

s42A Report for Resource Consent Application: APP-131669
30 January 2026

Applicant: Hawke's Bay Regional Council

Application Number: APP-131669

Application Type: Site situated within Order in Council Schedule 1 Delineation –
Controlled and non-notified

Site situated outside the Order in Council Schedule 1 Delineation –
Discretionary and non-notified

Situated Within or outside the OIC Schedule 1	Authorisation No:	Activity Description	Activity Type:	Activity Location
Within OIC & Outside of OIC	AUTH-132984-01	To undertake construction of a flood control scheme, including erection of structures such as a stop bank and culverts including associated disturbances of the Tūtaekurī-Waimate Stream and Waiohiki Drain, and associated activities including soil disturbance and vegetation clearance within 5 m of the bed of a river	Land Use Consent	Tūtaekurī-Waimate Stream and Waiohiki Drain between Links Road and the Ngaruroro River south of Hodgson Road
	AUTH-133260-01	To divert flood water	Water Permit	
	AUTH-133261-01	To divert and discharge stormwater, drainage water and associated discharge of contaminants to land and water, and to discharge solid contaminants to land within 20 m of a surface water body	Discharge Permit	
	AUTH-133262-01	To take and use ground and surface water (including drainage water) for construction and dust related purposes	Water Permit	

	AUTH-133263-01	The discharge of dust to air	Discharge Permit	
	AUTH-133265-01	To undertake works within 10 m of natural inland wetlands, including the diversion of the Tūtaekurī-Waimate Stream	Land use	

1. EXECUTIVE SUMMARY

1.1 This application is for the purpose of flood protection works proposed on behalf of Hawke’s Bay Regional Council (**‘applicant’**). Consent is required via two consenting ‘pathways’ for this proposal as outlined below:

OIC Pathway

1.2 The first pathway which is relevant to majority of the proposed works, will be undertaken under the ‘Severe Weather Emergency Recovery (Hawke’s Bay Flood Protection Works) Order 2024 (**‘OIC’**).¹ The OIC resulted in response to serve weather events such as the 2023 Cyclone Gabrielle event that caused significant flooding across the Hawke’s Bay region. The OIC pathway enables a streamlined consenting process for flood protection works.

1.3 The part of the proposal that is subject to the OIC 2024 must be granted as a controlled activity by an independent hearing commissioner (**‘IHC’**). Consultation in accordance with clause 15 of the OIC has occurred and written notice (letter) has been sent to the listed parties by consenting authority (**‘HBRC’**) on 4 December 2025. This notice offered the opportunity for listed invited parties to comment on the proposed works and closed on 19 December 2025.

1.4 Seven comments were received to HBRC within the statutory timeframe from invited parties. These comments have been considered and responded to where appropriate. In accordance with clause 15 of the OIC, a summary of comments is outlined in Appendix 1 below.

1.5 This report addresses the relevant sections of the OIC and makes recommendations to the IHC for consideration in their decision and on the imposition of relevant consent conditions.

Non-OIC Pathway

1.6 The second pathway is for works fall outside the delineated footprint of the OIC (i.e. non-OIC activity) and are smaller in nature. These works are subject to the ‘usual’ provisions and processes of the Resource Management Act 1991 (**‘RMA’**). These works are relatively minor, consisting of four areas where the stop bank alignment falls outside of the OIC area and four stockpiling areas.

1.7 An assessment against the relevant provisions of the RMA for a discretionary activity has been undertaken for the non-OIC activity. The adverse effects associated with this aspect

¹ OIC 2024 legislation: <https://www.legislation.govt.nz/regulation/public/2024/0083/latest/whole.html>

of the proposal is considered to be less than minor. It is recommended by the reporting officer that the application be granted on a non-notified basis with conditions of consent.

General

- 1.8 The IHC is delegated by HBRC to decide on the application (for Regional Council related matters) for consent under sections 104A and 104C of the RMA, and has delegation to consider and decide on the applications both within and outside of the OIC area². The IHC also has delegated authority to decide upon the need for notification for the non-OIC activities under sections 95A-95E of the RMA.
- 1.9 This report provides a recommendation only for the matters relevant to HBRC jurisdiction, to the IHC who will make a decision on the applications.
- 1.10 Further details on this proposal are outlined in the Strategy Planning Limited Application Report³ ('**applicant's application**') and is referred to in the report below.

2. THE ACTIVITY

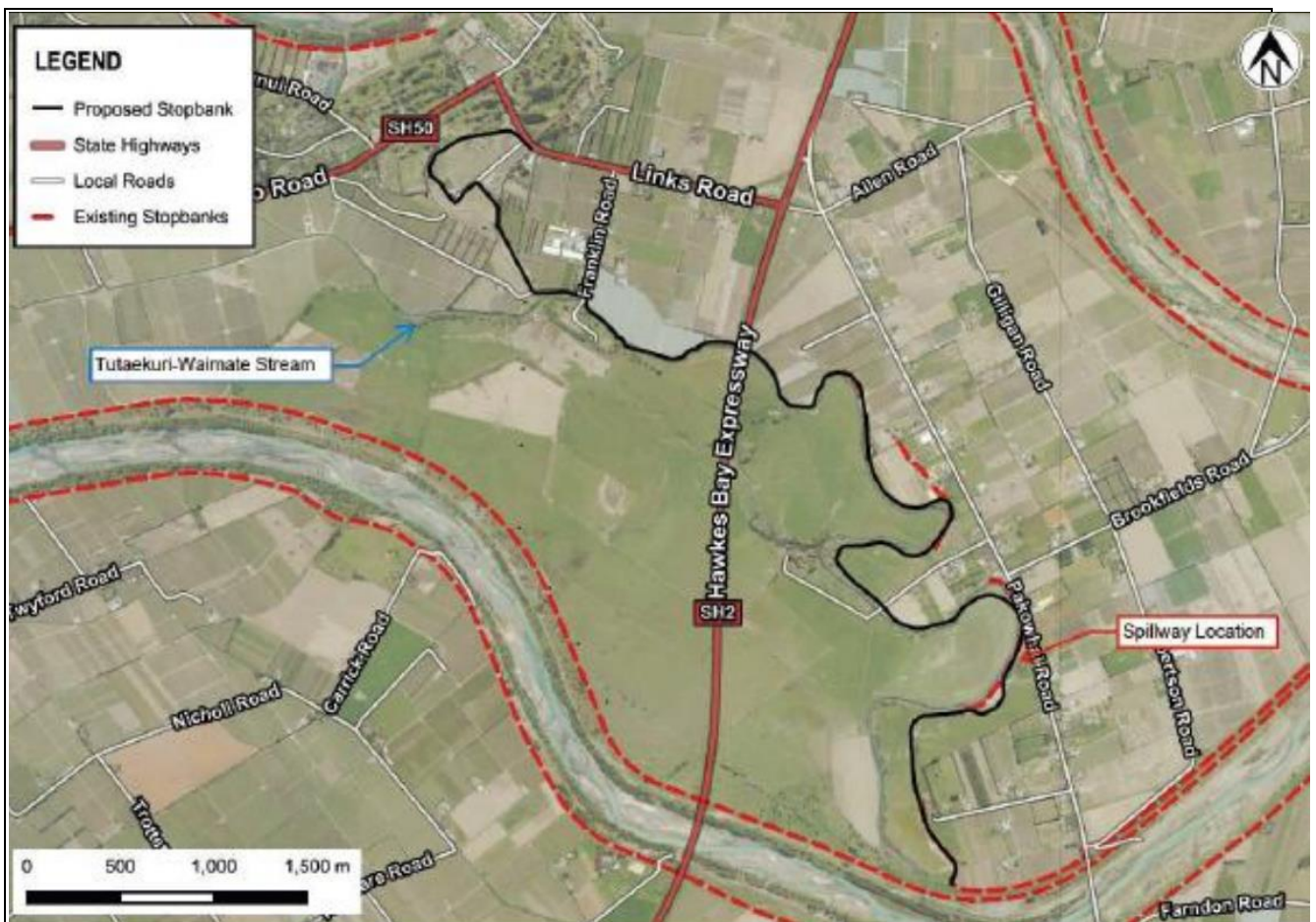


Figure 1. Site of activity (black line)

² This delegation was confirmed at the Regional Council meeting held 28 May 2025 [Agenda of Hawke's Bay Regional Council meeting - Wednesday, 28 May 2025](#)

³ 'Resource Consent Application for Stopbank Works: Pākowhai Flood Protection.' Prepared by Strategy Planning Limited. Reference: 24126AP1. Dated 26 November 2025. Referred to in report below as 'the applicant's application'.

The Site

- 2.1 The activity is within the Pākowhai area along the Tūtaekurī-Waimate Stream and Waiohiki Drain. The location of works will specifically occur between Links Road and the Ngaruroro River south of Hodgson Road (See Figure 1). Further details are outlined in section 5 of the applicant's application.

Site Visit

- 2.2 A site inspection was undertaken by the reporting officer, accompanied by Paul Barrett (Consents Manager), Phillip McKay (Independent Commissioner), Caleb Sutton (Hastings District Council), Michelle Hart (Hastings District Council), Cameron Drury (Stradegy Planning Limited) and Harry Donnelly (Hawke's Bay Regional Council – Applicant Project Manager), on 27 November 2025.

Background

- 2.3 The applicant has applied for resource consent to undertake flood mitigation work on the Tūtaekurī-Waimate Stream and Waiohiki Drain. This proposal includes works both within and outside Schedule 1 of the OIC 2024 which refers to the 'Locations of flood protection works. Under clause 6(3(d)) 'Pākowhai' is listed as a location (See Figure 2).
- 2.4 The majority of the proposed works are located within the Schedule 1 area of the OIC. The works within this area are subject to the clauses of the OIC which set out a process for considering applications for this activity, which differs from the standard RMA process.
- 2.5 The applicant has identified four discrete areas of the proposed works that will fall outside Schedule 1 of the OIC locations (i.e. non-OIC areas). These areas are subject to the standard RMA process and therefore the clauses of the OIC are not applicable.
- 2.6 The four non-OIC areas are outlined in Figure 3 below and Appendix 10 of the applicant's application, and include stopbank works, specifically in regard to:
- **Area 1** (1135 Links Road within 'Lot 2 DP 16843') for earthworks
 - **Area 2** (1844 Pakowhai Road within 'Part Lot 2 DP 376') for earthworks
 - **Area 3** (adjacent to 1844 Pakowhai Road within 'Lot 3 DP 6071') for earthworks, road construction including access ramps, swale and culvert installation
 - **Area 4** (adjacent to 74 Hodgson Road within 'Lot 15 Deeds 632') for road construction including access ramps



Figure 2. Area of works located within Schedule 1 of the OIC footprint (blue fill)

2.7 The applicant has indicated four stockpile areas will also be located outside the OIC footprint to enable the easy access to resource for the stopbank realignment works (See Figure 3).

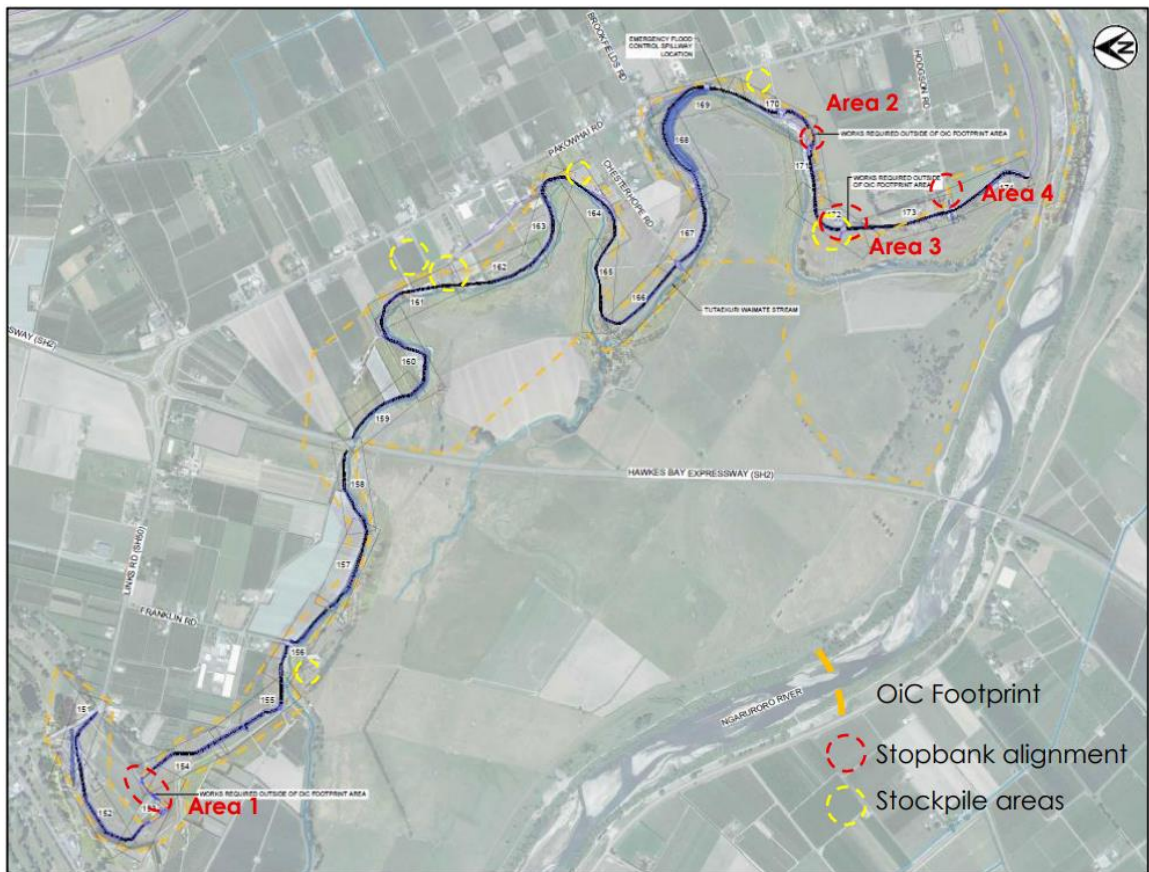


Figure 3. Non-OIC works located outside Schedule 1 of the OIC, stop bank works (red dash circles) and stock pile areas (yellow dash circles)

Consenting Pathways

- 2.8 As outlined above, there are two different RMA consenting pathways that apply to this application (i.e. OIC and non-OIC areas). Generally, when processing multiple applications, a ‘bundling’ consent approach may be used, however, there is no clear pathway under the OIC to enable this approach to occur.
- 2.9 This report will therefore assess the two consenting pathways as one application but under their respective RMA process. This report will differentiate between the regional planning aspects of the two areas of work (i.e. OIC and non-OIC areas) and which statutory process applies.
- 2.10 Sections 1 and 2 of the applicant’s application provides an introduction and background of this proposal and statutory context for the flood mitigation works. The conclusions reached in these sections are agreed upon and have been adopted by the reporting officer, and therefore are not repeated in the report below.

OIC Pathway

- 2.11 For context, clauses of the OIC 2024 are summarised briefly as follows:
 - **Clause 8** refers that flood protection works are taken to be controlled activities for the purposes of the RMA.

- **Clause 9** states who may apply for a resource consent for flood protection works. **Clause 9(2)** of the OIC 2024 only applies to a Hawkes Bay local authority. **Clause 9(3)** states that a Hawkes Bay local authority may apply for a resource consent for flood protection works only if it is proposed that flood protection works will be carried out by that authority or on its behalf. This application is being made by HBRC (the applicant) with works to be carried out on its behalf.
- **Clause 10** relates functions etc, delegated to hearings commissioner.
- **Clause 11** requires the applicant to apply to every relevant consent authority at the same time and for those consent authorities to act jointly in performing all their functions, duties and powers in relation to the application.
- **Clause 12** sets out the procedure for and the information requirements for an application. Once an application is accepted as meeting all the information requirements in **Clause 12(2)** and all necessary resource consents have been lodged (activities included), **Clause 18** requires the consent authority to give notice of its decision on the application within 30 working days.
- **Clause 13** relates to incomplete applications – does not apply to this application which has been deemed to be complete.
- **Clause 14** states that applications are to be assessed on a non-notified basis.
- **Clause 15** relates to consultation.
- **Clause 16** refers back to Clause 12 and overrides section 104(5) of the RMA.
- **Clause 17** states that the consent authority may impose any 1 or more of the conditions set out in in Schedule 2 and may impose any 1 or more additional conditions it considers necessary.
- **Clause 18** relates to giving notice of decision and overrides section 115 of the RMA in favour of section 114 of the RMA.
- **Schedule 1** provides the location and description for the Flood protection works as shown in Figure 2 above (map is indicative only – full description provided in the schedule).
- **Schedule 2** provides the pathway to impose conditions of resource consents.
- **Schedule 3** lists the matters of control.

2.12 The application to the consent authorities⁴ considers the following matters;

- General Matters –
 - Flooding
 - Construction management
 - Effects on ecology
- Cultural values
- Freshwater
- Coastal environment
- Stormwater management

⁴ HBRC as the regional consent authority and HDC and the district consent authority.

- Visual effects and amenity
- Heritage and archaeology
- Access and transport
- Contaminated land

2.13 The applicant has provided an assessment covering the above matters of control as specified in **Schedule 3** of the OIC 2024.

Nature Of Activity

2.14 The full description of this proposal is outlined in section 6 of the applicant's application⁵ and should be referred to. A summary of this proposal is briefly outlined below:

2.15 The applicant proposes to undertake flood protection works including construction of an approximately 8.9 km long stop bank/ floodwall between 1 – 4 m above ground level in height, located between Links Road and the Ngaruoro River south of Hodgson Road. The stop bank will generally extend along the eastern side of the Tutaekuri-Waimate Stream and Waiohiki Drain.

2.16 The proposal includes constructing flood walls, retaining walls, a flood control spillway, various road crossings, access ramps and stormwater drainage culverts and swales for these flood protection works. A minor diversion in the Tūtaekurī-Waimate Stream is required to create space for the construction of the stopbank.

2.17 The flood protection stopbank and spillway crest levels have been designed to provide protection against a 200 cubic metre per second (m³/s) flow rate across the flood plain to the west (freeboard of 500 mm). The flood protection works are not designed to achieve protection to any specified design return period, rather the 200 m³/s is a capacity-based estimate that could originate from multiple different scenarios. It is noted the design flow rate (200 m³/s) may represent a range of possible events, including overtopping of the Ngaruroro or Tūtaekuri River stopbanks (i.e. in exceedance of the 100 return period for the main river stop banks).⁶

2.18 The flood water will drain initially into the Tūtaekurī-Waimate Stream, and then during times of higher inflow the flood water will be directed via the spillway.

2.19 The spillway will be approximately 200 m wide and has been designed to capture flood waters that overtop the stopbank at a peak inflow of approximately 140 m³/s. The spillway will direct the water east into Category 3 land⁷ (property with unacceptable risk of future flooding or posing ongoing risk).

2.14 In summary, the scheme is designed to provide protection in major flood events, including situations where the Ngaruroro or Tūtaekurī Rivers overtop or a stopbank breach occurs. In such events, the stopbank system and the spillway are intended to work together to direct excess floodwater onto low-lying Category 3 land and toward the Pākowhai Pump

⁵ Stradegy, 'Resource Consent Application for Flood Protection Works – Pākowhai Flood Protection Works'. 26 November 2025 (24126AP1)

⁶ Refer to sections 2.2 and 2.3 of Appendix 14 Consequential Flood Assessment, Prepared by Beca Limited, Reference 3368793-721583354-22, Dated 11 November 2025.

⁷ Land categorisation information for flood-affected areas: <https://www.hastingsdc.govt.nz/land-categorisation-hb/>

Station, helping to keep water away from homes. This design is intended to provide additional evacuation time for affected residents and improves the reliability of flood protection in the Pākowhai area during large-scale flooding.

- 2.15 The applicant that applied to both the HBRC for the matters that fall under the Hawke's Bay Regional Resource Management Plan ('RRMP'), and to the Hastings District Council ('HDC') for matters that fall under the Hastings District Plan ('HDP').

3. REQUIRED APPROVALS

Resource Consents (HBRC)

- 3.1 This report will only assess the matters within scope of HBRC jurisdiction. The relevant matters that fall outside HBRC control will be assessed by HDC and the IHC.
- 3.2 In accordance with clause 8 and 14 of the OIC, the activity within the OIC area is non-notified and will be granted overall as a **controlled** activity.
- 3.3 The part of the application for works outside the OIC area (i.e. non-OIC) is overall a **discretionary** activity and subject to the standard RMA process.
- 3.4 Consent is required from HBRC under the Resource Management (National Environmental Standards for Freshwater) 2020 ('NES-F'), RRMP and Proposed Plan Change 9 ('TANK') for the following activities:

NES-F

- **Regulation 45** for activities affecting natural inland wetlands
- **Regulation 57** for the diversion of the Tūtaekurī-Waimate Stream

RRMP

- **Rule 8** for vegetation clearance and soil disturbance
- **Rule 30** for a discharge of dust
- **Rule 33** for the discharge of drainage water (if required as part of construction)
- **Rule 52** for the discharge of sediment laden water to land or water and for the discharge of solid contaminants within 20 m of a surface water body (not meeting permitted Rule 48)
- **Rule 55** for other takes and uses of groundwater (relating to the take of drainage water if required during construction and the taking and use of water from the Tūtaekurī-Waimate Stream for construction and dust suppression purposes)
- **Rule 59** for the diversion of the Tūtaekurī-Waimate Stream and diversion of the Tūtaekurī-Waimate Stream arising from the stopbank
- **Rule 69** for planting and other activities not deemed to comply with permitted activity rules in section 6.8, and for river and lake bed activities (disturbance of the Waiohiki Drain, installation of stormwater outlets, temporary bridges, installation of rock rip rap or similar at the toes of the stopbank / floodwall and installation of a culvert in the invert of the overflow channel – if deemed a water body)

TANK

- **Rule TANK 10** for the take and use of surface or groundwater (relating to the ‘take’ of drainage water if required as part of construction and for the taking and use of water from the Tūtaekurī-Waimate Stream for construction and dust suppression purposes)
- **Rule TANK 22 or 23** for the diversion and discharge of stormwater into water, or onto land where it may enter water

3.5 It is noted that some aspects of the works are considered a permitted activity and therefore do not require consent. This specifically relates to river protection maintenance which falls under Rule 70 of the RRMP and/or Regulation 51 of the NES-F for natural hazard works.

Other Approvals (HDC)

3.6 In addition to the HBRC consenting requirements outlined above, the applicant requires resource consent from HDC in accordance with the HDP. The HDC reporting officer will undertake a separate assessment and provide a written report for the matters within HDC jurisdiction in accordance with the HFP for the OIC and non-OIC related works. HDC will provide their report separately to IHC.

