure, including beneficial and adverse effects, so that common information is available to enable decision-makers under the RMA to make decisions in accordance with the promotion of sustainable management.</p> <p>Liaison with Territorial Authorities – Facilitating liaison between territorial authorities, the community and infrastructure agencies, to address and resolve issues that arise in the maintenance and development of infrastructure.</p>	<p>The structures including culverts, stock underpasses, railway overpass bridge, stormwater treatment facilities have been assessed considering, amongst other things land contours and catchments. Low impact stormwater design along with ecology inputs have resulted in specific design and location requirements. These specific locational requirements, with detailed stormwater treatment facilities, were considered at the concept and preliminary design stage of this Project and informed the consent issued drawings of the realignment.</p> <p>Transpower’s Redclyffe -Tuai A (RDF-TUI A) 110Kv transmission line is located within the western extents of the realignment and crosses the existing Palmerston North - Gisborne Line North and south of Waikare Gorge. The Project does not impact on Transpower transmission lines or pylons, but may have an impact on existing Transpower access tracks. Engagement has been carried out with Transpower and the reconfiguration of the access tracks with be completed during the detailed design phase and in conjunction with property consultation. The remaining utilities within the vicinity of the realignment are low voltage powerlines servicing rural properties along with fibre and copper communication cables within the existing state highway corridor.</p> <p>With respect to KiwiRail, temporary works during construction will be better identified at the detailed design phase of the Project.</p>

## Matters of Significance to Iwi/Hapū

Objectives 34, 35, 36 and 37 and supporting Policies 57 to 59 and 61 to 66 provides guidance for decision making in respect to matters of significance to iwi/hapū. These objectives and policies are discussed in the table below.

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
OBJ 34	To recognise tikanga Māori values and the contribution they make to sustainable development and the fulfilment of HBRC's role as guardians, as established under the RMA, and tangata whenua roles as kaitiaki, in keeping with Māori culture and traditions.	Objectives 34 to 37 and Policies 57 to 59 and 61 to 66 in the RPS are a framework to recognise matters of significance to iwi/ hapū. Recognising and putting in effect tikanga Māori values and aspirations, have been considered through the views and responses of Maungaharuru Tangitū Trust and Ngāti Pāhauwera throughout the early and ongoing engagement with Waka Kotahi.
POL 57	Where policy is being developed for the management of natural and physical resources the following matters shall be had regard to:  (a) Where the effects of an activity have minimal or no measurable impact on the state of mauri, the life sustaining capacity of a resource – no or minimal regulation (noa).  (b) Where the actual or potential effects of an activity on the state of mauri are significant – the activity shall be dealt with on a case-by-case basis according to those effects (rahui).  (c) Where the impacts of an activity have a severe and irreversible impact upon the state of mauri that activity shall be prohibited (tapu).	Policies 57 to 59 are addressed, inter alia, through the engagement and consultation with Maungaharuru Tangitū Trust and Ngāti Pāhauwera.  The advice received in cultural walkovers from Maungaharuru Tangitū Trust and Ngāti Pāhauwera, and ongoing discussions has informed the Project design and development. Maungaharuru Tangitū Trust and Ngāti Pāhauwera will provide further guidance and recommendations within their respective CIA reports to guide the design of the Project on cultural values, aspirations and sites.
POL 58	To share information on matters of resource management significance to Māori and on processes to address them.	Similar to Policy 57, Policies 58 and 59 are addressed, inter alia, through the relationship, engagement and consultation with Maungaharuru Tangitū Trust and Ngāti Pāhauwera.