4. COMMENTS INVITED AND RECEIVED

4.1 In accordance with clause 15 of the OIC, notice was sent to the listed parties (clause 15(2)) and they were given the opportunity to comment on the application beginning 4 December 2025 and closing 19 December 2025.⁸

4.2 Additional parties were invited to comment on the application who were considered to hold an interest greater than that of the general public, in accordance with clause 15(2)(x). This included parties with properties located in the spill way zone and those with modelled flood levels increased from the baseline scenario as identified in Figure 4.4 of Appendix 13 of the applicant’s application.

4.3 It should be noted that notices were posted to six parties. None of the notices posted to parties were unable to be delivered or returned.

4.4 Comments were received from seven parties during the consultation period for comments, and include the following parties:

- NZTA Waka Kotahi (NZTA)
- Hastings District Council (HDC)
- Joan Fernie Charitable Trust (JFCT)
- Bostock New Zealand
- Ministry for Education
- Evan O’Leary
- Sherly and David Mackie (Mackie)

⁸ HBRC acting as ‘lead agency’ and sent the notice to listed parties inviting comments on behalf of both councils/consent authorities. Notice was sent to the listed parties identified by the applicant’s (Appendix 11), HBRC and HDC. Refer to HBRC memo saved to file for reasoning for additional parties recommended by HBRC reporting officer.

- 4.5 The key issues from the comments from the seven parties are briefly summarised in section 4 below. The comments are summarised in more detail in Appendix 1 to this report. A full copy of the comments has been provided to the IHC, HDC reporting officer and the applicant.
- 4.6 The applicant provided two responses to the comments was received on 15 January 2025, including a response from prepared by Tonkin + Taylor.⁹
- 4.7 **NZTA** provided comments on the location of the stopbank in terms of State Highway 2 ('SH2') (Hawke's Bay Expressway), height differences pre and post works and lastly consultant with the Hawke's Bay Expressway Team. The applicant has provided responses confirming that *"the northern approach of SH2 bridge at the Tūtaekurī-Waimate Stream sits higher than the proposed stopbank crest level."* Consultation with NZTA will be undertaken for the design for the tie in between the two assets during the detailed design stage and is covered by Condition 1B.
- 4.8 **HDC** comments were regarding the flooding risk on SH2 at the Tūtaekurī-Waimate Stream bridge, accessibility during flooding events and increased flooding on SH2. The applicant confirmed that the modelling undertaken (application Appendix 14) shows a marginal increase in time for any flood waters to drain from SH2 with the proposed new infrastructure. These areas are already subject to flooding, and a separate regional flood resilience project that sits outside this application is underway to improve SH2.
- 4.9 **JFCT** (land owner) and **Bostock New Zealand** (lease of JFCT land) comments focused on increased flooding risk on productive land utilised by these parties and the disproportionate effects that will benefit other landowners. Various conditions of consent were recommended by these parties including ongoing monitoring, access to privately owned land and early warning systems. They also commended on the need for compensation due to the increased flooding effects on their land.
- 4.10 The JFCT will have an increased flood depth by more than 0.5 m based on modelling shown in Appendix 13 given the excess water overtopping the proposed stopbank is proposed to be redirected to this land. The applicant has responded *"regarding the farmland, there is already the potential for significant amounts of flooding in this area (from SH2 to the downstream end of the stream). While the effects of the proposal will add to the depth and extent of this, HBRC is working with the landowner to reach a land access agreement that will take account of the effects identified, thus no further mitigation is proposed as part of this resource consent process."* A private land agreement and compensation for lost land development falls outside the OIC scope and discussions between the landowner and HBRC are underway.
- 4.11 Many of the conditions of consents recommended by JFCT and Bostock New Zealand fall outside the scope of the OIC for ongoing monitoring including the requirement for an early warning system. This consent is limited to a 5 year duration and additional monitoring conditions are not recommended for this reason. Any evacuation protocols falls outside the OIC and will be determined by Hawke's Bay Civil Deference Emergency Management.

⁹ Tonkin and Taylor, 15 January 2026, 'Pākowhai Stopbank – Comments of Resource Consent Submissions APP-131699 Rev 1.

- 4.12 JFCT will be invited to be part of the stakeholder advisory group ('**STAG**') under condition 6.
- 4.13 **Ministry for Education** provided comments on safety concerns, traffic and traffic noise with the Pākowhai School being located on Chesterhope Road which is within the vicinity of the works area. Amendments to Conditions 6 and 10 were proposed to include a representative from the Ministry of Education and/or Pākowhai School under Condition 6 (b(viii)) for the STAG and condition 10 for the CEMP process. The applicant states that the *"inclusion of the Ministry and Pākowhai School as part of the STAG (Condition 6) and CEMP process is supported, and consistent with Conditions 6 and 10."*
- 4.14 Traffic management and safety is not a matter under HBRC control.
- 4.15 **Evan O'Leary** raised concerns regarding the lack of communication of the project with land-owners about the spill way, effects of flood water entering the property, compensation for the effects on this land and the fairness of the effects on the property. Consultation with the Pākowhai community has been undertaken during the development of the proposed stopbank and spillway¹⁰. The applicant has confirmed the modelling in Appendix 13 of the application shows *"the property is within the low-lying floodplain at the eastern end of Pākowhai, and was inundated in both the pre and post development cases, there is a marginal improvement in peak flood depth at the site"*
- 4.16 Any compensation for lost land falls outside the OIC scope.
- 4.17 Sheryl and David **Mackie** provided various amendments to the conditions of consent including Conditions 1B, 6, 9(d), 10, 11, 23(aa), 10(c(ix)), 23, 36B-36D and 41. Other recommendations included increasing the working day timeframes from 5 to 10-15 days, formation of two STAG, construction management and compensation for lost land. The various conditions proposed have been specifically considered and responded to in Appendix 1.
- 4.18 A recommendation was made Condition 1B for the applicant to provide the final designs to the STAG prior to works commencing, and this is supported by the applicant. The reporting officer recommends the inclusion of 5 working days to provide the final designs to the STAG and consent authorities (HBRC and HDC) to align with the 5 working day timeframe required by condition 10 for the STAG to review the CEMP.
- 4.19 **Mackie** suggested an amendment included the requirement of two STAG groups for works north and south of SH2, and the applicant has provided a response that *"a single STAG, with adequate representation from both ends of the project, will be sufficient to represent the footprint owners and wider community"*. It is agreed by HBRC that the requirement of two STAG are not necessary.
- 4.20 Dust management was a key concern and amendments to condition 10 (ix) was recommended given the potential increased dust occurring outside 56 Franklin Road from the truck movements. The applicant considers *"matters relating to dust will be addressed through the Environmental Management Plan (EMP) and Erosion and Sediment Control Plan (ESCP) which are proposed as a condition of consent."* However, additional conditions

¹⁰ Refer to section 9 of the applicant's application

of consent have been recommended by the reporting officer and are outlined in section 6 in the report below.

4.21 The construction noise and traffic fall outside HBRC control.

4.22 Where applicable to the scope of this application, the recommendations in the comments from the seven parties have been considered by the reporting officer.

5. Matters to be Considered

OIC Area

5.1 The activity within the OIC delineated area is a **controlled** activity.

5.2 When considering an application in accordance with the OIC, specifically clause 10, a hearings commissioner (whom the consent authority has delegated functions, duties, and powers to, and who is not a member of the consent authority) must consider the application under section 104 of the RMA, and noting that clause 16 states:

'Section 104(5) does not apply in relation to the consent authority's consideration of an application referred to in clause 12.'

5.3 This is understood to mean that the activities within the OIC delineated area must be processed as a 'controlled' activity, and this activity status cannot be changed for any reason. This means there is no opportunity for the IHC to decline the application within the OIC delineated area.

5.4 The consent authority may only consider effects of the 'matters of control' and associated conditions of consent, which are set out in full in [Schedule 3](#) of the OIC¹¹. The matters of control includes the potential adverse effects and proposed mitigation measures for the following:

- i. General (i.e. risks of flooding, risk of erosion and adverse effects on wildlife, habitat, and ecosystems)
- ii. Cultural values
- iii. Freshwater
- iv. Coastal environment
- v. Stormwater
- vi. Soil, land, and ecology
- vii. Visual effects and amenity
- viii. Adjoining land uses
- ix. Heritage and archaeology
- x. Access and transport
- xi. Contaminated land (human health)

¹¹ Refer to [clause 17\(3\), \(4\), and \(6\)](#) of the OIC for the Conditions of Consent

Non-OIC Area

- 5.5 The activities that fall outside the OIC delineated areas is assessed as a **discretionary** activity. The activities proposed to occur outside the OIC area include the diversion of water (i.e. with a stopbank), and construction associated activities such as the discharge of fill within 20m of a water body, discharge of dust, and water takes for dust suppression¹².
- 5.6 The non-OIC area works require consent from HBRC for a 'discretionary' activity, and this means any relevant effects associated with those works can be considered by the consent authority. In accordance with section 104B of the RMA, the consent authority may grant or refuse the application and can impose conditions under section 108 of the RMA.
- 5.7 When considering an application for a resource consent, in accordance with section 104 of the RMA, the IHC must have regard to:
- *Any actual and potential effects on the environment of allowing the activity (within the matters of control where applicable); and,*
 - *Relevant plans, policies and regulations.*
- 5.8 The environmental effects of the activity are addressed in sections 6 of this report, and detailed in section 11.2 of the applicant's application. The relevant plans, policies and regulation are addressed in section 8 of this report.
- 5.9 In accordance with section 105 of the RMA for discharge activities, the IHC must also have regard to:
- *The nature of the discharge and the sensitivity of the receiving environment; and,*
 - *Any possible alternative methods and points of discharge; and,*
 - *The applicant's reasons for making the proposed choice.*
- 5.10 Section 107 of the RMA is also relevant for discharge activities and sets out effects that must be avoided.
- 5.11 The IHC must make the above considerations subject to the purpose and principles of Part 2 of the RMA.
- 5.12 In accordance with Part 2 of the RMA, section 5 outlines the purpose of the RMA is to "*promote the sustainable management of the natural and physical resources*". Under the RMA, 'sustainable management' means "*managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety*".
- 5.13 In promoting the sustainable management of natural and physical resources, the RMA requires the IHC to have regard to sections 6 - 8 of Part 2, including:
- i. Section 6 - Recognise and provide for the following matters of national importance:
 - preservation of natural character of coastal environments, wetlands, lakes, rivers and their margins
 - relationship of Māori with their taonga

¹² Applicant's application, section 7.2

- management of significant risks from natural hazards
- and
- ii. Section 7 – Other matters
 - kaitiakitanga
 - ethic of stewardship
 - efficient use and development of natural and physical resources
 - maintenance and enhancement of amenity values
 - maintenance and enhancement of the quality of the environment
 - any finite characteristics of natural and physical resources
 - effects of climate change
- and
- iii. Section 8 - Taking into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)

6. ACTUAL AND POTENTIAL EFFECTS

- 6.1 The actual and potential effects of the proposal have been detailed and assessed in section 10 (OIC related activities) and section 11.2 (non-OIC related activities) of the applicant’s application. These sections should be referred to, as they are not repeated in the report below, with this report focussing on areas where a view that is different from that of the applicant has been reached or where more explanation is considered necessary.
- 6.2 The applicant has proposed amendments to the standardised conditions of the OIC for the OIC and non-OIC related activities. These amendments are to reflect the details of the proposed activity to ensure the conditions are suitable for addressing any resulting adverse effects.
- 6.3 The key actual and potential effects from the proposal are outlined and discussed below:

OIC application

- 6.4 The actual and potential effects of the proposal assessed, includes the effects relating to:
- General matters
 - Cultural values
 - Freshwater
 - The coastal environment
 - Stormwater management
 - Soil, land and ecology
 - Amenity
 - Adjoining land uses
 - Heritage and archaeology

General Matters

Dust Management

- 6.5 Although conditions of consent require a CEMP to be prepared to manage the construction works, additional conditions are recommended by the reporting officer to manage dust discharges associated with the proposed works.
- 6.6 An amendment to condition 10 is recommended by the reporting officer to include procedures for minimising dust in accordance with (ix). A local dust management plan is specifically recommended to be developed to manage dust effecting 56 Franklin Road, Waiohiki given the potential for dust from heavy machinery use outside this property. In addition, the landowners were invited parties in accordance with clause 15 of the OIC and provided comments about dust concerns for their orchard.
- 6.7 A condition of consent is recommended that prior to works occurring in this area, the applicant develops a dust management plan which includes potential sources, dust suppression measures, monitoring and complaint procedures and contingency actions for dust extending beyond the construction boundary. It is recommended the plan be developed by a suitably qualified person and implemented during the construction works and until the sites are stabilised for Separable Portions 4 and 5. This recognises that, as explained in their comments, dust is a potentially a significant issue for this property and will need careful management.

Surface Water Take

- 6.8 The applicant has proposed conditions of consent regarding the take and use of surface water from the Tūtaekurī-Waimate Stream. The proposed conditions include taking 25 L/s from each point of take which is limited to 700 m upstream of Franklin Road and the Ngaruro stopbank. A maximum volume of 1,080 m³/day is proposed which will have a measuring and reporting (telemetry device) to ensure the take does not exceed this volume. A fish screen is proposed to protect aquatic species.
- 6.9 Based on the information provided, the reporting officer has recommended various amendments to the surface water conditions of consent proposed by the applicant. The key concern with the 25 L/s rate of take is the number of points water can be abstracted is not specified and therefore the cumulative rate of take is unknown. It is recommended to limit a combined rate of abstraction to 50 L/s at any one time to ensure the water abstraction is not adversely affecting existing legal surface water takes and to protect instream values.
- 6.10 Given the large daily volume of water abstraction proposed of 1,080 m³, it is recommended a low flow condition is added to ensure the take ceases during times the Tūtaekurī-Waimate Stream is at or below 1,200 L/s measured at the Goods Bridge flow measuring site (no.1023149) or as determined by HBRC. As recommended, the take could not recommence until the flow exceed 1,200 L/s.
- 6.11 Although low flow bans in the Tūtaekurī-Waimate are not common¹³, this condition is recommended to align with the requirements set out under TANK to help protect water flows and instream ecological health.

¹³ The HBRC low flow records indicate that a low flow ban has only been in place for one day and this occurred 30 April – 1 May 2025 <https://www.hbrc.govt.nz/environment/environmental-data/low-flows/>

- 6.12 Consideration was given to recommending as an alternative approach that would allow for a water take reduction plan to be implemented instead of requiring the take to cease. The applicant commented that the water take reduction plan should be provided for to allow abstraction to continue during any periods of low flow in the stream. While it is recognised that water is a critical requirement for the construction works, and during dry conditions, it is also particularly important for managing dust effects, ultimately this need is to be balanced against the needs of the stream. Low flow events are uncommon in this stream, and if they do occur it will be the result of extreme dry conditions. Minimum flows are seen as the environmental 'bottom line' for the stream and there are alternative water sources such as groundwater available in the area. It is therefore recommended that the minimum flow conditions be included and require the take to cease in the unlikely event that flows fall to this critical level.
- 6.13 If a water take reduction plan approach is to be provided for it should ensure that the water abstracted during minimum flow periods is minimised as far as practicable and ensure that all other viable sources and options (e.g. for dust suppression) are ruled out. If water is to be used during low flow periods, it must only be if no other viable alternatives can be found, at a specified reduced rate of take (e.g. total combined rate not exceeding 25 L/s), and should be minimised to the greatest extent practicable to maintain only the essential elements of works
- 6.14 To monitor the rate of take and volume of water abstracted, a water meter and telemetry is recommended as conditions of consent by the applicant. Additional requirements are recommended by HBRC to ensure the measurements and requirements for metering and telemetry of water take data in line with HBRC database.
- 6.15 Although the applicant has proposed to include a fish screen on each take point to prevent aquatic species getting caught in the reticulation system, it is recommended the screen is designed in accordance with the Project Ecologist or another suitably qualified person to ensure the velocity of the intake(s) is suitable for the fish species present at each site(s) in accordance with condition 28.

Temporary Structures

- 6.16 The applicant has indicated two temporary bridge crossing will likely be required for this proposal over the Tūtaekurī-Waimate Stream. The reporting officer recommends the inclusion of the location and details of the temporary bridges including the construction and removal methods to be provided as part of the design plans required by condition 1B and the CEMP required by condition 10(xxiii) and (xx).
- 6.17 A condition of consent is recommended by the reporting officer that requires the applicant to notify HBRC prior to the removal of a temporary bridge crossing with notice must being provided between 5 to 10 working days before removal occurring. This will enable HBRC Compliance staff the opportunity to undertake a site visit if during the time of these works if required.

Consequential Flooding Effects

- 6.18 A key potential effect relates to consequential flooding. The application included an assessment and peer review (Appendix 13) of consequential flooding effects which took into con-

sideration extensive modelling through a range of predicted events to inform an assessment of flood hazard risk. The flood modelling was peer reviewed in September 2025 by BECA¹⁴.

- 6.19 The T+T consequential flooding assessment¹⁵ shows that the proposed stopbank will reduce flooding in the north and east Pākowhai area but will increase both flood extent and depth immediately downstream of the new spillway and upstream/west of the stopbank, mainly within the detention area and a section of State Highway 2 (SH2). In areas where flooding is greater, the flood velocities also increase. However, the flood depths decrease with the flood protection infrastructure compared to the current conditions in the areas located further downstream of the spillway.
- 6.20 Extensive modelling scenarios were assessed through a range of predicted events to understand the potential flood hazard risks. The modelling highlighted 54 properties as having an increased flood hazard risk with the new infrastructure compared to the current conditions. It is noted 30 of these properties are already Category 3 areas which means they are unsafe to inhabit.
- 6.21 The assessment examines the change in hazard risk to buildings outside of the Land Categorisation 3 area, and indicates that 14 buildings have a relatively minor increased hazard risk (H1 to H2) and a further six buildings increase to a H3 hazard classification. The applicant notes that three of these buildings are located on land now owned by HBRC (70 Franklin Road), and that impacts on other buildings are minimal due to them being non-residential or that they are being considered through the land access agreements.
- 6.22 It is noted the modelled increased flooding effects will be west of the stopbank, particularly along SH2 and within the adjacent horticultural land. The applicant notes that there is already potential for significant flooding on the farmland upstream of the stopbank. Private agreements are being considered between various landowners and the applicant in terms of compensation and additional discussions.
- 6.23 The flood modelling shows that under the proposed stopbank scenario, the length of SH2 exposed to high hazard (H3 or higher) flooding will increase from 220 metres to 790 metres. While this means a greater stretch of SH2 could be affected by flooding, the duration of flooding will only be slightly longer. The overall impact on the operation of SH2 is expected to remain limited compared to the current situation. Floodwaters will still drain within a timeframe similar to that of the baseline (existing) scenario.¹⁶
- 6.24 The assessment also indicates that flooding has been eliminated along Pakowhai Road for 2.5 km of the northernmost section of Pakowhai Road up to the spillway. Although downstream of the spillway, flood depths and velocities are expected to increase, the hazard level along Pakowhai Road remains below the threshold considered unsafe for vehicles (H1). Additionally, the T+T report highlights a significant reduction in the overall length of roads exposed to the highest hazard category (H3 or higher), where all vehicles would be unsafe.

¹⁴ BECA, 'Consequential Flood Assessment - Proposed Pākowhai Scheme' 11 November 2025 (Application - Appendix 14)

¹⁵ T+T 'Consequential Flood Effects - Pākowhai Stopbank'. October 2025 (Application - Appendix 13).

¹⁶ Applicant's application page 77

- 6.25 T+T also note¹⁷ that in terms of broader transport resilience, new bridges on SH2 are likely to be set higher than existing bridges, and that other bridges are set to be replaced across the Tūtaekurī River, and that there are a number of other improvements planned for the transport network to generally improve resilience to flooding.
- 6.26 It is noted that the tie in between the flood protection works and SH2 has yet to be fully designed and agreed with NZTA. This work will need to occur after NZTA has completed the four laning of this section of the expressway. Until that occurs, the flood protection works will not function to the design level intended. Recommended changes to condition 1B provide for the later completion of final design for the tie in.
- 6.27 T+T concluded that *“...the proposed stopbank scenario substantially reduces the number of buildings affected by flooding, though some areas immediately downstream and upstream/west of the stopbank experience increased flood extent and depth. Overall, the stopbank improves protection for certain regions and reduces building footprint exposure, with residual effects concentrated in specific downstream and adjacent locations”*.
- 6.28 The BECA review concluded that¹⁸:
- The proposed stopbank will result in a reduction of flood hazard category for 360 properties across the Pākowhai area.
 - The proposed stopbank will eliminate flood hazards for approximately 300 buildings within the protected Pākowhai area during major flood events, providing significant benefit to the residential community.
 - Flood depths will increase for some properties (some of which are land category 3) and some infrastructure downstream of the spillway and west of the Tūtaekurī-Waimate Stream. It is noted that most residential properties see only minor hazard classification changes. The most affected land is rural.
 - The stopbank offers protection for events with return periods greater than 100 years and up to a 200-year event. This is given there is no overtopping in a 100-year event.
 - Some key infrastructure, such as SH2 and transmission towers, will experience increased flood depths. The increased risk for habitable dwellings is limited to H3 classification.
 - While the stopbank benefits are more limited compared to other schemes, the protection it provides to residential and community assets is considered to justify the increased flood risk to rural areas and infrastructure.
- 6.29 The applicant’s conclusions on consequential flooding are accepted, and while in some instances an increase in flooding will occur this can be accepted given the already significant risk of floodings across affected areas, i.e. the proposed increase will not generate significant additional further adverse impacts in the time of a flood and where these impacts are most significant, land access arrangements are being made, and the benefits from reduced flooding that will occur for the Pākowhai area.

Drinking Water Supplies

- 6.30 A condition of consent has been proposed by the applicant to notify NCC Drinking Water Supply Manager and the HBRC in this event. The reporting officer recommends the addition of notifying Pākowhai School (private supply) given the school is nearest registered drinking

¹⁷ T&T, ‘Pakowahi Stopbank – Comments on resource consent submissions APP-131699 Rev 1’. 15 January 2026

¹⁸ BECA, ‘Consequential Flood Assessment - Proposed Pākowhai Scheme’ 11 November 2025 (Application - Appendix 14) – Table 4

water supplier located within the vicinity of the works area where dust and other contaminants in the form of diesel and oil from heavy machinery could result in contaminants entering the groundwater resources.

Cultural Matters

- 6.31 The OIC application includes a Cultural Impact Assessment (CIA)¹⁹ and Cultural Aspirations and Assessment Report (CAAR)²⁰ which have been provided to HBRC confidentially. The key recommendations from the CIA and CAAR are outlined in Table 6 of the applicant's application and are summarised below:
- 6.32 The CIA and CAAR recommend a range of cultural and environmental restoration strategies for Tūtaekurī-Waimate Stream and Waiohiki Drain, including planting, stream clearance, stopbank and ecological rehabilitation, community engagement, ongoing monitoring including accidental discovery protocols, and collaboration with local hapū and Māori entities.
- 6.33 The applicant has incorporated recommendations outlined in the CIA and CAAR where possible, and consider the recommendations are generally covered under the standard conditions of consent. This is generally within involvement in the STAG (condition 6) and during the preparation of the CEMP (condition 10) Ecology Management Plan (condition 28) development process.
- 6.34 Where scope does not allow for recommendations, ongoing engagement will be undertaken outside the consenting space.
- 6.35 The adverse effects of the OIC application will be **less than minor**.

Non-OIC application

- 6.36 The activities that are proposed outside the OIC area (Figure 3) across the project area, with three sites located within closer proximity to the Ngaruroro River. The other site is located adjacent to the Waiohiki Drain. It is noted four additional stockpile areas are included in the non-OIC related works.
- 6.37 The actual and potential effects of the proposal assessed, includes the effects relating to:
- Discharge and Dewatering
 - Diversion of water

Discharge and Dewatering

- 6.39 The applicant has indicated the four stockpile areas where material will be stored to construct the stopbank will not present a risk to water quality as the material is natural. In addition, erosion and sediment control devices will be in place to limit sediment entering

¹⁹ Confidential Document: Cultural Impact Assessment Report - Pākowhai Secondary Stopbank- Links Road. Ngāti Pārau Hapū Trust. December 2024. Identified as Appendix 1 of the applicant's application.

²⁰ Confidential Document: Pākowhai secondary stop-bank proposal. Cultural Aspirations and Assessment Report. Prepared by Ngāti Himemoa, Ngāti Hawea, Ngāti Hori. Dated 30 January 2025. Identified as Appendix 2 of the applicant's application.

any surface waterbody during times of rainfall. This will include limiting sediment entrapped in dewatering water. Conditions of the OIC consent are already in place in the form of a CEMP to manage the associated environmental effects resulting from the dust generated during construction works.

6.40 The applicant also clarified that temporary bridges may be required to enable construction. These are provided for within the OIC conditions, but the exact location of these is not yet known. The bridges approved under this process are temporary only. Should a party decide to keep the bridges in place on a more permanent basis, after the works are complete, they will need to seek a specific resource consent at that time, and the design of the bridges, for example in relation to height and flood carrying capacity will need to be thoroughly assessed.

6.41 As outlined above, dewatering water will be required to be managed via the CEMP to reduce sediments entering any surface waterbodies during discharge to land or water. The applicant considers this will reduce any adverse effects on the receiving environment and additional conditions have not been recommended for this reason. It is expected the effects associated with dewatering will be temporary in nature.

6.42 The adverse effects of the non-OIC application will be **less than minor**.

7. Notification Assessment under Sections 95A and 95B of the RMA

OIC Application

7.1 In accordance with clause 14 of the OIC, an application for flood protection works made under the OIC must not give public notification or limited notification of the application under section 95 of the RMA, and must instead carry out consultation in accordance with clause 15. For this reason, section 7 of this report is not applicable to the OIC application.

Non-OIC Application

7.2 The 'non-OIC' application is for a discretionary activity and is subject to sections 95A and 95B assessments of the RMA.

Public Notification (Section 95A)

7.3 In accordance with section 95A of the RMA, an assessment must be made to determine if public notification is required for an application of a resource consent.

7.4 The applicant has not requested public notification and there are no rules or National Environmental Standards precluding notification of the proposal, as such Step 1 and 2 of section 95A do not apply.

7.5 Step 3 is not applicable because public notification is precluded by Step 2 of section 95A, and there are no special circumstances exist that would require the need for public notification in accordance with Step 4.

7.6 Given the adverse effects of the proposal (as it relates to the areas outside of the OIC area) on the environment are considered to be less than minor, public notification is not required

for this application. The nature and scale of the adverse effects are outlined in Sections 10 and 11.2 of the applicant's application.

Limited Notification (Section 95B)

- 7.7 Where public notification is not required in accordance with section 95A, an assessment under section 95B must be made to determine whether to give limited notification of the application.
- 7.8 Step 1 of section 95B requires notification to certain groups and affected person. The parties listed under sections 95B (2) and (3) are not considered to be adversely affected by this proposal under section 95E as these identified parties were invited to make comments as part of the OIC application (including non-OIC works). Limited notification was not considered necessary for this reason.
- 7.9 In accordance with Step 1 (3(a) and (b)), specific regard has been made to this proposal given the location of the activity is adjacent to recognised statutory acknowledgment areas in accordance with an Act specified in Schedule 11 of the RMA. A summary of the application was sent to the trustees of the relevant Trusts and no comments have been received to date regarding the flood protection works. The applicant has provided a CAAR and CIA (confidential documents) outlined in Appendix 2 and 3 of the applicant's application. Given ongoing engagement during the CEMP and STAG process will be required by conditions of the OIC consent (including non-OIC works), it is considered this will help to ensure recommendations made for the project are accounted for to reduce any arising cultural effects. Therefore, limited notification under Step 1 is not considered necessary.
- 7.10 There are no rules or National Environmental Standards precluding limited notification of the proposal and therefore Step 2 does apply.
- 7.11 In accordance with Step 3, if Step 2 is not precluded an assessment must be made to determine if certain other affected persons must be limited notified in accordance with section 95E. It is noted section 95B(7) is not applicable as the activity is not a boundary activity.
- 7.12 The applicant has provided various modelling to estimate the flood extents for two scenarios ('base scenario' and 'stopbank scenario') for a 200 m³/s flow with a 500 mm freeboard, as outlined in section 10.2 and Appendix 13 of the applicant's application. The modelling shows some properties will have a slightly higher flooding level west of the stopbank within the detention area and downstream of the proposed spillway. Appendix 14 notes 54 properties will have an increased flood hazard classification, but 30 are already considered Category 3 areas. The properties with increased flooding identified in Figure 4.4, Appendix 13 were invited to provide comments on the OIC application (including the non-OIC works). Comments were received by JFCT and Bostock New Zealand regarding increased flooding effects and private agreements are underway between the applicant and landowner. Limited notification under section 95B(9) to certain parties is not considered necessary.
- 7.13 There are no special circumstances exist that would require the need for public notification in accordance with Step 4. Limited notification in accordance with sections 95B and 95E is therefore not required for this proposal.

Notification Summary

7.14 Given public notification in accordance with section 95A or limited notification in accordance with section 95B is not required for this proposal, it is recommended that the non-OIC application be processed on a non-notified basis.

8. Relevant National Policy Statements (NPS), National Environmental Standards (NES), Regional Policies and Plans, and Other Statutory Matters

8.1 The relevant statements, standards, plans and policies are outlined below:

- National Policy Statement for Freshwater Management 2020, Amended October 2024 (NPS-FM)
- National Policy Statement for Infrastructure 2025 (NPS-I)
- National Policy Statement for Natural Hazards 2025 (NPS-NH)
- Resource Management (National Environmental Standards for Freshwater) 2020, Amended 2023 (NES-F)
- Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 (NES-DW)
- Regional Policy Statement (RPS)
- Regional Resource Management Plan (RRMP)
- Plan Change 7 – Outstanding Water Bodies (OWB)
- Proposed Plan Change 9 (TANK)
- Hastings District Plan (HDP)
- Resource Management Act 1991 (RMA)

National Policy Statement for Freshwater Management 2020 – Amended October 2024 (NPS-FM)

8.2 The NPS-FM has the objective of ensuring that natural and physical resources are managed in a way that prioritises the health and well-being of water bodies and freshwater ecosystems, Te Mana o te Wai, the health needs of people, and the ability of people and communities to provide for their social, economic, and cultural well-being.

8.3 The RMA was amended and section 104 no longer requires consent authorities to have regard to certain specified provisions of the NPS-FM.

8.4 The following policies are considered as particularly relevant to this application:

Policy 1: Freshwater is managed in a way that gives effect to Te Mana o te Wai.

Policy 2: Tangata whenua are actively involved in freshwater management (including decision making processes), and Māori freshwater values are identified and provided for.

Policy 4: Freshwater is managed as part of New Zealand’s integrated response to climate change.

Policy 6: There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.

Policy 9: The habitats of indigenous freshwater species are protected.

Policy 15: Communities are enabled to provide for their social, economic, and cultural well-being in a way that is consistent with this National Policy Statement.

8.5 The NPS-FM seeks to give effect to Te Mana o te Wai and ensure that Tangata whenua are actively involved in freshwater management (including decision-making processes), and Māori freshwater values are identified and provided for.

8.6 The NPS-FM also seeks to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, or other maintained and improved. Freshwater is to be managed in an integrated way that considers the use and development of land on a whole of catchment basis, including effects on receiving environments.

NPS-FM Considerations

8.7 The RMA was amended and section 104(2F) was added to prevent consent authorities from having regard to clauses 1.3(5) or 2.1 of the NPS-FM, which relate to the hierarchy of obligations.

8.8 This proposal is consistent with the objectives and policies of the NPS-FM because it will not cause degradation of water quality or adverse effects on freshwater ecosystems. The applicant will ensure appropriate erosion and sediment controls are in place prior to works commencing to limit sediment entering any nearby waterway resulting from the proposed activity. The erosion and sediment control measures will help to avoid, remedy and mitigate potential adverse effects on surrounding freshwater ecosystems.

8.9 The proposed works are required for flood mitigation protection for properties in the Pākowhai area which will enable people to provide for their social, economic and cultural well-being.

8.10 Based on the assessment above, this proposal is considered to be consistent with the relevant objectives and policies of the NPS-FM.

National Policy Statement for Infrastructure 2025 (NPS-I)

8.11 The NPS-I came into force on 15 January 2026 and provides for supporting infrastructure activities including additional infrastructure such as flood control and protection works carried out by, or on behalf, of a local authority. This is relevant to the applicant's flood protection works in Pākowhai.

8.12 Under the NPS-I, infrastructure means the *“construction, operation, maintenance, upgrade and removal of infrastructure and all ancillary infrastructure activities, unless otherwise specified, and include all physical components and assets associated with the infrastructure activity.”*

8.13 The relevant objectives and policies of the NPS-I relating to this proposal are summarised below:

- **Objective (1):** The objective of the NPS-I is to:
 - a) Ensure the national, regional and local benefits of infrastructure are provided for;
 - b) Enable infrastructure to support the social, economic and cultural wellbeing of people and communities and their health safety;

- c) Enable infrastructure to support the development and change of urban and rural environments to meet the diverse and changing needs of present and future generations;
- d) Ensure infrastructure is well-functioning, resilient and compatible, as far as practicable, with other activities; and
- e) Ensure infrastructure is delivered in a timely and efficient manner while managing adverse effects from or on infrastructure.

- **Policy 1:** Providing for the benefits of infrastructure.
- **Policy 2:** Operational need or functional need of infrastructure to be in particular locations and environments.
- **Policy 4:** Enabling the efficient and timely operation and delivery of infrastructure activities.
- **Policy 6:** Recognising and providing for Māori interests.
- **Policy 7:** Assessing and managing the effects of proposed infrastructure activities.
- **Policy 9:** Managing the effects of new infrastructure and major upgrades.

8.14 The proposed flood protection works will help reduce flooding risk from natural hazards which have affected the Pākowhai community previously in accordance with Policy 1, 2 and 7. The new infrastructure will help to manage the associated risks via the OIC pathway which streamlines the consenting process and will help to ensure the infrastructure can be developed efficiently in accordance with Policy 4. Engagement with local iwi and hapu has been undertaken prior to lodging consent and will be required by conditions of consent which aligns with Policy 6. The new infrastructure will help to reduce the adverse effects on the environment and local community which is meets the requirements of Policy 9.

8.15 The proposed activities are consistent with the relevant objectives and policies of the NPS-I.

National Policy Statement for Natural Hazards 2025 (NPS-NH)

8.16 The NPS-NH came into force on 15 January 2026 and applies to natural hazards including flooding, landslips, coastal erosion, coastal inundation, active faults, liquefaction and tsunami. The NPS-NH aims to ensure natural hazard risk to people and property associated with subdivision, use and development of land is managed using a risk-based proportionate approach.

8.17 It is noted that the NPS-NH is relevant to all activities managed under the RMA, except for infrastructure. Given the applicant's flood protection works are for infrastructure purposes for the construction of a new stopbank and spillway, the NPS-NH is not applicable to this proposal. The effects associated with managing the natural hazard risk are covered under the NPS-I for this proposal and therefore an assessment against the relevant objectives and policies of the NPS-NH is not required.

Resource Management (National Environmental Standards for Freshwater) Regulations 2020 – Amended 2023 (NES-F)

- 8.18 The NES-F provides for management of activities that relate to freshwater, including through setting design standards for river crossings and design of structures to ensure fish passage is maintained, and setting out requirements for management of effects on natural inland wetlands.
- 8.19 The NES-F does not have any specific objectives or policies. Subpart 2 (Reclamation of rivers) and Subpart 3 (passage of fish affected by structures) are relevant to this proposal to enable the construction of the new stopbank. Fish passage requirements are set out under Regulations 58 – 74 and includes provisions of specified information and conditions. The applicant has proposed conditions in Appendix 11 to reflect the requirement outlined under these Regulations.
- 8.20 HBRC indicative natural inland wetland GIS maps do not indicate the presence of any natural inland wetlands within the areas of work. However, the applicant has identified one wetland within the vicinity of the proposed works, identified as ‘Wetland 23’ and has applied for consent under Regulation 45 for construction of specified infrastructure. The ecological assessment provided by the applicant indicates that effects on wetlands will be avoided and if this is not possible riparian planting will be undertaken to offset the effects. The applicant has proposed conditions of consent in Appendix 11 to provide an Ecology Management Plan to manage the works, including specifically in relation to offsetting through planting for works near the wetland environment²¹.

Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 (NES-DW)

Regulations 7 and 8 Considerations

- 8.21 Regulations 7 and 8 of the NES-DW relate to resource consents for water or discharge permits upstream of drinking water abstraction points, which supply no fewer than 501 people with drinking water, for not less than 60 days each calendar year. These regulations do not allow the granting of a discharge permit if it would adversely affect this drinking water supply.
- 8.22 The closest registered drinking water supplier is the Pākowhai School Bore (approximately 70 m away) from the nearest area of the proposed works. This supply provides drinking water for approximately 50 people. The project area is within the Plan Change 9 (TANK) specified Source Protection Zone (‘SPZ’) for the Napier City Council (‘NCC’) ‘Taradale SPZ’. The project area is within the following modelled source water risk management area (‘SWRMA’) for NCC is the SWRMA2 and for HDC are the Tuckers Lane SPZ3 and Ferry Road SPZ3.
- 8.23 The applicant does not expect the works to have an effect on the quality of the water supply at any abstraction point within the vicinity of the project area. Given the distance, nature of the proposed works and the mitigation measures proposed to reduce sediment and contaminants entering the surrounding environment, the proposed activity is unlikely to increase the concentration of any of the determinants at these drinking water abstraction

²¹ Proposed condition 28

points, which draw water from the confined aquifer. The proposal is not likely to introduce, or increase, the concentration of any aesthetic determinants in the drinking water to levels exceeding the drinking water guideline values.

8.24 Consent can be granted in accordance with Regulations 7 and 8.

Regulation 12 Considerations

8.25 Regulation 12 only applies to an activity that has the potential to affect a registered drinking-water supply that provides no fewer than 25 people with drinking water for not less than 60 days each calendar year.

8.26 As there is registered drinking water supplies of this nature in close proximity to the proposed works and as the works will occur within the SPZ, a condition of consent under Regulation 12 is recommended and has been proposed by the applicant.

Regional Policy Statement (RPS) and Regional Resource Management Plan (RRMP)

8.27 The RPS and the RRMP relate to the proposal in the fact that they seek to achieve the integrated sustainable management of the natural and physical resources in the Hawke's Bay region, to maximise certainty by providing clear environmental direction, and in relation to natural hazards to recognise the communities vulnerability and to lessen this where practical.

8.28 The applicant has provided an assessment of relevant planning provisions in section 11.4 of their application report. The conclusions reached in this section are agreed upon and have been adopted by the reporting officer, and therefore are not repeated in the report below.

RPS

8.29 The relevant objectives ('OBJ') and policies ('POL') of the RPS relating to this proposal are summarised below:

- **OBJ LW 1 and OBJ UD1** - relates to recognising and providing for river management and flood protection activities, and mitigating frequency of risk to people and property from natural hazards.
- **POL LW1A** – relates to collaborative approach to working with freshwater bodies.
- **OBJ 25, 26 & 27** – relate to quantity of water and sustaining quality for a variety of purposes.
- **OBJ 27A** – relates to riparian vegetation for maintaining water quality and diversity.
- **POL 49** – is relevant to the management of stormwater and mitigation of effects of discharges on water quality.
- **OBJ 31** – relates to avoidance or mitigation of adverse effects of natural hazards.
- **OBJ 32** – is relevant to the development of physical infrastructure that supports people and communities and provides for their health and safety.

- **OBJ 34 & 35 and POL 59** – relates to the recognition and contribution of tikanga Māori values to sustainable development and consulting with Māori in a manner creating effective outcomes.

8.30 The proposed activities are consistent with the relevant OBJ and POL of the RPS.

RRMP

8.31 The relevant OBJ and POL of the RRMP relating to this proposal follows:

8.32

- **OBJ 40 and POL 71 & 72** – relate to maintenance of water quality of specific rivers.
- **OBJ 42 and POL 73 & 74** – relate to maintenance of water quantity of specific rivers.

8.33 The proposed activities are considered to be consistent with the relevant OBJ and POL of the RRMP.

Proposed Plan Change 9 - Tutāekurī, Ahuriri, Ngaruroro and Karamū Catchments (TANK)

8.34 TANK was notified 2 May 2020 and a decision was issued (September 2022), with the decision version rules carrying legal weight. This plan establishes objectives for managing water quality in the Tutāekurī, Ahuriri, Ngaruroro and Karamū catchments. The applicant's activity is located within the Ngaruroro Catchment and therefore the provisions of TANK apply to this proposal.

8.35 The relevant OBJ and POL of TANK relating to this proposal follows:

- **OBJ TANK 1** - relate to outstanding water bodies and the values in the plan being provided for and cultural responsibilities being recognised and provided for.
- **OBJ TANK 3 & POL TANK 59** – requires climate change to be taken into account when making decisions.
- **OBJ TANK 4** – relates to the quality of freshwater bodies being maintained or improved.
- **OBJ TANK 5** – requires riparian margins are protected or improve to provide for aquatic ecosystem health and mauri of waterbodies.
- **OBJ TANK 6** – relates to activities within source protection zones for Registered Drinking Water Supplies not to cause source water to become unsuitable for human consumption.
- **OBJ TANK 8** – is relevant for the Ngaruroro River catchment with meeting target attributes, mauri, water quality and water quantity which seeks to maintain the upper reaches and improve the lower reaches.
- **POL TANK 1** – freshwater management be achieved collectively in a way that recognises responsibilities and uses good management practices.

- **POL TANK 2** – activities be regulated, and a collective approach used to maintain quality of water quality to meet standards.
- **POL TANK 4** – relates to manage of catchments to protect wetlands in addition to POL TANK 2.
- **POL TANK 7, 8, 9 & 10** – is relevant to the protection of Registered Drinking Water Supplies.
- **POL TANK 19** – seeks the avoidance of sediment loss.
- **POL TANK 27** – relates to the management of stormwater and use of good management practices.
- **POL TANK 40** – is relevant and relates to the management of surface water takes and that river flows affected by surface water abstraction activities will be managed during low flow periods so that they meet objectives for aquatic ecosystem health, mauri, tikanga Māori values, and other instream values by applying the minimum flows, flow maintenance triggers, and allocation limits specified in Schedule 30. Application of the minimum flow is consistent with this policy.

8.36 This proposal is considered consistent with the relevant OBJ and POL outlined under TANK.

Plan Change 7 - Outstanding Water Bodies (OWB)

8.37 Plan Change 7 ('**OWB**') was notified on 31 August 2019 and became operative on 29 August 2025 (Environment Court Decision issued) with the rules carrying full legal effect since 23 April 2025.

8.38 OWB incorporates outstanding water bodies in the region into the RRMP. The Heretaunga Plains Aquifer System and Ngaruroro River are identified as outstanding water bodies. The project area is over the Heretaunga Plains confined aquifer system and within the Ngaruroro River catchment and therefore the OWB related provisions of the RPS are relevant to this proposal.

8.39 The Heretaunga Plains Aquifer System is identified as OWB 1A. This OWB is recognised for having outstanding characteristics or values specifically for its cultural or spiritual values.

8.40 Ngaruroro River is identified as OWB 9. The project area is below Fernhill, and this area of the OWB is recognised for having outstanding characteristics or values for its natural form and character (braided river)²².

8.41 The relevant OBJ and POL of OWB relating to this proposal follows:

- **OBJ LW1** – fresh water and the effects of land use and development are managed in a sustainable manner protecting outstanding water bodies.

²² Refer to Plan Change 7, Part 2 of Schedule 25 for the full list of characteristics and values

- **POL LW1** – the protection of outstanding water bodies through adoption of an integrated management approach.
- **POL LW 2** – relates to prioritising values to achieve POL LW 1.2 and POL LW 1.3, including the Greater Heretaunga Area.
- **POL LW3A** – is relevant to decision making criteria for new activities that have potential to cause disturbance to an outstanding water body.

8.42 Overall, it is considered the proposal meets the relevant OBJ and POL of the OWB.

Hastings District Plan (HDP)

8.43 Assessment of the HDP provisions relating to the proposal are assessed separately by HDC reporting officer. The HDC assessment has been provided separately to the IHC and should be referred to for matters under the HDP.

Section 104(c) of the RMA - Other Matters

8.44 The OIC came into force on 7 June 2024 to *“assist communities and local authorities affected by the severe weather events to respond to, and recover from, the impacts of the severe weather events”*. The OIC is relevant to the flooding effects experienced as a result of Cyclone Gabrielle which occurred in February 2023 and impacted various communities across the Hawke’s Bay region.

8.45 An independent flood review was commissioned by HBRC in late July 2023 to investigate the circumstances and contributing factors that led to flooding during the Cyclone Gabrielle 2023 event. On 24 July 2024, the ‘Hawke’s Bay Independent Flood Review’ presented their report which contains 47 recommendations, to HBRC Councillors²³.

8.46 The report sets out that Cyclone Gabrielle 2023 caused record-breaking rainfall and catastrophic flooding across Hawke’s Bay, including Pākowhai. The event resulted in loss of life, widespread property and infrastructure damage, and highlighted significant gaps in flood risk management and planning.

8.47 Pākowhai forms part of the wider Heretaunga Plains Drainage Scheme area. The report describes the existing Heretaunga Plains stopbanks are built for a 100-year level of service²⁴.

8.48 The report describes the existing Heretaunga Plains drainage scheme (section 8.5.1) and highlights that there were breaches on the Ngaruroro River with overtopping of floodwaters spilling into and inundating Pākowhai which is located on the ‘inside’ of the stopbank system.