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
OBJ 35	To consult with Māori in a manner that creates effective resource management outcomes.	As previously noted, the advice received in cultural walkovers from Maungaharuru Tangitū Trust and Ngāti Pāhauwera, and ongoing discussions has informed the Project development. Maungaharuru Tangitū Trust and Ngāti Pāhauwera will provide further guidance and recommendations within their respective CIA reports to guide the design of the Project on cultural values, aspirations and sites. The involvement of Maungaharuru Tangitū Trust and Ngāti Pāhauwera, coupled with embedding their respective cultural values and aspirations into the Project design will result in effective resource management outcomes.
POL 59	<p>Consultation with tangata whenua should be undertaken in a manner that acknowledges Māori values, with the fundamental approach in consultation being “kanohi ki te kanohi” (face to face) or personal contact. Other matters necessary to be exercised are:</p> <ul style="list-style-type: none"> <li>(a) consideration of a consent application not yet finally decided upon</li> <li>(b) listening to what others have to say</li> <li>(c) considering their responses</li> <li>(d) deciding what will be done</li> <li>(e) appropriate timing.</li> </ul>	<p>In addressing Objectives 36 and 37, alongside Policies 59 to 66, Waka Kotahi has ensured an ongoing relationship and partnership with Maungaharuru Tangitū Trust and Ngāti Pāhauwera throughout the design of this Project.</p> <p>Evidence of “kanohi ki te kanohi” (face to face) or personal contact approach is presented in the table under the Consultation and Engagement section of this AEE.</p> <p>The preparation of individual CIA’s from Maungaharuru Tangitū Trust and Ngāti Pāhauwera respectively, underpins the initial engagement and ongoing involvement of mana whenua hapū as part of cultural cohesion within the Project.</p>
POL 61	Resource management decisions made subsequent to consultation shall show regard for that consultation.	
POL 62	The following is the recommended approach for consultation with tangata whenua: (a) Where the	

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
	<p>issue is at a macro, region-wide level consultation be with iwi.</p> <p>(b) Where the issue is localised, yet non site-specific, consultation be with hapū.</p> <p>(c) Where the issue is site-specific consultation be with whānau.</p>	
<b>POL 63</b>	<p>Consultation involving iwi or hapū is expected generally to be undertaken on a marae. The place of consultation should be determined as a result of agreement between both parties.</p>	
<b>OBJ 36</b>	<p>To protect and where necessary aid the preservation of waahi tapu (sacred places), and tauranga waka (landings for waka).</p>	
<b>OBJ 37</b>	<p>To protect and where necessary aid the preservation of mahinga kai (food cultivation areas), mahinga mataitai (sea-food gathering places), taonga raranga (plants used for weaving and resources used for traditional crafts) and taonga rongoa (medicinal plants, herbs and resource).</p>	
<b>POL 64</b>	<p>Activities should not have any significant adverse effects on waahi tapu, or tauranga waka.</p>	
<b>POL 65</b>	<p>Activities should not have any significant adverse effects on taonga raranga, mahinga kai or mahinga mataitai.</p>	

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
POL 66	The importance of coastal, lake, wetlands and river environments and their associated resources to Māori should be recognised in the management of those resources.	

## Hawke’s Bay Regional Resource Management Plan

The Hawke’s Bay Regional Resource Management Plan (RRMP) became operative on 26 August 2006. The latest version of the republished RRMP, dated 14 August 2021, incorporates subsequent plan changes and minor amendments.

The following RRMP issue headings and their objectives and policies are considered relevant to the Waikare Gorge realignment project and application:

- National Directions
- Surface Water Quality and Quantity
- Beds of Lakes and Rivers

As assessment of each relevant objective and policy are set out in the following tables.

### National Directions

Objective 37A and Policy 66B and 66C<sup>1</sup> provides guidance and relevant matters for decision making in respect to fish passage and issues in catchments. This objective and supporting policies were issued by Central Government Ministers and the Regional Council was directed to insert the provisions into the RRMP as soon as practicable without using a Schedule 1 RMA process. This objective and policy direction is discussed in the table below.

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<sup>1</sup> Other than the Tukituki River catchment.