8.49 The report indicates the stopbank system is designed to prevent flooding in urban areas but disproportionately affects others in rural areas. The Heretaunga Plains system does not provide for Super Design events that exceed the level of service for the Ngaruroro River, and recommendations are recommended in Chapter 10 of the report.

²³ Independent Flood Review (2024): [Report-of-the-Hawkes-Bay-Independent-Flood-Review-Digital-Version.pdf](#)

²⁴ Taradale forms part of the Heretaunga Plains Drainage Scheme area but has a greater level of service being 500-year

8.50 This proposal for flood protection works has been proposed by the applicant to reduce future flooding risk effects on the Pākowhai community resulting from the stopbank system.

Section 105 of the RMA

8.51 Section 105(1) states that where an application is for a discharge permit, to do something that would otherwise contravene sections 15 or 15B of the RMA, the Consent Authority shall have regard to:

- *The nature of the discharge, the sensitivity of the receiving environment, and the applicant's reasons for making the proposed choice; and,*
- *The applicant's reasons for the proposed choice; and,*
- *Any possible alternative methods of discharge including discharge into any other receiving environment.*

8.52 The nature of the discharge is addressed in section 11.2 of the applicant's application.

8.53 The receiving environment is the land and water within the Tūtaekurī-Waimate Stream and the Waiohiki Drain catchments. The matters of control and the recommended amendments to the conditions set out by Schedule 2 of the OIC 2024 have been proposed by the applicant and reporting officers from HBRC and HDC. The recommended conditions of consent are considered appropriate for managing any potential adverse effects of the activity.

Section 107 of the RMA

8.54 Section 107 of the RMA states that:

"Consent authorities must not grant a discharge consent or coastal permit for the discharge, of either water or contaminants, into water, which after reasonable mixing are likely to give rise to the following effects in the receiving waters:

- a) *The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials*
- b) *Any conspicuous change in the colour or visual clarity*
- c) *Any emission of objectionable odour*
- d) *The rendering of fresh water unsuitable for consumption by farm animals*
- e) *Any significant adverse effects on aquatic life*

Unless there are exceptional circumstances which justify the effects or if the discharge is of a temporary nature, or if the discharge is associated with necessary maintenance work."

8.55 The proposed discharge is considered unlikely to result in any of the effects listed above and any effects associated with the works will be temporary in nature and limited to the construction works. Therefore, it is considered consent can be granted in accordance with section 107.

Part 2 of the RMA

8.56 With regard to Part 2 of the RMA, the OIC application is to undertake works to sustainably manage the effects from natural hazards on communities and to avoid, remedy or mitigate adverse effects associated with the activity. Consultation has been undertaken with local

stakeholders in proximity of the works, and this includes landowners and local iwi and hapū prior to lodging this application with HBRC to identify and significant concerns.

8.57 Private agreements for compensation, land access and private infrastructure impacted by the proposed works is currently underway between the applicant and the land owners identified by the applicant.

8.58 The applicant has engaged local iwi and hapū to commission a CIA and CAAR to help identify any significant concerns and proposed recommendations for the project prior to lodging this application with HBRC. In accordance with the OIC conditions of consent ongoing engagement will be undertaken via the STAG and for the preparation of the CEMP and Ecology Management Plan to ensure cultural involvement with this process continues and ensure any unforeseen cultural concerns are addressed adequately.

8.59 Based on the recommendations in section 5 above and the assessments against the relevant objectives and policies, this proposal is considered consistent with Part 2 of the RMA.

Statutory Acknowledgements

8.60 The Ngaruroro River and its tributaries are recognised as a statutory area as set out by the relevant sections of the Ahuriri Hapū Claims Settlement Act 2021 (AHCSA) and Heretaunga Tamatea Claims Settlement Act 2018 (HTCSA). The Tūtaekurī-Waimate Stream is a tributary of the Ngaruroro River and therefore is a statutory area that falls within the Mana Ahuriri (MAT) and Tamatea Pōkai Whenua (TPW) Areas of Interest.

8.61 In accordance with the provisions of the AHCSA and HTCSA, a summary of the application was sent to the trustees of MAT and TPW on 3 December 2025 by the reporting officer.

8.62 The AHCSA Statement of Association follows:

The Ngaruroro River was named in ancient times. When the deity tipuna Māhu Tapaonui was travelling up the river, his dog disturbed a shoal of upokororo. Māhu named the river after the disturbed ripples caused as the fish darted away. This incident occurred at Whakamarumarū.

The Ngaruroro River provided a significant route to travel inland and reach the west coast or to travel north deeper into the interior. The famous traveller Tamatea Pōkai Whenua, journeying from Tūranga to Mōkai-Pātea with his son Kahungunu, made his way up the Ngaruroro River as far as Kuripapango where there was a crossing.

Centuries later, it is recorded that Taraia I landed at the mouth of the river as he and his people made their way into Heretaunga.

The Ngaruroro River has been a significant marker of land interests from ancient times. The significant Ngāti Māhu and Ngāti Whatumamoā chief Turauwha was associated with lands that stretched from the Ngaruroro River in the south northwards to the Mohaka River. His daughter Rakaitekura was given land extending from Omāhu up along the Ngaruroro River. Taraia II inherited these associations with these same lands.

8.63 The HTCSA Statement of Association follows:

The full name of this river is Ngaruroromokotuararokirangatira. In one account, the river takes its name from an incident in which a dog belonging to the ancient deity Māhu startled some small fish known as upokororo. As the shoal of fish dashed away they caused ngaru or ripples in the water.

The Ngaruroro River has always been a significant waterway for the people of Heretaunga Tamatea. It was utilised extensively by river side, and surrounding, pā for the many different food sources that it provided and sustained. These included fish types such as: kahawai, kanae (at the river mouth) inanga, ngāore, pātiki, and tuna. It also included other mahinga kai, such as karinga aruhe, wai tahere, rākau tutu, hīnaki and rauwiri. The river also helped sustain adjacent lands, through its tributaries and connection to wetland areas and lakes, particularly in the area around Omahu and Rūnanga that provided rich sources of tuna and kākahi.

The Ngaruroro has been utilised as a natural highway from the coast to the mountains. From the time of the tipuna Tamatea-pōkai-whenua, who travelled up the Ngaruroro River when he journeyed from Te Whanganui a Orotu to Mōkai Pātea, right down to the present day. Many of the placenames that exist along the river and adjacent lands were named during Tamatea's journey. At Ōhiti, Tamatea's dog rushed across the river ahead of him. It is said that Tamatea kept a pet koura in the spring nearby while staying at Ōhiti.

Centuries later, it is recorded that when Taraia and his people came into Heretaunga, he landed at the mouth of the River which was joined with the mouth of the Tukituki River. He named that area Te Ipu o Taraia.

Two kainga named Te Awapuni and Pokonao were located at the river mouth. Te Moananui and Karaitiana Takamoana lived at these pā. Karauria married Haromi at Te Awapuni. Ngāi Te Upokoiri settled for a time at these kāinga after returning to the region. Pukerau, the kāinga of Noa Huke, was situated along the northern bank. Travelling from the coast, the first bend in the Ngaruroro is known as Tukia. Here Whangatōroa is located on the north bank. Two well-known places along the banks of the Ngaruroro are Kohupātiki and Tanenuiarangi. Tanenuiarangi was the central gathering place of chiefs around the time of Pākeha contact. Further upriver were Hautapu and Hautu and a river crossing known as Te Ara-whata-a-Tikumu.

Upriver on the north bank of the Ngaruroro the ancient pā of Pākowhai was settled by Karaitiana Takamoana. The Repudiation Movement housed its printing press there for their newspaper, Te Wananga which was published from 1874 to 1878.

Riverside sites of occupation were also clustered around the Waitio district. At Mata-tanumia fern root was collected from the hills while ūpokororo were caught in the Waitio stream which falls into the Ngaruroro. A kūmara plantation was located on the river flats at Ngapukeahineiringa. It was here that Taraia II defeated another iwi. Eels were caught at a weir called Harurunui where the Waitio Stream runs into the Ngaruroro River. Upstream is found Himoko. Further still is the Ngāi Te Upokoiri pā Ōhiti. Nearby, at the original site of Omahu, was a kainga called Taunoko. Another kainga, Torohanga, was found between the river and the southern end of Lake Rūnanga. On the south bank of the Ngaruroro downstream from Omahu was Opunua, a Ngāti Hinemanu stronghold.

Upriver, sited in the triangular spit between the Ngaruroro and the Maraekākaho rivers, was an ancient pā named Te Taumata-o-he which subsequently became a stronghold of Ngāi Te Upokoiri. Renata Kawepo was born at this pā.

A pou once stood at Whanawhana where the Ngaruroro River runs through the Otamauri block. Erected by Renata Kawepo, the pou represented an important political demarcation between hapū which remains significant.

The Ngaruroro extends westwards to its headwaters in the Kāweka and Kaimanawa Ranges. Travellers since the time of Tamatea-pōkai-whenua have utilised the river as a major highway using the crossing at Kuripapango to make their way into Mōkai Pātea and beyond.

9. CONDITIONS OF CONSENT

- 9.1 The applicant has proposed conditions of consent that relate to works both within the OIC footprint (subject to the conditions set out in Schedule 2 of the OIC) and outside the OIC footprint (not restricted to the matters set out in Schedule 2 of the OIC).²⁵
- 9.2 The applicant's proposed conditions and recommended changes or additions have been included as Appendix 2 of this report. For compliance purposes, a suggestion has been made against each condition to indicate the relevant consent authority the condition relates to. The applicant's full comments on recommended condition have been provided to the IHC separately.
- 9.3 Changes to the conditions in Appendix 2 below have been recommended by the reporting officer and HDC, including an explanation for the recommended amendments.

10. MONITORING

- 10.1 The applicant has proposed monitoring conditions in accordance with Schedule 2 of the OIC. The monitoring proposed is intended to:
- Support the Māori entities representatives undertaking their role
 - Develop and implement a communications plans for the duration of construction works
 - Provide advice to those preparing the Communications Plan and Ecology Management Plan
 - Enable effective management of impact on culturally significant land and other natural and physical resources that have cultural values
 - Monitor the flood protection works during construction
 - Maintain and monitor erosion and sediment control devices during construction
 - Monitor ecological effects associated with construction and remediation works (so that they may be avoided, remedied or mitigated).

Monitoring by Consent Holder

²⁵ Refer to Appendix 11 provided in support of this application

- 10.2 Appendix 11 of the applicant’s application outlines the proposed conditions relating to the monitoring for the activities outlined in the report above, and should be referred to see the full list of conditions proposed by the applicant.

Monitoring by Council

- 10.3 It is recommended the following monitoring be undertaken by HBRC staff:
- Site inspections during construction
 - Auditing of consent holder’s compliance with conditions
 - Interpretation of monitoring data
 - Construction completion report
 - Annual monitoring report of ongoing mitigation etc
- 10.4 Additional monitoring may be required if there is non-compliance or if monitoring indicates adverse effects are greater than anticipated.

11. CONSENT DURATION

- 11.1 In accordance with clause 20 of the OIC (for activities within the OIC footprint) and section 123 of the RMA (for the activities not within OIC footprint), a consent duration of five (5) years is recommended for all the activities.
- 11.2 The ongoing repairs and maintenance of the flood protection assets (once established) undertaken by the applicant may fall under Rule 70 of the RRMP as a permitted activity.

12. CONCLUSION

- 12.1 The recommendation of the reporting officer is that the resource consent for the Pākowhai flood protection works both within and outside the delineated OIC footprint be granted, and processed on a non-notified basis.

13. RECOMMENDATIONS

OIC Application

- 13.1 For applications made in accordance with the OIC, clause 8 requires applications to be treated as a **controlled** activity. In addition, under the RMA, controlled activity resource consent applications must be granted. In accordance with clause 10, only a hearings commissioner with delegated permissions may grant consent for an activity lodged in accordance with the OIC. The recommendations outlined in the report above are therefore made to the IHC in accordance with clause 15 of the OIC.

Non-OIC Application

13.2 For the reasons outlined above, I recommend the 'non-OIC' application be processed on a non-notified basis and granted for a **discretionary** activity in accordance with the RMA, subject to the recommended conditions outlined in Appendix 2 below.

Recommending Planner



Brooke Bickerstaff
Intermediate Consents Planner
POLICY AND REGULATION GROUP

30 January 2026

Reviewed By



Paul Barrett
Manager Consents
POLICY AND REGULATION GROUP

30 January 2026

Appendices

1. Comments summary and responses
2. Proposed conditions of consent and recommended changes

Appendix 1: Comments Summary and Responses

APP-131669 – Clause 15(4) Summary of comments and response

In accordance with clause 15 of the OIC 2024, notice was sent to listed parties (clause 15(2)(a)(i-x)) and they were given the opportunity to comment on the application, with the comment period beginning 3 December 2025 and closing 19 December 2025. During that comment window seven comments were received from invited parties. The comments are summarised below, including responses where required:

HDC provided initial comments to the comments received as outlined in the table below. The HDC final version of the comments will be provided separately to the IHC from the HDC reporting officer.

Comment Number	Comment From	Issues Raised	Key Concerns and Relief Sought	Response to comments by HBRC (black) and HDC (purple) summarised below
1	NZTA Waka Kotahi	Location of stopbank on SH2	<ul style="list-style-type: none"> Confirmation of location of stopbank shown on sheets 8 & 9 of Preliminary Design Report and Plans 	<p>HDC Transportation has identified that there should be a Construction Traffic Management Plan (CTMP) in addition to the Construction Environment Management Plan (CEMP). The CTMP should be based around the general aspects contained in the Traffic Impact Assessment from East Cape Consulting Limited which provides a good overview of the Construction Traffic and identifies measures to manage traffic impacts. Any such CTMP would need to be reviewed by both HDC and NZTA at their respective network interfaces to ensure that the CTMP provides safe access and egress for all traffic including the traffic generated as a result of the application.</p> <p>The applicant has confirmed²⁶ that the northern approach of SH2 expressway bridge (Tutaekuri -Waimate stream) sits higher than the proposed stopbank crest level. They have also confirmed that the design for the tie in between the two assets shall be confirmed at the detailed design stage and that consultation with NZTA will</p>
		Height difference pre and post works	<ul style="list-style-type: none"> Confirmation of height difference between the existing road/bridge and finished level at the end slope of the stopbank on both sides of SH2 	
		Consultation with HB Expressway Team	<ul style="list-style-type: none"> Confirmation if consultant has occurred about location and finished levels (i.e. plans given finished level of new stopbank is higher than existing road) The final stopbank design to be developed in conjunction with the HB Expressway project 	

²⁶ T+T, 15 January 2026, 'Pākowhai Stopbank – Comments of Resource Consent Submissions APP-131699 Rev 1

				<p>occur to ensure design alignment. Refer also to T+T Report Appendix 13 ('Consequential Flood Effects – Pākowhai Stopbank (October 2025), Section 4.2.1.</p> <p>The application²⁷ summaries the effects on SH2 as follows: <i>“According to Smith et al (2014), all vehicles are unsafe at a hazard of H3 and higher. In terms of State Highway 2, the model indicates that during the base scenario, there is a 220 m length of road between chainages of 1430m and 1650m that is subject to H3 hazard or higher. During the stopbank scenario, this length of road is increased to 790 m between chainages of 1160m and 1950m – extending the already impacted length of 220m by 570m. Relevantly, however, and as illustrated in the flood depth duration graph (reproduced in Figure 32 below), while a greater length of State Highway 2 may be flooded, the change in the duration of flooding will be limited, and effects on the functioning of the State Highway network compared the impacts that would otherwise occur in the baseline scenario also limited i.e. while flood depths across some lengths of the State Highway may take longer to drain, they will still drain within the time it takes for low areas that are flooded under the base scenario to drain.”</i></p> <p>Condition 10(a(ii)) requires the consent holder to provide a copy of the CEMPs and final design report and plans to the STAG which NZTA will be a member of. It is accepted that further consultation and agreement will need to be reached with NZTA on the tie into SH2, and this will need to take into account changes to SH2 as a result of the four laning project that is currently underway. Finalising of the design plans for this piece of the construction of works may take longer than the design plans for the rest of the project, and this is accounted for in condition 1B.</p>
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²⁷ Stradey, 'Resource Consent Application for Flood Protection Works – Pākowhai Flood Protection Works'. 26 November 2025. section 10.2.1, page 77

2	Hastings District Council	Flooding risk on SH2 at Tutaekuri-Waimate Stream Bridge	<ul style="list-style-type: none"> Flooding assessment modelling lacks scenario-based analysis for severe events like Cyclone Gabrielle The impact on the SH2 at the Tūtaekurī-Waimate Stream Bridge and accessibility in terms of the events modelled Insufficient resilience planning for emergency evacuation and lifeline route continuity, so ensuring flood protection works do not compromise transport network resilience 	<p>HDC comments are the same as above</p> <p>In response to the request for modelling of larger events, the applicant commented that further modelling is beyond the level of service. However, the applicant is currently undertaking a “broader resilience and scheme review, which is a separate workstream from the Pākowhai stop banks construction. We understand engagement with TLA’s, including HDC forms part of this review.”²⁸</p> <p>The applicant noted there are a number of initiatives either completed or planned to improve regional flood resilience from that prior to Cyclone Gabrielle. This includes 4-laning the SH2 Hawkes Bay Expressway with new bridges set higher than the existing bridge deck levels.</p> <p>As outlined above, the applicant has provided the modelling assessments in T+T Report, Appendix 14, which shows an increased length of SH2 affected by flooding as a result from the stopbank works, but with only a marginal increase in the length of time it will take for the drainage of flood waters on parts of SH2 that are already subject to flooding²⁹.</p>
		Accessibility in a flooding event of SH2	<ul style="list-style-type: none"> Accessibility is retained in that depths and velocity are minimised if flooding is allowed (not been considered with flooding assessment modelling/how this could be achieved) Absence of resilience planning raises concerns about emergency evacuation and continuity of lifeline routes 	
		Modelling indicates increased flooding risk for SH2	<ul style="list-style-type: none"> Flood hazard exposure on SH2 could increase substantially under design flood conditions, with hazard zones widening and flood depths increasing. Flooding assessment modelling does not provide sufficient assessment of scenario-based analysis for events similar to Cyclone Gabrielle only issue that needs to be considered further from the flooding assessment is that the impacts are such that the design ensures that the SH2 Expressway is accessible with the flood depth duration and velocity 	

²⁸ T+T, 15 January 2026, ‘Pākowhai Stopbank – Comments of Resource Consent Submissions APP-131699 Rev 1

²⁹ Stradegy, ‘Resource Consent Application for Flood Protection Works – Pākowhai Flood Protection Works’. 26 November 2025. Figure 32

			minimised as low as possible to provide for accessibility	
3	Joan Fernie Charitable Trust (JFCT)	Increased flooding risk	<ul style="list-style-type: none"> Proposed works will increase flood risk on JFCT owned land 	<p>The JFCT land is located west of the proposed stopbank. As shown in Appendix 13 of T+T Consequential Flooding Report, Figure 3.2, the flood depth on this land increases from the base scenario (existing) flood depths by more than 0.5 m. It is noted by T+T that <i>“In the base scenario, there is significant amounts of flooding in this area with maximum flood depths ranging from 1.2 m to 1.8 m from SH2 to the downstream end of the stream. Flood depth in this area increases by up to 0.6 m, meaning the proposed stopbank increases these flood depths up to approximately 1.8 m to 2.4 m in this area”</i></p> <p>On this issue, the applicant notes³⁰ that <i>“regarding the farmland, there is already the potential for significant amounts of flooding in this area (from SH2 to the downstream end of the stream). While the effects of the proposal will add to the depth and extent of this, HBRC is working with the landowner to reach a land access agreement that will take account of the effects identified, thus no further mitigation is proposed as part of this resource consent process. It is nevertheless noted:</i></p> <ul style="list-style-type: none"> <i>Based on the flood depth difference maps, much of the affected area is already subject to flooding,</i> <i>The increase flood depth is on top of existing flood depths,</i> <i>It is highly unlikely that people or vehicles would be present on this land during a significant flood event”</i>
		Access	<ul style="list-style-type: none"> Accessibility concerns on privately owned land 	
		Disproportionate effects	<ul style="list-style-type: none"> Concerns about disproportionate impacts on JFCT for the benefit of other landowners Compensation for Lost Development Potential Support for Bostock NZ Comments 	<p>Access to private land and compensation for lost land development potential are key concerns. This falls outside the scope of the OIC and is a private agreement between the applicant and landowners (including leases). The applicant has provided a response confirming discussions regarding these matters are currently underway. No changes to the conditions are recommended.</p>

³⁰ Strategy, ‘Resource Consent Application for Flood Protection Works – Pākowhai Flood Protection Works’. 26 November 2025, page 77

		Effects on highly productive land	<ul style="list-style-type: none"> Highly productive land and future development opportunities will be compromised. 	<p>The applicant responded to this issue of compensation and confirmed that <i>“matters relating to compensation are being addressed through the Public Works Act and is ongoing at the time of writing.”</i></p> <p>In response to the suggestion from JFCT that the height of the spillway could be reduced over time, the applicant stated that <i>“JFCT raise concern about the height of the spillway level and request this is reviewed to be reduced over time. We do not recommend this, noting that the spillway level (RL7.5m) is generally higher than much of the productive land within the Trusts farm (typically lying at around RL6-8m). Lowering the spillway would reduce the level of service provided by the scheme and therefore operate more frequently but provide very little reduction (i.e. less than 0.5m reduction) in flood depths on JFCT land. Oppose conditions relating to review of spillway level.</i></p> <p><i>Design of spillway based on expert input and would not be tenable to expose the investment to such economic uncertainty post construction³¹. HBRC agrees with the applicant and considers it would be difficult within the scope and term of the consent to establish an adaptive management framework that would suitably provide for such adjustments to the design and function of the scheme. No changes to consent conditions are recommended.</i></p> <p>The stop banks will be a flood control scheme asset managed by HBRC and will be subject to the normal monitoring and maintenance regime applied under the asset management plan to other stopbanks and flood control assets across the Heretaunga Plains Scheme. Given the focus of the consent is for construction works, no changes or additions to the conditions are recommended.</p> <p>In relation to comments on the need for monitoring and telemetry and flood warning systems raised by JFCT, the applicant</p>
		Conditions of consent/monitoring requirements	<ul style="list-style-type: none"> Conditions for regular monitoring of stopbank integrity & Prompt repairs if any issues are identified Provide for opportunities to reduce the height of the Pakowhai Road spillway over time through consent conditions, including monitoring and review provisions. Include effective triggers for monitoring and review of impacts and risks Consent holder to engage with JFCT and record its views during monitoring and review processes Robust consent conditions to minimise risks and provide mechanisms for ongoing review Specific Conditions Requested - JFCT endorses comments made by its lessee Seeking Review Conditions – 5 yearly Transferable development rights - Regular monitoring of stopbank integrity- JFCT Reduce height of spillway over time – provided in conditions 	

³¹ T+T, 15 January 2026, 'Pākowhai Stopbank – Comments of Resource Consent Submissions APP-131699 Rev 1, page 3

				<p>stated that: <i>“Flood mitigation works designed to provide additional time for evacuation of 74 category 2 properties in Pākowhai when an over topping or stopbank breach event. The level of service flood protection on these two rivers is a 1: 100 annual exceedance flood event. The Regional Council’s flood warning telemetry system will provide crucial information on river levels in an event of significant size for Pākowhai and is currently being upgraded to be more resilient by Civil Defense Hawke’s Bay. It is not considered necessary to include conditions relating to early warnings/monitoring within the consent, especially given its construction focus and short term duration.”</i>³²</p> <p>In response to the comments in relation to early-flood warning systems, advice was sought from the HBRC Recovery Manager³³. HBRC is in the process of working on, as a key priority in response to the Hawke’s Bay Independent Flood Review recommendations, the Tigger Levels project. Any formal warning system would be managed by Civil Defense Emergency Management (CDEM). However, there is no specific early warning system currently being planned for Pākowhai at this stage. The Trigger Levels project is being worked through collaboratively at a community level (with two identified pilot communities, Esk /Whirinaki and Waipawa) and aims to produce a framework for evacuation protocols that can then be rolled out across the region. The technical modelling and identification of trigger levels will be led by HBRC, and the co-ordination of preparing and activating evacuations, based on each community’s level of risk and agreed trigger level activation points, will be led by HBCDEM and TLAs, supported by the partner agencies.</p> <p>Any evacuation protocols will be determined by CDEM and this falls outside the OIC. The need for ongoing flood monitoring, early warning systems and evacuation protocols is considered to fall outside the OIC scope, as this consent is only for a 5-year duration as outlined under clause 20-21 of the OIC.</p>
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³² Pākowhai Flood Protection Activity - Applicant Response to Comments. 15 January 2026.

³³ *pers comm* Louise McPhail 16 January 2026

				<p>Compensation for lost land development potential, and access to private land is also not a matter of control under the OIC conditions, and this will need to be considered through private agreements with landowners. Condition 6 includes invitations to landowners and occupiers to STAG group (condition 6 (b(i))). Agreed but final list of affected landowners should be agreed before being added to the STAG. This should include any person who has a lease over land and buildings on the site who has significant interest in the location of the stopbank including maintaining access across the new stopbank. These lease holders may not be aware of the proposed works.</p> <p>It is noted that Bostocks NZ and JFCT will be invited to be part of the STAG group under Condition 6(b(i)) and therefore additional conditions to provide for input during the construction phases are not recommended.</p>
4	Bostocks NZ	Supportive of intent of project	<ul style="list-style-type: none"> • Supports project objectives but seeks active management and mitigation of increased risks and operational impacts • Supports the intent to reduce flood risk for communities and productive land 	<p>Some HBRC comments outlined in the JFCT above are relevant to similar matters raised by Bostock NZ Ltd, and are not repeated in this section.</p> <p>Bostock NZ Ltd raise concerns over the impact on land on the JFCT land, which they lease, and other land on the eastern side of the stopbank. Appendix 13 of T+T Consequential Flooding Report, Figure 4.4 (estimated maximum flood depth difference downstream of spillway) shows an increase in flooding of land that is newly exposed to flooding risks downstream of the spillway area. Areas are identified in pink as 'was dry now wet'.</p> <p>The applicant responded and confirmed that flood depths within newly ponded areas below the spillway are provided in Appendix 13 of the applicant's application, Figure 4.9 (within body of report) and Figure A4. The applicant also confirmed that in late 2025, HBRC purchased the property immediately downstream of the</p>
		Impact on productive land	<ul style="list-style-type: none"> • Impact on productive lands either side of stopbank • Highly productive land and future development opportunities will be compromised. 	
		Increased flooding & mitigations	<ul style="list-style-type: none"> • Properties downstream newly exposed to flooding due to redirected flows. Guidance. consultation on spillway design and management; compensation for increased risk • Increased Flood Risk West of Stopbank - Impacts on horticultural operations, soil health, access, and staff 	

			<p>safety & mitigation measures & ongoing monitoring and adaptive management</p> <ul style="list-style-type: none"> • Requesting mitigation measures, ongoing monitoring, and clear guidance on land use • Downstream Spillway Effects (East of Stopbank) • Properties downstream newly exposed to flooding due to redirected flows. Guidance. consultation on spillway design and management; compensation for increased risk • raised concerns about increased flood risk to land west of the stopbank and downstream of the spillway 	<p>spillway and will be responsible for clearing the site and maintaining this. Accordingly, any limitations of land use downstream of the spillway are expected to be within HBRC owned parcel.³⁴</p>
		Warning system & Engagement	<ul style="list-style-type: none"> • Robust flood warning and evacuation protocols • Ongoing Engagement during design, construction, and operation phases • Access and Evacuation robust warning systems and inclusion in emergency planning • ongoing engagement throughout the project, and consultation with affected landholders, including consideration of compensation or support where new or increased flood risk arises. • Request ongoing involvement throughout the design, construction and operational phases 	

³⁴ T+T, 15 January 2026, 'Pākowhai Stopbank – Comments of Resource Consent Submissions APP-131699 Rev 1, Page 2

5	Ministry for Education (Ministry)	Safety Concerns	<ul style="list-style-type: none"> Request to be included (including Pākowhai School) as key stakeholders in reviewing the Construction Environmental Management Plan (CEMP) before works commence Safety for students entering and leaving school with increased traffic movements and large rucks reduce visibility Request that Condition 6: Stakeholder advisory group be amended to include the Ministry and Pākowhai School 	<p>Traffic management and safety is not a matter under HBRC control but may be relevant to HDC.</p> <p>Given the location of the works will occur adjacent to Pākowhai School and on Chesterhope Road, it is recommended to specifically include the Ministry of Education and Pākowhai School within the identified parties listed under Condition 6(b) of the STAG process and Condition 10. Amendments to Conditions 6 and Condition 10 are recommended, and the agreed conditions (by the applicant) have been updated to reflect this.</p> <p>The applicant stated that <i>“Inclusion of the Ministry and Pākowhai School as part of the STAG (Condition 6) and CEMP process is supported, and consistent with Conditions 6 and 10. The CEMP process can adequately address the specific matters of construction traffic safety and management raised by the Ministry, and where these matters are adopted can be implemented through the CEMP framework.”</i></p>
		Traffic & Noise	<ul style="list-style-type: none"> Recognise the benefits of the proposed protection measures for the schools, and note that nuisance effects (dust, vibration, and noise) will be mitigated through volunteered consent conditions Increased traffic movements along Chesterhope Road during the construction Requests that all heavy vehicle movements avoid Pākowhai School during peak pick-up and drop-off times. To be detailed within the CEMP and managed via condition of consent Condition 10 (CEMP) update to details of all safety measures and interventions, restrict heavy vehicle movements, construction drivers must be briefed on the importance of slowing down and adhering to established speed limits when driving past school 	<p><i>Comment on recommended changes to include Ministry and School in the CEMP and STAG processes (conditions 6 and 10).</i></p> <p><i>The application shows that there would be no construction traffic that would use Chesterhope Road given the principal access for such activity will be via 1856 Pakowhai Road located west of Chesterhope Road.</i></p> <p><i>In looking at the proposed haulage route, consideration may need to be given to the management of noise and dust where the haul route is close to Chesterhope School noting that is related to the overall construction traffic rather than the haulage traffic.</i></p> <p><i>Order in Council process does not include hearings and only comments are invited – not submission. The Ministry of Education have been advised.</i></p>

		Neutral View	<ul style="list-style-type: none"> Ministry is neutral if consequential amendments required to give effect to the matters outlined can be accepted 	
6	Evan O’Leary	Lack of communication	<ul style="list-style-type: none"> Owner expects protection as part of rates payments No engagement or consultation has taken place with property owners about spill way Attempts to contact authorities gone unanswered 	<p>N.B: Compensation for lost land development potential, and access to private land are not a matter of control under the OIC.</p> <p>Figure 4.4 of Appendix 13 of T+T Consequential Flooding Report shows reduced flooding on property of Evan O’Leary. The applicant confirmed that: <i>“the emergency spillway is positioned at the eastern end of the Pākowhai stopbank, near Category 3 land (including O’Leary property), which is unsuitable for residential development. This location will enable extreme flood flows to be directed away from residential dwellings “towards lower lying land, and eventually the Pākowhai Pump Station.”</i></p> <p><i>The property is within the low-lying floodplain at the eastern end of Pākowhai, and was inundated in both the pre and post development cases, there is a marginal improvement in peak flood depth at the site.”</i>³⁵</p> <p>The applicant has provided a summary of consultation undertaken in Section 9 of their application, which includes properties impacted by the proposed spillway. No additional conditions are recommended.</p>
		Flooding risks	<ul style="list-style-type: none"> Concern that floodwater may spill into the property Compensation for flooding risks Fairness concerns 	

³⁵ T+T, 15 January 2026, ‘Pākowhai Stopbank – Comments of Resource Consent Submissions APP-131699 Rev 1, page 4

7	Sheryl and David Mackie (Cedarwood)	Changes to conditions various (See full version for all changes)	<p>The comments seek confirmation that the driveway and vehicle access ramps near 70 Franklin Road will be permanently removed, and that no upstream embankment is proposed along the State Highway 2 boundary, noting inconsistencies between the design plans and application documents. They also request clarification of haulage routes, access points, and the use of the term “SP4,” as current documentation is unclear and indicates haulage routes on three sides of their property that were not previously discussed with them.</p>	<p>In response to this comment, the applicant noted the following:</p> <p>The applicant has confirmed “<i>an upstream embankment relates to a superseded figure. An embankment upstream of SH2 is not proposed. The current design is provided within the design drawings within the application.</i>”³⁶</p> <p>“<i>Detailed Design report and engagement with the landowner is ongoing to refine interaction between vehicle crossings and the stopbank. Required by Condition 1B to submit to consenting authority.</i>”³⁷</p> <p>“<i>For clarity, within Appendix 16 (the Traffic Impact Assessment) the term ‘SP’ refers only to separable portions of the project. Stockpiling is used only in its unabbreviated form and means a construction activity undertaken within or associated with those separable portions. Table 6 (Column 2) of the Traffic Impact Assessment incorrectly described Access 6 as being the existing vehicle crossing to 56 Franklin Road. It should have been described as the existing access to 70 Franklin Road. The naming error does not alter the assessment of effects that follows, or the conclusions of the Traffic Impact Assessment regarding mitigation of potential effects on Franklin Road.</i>”</p> <p><i>The Traffic Impact Assessment recognises that temporary speed limits are sometimes appropriate to mitigate construction traffic management effects. The need for any temporary speed restrictions, their extent, duration and form can be appropriately assessed and implemented through the CEMP and associated Temporary Traffic Management Plans, in consultation with the relevant road controlling authorities (being part of the Stakeholder Advisory Group). For these reasons it is not assessed as appropriate to prescribe fixed temporary speed limits within consent conditions. The Traffic Impact Assessment (Table 10) recognises that increased two-way heavy vehicle movements on narrow sections of Franklin Road have the potential to generate localised operational effects, including interaction between heavy vehicles and the road</i></p>
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³⁶ T+T, 15 January 2026, ‘Pākowhai Stopbank – Comments of Resource Consent Submissions APP-131699 Rev 1, page 4

³⁷ T+T, 15 January 2026, ‘Pākowhai Stopbank – Comments of Resource Consent Submissions APP-131699 Rev 1, page 4

			<ul style="list-style-type: none"> • Conditions 1B, 6, 9(d), 10, 11, 23(aa), 10(c(ix)), 23, 36B-36D and 41 proposed changes and track • Increasing working day timeframes (increasing from 5 days to now 10-15 days) • Formation of two stakeholder groups (one above and one below SH2) • Decreasing hours of construction 6.30 am – 6pm • Construction noise & vibration management plan • Compensation of lost orchard production/revenue if 5 m buffer not provided for 	<p>edge or adjacent accessways. These potential effects were assessed at a network level and are proposed to be managed through the CEMP and the pre- and post-construction Pavement Condition Survey (PCS) processes. The CEMP is the appropriate tool to identify whether proactive works such as localised widening or traffic controls are required. The PCS is the mechanism to monitor and respond to any pavement or edge deterioration effects that may occur during construction, including those that could be associated with heavy vehicles tracking close to the road edge or past unsealed driveways.”³⁸</p> <p>Suggest a range of changes to conditions, as follows:</p> <p>These are not all matters that are under HBRC control but may be relevant to HDC (e.g. construction noise, traffic). <i>Some of the requested conditions and amendment to conditions are out of scope for this process and could be considered through private agreements.</i></p> <p><i>Condition 1B:</i> seeks to add the STAG and set a 10 working day timeframe for review of the final design. The addition of the STAG to Condition 1B is considered reasonable and is accepted by the applicant, without any change to timeframe. This timeframe (5 working days) is appropriate as there is no requirement for certification of the amended plans.</p> <p><i>Condition 6:</i> suggested amendment to require a STAG for the areas of works north and south of SH2. The applicant considers that “a single STAG, with adequate representation from both ends of the project, will be sufficient to represent the footprint owners and wider community”. It is agreed by HBRC that two STAGs are not necessary and may create unnecessary duplication.</p> <p><i>Condition 9(d)(i):</i> recommends increasing the timeframe to provide the initial communications plan from the applicant’s proposed 5 working days to 20 working days. HBRC recommends 10 working days as a reasonable timeframe for receipt and checking of the plan by compliance staff.</p>
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³⁸ Pākowhai Flood Protection Activity - Applicant Response to Comments. 15 January 2026.

				<p><i>Condition 10(a)(ii)</i>: seeks to increase the timeframe for providing the CEMP and final design report to Council and STAG from 5 to 10 working days before the commencement of each area of construction works. The 5 working day timeframe is consistent with that set out in condition 1B and it is noted that a 10 working day period is provided for comment when developing the CEMP under condition 11. A change to the timeframe set out in condition 10(a)(ii) is not recommended.</p> <p><i>Condition 10(c)(ix)</i>: seeks to add measures relating to dust “...and procedures for avoiding or minimising to the extent practicable the discharge of dust outside the boundary of the works footprint, including wind conditions in which dust generating activities are to cease”. The applicant considers that “matters relating to dust will be addressed through the Environmental Management Plan (EMP) and Erosion and Sediment Control Plan (ESCP) which are proposed as a condition of consent, and expects this will include the use of water carts and running courses (i.e. temporary gravel haul roads) to reduce dust generation.”³⁹ It is recommended that an additional condition be added to require a local dust management plan for construction works in separable portions 4 and 5 for dust mitigation at 56 Franklin Road. This approach is considered to be more reasonable and practicable than requiring dust fencing as has been suggested. While a matter for HBRC, the issue of dust can be addressed by HBRC at the point source rather than trying to mitigate this through fencing which may not be entirely effective. Matters such as dust is addressed in the CEMP – Condition 10 (c) viii and Condition 16.</p> <p><i>Condition 10(xxii) and (xxiii)</i>: seeks to include requirements for implementing STAG recommendations and reporting on amendments under Condition 11. Reporting back to the STAG is already provided for in Condition 7. Procedures for the STAG can be developed though the terms of reference process already set out under Condition 6(f) and (g). The suggested changes are not recommended.</p>
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³⁹ T+T, 15 January 2026, 'Pākowhai Stopbank – Comments of Resource Consent Submissions APP-131699 Rev 1, page 4

				<p><i>Condition 11:</i> seeks to amend the conditions to add a requirement that a written report is required from the consent holder setting out how recommendations or comments from the Councils or STAG have been taken into account and implemented, or not. Also sought, is an increase in the timeframe for comments on the CEMP (from 10 to 15 days). The applicant opposes these changes, noting that the process and timeframe has proved adequate for other OIC applications to date. No changes to the timeframe are recommended by HBRC.</p> <p><i>Condition 23</i> relates to control of construction noise and vibration, and a number of amendments are suggested. Suggested condition 23(aa) is to limit hours of operation and is opposed by the applicant to ensure the ability to maximize construction windows to enable timely construction. Suggested conditions 23(c) and (d) are accepted by the applicant with amendments, noting that the “requirements for certification are not consistent with the approach of the OIC – also noting that the CNVMP will be prepared by a suitably qualified person”. Suggested <i>conditions 23(e) and (f)</i> relate to surveying buildings for pre and post works to monitor for vibration related impacts. The applicant opposes these additions and considers that the amendments to Condition 23(c) are sufficient to manage vibration effects.</p> <p>With the proposed haul route in this area, consideration will need to be given to the management of noise and dust given the proximity to this property. That would be something that will need to be addressed in the CEMP.</p> <p>Consider the relevance of providing a report where the invitee has drawn attention to the effects of vibration on their buildings and whether there is a standard whereby vibration from trucks passing the property can be measured. This may require additional commentary or a relevant bespoke vibration assessment in respect of 56 Franklin Road. Consider whether Condition 23 as submitted could be modified.</p>
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				<p>Conditions 36, 37B and 37C (or 37C and 37D) are proposed and relate to stockpiling of fill material and dust suppression, or alternatively for the compensation of the owner for any fruit that is rejected due to dust deposits. A speed limit restriction is also suggested (50 km/hr). The applicant opposes these conditions, and considers that the matters can be addressed through Conditions 10 (CEMP) and 16 (dust management). The additions relating to dust management plan (discussed above) are considered sufficient. Compensation for lost land development potential is not a matter of control under the OIC conditions, and this will need to be a private agreement and is an ongoing matter with between the landowner and applicant. On the proposed speed limit, the applicant considers that <i>“temporary speed limits are sometimes appropriate to mitigate construction traffic management effects, and are addressed in the Traffic Impact Assessment and implemented in the CEMP. STAG will be involved and therefore temporary speed limits not considered necessary as consent conditions.”</i></p> <p>Changes to conditions regarding road widening and speed reduction limits will require approval of HDC Transportation Policy and Planning Manager. Advice is that this is not required. The requirement for a CTMP would work to provide for a safe and suitable outcome for all traffic activity on Franklin Road. Important to note here that the Traffic Impact Assessment did not consider the traffic generated or the times of greatest activity of the existing traffic with the current land use activities. Independent of the proposed construction activity, there is more than adequate visibility along Franklin Road to provide for two way traffic flow safely noting that some vehicles may need to move to the left to achieve that noting that the unsealed shoulders can provide for that the unsealed shoulders can provide for that.</p> <p>Proposed Condition 36B (vehicle access upgrade) is not supported. Accordingly, the amended condition sought in relation to sealing the vehicle crossing at 56 Franklin Road cannot be justified as being a condition of the proposed construction activity. The property owner could ensure that the area is swept of loose chip to address their concerns raised noting that this issue is an existing issue and would not be exacerbated as a result of the construction</p>
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				<p>activity. Stockpile areas and haulage routes are included in T+T Overall Layout Plans Drawings 22-007-050-SK001-0030</p> <p><i>Conditions 39-41</i> are proposed and relate to relocation and protection of private infrastructure (eg water intakes) within the stop-bank corridor, and provision of compensation should turning circles at the end of orchard rows be lost. As above, compensation agreements are to be made outside of this OIC process. Similarly, the need to relocate private infrastructure is a matter that should be agreed directly between the applicant and landowner and is not within the scope (i.e. a matter of control) under this consent process. The addition of these conditions is not recommended.</p> <p>N.B: Compensation for lost land development potential, and access to private land are not a matter of control under the OIC.</p>
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Appendix 2: Proposed Conditions of Consent and Recommended Changes

Conditions			
Overarching Condition Number and the Consent Authority to manage compliance	Proposed by Applicant (amendments underlined in blue proposed by applicant on 3 December 2025)	Suggested changes from applicant's proposed conditions or additional conditions by HBRC (red) and by HDC (purple)	HBRC and HDC Comments
PRELIMINARY MATTERS			
1. HBRC & HDC	<p>a) The consent holder must carry out all activities included in the flood protection works for which consent has been granted in accordance with applicable requirements in the following documents that were provided in the application for consent:</p> <p><u>i. Pakowhai Flood Protection Improvements, Preliminary Design Report, November 2025, Job Number 1017353.2403 v1</u></p> <p>b) However, if there is a conflict between a condition imposed on the resource consent and a requirement in any document referred to in subclause (1), the imposed condition prevails.</p>	<p>a) The consent holder must carry out all activities included in the flood protection works for which consent has been granted in accordance with applicable requirements in the following documents that were provided in the application for consent:</p> <p><u>i. Resource Consent Application for Flood Protection Works, Pakowhai Flood Protection Improvements, Preliminary Design Report, November 2025, Job Number 1017353.2403 v1.</u></p> <p><u>ii. Strategy, 'Resource Consent Application for Flood Protection Works – Pakowhai Flood Protection Works'. 26 November 2025.</u></p> <p>b) However, if there is a conflict between a condition imposed on the resource consent and a requirement in any document referred to in subclause (1), the imposed condition prevails.</p>	<p>Clause 17(3) of the OIC 2024 specifically prohibits the consent authority from making amendments to the condition in clause 1 of Schedule 2.</p> <p>HDC agree with the changes made by HBRC</p> <p>It is recommended to include additional key documents provided in the reference of the conditions for completeness.</p> <p>The applicant has recommended the addition of an advice note to condition 1. HBRC does not consider that this is necessary given temporary crossings are clearly provided for within the OIC. However, if it is to be included, it should refer to temporary bridge crossings, as outlined in the applicant's email dated 3 December 2025⁴⁰.</p>

⁴⁰ Email from Cam Drury (Strategy), 'Pakowhai - Temporary crossings as part of construction'. 23/12/2025