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
OBJ 37A	<p><b>Fish Passage</b></p> <p>The passage of fish is maintained, or is improved, by instream structures, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats.</p>	<p>The findings of the Ecological Assessment Report have informed the design and mitigating measures including the need for measures to manage fish passage. Consideration of the stormwater report and the stormwater treatment facilities have also been at the forefront of the design.</p>
POL 66B	<p><b>Loss of river extent and values</b></p> <p>The loss of river extent and values is avoided, unless the council is satisfied: (a) that there is a functional need for the activity in that location; and (b) the effects of the activity are managed by applying the effects management hierarchy.</p>	<p>No loss of rivers apart from minor watercourse diversion form part of the realignment Project.</p> <p>Under the RMA there is an obligation to apply the mitigation hierarchy of avoiding, minimising, and mitigating adverse effects, including on wetlands. Under the NES-FW there is also an obligation avoid the loss of the extent of natural wetlands. A number of design options were assessed at the outset of the Project as part of a Multi-Criteria Analysis (MCA) that was undertaken during the SSBC.</p>
POL 66C	<p>(1) When considering any application for a discharge the consent authority must have regard to the following matters:</p> <p>(a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life supporting capacity of fresh water including on any ecosystem associated with fresh water and</p> <p>(b) the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided.</p>	<p>These Policies are addressed through the relevant technical assessment reports and summarised within this assessment of environmental effects report.</p>

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
	<p>(2) When considering any application for a discharge the consent authority must have regard to the following matters:</p> <p>(a) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of the people and communities as affected by their contact with fresh water; and</p> <p>(b) the extent to which it is feasible and dependable that any more than minor adverse effect on the health of the people and communities as affected by their contact with fresh water resulting from the discharge would be avoided.</p> <p>(3) This policy applies to the following discharges (including a diffuse discharge by any person or animal): (a) a new discharge or</p> <p>(b) a change or increase in any discharge – of any contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.</p>	
	<p>(4) Policy 66C (1) does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.</p> <p>(5) Policy 66C (2) does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2014 took effect on 1 August 2014.</p>	<p>As a collective, these policies are applicable as this application is being lodged in early 2023, which is after the respective dates noted in (4) and (5).</p> <p>Policy 66C (6) is not applicable to this Project.</p>



REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
	(6) Policy 66C does not apply to any application for a discharge permit within the Tukituki River catchment (refer Schedule 14C).	

### Surface Water Quality

Objective 40 and supporting Policies 71 and 72 provides guidance for decision making in respect to surface water quality. This objective and policies are discussed in the table below.

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
<b>OBJ 40</b>	The maintenance of the water quality of specific rivers in order that the existing species and natural character are sustained, while providing for resource availability for a variety of purposes, including groundwater recharge.	The Ecological Assessment Report sets out riparian areas where plant restoration will be undertaken to maintain and improve water quality. Once fenced and planted, these areas filter nutrients, sediment and bacteria that leave the land as runoff.
<b>POL 71</b>	<b>Environmental Guidelines - Surface Water Quality</b> To manage the effects of activities affecting the quality of water in rivers, lakes and wetlands in accordance with the environmental guidelines set out in Tables 7 and 8.	The guideline provides prescriptive measures <sup>2</sup> for ensuring the temperature, dissolved oxygen, ammoniacal nitrogen, soluble reactive phosphorus, and water clarity can be measured after reasonable mixing and disregarding the effect of natural perturbations that may affect the water body. This refers specifically to activities relating to stormwater runoff during construction and ties in with Policy 72 below around implementation of the guidelines.
<b>POL 72</b>	<b>Implementation of Environmental Guidelines - Surface Water Quality</b>	Policy 72 sets out how the guidelines for surface water quality contained in Policy 71 will be implemented. The approach notes that implementation is largely through resource consent

<sup>2</sup> The guidelines apply after "reasonable mixing", in surface water as defined in the Regional Resource Management Plan.

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
	<p>To implement the environmental guidelines for surface water quality predominantly in the process of making decisions on resource consents in accordance with section 104 (1)(b) of the RMA, and in accordance with the following approach:</p> <p>(a) <b>After reasonable mixing</b> - The environmental guidelines apply to surface water bodies after reasonable mixing of contaminants, and disregarding the effect of any natural perturbations that may affect the water body. The exception is where water diverted or discharged into water from a hydroelectric power scheme entrains sediment between the point of discharge and the point of reasonable mixing, causing a breach of the suspended sediments guidelines c (i) and (ii) below. In this case, the guidelines may apply at the point of discharge, disregarding the effect of any natural perturbations that may affect the water body.</p> <p>(b) <b>At or below median flows or levels for all guidelines except suspended solids</b> - All environmental guidelines, except those for suspended solids, apply to flowing surface water bodies when the flow of water is at or less than the median flow, or for non-flowing water bodies, the level of water is at or less than the median level.</p> <p>(c) <b>At all flows for suspended solids</b> - The guidelines for suspended solids apply as follows:</p> <p>(i) At times when the suspended solids concentration is less than the specified guideline for a particular water body and location, an activity should not cause, or contribute to, a breach of the specified guideline. In no case should an activity</p>	<p>processes. Policy 72 also provides the way the guidelines will be used. This policy is clear that where existing water quality is better than the guidelines, then the existing water quality should be maintained. By contrast, where existing water quality is worse than the guidelines, HBRC will seek appropriate improvements through resource consents or non-regulatory methods.</p>

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
	<p>cause more than a doubling of the suspended solids concentration or turbidity of the receiving water body.</p> <p>(ii) At times when the suspended solids concentration is equal to or greater than the specified guideline, an individual activity should not cause the concentration of suspended solids or the turbidity in any river or lake to increase by more than 10%, as determined on a case by case basis.</p> <p><i>[Note that the HBRC recognises that some resource users prefer to measure clarity, rather than concentrations of suspended solids or turbidity. While there is not a direct relationship between suspended solids and clarity that can be applied across the region, the HBRC is happy to work with any such resource users to establish allowable changes in clarity corresponding to the suspended solids limits where this is required.]</i></p> <p>(d) <b>Existing good water quality</b> – Where existing water quality is better than the guidelines, no more than minor degradation of water quality will be allowed.</p> <p>(e) <b>Improvement of poor water quality</b> – Where existing water quality is poorer than the guidelines, the following approach will be adopted:</p> <p>(i) Regulated activities – Where activities that are regulated by way of resource consents (e.g. discharges of contaminants into water) are the predominant cause of poor water quality, improvements will be sought at the time of</p>	

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
	<p>granting, reviewing or renewing the consent while having regard to the following:</p> <ul style="list-style-type: none"> <li>• the degree to which the activity adversely affects aquatic ecosystems and contact recreation</li> <li>• the extent to which the activity causes the poor water quality relative to other activities</li> <li>• for existing activities, the need to allow time to achieve the required improvements.</li> </ul> <p>Where activities that are regulated by way of resource consents are not the predominant cause of degraded water quality, conditions will be imposed on such consents to avoid further degradation of water quality unless the HBRC is satisfied that:</p> <ul style="list-style-type: none"> <li>• the activity will not cause any significant adverse effects on aquatic ecosystems and contact recreation</li> <li>• exceptional circumstances justify allowing further degradation, or</li> <li>• in the case of discharges, the discharge is of a temporary nature, or is associated with necessary maintenance work.</li> </ul> <p>(ii) <b>Unregulated activities</b> – Where activities that are unregulated are the predominant cause of poor water quality, non-regulatory methods (as set out in Chapter 4) will be used as the primary means for achieving an improvement in water quality, in particular:</p> <ul style="list-style-type: none"> <li>• the provision of financial incentives to facilitate improved land management practices, including</li> </ul>	

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
	<p>the retirement of riparian margins, or to enhance wetlands</p> <ul style="list-style-type: none"> <li>• the provision of education and co-ordination.</li> </ul> <p>Where no improvement or where further degradation is evident over time as a result of unregulated activities, the HBRC will consider the need for regulation of these activities.</p> <p>(f) <b>Recognition of variables</b> - Consideration of the environmental guidelines will take into account the measurement uncertainties associated with variables such as location, flows, seasonal variation and climatic events.</p> <p>(g) <b>Temporary / maintenance activities</b> (including those required for the management of a commercial forest) - Consideration of the environmental guidelines in relation to discharges will take into account the degree to which a discharge is of a temporary nature, or is associated with maintenance work.</p>	

### Beds of Lakes and Rivers

Objective 45 and supporting Policy 79 provides guidance for decision making in respect to the beds of lakes and rivers. The objective and policy are discussed in the table below.