<p>1B HBRC & HDC</p>	<p><u>Tracking changes in the design process</u></p> <p><u>Changes that occur between preliminary and detailed (final) design shall be recorded and reported on as part of a final design report. The final design report shall record the changes, outline the reasons for them and provide a view as to whether the changes are in accordance with documents referred to in Condition 1.</u></p> <p><u>In this context, in accordance means changes that do not introduce a new activity, do not introduce a substantial change in alignment, do not result in a change to outcomes sought under the conditions of this consent, and does not cause any material increase in consequential flooding effects to other properties.</u></p> <p><u>The Final Design Report shall be provided to the Hawke’s Bay Regional Council (Manager Compliance) prior to construction commencing.</u></p>	<p><u>Tracking changes in the design process</u></p> <p><u>Changes that occur between preliminary and detailed (final) design shall be recorded and reported on as part of a final design report. The final design report shall include the final design plans and shall record the changes, outline the reasons for them and provide a view as to whether the changes are in accordance with documents referred to in Condition 1.</u></p> <p><u>In this context, in accordance means changes that do not introduce a new activity, do not introduce a substantial change in alignment, do not result in a change to outcomes sought under the conditions of this consent, and does not cause any material increase in consequential flooding effects to other properties.</u></p> <p><u>The Final Design Report and final design plans shall be provided to the Hawke’s Bay Regional Council (Manager Compliance) and Compliance Manager Hastings District Council and to the Stakeholder Advisory Groups set out under condition 6 at least 5 working days prior to construction commencing. These final design reports and plans may exclude the design details of the tie into SH2. Rather, the final design plans for the tie in with State Highway 2 shall be provided to the Hawke’s Bay Regional Council (Manager Compliance), Compliance Manager Hastings District Council and NZTA at least 5 working days prior to the tie in works commencing.</u></p>	<p>A change to condition 1B was recommended by S&D Mackie (Cedarwood) so that provision of the final design to the STAG is also required. This change is supported and is accepted by the applicant.</p> <p>HDC supports this approach.</p> <p>The 5 working day timeframe aligns with Condition 10 (CEMP).</p> <p>Agreed</p>
<p>2. HBRC & HDC</p>	<p>Duration of resource consent</p> <p>a) The period for which this resource consent has been granted is [<i>consent authority to insert date that is not more than 5 years</i>] after the date of commencement of the consent.</p>	<p>Duration of resource consent</p> <p>a) The period for which this resource consent has been granted is <u>5 years</u> [<i>consent authority to insert date that is not more than 5 years</i>] after the date of commencement of the consent.</p>	<p>For the areas outside the OIC, the application is assessed in accordance with the RMA and the lapse date under s.125 for areas outside the OIC footprint is 5 years following the decision.</p> <p>Clause 21 of the OIC provides that a consent granted under the OIC must lapse no later</p>

	<p>b) This resource consent lapses on <i>[consent authority to insert date that is no later than 2 years after date of commencement of consent]</i>.</p>	<p>b) This resource consent lapses on <u>4 February 2028 if not exercised before this date.</u></p>	<p>than 2 years after the date of commencement. It is recommended that the lapse date for the resource consent (b) be 4 February 2028.</p> <p>HDC agrees with this date</p>
<p>3. HBRC</p>	<p>Definitions CEMP means the Construction Environment Management Plan required by condition 10 of this schedule construction works— a) means activities that are authorised by this resource consent in connection with the flood protection works and that consist of directly constructing, reinstating, enhancing, or improving land or infrastructure; but b) does not include ancillary activities such as— i. preliminary activities such as planning, recruitment, site investigation, establishment of construction site, soil sampling; and ii. subsequent activities such as site clean-up and ongoing maintenance of infrastructure, plant, and landscaping until the flood protection works are completed; and iii. ongoing administrative and operational activities such as monitoring and reporting until the flood protection works are completed. contaminated land means land to which the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health)</p>	<p>Definitions CEMP means the Construction Environment Management Plan required by condition 10 of this <u>schedule consent</u> construction works— a) means activities that are authorised by this resource consent in connection with the flood protection works and that consist of directly constructing, reinstating, enhancing, or improving land or infrastructure; but b) does not include ancillary activities such as— i. preliminary activities such as planning, recruitment, site investigation, establishment of construction site, soil sampling; and ii. subsequent activities such as site clean-up and ongoing maintenance of infrastructure, plant, and landscaping until the flood protection works are completed; and iii. ongoing administrative and operational activities such as monitoring and reporting until the flood protection works are completed. contaminated land means land to which the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 apply (see regulation 5(1) of those regulations) cultural indicator means an indicator of an identified cultural association in guidance referred to in condition 5 of this <u>schedule consent</u></p>	<p>HBRC and HDC Reporting Officers have recommended the same changes to this condition (and all subsequent references in the) to change the wording from ‘schedule’ to ‘consent.’</p>

<p>Regulations 2011 apply (see regulation 5(1) of those regulations)</p> <p>cultural indicator means an indicator of an identified cultural association in guidance referred to in condition 5 of this schedule</p> <p>cultural monitors means the cultural monitors appointed by relevant Māori entities under condition 4(c) of this schedule</p> <p>earthworks principles means the principles set out in condition 12 of this schedule</p> <p>ecology principles means the principles set out in condition 26 of this schedule</p> <p>erosion and sediment control device includes a bund and a gully trap fitted into a drain</p> <p>Erosion and Sediment Control Manager means the person appointed under condition 13(a) of this schedule</p> <p>ESCP means an erosion and sediment control plan prepared under condition 14 of this schedule</p> <p>HBRC means Hawke’s Bay Regional Council</p> <p>HBRC Erosion and Sediment Guidelines means the <i>Hawke’s Bay Regional Council Waterway Guidelines: Erosion and Sediment Control</i>, published by HBRC in April 2009</p> <p>HBRC Pest Management Plan means the <i>Hawke’s Bay Regional Council Regional Pest Management Plan 2018-2038</i>, published by HBRC in February 2023</p> <p>HBRC River Control Code means the <i>Hawke’s Bay Regional Council Environmental Code of Practice for River Control and Waterway Works</i>, published by HBRC in February 2017</p> <p>HBRC Stormwater Management Guidelines means the <i>Hawke’s Bay Regional Council Waterway Guidelines: Stormwater Management</i>, published by HBRC in May 2009</p> <p>Manager Compliance means the person employed by HBRC as manager of compliance</p>	<p>cultural monitors means the cultural monitors appointed by relevant Māori entities under condition 4(c) of this schedule consent</p> <p>earthworks principles means the principles set out in condition 12 of this schedule consent</p> <p>ecology principles means the principles set out in condition 26 of this schedule consent</p> <p>erosion and sediment control device includes a bund and a gully trap fitted into a drain</p> <p>Erosion and Sediment Control Manager means the person appointed under condition 13(a) of this schedule consent</p> <p>ESCP means an erosion and sediment control plan prepared under condition 14 of this schedule consent</p> <p>HBRC means Hawke’s Bay Regional Council</p> <p>HBRC Erosion and Sediment Guidelines means the <i>Hawke’s Bay Regional Council Waterway Guidelines: Erosion and Sediment Control</i>, published by HBRC in April 2009</p> <p>HBRC Pest Management Plan means the <i>Hawke’s Bay Regional Council Regional Pest Management Plan 2018-2038</i>, published by HBRC in February 2023</p> <p>HBRC River Control Code means the <i>Hawke’s Bay Regional Council Environmental Code of Practice for River Control and Waterway Works</i>, published by HBRC in February 2017</p> <p>HBRC Stormwater Management Guidelines means the <i>Hawke’s Bay Regional Council Waterway Guidelines: Stormwater Management</i>, published by HBRC in May 2009</p> <p>Manager Compliance means the person employed by HBRC as manager of compliance</p> <p>Māori entity representative means a person appointed as a representative under condition 4 of this schedule consent</p> <p>NZS 6803:1999 means New Zealand Standard 6803:1999: Acoustics—Construction noise, published by Standards New Zealand on 8 February 2000</p>	
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	<p>Māori entity representative means a person appointed as a representative under condition 4 of this schedule</p> <p>NZS 6803:1999 means New Zealand Standard 6803:1999: Acoustics—Construction noise, published by Standards New Zealand on 8 February 2000</p> <p>OiC means the Severe Weather Emergency Recovery (Hawke’s Bay Flood Protection Works) Order 2024</p> <p>Project Ecologist means suitably qualified and experienced ecologist appointed by the consent holder</p>	<p>OiC means the Severe Weather Emergency Recovery (Hawke’s Bay Flood Protection Works) Order 2024</p> <p>Project Ecologist means suitably qualified and experienced ecologist appointed by the consent holder</p>	
ENGAGEMENT AND COMMUNICATIONS			
<p>4. HBRC</p>	<p>Māori entities representatives</p> <p>a) The consent holder must invite each relevant Māori entity to appoint a representative to perform, with the representatives appointed by all other relevant Māori entities, the Māori entities representatives’ roles and responsibilities set out in this schedule in relation to the flood protection works for which the consent has been granted.</p> <p>b) The consent holder must issue the invitations at least 20 days before the flood protection works begin.</p> <p>c) The relevant Māori entities may appoint a team of cultural monitors to</p> <ul style="list-style-type: none"> i. support the Māori entities representatives; and ii. provide advice to those preparing the Communications Plan, aspects of the CEMP referred to in condition 10 (c)(iii) and Ecology Management Plan, and iii. provide the consent holder with on-site guidance to enable effective management of impact on culturally significant land and other natural 	<p>Māori entities representatives</p> <p>a) The consent holder must invite each relevant Māori entity to appoint a representative to perform, with the representatives appointed by all other relevant Māori entities, the Māori entities representatives’ roles and responsibilities set out in this schedule consent in relation to the flood protection works for which the consent has been granted.</p> <p>b) The consent holder must issue the invitations at least 20 days before the flood protection works begin.</p> <p>c) The relevant Māori entities may appoint a team of cultural monitors to</p> <ul style="list-style-type: none"> i. support the Māori entities representatives; and ii. provide advice to those preparing the Communications Plan, aspects of the CEMP referred to in condition 10 (c)(iii) and Ecology Management Plan, and iii. provide the consent holder with on-site guidance to enable effective management of impact on culturally significant land and other natural and physical resources that have cultural value. 	<p>HBRC and HDC Reporting Officers have recommended the same changes to this condition (and all subsequent references in the) to change the wording from ‘schedule’ to ‘consent.’</p>

	<p>and physical resources that have cultural value.</p> <p>d) The consent holder must develop terms of reference for the role and responsibilities of the Māori entities representatives, including in relation to the following matters:</p> <ul style="list-style-type: none"> i.the appropriate number of representatives: ii.the scope of the representatives’ role and responsibilities: ii.time frames for decisions, advice, and actions: iii.support for the representatives: iv.remuneration for the representatives. <p>e) In developing the terms of reference, the consent holder must—</p> <ul style="list-style-type: none"> i.convene discussions with all relevant Māori entities; and ii.use its best endeavours to achieve consensus on all matters. <p>f) If consensus on all matters is not achieved, the remaining matters must be determined—</p> <ul style="list-style-type: none"> i.by a majority vote; or ii.if votes are tied, by the casting vote of the consent holder. 	<p>d) The consent holder must develop terms of reference for the role and responsibilities of the Māori entities representatives, including in relation to the following matters:</p> <ul style="list-style-type: none"> i.the appropriate number of representatives: ii.the scope of the representatives’ role and responsibilities: iii.time frames for decisions, advice, and actions: iv.support for the representatives: v.remuneration for the representatives. <p>e) In developing the terms of reference, the consent holder must—</p> <ul style="list-style-type: none"> ii.convene discussions with all relevant Māori entities; and iii.use its best endeavours to achieve consensus on all matters. <p>f) If consensus on all matters is not achieved, the remaining matters must be determined—</p> <ul style="list-style-type: none"> ii.by a majority vote; or iii.if votes are tied, by the casting vote of the consent holder. 	
5. HBRC	<p>Guidance on Cultural indicators</p> <p>a) The guidance provided under condition 4(c)(iii) of this schedule must focus on indicators covering all identified traditional associations,—</p> <ul style="list-style-type: none"> i.including mahinga kai, cultural stream health, wāhi tapu, wāhi tūpuna, protocols, and heritage; and 	<p>Guidance on Cultural indicators</p> <p>a) The guidance provided under condition 4(c)(iii) of this schedule consent must focus on indicators covering all identified traditional associations,—</p> <ul style="list-style-type: none"> i.including mahinga kai, cultural stream health, wāhi tapu, wāhi tūpuna, protocols, and heritage; and 	HBRC and HDC Reporting Officers have recommended the same changes to this condition (and all subsequent references in the) to change the wording from ‘schedule’ to ‘consent.’

	<p>ii.derived from identified cultural values and any cultural assessment conducted by the cultural monitors.</p> <p>b) The consent holder must, in preparing the Communications Plan, aspects of the CEMP referred to in condition 10 (c)(iii) and Ecology Management Plan all plans required by these conditions;</p> <p>i.take all applicable cultural indicators into account; and</p> <p>ii.report to the Māori entities representatives how those indicators have been taken into account.</p>	<p>ii.derived from identified cultural values and any cultural assessment conducted by the cultural monitors.</p> <p>b) The consent holder must, in preparing the Communications Plan, aspects of the CEMP referred to in condition 10 (c)(iii) and Ecology Management Plan all plans required by these conditions;</p> <p>i.take all applicable cultural indicators into account; and</p> <p>ii.report to the Māori entities representatives how those indicators have been taken into account.</p>	
6. HBRC & HDC	<p>Stakeholder advisory group</p> <p>a) The representatives appointed under subconditions (b) and (d) and the Māori entities representatives form the stakeholder advisory group.</p> <p>b) The consent holder must invite the following persons to appoint representatives to be members of the stakeholder advisory group:</p> <p>i.the owners and occupiers of land on which the flood protection works are carried out (referred to as ‘Footprint’ in and all adjoining land Schedule 1):</p> <p>ii.all persons listed in who made comments under clause 15(2)(a)(ii)-(vi) and (viii)-(x) of the OIC and any owner or occupier of land referred to as ‘Footprint Adjoining’ in Schedule 1 who made comments under clause 15 of the OIC:</p> <p>iii.all network utility operators with network infrastructure or other facilities on the land on which the flood</p>	<p>Stakeholder advisory group</p> <p>a) The representatives appointed under subconditions (b) and (d) and the Māori entities representatives form the stakeholder advisory group.</p> <p>b) The consent holder must invite the following persons to appoint representatives to be members of the stakeholder advisory group:</p> <p>i.the owners and occupiers of land on which the flood protection works are carried out (referred to as ‘Footprint’ in and all adjoining land Schedule 1):</p> <p>ii.all persons listed in who made comments under clause 15(2)(a)(ii)-(vi) and (vii) -(x) of the OIC</p> <p>iii.any owner or occupier of land referred to as ‘Footprint Adjoining’ in Schedule 1 who made comments, and any clause 15(2)(a)(x) party that commented. under clause 15 of the OIC.</p> <p>iii.all network utility operators with network infrastructure or other facilities on the land on which the flood protection works are carried out or any adjoining land:</p> <p>iv.the Manager Compliance:</p>	<p>This should include people who hold leases on land and buildings on land withing the OIC footprint</p> <p>The Ministry of Education made a comment on this proposal for safety concerns given the school is within the OIC footprint and project area. It is recommended to include a representative from the Ministry of Education and/or Pākowhai School under Condition 6 (b(viii)) to enable inclusion on the STAG group.</p> <p>Updated the list of people able to join the STAG group into two sub-conditions (b(ii) & (iii)) to make this requirement clearer. The amended wording continues to ensure that all listed parties are invited, along with all ‘footprint’ landowners and occupiers, and any ‘adjoining’ or clause 15(2)(a)(x) parties that commented. The condition does not now require the applicant to invite all parties who were invited to comment by the councils under clause 15(2)9a)(x).</p>

	<p>protection works are carried out or any adjoining land:</p> <p>iv.the Manager Compliance:</p> <p>v.Heritage New Zealand Pouhere Taonga:</p> <p>vi.the Department of Conservation:</p> <p>vii.the Māori entities representatives</p> <p>c) The consent holder must issue the invitations at least 20 days before the flood protection works begin.</p> <p>d) After the flood protection works begin, the consent holder may invite further persons or bodies to appoint representatives to the stakeholder advisory group.</p> <p>e) Each representative appointed must be authorised by the person or body appointing them to make decisions on behalf of the person or body in the consultations taking place in relation to the flood protection works.</p> <p>f) The consent holder must develop terms of reference for the role of the stakeholder advisory group, including in relation to the following:</p> <p>i.frequency of meetings:</p> <p>ii.processes and methods for the performance of the group’s role.</p> <p>g) In developing the terms of reference, the consent holder must—</p> <p>i.convene discussions with all members of the group; and</p> <p>ii.use its best endeavours to achieve consensus on all matters at the group’s first meeting.</p>	<p>v.Heritage New Zealand Pouhere Taonga:</p> <p>vi.the Department of Conservation:</p> <p>vii.the Māori entities representatives</p> <p>viii.<u>the Ministry of Education and Pākowhai School</u></p> <p>c) The consent holder must issue the invitations at least 20 days before the flood protection works begin.</p> <p>d) After the flood protection works begin, the consent holder may invite further persons or bodies to appoint representatives to the stakeholder advisory group.</p> <p>e) Each representative appointed must be authorised by the person or body appointing them to make decisions on behalf of the person or body in the consultations taking place in relation to the flood protection works.</p> <p>f) The consent holder must develop terms of reference for the role of the stakeholder advisory group, including in relation to the following:</p> <p>i.frequency of meetings:</p> <p>ii.processes and methods for the performance of the group’s role.</p> <p>g) In developing the terms of reference, the consent holder must—</p> <p>i.convene discussions with all members of the group; and</p> <p>ii.use its best endeavours to achieve consensus on all matters at the group’s first meeting.</p> <p>h) If consensus on all matters is not achieved at the first meeting, the remaining matters must be determined—</p> <p>i.by a majority vote; or</p> <p>ii.if votes are tied, by the casting vote of the consent holder.</p>	<p>HDC agree with this change and finds it not relevant to form 2 separate STAG groups</p> <p>Traffic management falls outside HBRC scope.</p>
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	<p>h) If consensus on all matters is not achieved at the first meeting, the remaining matters must be determined—</p> <p>i. by a majority vote; or</p> <p>ii. if votes are tied, by the casting vote of the consent holder.</p>		
7. HBRC	<p>Operation of stakeholder advisory group</p> <p>a) The role of the stakeholder advisory group is to inform and advise the consent holder about managing and monitoring the flood protection works.</p> <p>b) The consent holder must—</p> <p>i. record all information and advice provided by the stakeholder advisory group; and</p> <p>ii. report to the group how the information and advice have been taken into account in the carrying out of the flood protection works.</p>		
8. HBRC	<p>Project Engagement Lead</p> <p>a) The consent holder must appoint a person as Project Engagement Lead to act as the consent holder's main point of contact with—</p> <p>i. the Māori entities representatives; and</p> <p>ii. the stakeholder advisory group.</p> <p>b) The consent holder must ensure that the Project Engagement Lead is reasonably available to perform their role under this condition.</p> <p>c) The consent holder must also ensure that the contact details of the Project Engagement Lead are posted on an internet site maintained by or on behalf of the consent holder.</p>		

<p>9. HBRC & HDC</p>	<p>Communications plan a) The consent holder must, taking account of the advice provided by cultural monitors, develop and implement a communications plan for the duration of construction works. b) The communication plan must contain detailed processes for communications, throughout the construction works, with the following: i. the general public: ii. local residents and businesses: iii. the Māori entities representatives: iv. the persons and bodies represented by the stakeholder advisory group: v. all other persons potentially affected by the construction works. c) The communications plan must include the following: i. a description of the flood protection works or details of, or a link to, an internet site maintained by or on behalf of the consent holder that describes the construction works: ii. the contact details of the Project Engagement Lead: iii. a list of all persons and bodies who will be communicated with under the plan: iv. how any comments or concerns about the construction works should be communicated by those persons and bodies:</p>	<p>Communications plan a) The consent holder must, taking account of the advice provided by cultural monitors, develop and implement a communications plan for the duration of construction works. b) The communication plan must contain detailed processes for communications, throughout the construction works, with the following: ii. the general public: iii. local residents and businesses: iv. the Māori entities representatives: v. the persons and bodies represented by the stakeholder advisory group: vi. all other persons potentially affected by the construction works. c) The communications plan must include the following: ii. a description of the flood protection works or details of, or a link to, an internet site maintained by or on behalf of the consent holder that describes the construction works: iii. the contact details of the Project Engagement Lead: iv. a list of all persons and bodies who will be communicated with under the plan: v. how any comments or concerns about the construction works should be communicated by those persons and bodies: vi. details of proposed communication activities by the Project Engagement Lead, including notifications and other communications with any persons and bodies referred to in paragraph (iii): vii. information about when the communications plan will be reviewed (and amended, if necessary).</p>	<p>Condition 9(d)(i) the communications plan needs to be reviewed by the Manager Compliance (HBRC and HDC) and 10 working days</p>

	<p>v.details of proposed communication activities by the Project Engagement Lead, including notifications and other communications with any persons and bodies referred to in paragraph (iii):</p> <p>vi.information about when the communications plan will be reviewed (and amended, if necessary).</p> <p>d)The consent holder must give to the Manager Compliance—</p> <p>i.the initial communications plan at least 520 working days before construction works begin; and</p> <p>ii.any amended plan, as soon as practicable after the amendment.</p>	<p>d)The consent holder must give to the Manager Compliance (Hawke’s Bay Regional Council and Hastings District Council) —</p> <p>i.the initial communications plan at least 520 10 working days before construction works begin; and</p> <p>ii.any amended plan, as soon as practicable after the amendment.</p>	<p>is considered an appropriate minimum timeframe for this.</p> <p>This also aligns with comments received on this condition.</p> <p>Condition 9(d)(i) - the applicant opposes the extended timeframe of 10 working days because other consents with a 5 day timeframe prove sufficient. However, HBRC recommends the amendment to this condition be retained to aligns with timeframes granted on other OIC consents and enable Manager Compliance time to review the plan.</p>
CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN			
10. HBRC & HDC	<p>Construction environmental management plan</p> <p>a) The consent holder must—</p> <p>i.prepare a construction environmental management plan for the flood protection construction works undertaken north of State Highway 2 and a separate construction environmental management plan for the construction works undertaken south of State Highway 2 and;</p> <p>ii.not less than 5 working days before the commencement of each area of construction works begin, submit the CEMP to the consent authority and the stakeholder advisory group.</p> <p>b)The level of detail and the measures proposed in the CEMP must correspond</p>	<p>Construction environmental management plan</p> <p>a) The consent holder must—</p> <p>i.prepare a construction environmental management plan for the flood protection construction works undertaken north of State Highway 2 and a separate construction environmental management plan for the construction works undertaken south of State Highway 2 and;</p> <p>ii.not less than 5 working days before the commencement of each area of construction works begin, submit the CEMP and the final design report and plans required under condition 1B to the consent authority (Hawkes Bay Regional Council and Hastings District Council)— and the stakeholder advisory group.</p> <p>b)The level of detail and the measures proposed in the CEMP must correspond with the nature and scale of the flood protection construction works.</p>	<p>Reflects Comment 7 by Sheryl and David Mackie of 56 Franklin Road. Increasing 5 working days prior notice requested to 10 is not supported.</p>