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
OBJ 45	The maintenance or enhancement of the natural and physical resources, and use and values, of the beds of rivers and lakes within the region as a whole.	Relevant to this Project has been the technical assessments to ensure the maintenance or enhancement of natural resources such as watercourses, wetland developments, within stormwater

		treatment facilities, and their uses and values within the region as a whole are considered.
<b>POL 79</b>	To manage the effects of activities affecting river beds and lake beds in accordance with the environmental guidelines set out in Table 12 below.	For this Project, Policy 79 applies to the environmental guidelines for the management of activities affecting river beds including structures in, on, under or over river and bed disturbances. The environmental guidelines address the management of both natural and physical resources within river beds and have been taken into account through preliminary design, and the ecological and stormwater assessment reports.

## District Plans

An assessment of the relevant objectives and policies of the HDC District Plan and the WDC District Plan is provided below.

### Wairoa District Plan

#### Planning Maps

The realignment is located with the Rural zone of the Wairoa District. Waikari River is the centreline of the jurisdictional territorial boundaries of the Wairoa and Hastings District Council shown in Figure 33.

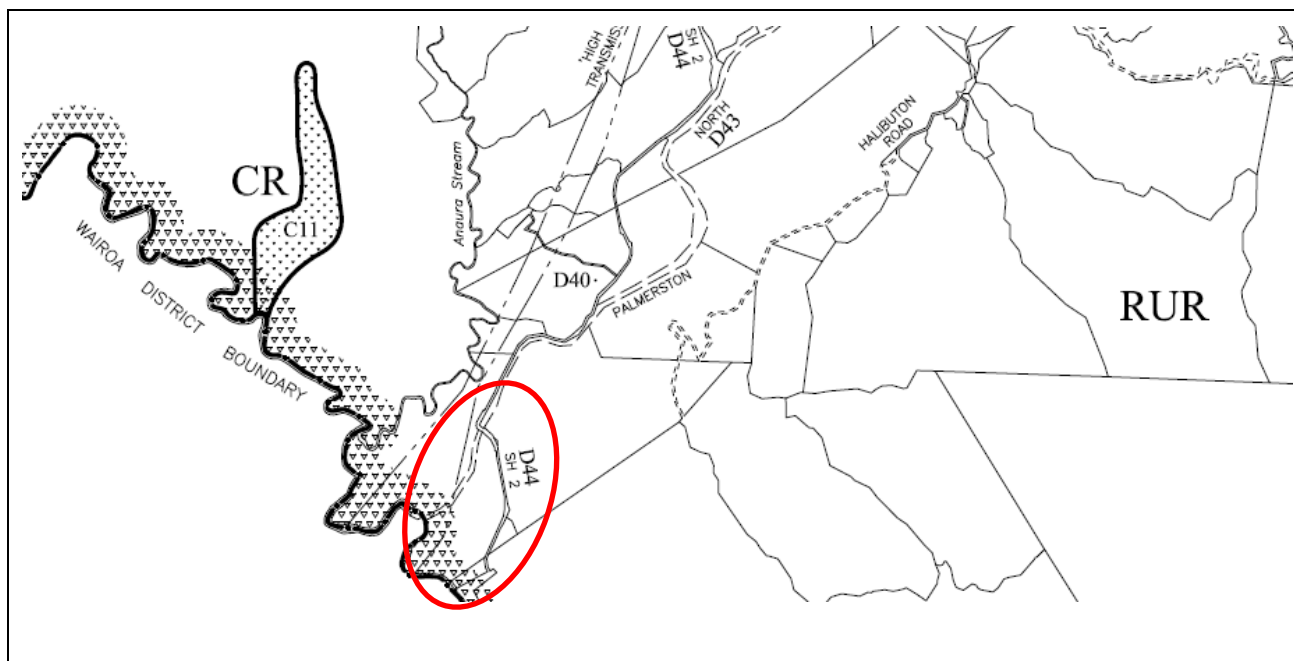


Figure 4: Wairoa Planning map

The realignment, located within the jurisdiction of Wairoa, is zoned Rural. The realignment as marked within the red circle and is approximately 1.6km in length within the Wairoa District.

On the Wairoa side of the Waikare Gorge (closer to the township) there is an ecological area of significance, within the Waihou ecological region. The ecological site of significance is not near the proposed designation.

### Designation

As noted under Chapter 12 Designations, within the Wairoa District Plan, designation serves to inform the public of the location and nature of the work while protecting the land from land use and subdivision activities that may adversely impact its future operations and effectiveness. The current designation for SH2 purposes is scheduled as D44. Schedule 2 of the Wairoa District Plan states the following:

DESIGNATION NUMBER	MAP NUMBER	SITE	DESIGNATE PURPOSE	LEGAL DESCRIPTION AND LOCATION	UNDERLYING ZONE
D44	Various	SH2	Highway purposes	Gisborne/Wairoa District Boundary to Wairoa/Hastings District Boundary. Gaz.Notice 1984 pg 736. Gaz.Notice 1983 pg 2671. Gaz.Notice 1960 pg 389	Various

The relevant Objective and Policy for designations are set out below:

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
<b>Objective 26.3</b>	To enable utilities to establish and operate in a safe, efficient and effective manner whilst ensuring that adverse effects on the environment are avoided, remedied or mitigated.	The designation process, for this new realignment, provides a high degree of surety and certainty for Waka Kotahi, landowners, mana whenua and key stakeholders that the realignment has been provided for within the District Plan. It secures the future location and linear alignment for a state highway.
<b>Policy 26.4.4</b>	<p>Ensure that the provision of utilities, and minerals exploration and energy developments generally is done in a way that safeguards the life supporting capacity of the District's air, water, soils and ecosystems and avoids, remedies or mitigates any adverse effects on the environment, particularly:</p> <ul style="list-style-type: none"> <li>• Significant indigenous vegetation and/or significant habitats of indigenous fauna as defined in Chapter 31, and threatened plants and animals (Schedule 6);</li> <li>• The natural character of lakes, rivers, and wetlands and their margins, particularly those in Schedule 5;</li> </ul>	<p>The process of identifying and updating the District Plan with this new designation forms part of the overall policy and plan update of the Wairoa District Plan.</p> <p>The new state highway designation is for necessary infrastructure and provides an essential service for road users. It provides for an essential physical and built resource to ensure the everyday functioning and safe and efficient movement of people and goods.</p>