	<p>with the nature and scale of the flood protection-construction works.</p> <p>c) The CEMP must include the following information (<u>in respect to the construction works and areas concerned</u>):</p> <ul style="list-style-type: none"> i. the roles and responsibilities of construction management staff, including the Erosion and Sediment Control Manager: ii. a description of the training and education programme for workers that will be implemented to ensure compliance with the conditions imposed on the resource consent: iii. procedures, <u>developed in partnership with the Māori Entity Representatives</u>, for— <ul style="list-style-type: none"> 1. obtaining <u>ongoing</u> guidance on cultural indicators provided by cultural monitors; and 2. <u>ongoing</u> reporting to the Māori entities representatives <u>on how the indicators in condition 5(a) have been taken into account, or if not, why not. under condition 5(b)(ii) of this schedule</u>; iv. indicative timing of all stages of the flood protection works: v. procedures for the management of hazards, including— <ul style="list-style-type: none"> 1. any risk of flood; and 2. the discharge of any contaminant (for example, chemicals or hydrocarbons); <u>and</u> 3. <u>working in the proximity of overhead powerlines</u>; 	<p>c) The CEMP must include the following information (<u>in respect to the construction works and areas concerned</u>):</p> <ul style="list-style-type: none"> i. the roles and responsibilities of construction management staff, including the Erosion and Sediment Control Manager: ii. a description of the training and education programme for workers that will be implemented to ensure compliance with the conditions imposed on the resource consent: iii. procedures, <u>developed in partnership with the Māori Entity Representatives</u>, for— <ul style="list-style-type: none"> 1. obtaining <u>ongoing</u> guidance on cultural indicators provided by cultural monitors; and 2. <u>ongoing</u> reporting to the Māori entities representatives <u>on how the indicators in condition 5(a) have been taken into account, or if not, why not. under condition 5(b)(ii) of this schedule</u>; iv. indicative timing of all stages of the flood protection works: v. procedures for the management of hazards, including— <ul style="list-style-type: none"> 1. any risk of flood; and 2. the discharge of any contaminant (for example, chemicals or hydrocarbons); <u>and</u> 3. <u>working in the proximity of overhead powerlines</u>; vi. <u>the location of laydown and material stockpile areas and</u> arrangements for site access and on-site traffic management <u>including haulage routes (see conditions 39 and 40), that respond to the matters outlined in Table 10 of the Traffic Impact Assessment – Pakowhai Stopbank, Hawke’s Bay, 30 October 2025 prepared by East Cape Consulting Limited</u>; 	
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	<p>vi. the location of laydown and material stockpile areas and arrangements for site access and on-site traffic management including haulage routes, that respond to the matters outlined in Table 10 of the Traffic Impact Assessment – Pakowhai Stopbank, Hawke’s Bay, 30 October 2025 prepared by East Cape Consulting Limited:</p> <p>vii. procedures for managing public health and safety, including restrictions on public access to work sites and the river:</p> <p>viii. A Contamination Site Management Plan responding to the matters identified in the Preliminary Site Investigation and Detailed Site Investigations prepared by T+T, and including, but not limited to:</p> <ul style="list-style-type: none"> i. Appropriate management of earthworks, ii. Hygiene controls. iii. PPE, iv. Dust management, v. Stormwater controls, vi. Offsite disposal of soils, vii. Accidental discovery protocols. viii. Protocols associated with and disturbance and remediation of the identified fill sites at 1023 Links Road and 2008 Pakowhai Road (protocols associated with 1023 Links Road to be included in the CEMP pertaining to the construction works north of State Highway 2 and those 	<p>vii. procedures for managing public health and safety, including restrictions on public access to work sites and the river:</p> <p>viii. A Contamination Site Management Plan responding to the matters identified in the Preliminary Site Investigation and Detailed Site Investigations prepared by T+T, and including, but not limited to:</p> <ul style="list-style-type: none"> i. Appropriate management of earthworks, ii. Hygiene controls. iii. PPE, iv. Dust management, v. Stormwater controls, vi. Offsite disposal of soils, vii. Accidental discovery protocols. viii. Protocols associated with and disturbance and remediation of the identified fill sites at 1023 Links Road and 2008 Pakowhai Road (protocols associated with 1023 Links Road to be included in the CEMP pertaining to the construction works north of State Highway 2 and those associated with 2008 Pakowhai Road in the CEMP pertaining to the construction work south of State Highway 2). <p>ix. dust management measures and procedures for avoiding or minimising to the extent practicable the discharge of dust outside the boundary of the works footprint (see conditions 16 and 41 of this schedule consent):</p> <p>x. procedures for managing de-watering (including avoiding or minimising effects on adjacent buildings) and for managing and measuring groundwater or surface water takes, including fish screening requirements, and diversions and discharges to land or water (including the CMA):</p>	<p>S&D Mackie (Cedarwood) seek to add to condition (10)(c)(ix): <i>and procedures for avoiding or minimising to the extent practicable the discharge of dust outside the boundary of the works footprint, including wind conditions in which dust generating activities are to cease.</i> Given the potential effects of dust occurring outside 56 Franklin Road from the truck movements, it is recommended to include a requirement for a dust management plan (as condition 41) to reduce the impacts at this location be developed prior to works commencing to ensure offsite dust effects are minimised.</p> <p>The recommended additions to condition (10(x)) (water takes) link to the requirements</p>
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	<p>associated with 2008 Pakowhai Road in the CEMP pertaining to the constructions work south of State Highway 2).</p> <p>ix. dust management measures (see condition 16 of this schedule):</p> <p>x. procedures for managing de-watering (including avoiding or minimising effects on adjacent buildings), groundwater or surface water takes, and diversions and discharges to land or water (including the CMA):-</p> <p>xi. contact details of at least 2 persons or bodies who respond to emergencies and who—</p> <ol style="list-style-type: none"> 1. are contactable 24 hours a day, 7 days a week, throughout the flood protection works; and 2. have authority to authorise immediate response actions: <p>xii. a detailed process for detecting, investigating, and recording incidents:</p> <p>xiii. details (including timing) of arrangements for reporting to the consent authority on the outcomes of, and compliance with, the CEMP:</p> <p>xiv. any ESCP (see condition 14 of this schedule):</p> <p>xv. how works in or adjacent to water bodies will be managed:</p> <p>xvi. how any river gravel extraction or land-based borrow sites will be managed:</p> <p>xvii. how noise and vibration generated by the works will be managed:</p> <p>xviii. the landscaping plan (if any) prepared under condition 24 of this schedule:-</p> <p>xviii. an outline of key procedures</p>	<p>xi. contact details of at least 2 persons or bodies who respond to emergencies and who—</p> <ol style="list-style-type: none"> 1. are contactable 24 hours a day, 7 days a week, throughout the flood protection works; and 2. have authority to authorise immediate response actions: <p>xii. a detailed process for detecting, investigating, and recording incidents:</p> <p>xiii. details (including timing) of arrangements for reporting to the consent authorities on the outcomes of, and compliance with, the CEMP:</p> <p>xiv. any ESCP (see condition 14 of this schedule):</p> <p>xv. how works in or adjacent to water bodies will be managed:</p> <p>xvi. how any river gravel extraction or land-based borrow sites will be managed:</p> <p>xvii. how noise and vibration generated by the works will be managed:</p> <p>xviii. the landscaping plan (if any) prepared under condition 24 of this schedule:-</p> <p>xviii. an outline of key procedures</p> <ol style="list-style-type: none"> 1. how potential adverse ecological effects of those works will be avoided, remedied, mitigated, or offset (using biodiversity offset); or 2. from the applicable ecology management plan prepared under condition 28 of this schedule affecting construction: <p>xix. details of how the ecology principles will guide environmental outcomes:</p> <p>xx. cultural and archaeological artefact discovery protocols (see condition 29 of this schedule consent) or reference to an Authority where applicable:</p> <p>xxi. methods for responding to queries and complaints:</p>	<p>in conditions 28 and 34 for metering and data reporting and for adequate fish screening to be provided for the water takes. This change ensures it is included in the CEMP so that it is easily incorporated into the contractor's procedures.</p> <p>HDC agrees with the new condition 41 and changes to condition 10 c) ix</p> <p>Condition 10(c)(ix) - dust management - the applicant opposes the addition of reference to condition 41 and recommended changes to this sub condition to remove this wording. For the reasons detailed with condition 41 below, HBRC recommend retaining the wording of this sub condition.</p> <p>Condition 10(c)(x) - clarification has been made in response to applicant's comments so that measurement only applies to groundwater or surface water abstraction (not de-watering).</p> <p>This amendment to condition 10(c)(xxii) addresses in part the suggestion from S&D Mackie that amendments to the CEMP be reported on, but leaves the exact mechanism and format for this to be developed through the CEMP (and STAG) process.</p> <p>HDC agree with this approach and changes proposed</p> <p>The applicant has indicated that two temporary bridges over the Tutaekuri-Waimate Stream are likely to be required to enable construction. The details of these should be included in the CEMP and in the design plans required by condition 1B and this is included</p>
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	<p>1. how potential adverse ecological effects of those works will be avoided, remedied, mitigated, or offset (using biodiversity offset); or</p> <p>2. from the applicable ecology management plan prepared under condition 28 of this schedule <u>affecting construction</u>:</p> <p>xix. details of how the ecology principles will guide environmental outcomes:</p> <p>xx. cultural and archaeological artefact discovery protocols <u>(see clause 29 of this schedule) or reference to an Authority where applicable</u>:</p> <p>xxi. methods for responding to queries and complaints:</p> <p>xxii. procedures for amending the CEMP under condition 11 of this schedule.</p> <p>d) The CEMP must, so far as is practicable, be consistent with the HBRC 'Environmental Code of Practice for River Control Works' (2017 or subsequent version).</p>	<p>xxii. procedures for amending the CEMP under condition 11 of this <u>schedule consent and reporting on any such amendments</u>.</p> <p>xxiii. <u>Location and design details of temporary bridges, and procedures for establishing and removing these structures</u></p> <p>d) The CEMP must, so far as is practicable, be consistent with the HBRC 'Environmental Code of Practice for River Control Works' (2017 or subsequent version).</p>	<p>under the addition of condition 10(c)(xxiii) and condition (xx).</p> <p>HDC agree with this approach and changes proposed.</p>
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<p>11. HBRC & HDC</p>	<p>Developing and amending CEMP</p> <p>a) Before finalising the CEMP, or any amendment to the CEMP under subcondition (e), the consent holder must invite the consent authority and the stakeholder advisory group to comment on the proposed CEMP or amendment within 10 working days.</p> <p>b) The consent holder must take account of any comments received by the persons invited when finalising the CEMP or the amendment.</p> <p>c) If the consent holder does not receive any comments within 10 working days after inviting them, the consent holder may finalise the CEMP or amendment.</p> <p>d) The consent holder must act in accordance with the CEMP for the duration of the flood protection works.</p> <p>e) The consent holder must amend the CEMP if amendment is necessary to reflect any changes in design, construction methods, maintenance and operations methods, or procedures for managing adverse effects throughout the construction phase of the flood protection works.</p> <p>f) After amending the CEMP, the consent holder must give a copy of the</p>	<p>Developing and amending CEMP</p> <p>a) Before finalising the CEMP, or any amendment to the CEMP under subcondition (e), the consent holder must invite the consent authority (Hawkes Bay Regional Council and Hastings District Council) and the stakeholder advisory group to comment on the proposed CEMP or amendment within 10 working days.</p> <p>b) The consent holder must take account of any comments received by the persons invited when finalising the CEMP or the amendment.</p> <p>c) If the consent holder does not receive any comments within 10 working days after inviting them, the consent holder may finalise the CEMP or amendment.</p> <p>d) The consent holder must act in accordance with the CEMP for the duration of the flood protection works.</p> <p>e) The consent holder must amend the CEMP if amendment is necessary to reflect any changes in design, construction methods, maintenance and operations methods, or procedures for managing adverse effects throughout the construction phase of the flood protection works.</p> <p>f) After amending the CEMP, the consent holder must give a copy of the amended CEMP (indicating the amendments) <u>and the final design report and associated plans (if these have changed as a result)</u></p>	<p>Condition 11(f) – the applicant has recommended to provide the final design report</p>

	amended CEMP (indicating the amendments) to the consent authority and the stakeholder advisory group within 10 working days.	to the consent authorities (Hawkes Bay Regional Council and Hastings District Council) and the stakeholder advisory group within 10 working days.	and associated plans if changes have occurred when amending the CEMP. HBRC accepts this change.
EARTHWORKS			
12. HBRC & HDC	<p>Earthworks principles</p> <p>a) The consent holder must carry out all works in a manner that—</p> <ul style="list-style-type: none"> i. minimises the volume, area, and duration of the proposed earthworks required through methodologies, including the design of batter slopes, appropriate to expected soil types and geology; and ii. maximises the effectiveness of erosion and sediment control measures associated with earthworks by minimising potential for sediment generation and sediment yield; and iii. avoids if practicable, or minimises so far as practicable, adverse effects on freshwater and marine water environments within or beyond the works boundary, with particular regard to reducing opportunities for the works to generate sediment; and iv. avoids if practicable, or minimises so far as practicable, adverse effects on outstanding natural features, outstanding natural landscapes, and areas of outstanding natural character (as specified in a regional plan or policy statement for the relevant area); and v. avoids if practicable, or minimises so far as practicable, adverse effects on culturally significant land; and 	<p>Earthworks principles</p> <p>a) The consent holder must carry out all works in a manner that—</p> <ul style="list-style-type: none"> i. minimises the volume, area, and duration of the proposed earthworks required through methodologies, including the design of batter slopes, appropriate to expected soil types and geology; and ii. maximises the effectiveness of erosion and sediment control measures associated with earthworks by minimising potential for sediment generation and sediment yield; and iii. avoids if practicable, or minimises so far as practicable, adverse effects on freshwater and marine water environments within or beyond the works boundary, with particular regard to reducing opportunities for the works to generate sediment; and iv. avoids if practicable, or minimises so far as practicable, adverse effects on outstanding natural features, outstanding natural landscapes, and areas of outstanding natural character (as specified in a regional plan or policy statement for the relevant area); and v. avoids if practicable, or minimises so far as practicable, adverse effects on culturally significant land; and vi. stabilises disturbed land as soon as reasonably practicable in accordance with an ESCP. <p>b) The consent holder must, as far as practicable, ensure that earthworks are carried out in accordance with the ecology principles.</p>	

	<p>vi. stabilises disturbed land as soon as reasonably practicable in accordance with an ESCP.</p> <p>b) The consent holder must, as far as practicable, ensure that earthworks are carried out in accordance with the ecology principles.</p>	<p><u>c) There shall be no deposition of earth, mud, dirt or other debris on any public road or footpath resulting from the earthworks activity. In the event that such deposition does occur, it shall immediately be removed. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.</u></p> <p><u>d) That all areas of earthworks shall be re-grassed to the satisfaction of the Environmental Consents Manager, Planning and Regulatory Services, Hastings District Council (or nominee).</u></p> <p><u>As-built Plans</u></p> <p><u>e) The consent holder shall provide as-built plans to the Development Engineer, Hastings District Council on completion of earthworks showing:</u></p> <p><u>i. The final contours of the stopbank, spillway and associated earthworks;</u></p> <p><u>ii. The overland flow paths, established as part of the works, including the designated spillway flow path and any re-directed local catchment flows.</u></p> <p><u>The final earthworks plan shall clearly distinguish between approved overland flow paths (including the spillway) and other areas and shall be referenced to NZVD2016.</u></p>	<p>Changes requested are reflective of standard earthworks conditions applied to earthworks activities.</p> <p>HBRC agree with HDC that there should be a requirement to provide 'as built' plans.</p> <p>Condition 12(e) - the applicant opposes the requirement for the 'as built' plans to be approved by Council and HBRC agrees with the applicant's amendments given the works will have been approved under the OIC consent and an additional 'approval' process of as-built plans is not likely to add benefit.</p> <p>The applicant has proposed to remove the sub condition requirement to provide depth and extent of any fill placed. This is matter is for HDC to provide comment on.</p> <p>(e)(ii) – the applicant has recommended changes to provide details on any works established overland flow paths. This is a matter for HDC to provide comment on.</p>
<p>13. HBRC</p>	<p>Erosion and Sediment Control Manager and staff</p> <p>a) The consent holder must appoint a suitably qualified and experienced person as the Erosion and Sediment Control Manager for the duration of the flood protection works.</p>	<p>Erosion and Sediment Control Manager and staff</p> <p>a) The consent holder must appoint a suitably qualified and experienced person as the Erosion and Sediment Control Manager for the duration of the flood protection works.</p> <p>b) The role of the Erosion and Sediment Control Manager is to—</p>	

	<p>b) The role of the Erosion and Sediment Control Manager is to—</p> <ul style="list-style-type: none"> i.ensure compliance with the CEMP and ESCP; and ii.subject to any amendments made to the ESCP under condition 14(c)(x) of this schedule, liaise with any Erosion and Sediment Control Manager appointed in respect of any other flood protection works; and iii.liaise with the consent authority in respect of the implementation of the ESCP, including in respect of any incident relating to erosion and sediment control. <p>c) An Erosion and Sediment Control Manager appointed under this condition may perform the same role in relation to any flood protection works at any other location specified in clause 6(3) of the OIC if the relevant consent holder considers it appropriate.</p> <p>d) The consent holder must also appoint suitably qualified and experienced staff to assist in erosion and sediment control, including—</p> <ul style="list-style-type: none"> i.managing the operation, maintenance, and monitoring of erosion and sediment control devices; and ii.supervising the installation and decommissioning of those devices and associated equipment and arrangements. 	<ul style="list-style-type: none"> ii.ensure compliance with the CEMP and ESCP; and iii.subject to any amendments made to the ESCP under condition 14(c)(x) of this <u>schedule consent</u>, liaise with any Erosion and Sediment Control Manager appointed in respect of any other flood protection works; and iv.liaise with the consent authority in respect of the implementation of the ESCP, including in respect of any incident relating to erosion and sediment control. <p>c) An Erosion and Sediment Control Manager appointed under this condition may perform the same role in relation to any flood protection works at any other location specified in clause 6(3) of the OIC if the relevant consent holder considers it appropriate.</p> <p>d) The consent holder must also appoint suitably qualified and experienced staff to assist in erosion and sediment control, including—</p> <ul style="list-style-type: none"> i.managing the operation, maintenance, and monitoring of erosion and sediment control devices; and ii.supervising the installation and decommissioning of those devices and associated equipment and arrangements 	
<p>14. HBRC & HDC</p>	<p>Erosion and sediment control plan</p> <p>a) The consent holder must prepare 1 or more erosion and sediment control plans for the works to identify how the earthworks principles will be applied.</p>	<p>Erosion and sediment control plan</p> <p>a) The consent holder must prepare 1 or more erosion and sediment control plans for the works to identify how the earthworks principles will be applied.</p>	

	<p>b) The consent holder must engage a suitably qualified and experienced person to prepare an ESCP.</p> <p>c) An ESCP must specify the following matters:</p> <p><i>General</i></p> <ul style="list-style-type: none"> i. how the <u>construction</u> works will be carried out in accordance with the ecology principles: ii. structural and non-structural erosion and sediment control measures (including chemical treatment where necessary) to be in place before and during all construction works, including earthworks, coastal works, and works within watercourses: iii. key environmental risks, particularly in relation to topography, soil type and form, and the receiving environment, including proximity to any sensitive receivers (for example, watercourses): iv. procedures for ensuring advance warning of a rainfall event: v. procedures for decommissioning the erosion and sediment control measures: vi. procedures for determining the staging and sequencing of earthworks: vii. methods adopted, for the purpose of reducing sediment loss and erosion, to stabilise— <ul style="list-style-type: none"> 1. any excavated area; and 2. any watercourse bed; and 3. any banks of a watercourse that have been disturbed by the works: viii. details of maintenance, including actions and frequency: 	<p>b) The consent holder must engage a suitably qualified and experienced person to prepare an ESCP.</p> <p>c) An ESCP must specify the following matters:</p> <p><i>General</i></p> <ul style="list-style-type: none"> i. how the <u>construction</u> works will be carried out in accordance with the ecology principles: ii. structural and non-structural erosion and sediment control measures (including chemical treatment where necessary) to be in place before and during all construction works, including earthworks, coastal works, and works within watercourses: iii. key environmental risks, particularly in relation to topography, soil type and form, and the receiving environment, including proximity to any sensitive receivers (for example, watercourses): v. procedures for ensuring advance warning of a rainfall event: vi. procedures for decommissioning the erosion and sediment control measures: vii. procedures for determining the staging and sequencing of earthworks: viii. methods adopted, for the purpose of reducing sediment loss and erosion, to stabilise— <ul style="list-style-type: none"> 1. any excavated area; and 2. any watercourse bed; and 3. any banks of a watercourse that have been disturbed by the works: ix. details of maintenance, including actions and frequency: x. supporting information about the size of erosion and sediment control devices: xi. methods for amending and updating the ESCP as required: 	
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	<p>ix.supporting information about the size of erosion and sediment control devices:</p> <p>x.methods for amending and updating the ESCP as required:</p> <p><i>Erosion and Sediment Control Manager and Staff</i></p> <p>xi.the name and contact details of the Erosion and Sediment Control Manager:</p> <p>xii.the names and contact details of other staff appointed to assist with the management of erosion and sediment control (see condition 13(d) of this schedule):</p> <p><i>Incident management</i></p> <p>xiii.the process for detecting, investigating, and recording, and for notifying the consent authority of, incidents that result in the discharge of contaminants or material into any watercourse due to the structural failure of any erosion and sediment control measures:</p> <p><i>Monitoring</i></p> <p>xiv.procedures for—</p> <ol style="list-style-type: none"> 1. ongoing visual inspection, and where necessary quantitative monitoring, of all erosion and sediment control measures; and 2. detailed analysis of trends in erosion and sediment control effectiveness and performance; and 3. amendments to any ESCP resulting from the activities under subparagraphs (1) and (2): <p><i>Reporting to consent authority</i></p>	<p><i>Erosion and Sediment Control Manager and Staff</i></p> <p>xii.the name and contact details of the Erosion and Sediment Control Manager:</p> <p>xiii.the names and contact details of other staff appointed to assist with the management of erosion and sediment control (see condition 13(d) of this schedule):</p> <p><i>Incident management</i></p> <p>xiv.the process for detecting, investigating, and recording, and for notifying the consent authority of, incidents that result in the discharge of contaminants or material into any watercourse due to the structural failure of any erosion and sediment control measures:</p> <p><i>Monitoring</i></p> <p>xv.procedures for—</p> <ol style="list-style-type: none"> 1. ongoing visual inspection, and where necessary quantitative monitoring, of all erosion and sediment control measures; and 2. detailed analysis of trends in erosion and sediment control effectiveness and performance; and 3. amendments to any ESCP resulting from the activities under subparagraphs (1) and (2): <p><i>Reporting to consent authority</i></p> <p>xvi.details (including timing) of reporting to the consent authorities (Hawkes Bay Regional Council and Hastings District Council) on the outcomes of, and compliance with, the ESCP.</p> <p>d) The level of detail and the measures proposed in the ESCP must correspond to the nature and scale of the relevant works.</p> <p>e) The ESCP must include a site-specific risk-based approach that allows for the Erosion and</p>	<p>HBRC supports this approach.</p>
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	<p>xv.details (including timing) of reporting to the consent authority on the outcomes of, and compliance with, the ESCP.</p> <p>d) The level of detail and the measures proposed in the ESCP must correspond to the nature and scale of the relevant works.</p> <p>e) The ESCP must include a site-specific risk-based approach that allows for the Erosion and Sediment Control Manager to determine the level of information and design that must be provided for specific activities.</p> <p>f) For works in or adjacent to a watercourse, an ESCP must, so far as is practicable, be consistent with the HBRC Erosion and Sediment Guidelines.</p> <p>h) The consent holder must implement an ESCP for the duration of the flood protection works.</p> <p>i) The consent holder must, for the duration of the construction works</p> <p>i.keep an ESCP; and</p> <p>ii.make it readily available to the consent authority.</p>	<p>Sediment Control Manager to determine the level of information and design that must be provided for specific activities.</p> <p>f) For works in or adjacent to a watercourse, an ESCP must, so far as is practicable, be consistent with the HBRC Erosion and Sediment Guidelines.</p> <p>h) The consent holder must implement an ESCP for the duration of the flood protection works.</p> <p>i) The consent holder must, for the duration of the construction works</p> <p>ii.keep an ESCP; and</p> <p>iii.make it readily available to the consent authority.</p>	
<p>15. HBRC & HDC</p>	<p>Failure of erosion and sediment control measure</p> <p>a) If the failure of an erosion and sediment control measure during flood protection works results in an uncontrolled release of sediment to surface water, the consent holder must—</p> <p>i.as soon as reasonably practicable, engage the Project Ecologist to investigate the affected area; and</p> <p>ii.immediately notify—</p>	<p>Failure of erosion and sediment control measure</p> <p>a) If the failure of an erosion and sediment control measure during flood protection works results in an uncontrolled release of sediment to surface water, the consent holder must—</p> <p>ii.as soon as reasonably practicable, engage the Project Ecologist to investigate the affected area; and</p> <p>iii.immediately notify—</p> <p>1. the HBRC pollution officer (with responsibility for works in or near any affected water bodies); or</p>	<p>HBRC supports this approach.</p>