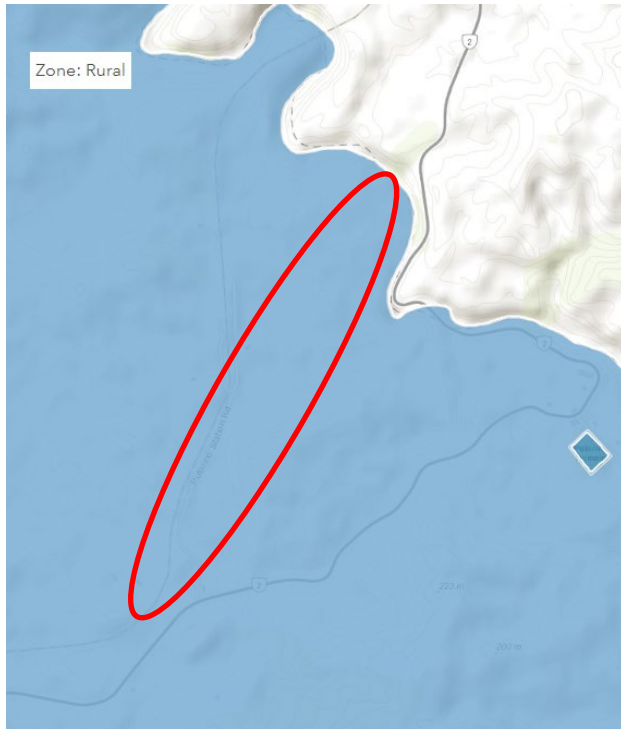


- Reserves in Schedule 3;
- Heritage resources listed in Schedule 1 - Historic Buildings, Sites, Waahi Tapu and Notable Trees;
- Amenity values of the surrounding area; ·
- Transportation routes and facilities; and ·
- Human health and safety.

# Hastings District Plan

## Planning Map

The realignment within Hastings District is zoned Rural and is indicatively shown in Figure 32.



*Figure 5: Hastings Planning Map - Rural zone*

The realignment, located within the jurisdiction of Hastings, is zoned Rural. The realignment as marked within the red circle, has an approximate length of 2.2km within the Hastings District.

The HDC planning maps indicative no areas of significant native vegetation within the realignment and does not contain, or is, situated within any significant natural feature or landscape. The existing SH2 traverses over Kings Creek at the southern end, and the Waikari River as the jurisdictional boundary between Hastings and Wairoa District Councils. The northern and southern ends of Waikari River

is identified for Riparian Land Management (RLM) (List 1). Areas along the margin of Waikari River are noted as Public Conservation Areas.

### Designation

The Hastings District Plan sets out the relevant Designation provisions under Chapter 31.1. This chapter notes that designations allow land to be secured for public works or other projects and facilitate the establishment of what are often necessary or essential services. The proposed realignment is both a necessary infrastructure and provides an essential service.

The relevant existing designation under Appendix 66 is shown below. This sets out the current details for SH2.

Ref Number	Legal Description and Location	Former Designation Number	Designation Purpose	Designation Authority
NZTA 8	Lot 1 DP 11385; Lot 2 DP 11385; Lot 1 DP 22968; SEC 27 BLK VI MOEANGIANGI SD; SEC 28 BLK VI MOEANIGANGI SD 4553 SH2	D142	Designated for road purposes as SH2, including its construction and operation in accordance with the Land Transport Management Act 2003 and the Transit New Zealand Act 1989	NZ Transport Agency

Relevant Objectives and Policies for designations are set out below.

REFERENCE	OBJECTIVE OR POLICY	ASSESSMENT
OGO1	To provide for new and existing designations to ensure the efficient functioning and operation of public works and network utilities in the Hastings District.	The designation process, for this new realignment, provides a high degree of surety and certainty for Waka Kotahi, landowners, mana whenua and key stakeholders that the realignment has been provided for within the District Plan as a future location and linear alignment for a state highway.
DGP1	Identify and update designations in the District Plan that the Council and Requiring Authorities have financial responsibility and are necessary to	The process of identifying and updating the District Plan with this new designation forms part of the overall 'policy and decision-making process' by Council staff.

	provide for the safe and efficient functioning and operation of public works and network utilities in the Hastings District.	The new state highway designation is for necessary infrastructure and provides an essential service for road users. It provides for the safe and efficient function and operation of road users, for example freight, logging trucks, the safe movement of the rural population and for people and goods to travel and connect with towns and regions in Hawke's Bay, Wairoa and Gisborne.
<b>DGP2</b>	Encourage designations to be given effect to within five years after the date on which they are included in the District Plan.	The timeframe for implementation of the Project is not known. The NOR proposes a 10-year lapse date.

## Other Statutory Approvals

### Heritage New Zealand Pouhere Taonga Act 2014

Based on the recommendations of the Archaeological Screening Report, an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 will be applied for. There is a low risk of archaeological artefacts being encountered however there is potential for some archaeological artefacts to be present, and the aim of the application for an archaeological authority is to cover that potential even if it a low risk.