	<p>1. the HBRC pollution officer (with responsibility for works in or near any affected water bodies); or</p> <p>2. the territorial authority pollution officer (with responsibility for land-based borrow sites); and</p> <p>iii. within 7 days, report the incident to the Manager of Compliance.</p> <p>b) The Project Ecologist must investigate the affected area as soon as practicable.</p> <p>c) If the investigation identifies significant adverse effects, the consent holder, in consultation with the consent authority, must, as soon as practicable, develop and implement appropriate remedial measures (which may include biodiversity offsets) appropriate to the scale of the adverse effects.</p> <p>d) The report to the Manager Compliance under subcondition (a)(iii) must –</p> <p>i. describe the control failure and its cause; and</p> <p>ii. specify the steps that have so far been taken to</p> <p>1. control the released sediment and an resulting erosion; and</p> <p>2. prevent any recurrence of the control failure.</p>	<p>2. the territorial authority pollution officer <u>Compliance Manager</u> (with responsibility for land-based borrow sites); and</p> <p>iv. within 7 days, report the incident to the Manager of Compliance (<u>Hawkes Bay Regional Council and Hastings District Council</u>).</p> <p>b) The Project Ecologist must investigate the affected area as soon as practicable.</p> <p>c) If the investigation identifies significant adverse effects, the consent holder, in consultation with the consent authority, must, as soon as practicable, develop and implement appropriate remedial measures (which may include biodiversity offsets) appropriate to the scale of the adverse effects.</p> <p>d) The report to the Manager Compliance (<u>Hawkes Bay Regional Council and Hastings District Council</u>) under subcondition (a)(iii) must –</p> <p>ii. describe the control failure and its cause; and</p> <p>iii. specify the steps that have so far been taken to</p> <p>1. control the released sediment and an resulting erosion; and</p> <p>2. prevent any recurrence of the control failure</p>	
16. HBRC	<p>Dust management</p> <p>a) The consent holder must, as far as practicable, ensure that dust arising from construction works (including earthworks and related activities) does not spread beyond the boundary of the work sites.</p>		
17. HDC	<p>Works on contaminated land</p>		

	<p>a) This condition applies to 1023 Links Road and 2008 Pakowhai Road if the consent holder undertakes earthworks or any other soil disturbance on the identified fill site (contaminated land).</p> <p>b) The consent holder must ensure that any soil and other materials that are removed from the site and identified as being contaminated are taken to a facility legally authorised to receive soil and materials of that kind.</p> <p>c) The consent holder must take all practicable measures to—</p> <ul style="list-style-type: none"> i. prevent the discharge of soil and stormwater from contaminated land to watercourses; and ii. maintain the integrity of any structure designed to contain contaminated soil or other contaminated materials; and ii. replace the soil surface to an erosion-resistant state at the completion of the relevant works. 		
WATERCOURSES			
<p>18. HBRC</p>	<p>Works and structures in beds of rivers</p> <p>a) This condition and conditions 19 and 20 of this schedule apply to all construction works carried out in, or adjacent to, the bed of a river.</p> <p>b) The consent holder must ensure that construction works are, so far as practicable, carried out in accordance with—</p> <ul style="list-style-type: none"> i. an applicable ESCP; and ii. the ecology principles; and iii. the earthworks principles; and iv. any guidance provided under condition 4(c)(iii) of this schedule (see condition 5 of this schedule) relating to relevant cultural indicators. 	<p>Works and structures in and adjacent to the beds of rivers</p> <p>a) This condition and conditions 19 and 20 of this schedule consent apply to all construction works carried out in, or adjacent to, the bed of a river.</p> <p>b) The consent holder must ensure that construction works are, so far as practicable, carried out in accordance with—</p> <ul style="list-style-type: none"> ii. an applicable ESCP; and iii. the ecology principles; and iv. the earthworks principles; and v. any guidance provided under condition 4(c)(iii) of this schedule consent (see condition 5 of this schedule consent) relating to relevant cultural indicators. 	

	<p>c) <u>With the exception of the diversion / reclamation of the Tutaekuri-Waimate Stream (where fish passage matters are to be addressed through Condition 28), Flood</u> protection works that might affect fish passage in a river must, so far as practicable, be carried out outside peak times for migration and spawning of species of fish identified, in the <u>eEcological Opportunities and Constraints Assessment dated October 2025, Job Number 1017353.2403 v2.0 scoping survey conducted under condition 27 of this schedule</u>, as being present in the <u>water body concerned river</u>.</p> <p>d) Permanent works in or adjacent to the bed of a river that are completed as a part of the construction phase of the flood protection works (for example, sediment and debris removal, bank protection, and capacity increase) must—</p> <ul style="list-style-type: none"> i. be designed and installed in a way that is, so far as practicable, consistent with the ecology principles; and ii. be designed by an engineer and an ecologist who are suitably qualified and experienced so as to provide for ongoing fish passage in the river; and iii. manage stream loss, where threatened or at-risk species are present, in accordance with the effects management hierarchy; and iv. provide for the maintenance of the river for flood management purposes. <p>e) The design of a permanent culvert in the bed of a river must—</p> <ul style="list-style-type: none"> i. allow for the relevant design flood flow event; and 	<p>c) <u>With the exception of the diversion / reclamation of the Tutaekuri-Waimate Stream (where fish passage matters are to be addressed through Condition 28), Flood</u> protection works that might affect fish passage in a river must, so far as practicable, be carried out outside peak times for migration and spawning of species of fish identified, in the <u>eEcological Opportunities and Constraints Assessment dated October 2025, Job Number 1017353.2403 v2.0 scoping survey conducted under condition 27 of this schedule</u>, as being present in the <u>water body concerned river</u>.</p> <p>d) Permanent works in or adjacent to the bed of a river that are completed as a part of the construction phase of the flood protection works (for example, sediment and debris removal, bank protection, and capacity increase) must—</p> <ul style="list-style-type: none"> ii. be designed and installed in a way that is, so far as practicable, consistent with the ecology principles; and iii. be designed by an engineer and an ecologist who are suitably qualified and experienced so as to provide for ongoing fish passage in the river; and iv. manage stream loss, where threatened or at-risk species are present, in accordance with the effects management hierarchy; and v. provide for the maintenance of the river for flood management purposes. <p>e) The design of a permanent culvert in the bed of a river must—</p> <ul style="list-style-type: none"> ii. allow for the relevant design flood flow event; and iii. address the risks of non-performance (including blockage), taking into account the risk of the flow of soil or debris. <p>f) <u>In relation to permanent culverts under e) above</u>, a permanent spillway or weir must ensure that—</p>	<p>The applicant has indicated that temporary bridge crossings may be used to enable construction and it is not likely that condition 18(e) will apply to the works, with no permanent crossings proposed in the Tutaekuri-Waimate Stream. Condition 18 (f) relates to providing a spillway for permanent culverts and as condition 18(e) is being retained, condition (f) should also be retained with some clarification to avoid confusion with the main spillway being constructed as part of the works.</p>
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	<p>ii. address the risks of non-performance (including blockage), taking into account the risk of the flow of soil or debris.</p> <p>f) A permanent spillway or weir must ensure that—</p> <p>i. a secondary flow path is available in the event of a blockage of the watercourse; and</p> <p>i. discharge from the secondary flow path does not exacerbate flooding of neighbouring or downstream properties.</p> <p>g) All works and structures in, or adjacent to, rivers must, so far as practicable, incorporate energy dissipation measures and erosion and sediment control measures (for example, revegetation of worked sites) to minimise bed scouring and bank erosion in receiving environments.</p>	<p>ii. a secondary flow path is available in the event of a blockage of the watercourse; and</p> <p>ii. discharge from the secondary flow path does not exacerbate flooding of neighbouring or downstream properties.</p> <p>g) All works and structures in, or adjacent to, rivers must, so far as practicable, incorporate energy dissipation measures and erosion and sediment control measures (for example, revegetation of worked sites) to minimise bed scouring and bank erosion in receiving environments.</p> <p><u>Advice note: Additional approvals under the Freshwater Fisheries Regulations 1983 may be required for any culverts or fords to be constructed in the stream bed if they act to restrict fish passage.</u></p>	
19. HBRC	<p>Further requirements at watercourses</p> <p>a) This condition applies if condition 18 of this schedule applies.</p> <p>b) For the purposes of condition 18(d)(ii) of this schedule, fish passage need not be provided and maintained on all permanent culverts if the Project Ecologist decides, after considering all relevant matters, that it is unnecessary.</p> <p>c) Instead the consent holder must—</p> <p>i. give the consent authority appropriate data and reasons (supported by relevant design drawings) for not complying with condition 18(4)(b) of this schedule; and</p> <p>ii. if culverts that do not provide fish passage are necessary, notify the Department of Conservation.</p>	<p>Further requirements at watercourses</p> <p>a) This condition applies if condition 18 of this schedule consent applies.</p> <p>b) For the purposes of condition 18(d)(ii) of this schedule consent, fish passage need not be provided and maintained on all permanent culverts if the Project Ecologist decides, after considering all relevant matters, that it is unnecessary.</p> <p>c) Instead the consent holder must—</p> <p>ii. give the consent authority (HBRC) appropriate data and reasons (supported by relevant design drawings) for not complying with condition 18(4)(b) of this schedule consent; and</p> <p>iii. if culverts that do not provide fish passage are necessary, notify the Department of Conservation.</p> <p>d) For the purposes of condition 18 of this schedule, the consent holder must, at least 10 working</p>	

	<p>d) For the purposes of condition 18 of this schedule, the consent holder must, at least 10 working days before starting permanent works within a watercourse, give to the consent authority—</p> <ul style="list-style-type: none"> i. hard copies of the design drawings for permanent culverts (including fish passage), bridges, and permanent stream diversions; and ii. a statement of how those designs comply condition 18 of this schedule. <p>e) All permanent works in the bed of a river must be carried out in accordance with the designs given to the consent authority under subcondition (d).</p> <p>f) The consent holder must ensure that any machinery or equipment used in the activities authorised by the consent is not stored in or on the bed or banks of the watercourse.</p> <p>g) The consent holder must ensure all of the following:</p> <ul style="list-style-type: none"> i. no machinery leaking fuel, lubricants, hydraulic fluids, or solvents is operated within or near a watercourse in circumstances where run-off might enter water: ii. no vehicles, machinery, or equipment are refuelled within the bed of a watercourse or in any other location where spills might enter water: iii. the storage of fuel or contaminants adjacent to a watercourse does not result in any fuel or contaminants entering water: iv. other fuels and lubricants are not released into water: 	<p>days before starting permanent works within a watercourse, give to the consent authority (HBRC)—</p> <ul style="list-style-type: none"> ii. hard copies of the design drawings for permanent culverts (including fish passage), bridges, and permanent stream diversions; and iii. a statement of how those designs comply condition 18 of this schedule consent. <p>e) All permanent works in the bed of a river must be carried out in accordance with the designs given to the consent authority under subcondition (d).</p> <p>f) The consent holder must ensure that any machinery or equipment used in the activities authorised by the consent is not stored in or on the bed or banks of the watercourse.</p> <p>g) The consent holder must ensure all of the following:</p> <ul style="list-style-type: none"> ii. no machinery leaking fuel, lubricants, hydraulic fluids, or solvents is operated within or near a watercourse in circumstances where run-off might enter water: iii. no vehicles, machinery, or equipment are refuelled within the bed of a watercourse or in any other location where spills might enter water: iv. the storage of fuel or contaminants adjacent to a watercourse does not result in any fuel or contaminants entering water: v. other fuels and lubricants are not released into water: vi. the Ministry for Primary Industries' requirements and clean dry protocols relating to didymo and freshwater pests are followed in relation to all equipment: vii. machinery is operated in a way that minimises the transfer of organisms or pest plants from one catchment to another: viii. the use of wet concrete is avoided in flowing water. 	
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	<p>v.the Ministry for Primary Industries' requirements and clean dry protocols relating to didymo and freshwater pests are followed in relation to all equipment:</p> <p>vi.machinery is operated in a way that minimises the transfer of organisms or pest plants from one catchment to another:</p> <p>vii.the use of wet concrete is avoided in flowing water.</p> <p>h) The consent holder, on becoming aware that any contaminant has been discharged into a watercourse in a way that contravenes the conditions of the resource consent, must immediately—</p> <p>i.take all necessary steps to stop or contain the discharge; and</p> <p>ii.notify—</p> <ol style="list-style-type: none"> 1. the Manager Compliance; and 2. the Department of Conservation, if there is imminent risk of the discharge adversely affecting any at-risk or threatened species; and <p>iii.take all practicable steps to remedy or mitigate any ongoing adverse effects of the discharge on the environment.</p> <p>i) The consent holder must take the actions set out in subcondition (j) in relation to construction material, demolition material, and any materials from repair and maintenance activities that are—</p> <p>i.authorised by the consent; and</p> <p>ii.no longer required as part of the construction works.</p> <p>j) The consent holder must ensure that the materials are—</p>	<p>h) The consent holder, on becoming aware that any contaminant has been discharged into a watercourse in a way that contravenes the conditions of the resource consent, must immediately—</p> <p>ii.take all necessary steps to stop or contain the discharge; and</p> <p>iii.notify—</p> <ol style="list-style-type: none"> 1. the Manager Compliance (HBRC); and 2. the Department of Conservation, if there is imminent risk of the discharge adversely affecting any at-risk or threatened species; and <p>iv.take all practicable steps to remedy or mitigate any ongoing adverse effects of the discharge on the environment.</p> <p>i) The consent holder must take the actions set out in subcondition (j) in relation to construction material, demolition material, and any materials from repair and maintenance activities that are—</p> <p>ii.authorised by the consent; and</p> <p>iii.no longer required as part of the construction works.</p> <p>j) The consent holder must ensure that the materials are—</p> <p>ii.removed on completion of the construction works; and</p> <p>iii.reused, repurposed, or disposed of in an appropriate manner and in a place where they will not affect surface water levels and watercourses.</p> <p>k) The consent holder must comply with all notices and guidelines issued by Biosecurity New Zealand that relate to the ongoing prevention of the spread of freshwater pests.</p>	
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	<p>i.removed on completion of the construction works; and</p> <p>ii.reused, repurposed, or disposed of in an appropriate manner and in a place where they will not affect surface water levels and watercourses.</p> <p>k) The consent holder must comply with all notices and guidelines issued by Biosecurity New Zealand that relate to the ongoing prevention of the spread of freshwater pests.</p>		
20. HBRC	<p>Extraction activities and river gravel</p> <p>a) The consent holder must ensure that, during construction works, extraction does not take place—</p> <p>i.within any actively flowing channel; or</p> <p>ii.within 6 metres of any river bank.</p> <p>b) In addition, the consent holder must ensure that extraction activities are carried out in accordance with the HBRC River Control Code.</p>	<p>Extraction activities and river gravel</p> <p>a) The consent holder must ensure that, during construction works, extraction does not take place—</p> <p>ii.within any actively flowing channel; or</p> <p>iii.within 6 metres of any river bank.</p> <p>b) In addition, the consent holder must ensure that extraction activities are carried out in accordance with the HBRC River Control Code. <u>‘Environmental Code of Practice for River Control Works’ (2017).</u></p>	
STORMWATER DISCHARGE			
21. HBRC	<p>Stormwater discharge</p> <p>a) If in the event the works involve permanent stormwater treatment devices, <u>The consent holder must, not later than 3 months</u> after the completion of the construction works,—</p> <p>i.document the requirements for the effective operation and maintenance of all stormwater treatment devices (including sediment traps, if practicable); and</p> <p>ii.submit the documents to the consent authority.</p>	<p>Stormwater discharge</p> <p>a) If in the event the works involve permanent stormwater treatment devices, <u>the consent holder must, not later than 3 months</u> after the completion of the construction works,—</p> <p>ii.document the requirements for the effective operation and maintenance of all stormwater treatment devices (including sediment traps, if practicable); and</p> <p>iii.submit the documents to the consent authority <u>Manager Compliance, HBRC.</u></p> <p>b) The consent holder must design any new permanent culvert to ensure that any headwater ponding upstream in the relevant design event</p>	

	<p>b) The consent holder must design any new permanent culvert to ensure that any headwater ponding upstream in the relevant design event does not have any significant adverse effect in that area.</p> <p>c) The consent holder must ensure that stormwater discharge from construction works does not cause erosion or scouring of the bed or any bank of any downstream watercourse or receiving drain.</p> <p>d) The consent holder must ensure that the design of culverts and stormwater detention devices is, so far as practicable, in accordance with the HBRC Stormwater Management Guidelines.</p>	<p>does not have any significant adverse effect in that area.</p> <p>c) The consent holder must ensure that stormwater discharge from construction works does not cause erosion or scouring of the bed or any bank of any downstream watercourse or receiving drain.</p> <p>d) The consent holder must ensure that the design of culverts and stormwater detention devices is, so far as practicable, in accordance with the HBRC Stormwater Management Guidelines.</p>	
<p>22. HDC</p>	<p>Design and management of land based borrow sites</p> <p>a) This condition applies to excavation of soil or other materials at land based borrow sites to support construction works.</p> <p>b) The consent holder must ensure that excavation does not take place below the groundwater table.</p> <p>c) The consent holder must ensure that cut slopes do not exceed 45 degrees above the horizontal, unless a cut slope that exceeds that angle is—</p> <ul style="list-style-type: none"> i. operationally necessary; or ii. unavoidable as a matter of practicality. <p>d) The consent holder must ensure that a cut slope that exceeds 45 degrees above the horizontal is certified by a suitably qualified and experienced geotechnical engineer.</p> <p>e) The consent holder must ensure that, after excavation work is completed, all</p>		

	<p>land disturbed by the excavation work is restored according to Condition 1 (for example, to pasture or vegetation) to its state before the flood protection works—</p> <p>i. as soon as practicable; but</p> <p>ii. within 6 months</p>		
CONSTRUCTION NOISE AND VIBRATION			
23. HDC	<p>Control of construction noise and vibration</p> <p>a) The consent holder must ensure that noise from construction, maintenance, and demolition work complies, so far as practicable, with the long-term duration limits set out in Table 2 and Table 3 of NZS 6803:1999.</p> <p>b) The consent holder must take all practicable steps to reduce levels of noise and vibration from plant and equipment operating on site during construction <u>works</u>.</p>	<p>Control of construction noise and vibration</p> <p>a) The consent holder must ensure that noise from construction, maintenance, and demolition work complies, so far as practicable, with the long-term duration limits set out in Table 2 and Table 3 of NZS 6803:1999.</p> <p>b) The consent holder must take all practicable steps to reduce levels of noise and vibration from plant and equipment operating on site during construction <u>works</u>.</p> <p><u>c) The consent holder must submit a Construction Noise and Vibration Management Plan (CNVMP) prepared by a suitably qualified person taking account of construction activities and sensitive receptors (including structures in respect to vibration) a minimum of 10 working days prior to commencement of works.</u></p> <p><u>d) The construction works must be carried out in accordance with the CNVMP and a copy of the CNVMP must be kept onsite during construction hours and must be available to authorised Hastings District Council staff during monitoring inspections.</u></p>	<p>The applicant accepted additions to condition 23(c) and (d) proposed by S&D MacKay with amendments. The applicant did not accept proposed conditions 23(aa), (e) and (f).</p>
LANDSCAPING			
24. HDC	<p>Landscape assessment and plan</p> <p>a) Before construction works begin, the consent holder must conduct a landscape scoping assessment to identify the potential visual landscape effects of the pro-</p>		

	<p>posed works, including effects on any adjoining residential properties and any coastal environment.</p> <p>b) If the assessment identifies significant potential adverse effects, the consent holder must prepare and implement a landscaping plan for the use of planting and fencing as required to avoid, remedy, or mitigate those effects.</p>		
ECOLOGY			
25. HBRC	<p>Project Ecologist</p> <p>a) The consent holder must appoint a suitably qualified and experienced ecologist as the Project Ecologist for the duration of the flood protection works.</p> <p>b) The role of the Project Ecologist is to inform, in accordance with the ecology principles, the design, management, and monitoring of all construction works in relation to ecological effects and measures to avoid, remedy, or mitigate those effects.</p>		
26. HBRC	<p>Ecology principles</p> <p>a) The consent holder must apply the ecology principles set out in subcondition (b) in—</p> <p>i. designing all aspects of the flood protection works; and</p> <p>ii. carrying out all aspects of construction works.</p> <p>b) The ecology principles are as follows:</p> <p>i. to apply the effects management hierarchy to the following potential adverse effects:</p> <p>1. permanent habitat loss (including in coastal, terrestrial, and freshwater habitats):</p>		

	<p>2. loss of naturally uncommon and highly depleted ecosystem types, significant indigenous vegetation, significant habitats of indigenous fauna, and habitats for at-risk or threatened species and taonga species:</p> <p>3. habitat fragmentation or habitat barriers (including in coastal, terrestrial, and freshwater habitats):</p> <p>4. impacts on habitat connectivity (including coastal, terrestrial, and freshwater habitats):</p> <p>5. impacts on at-risk or threatened species and taonga species;</p> <p>6. effects on water quality (including on kaimoana and mauri) from sediment;</p> <p>7. alteration of natural hydrology patterns, except as necessary to facilitate the flood protection works:</p> <p>8. spread or establishment, or both, of pest plants or animals:</p> <p>9. impacts on habitats that play an important role in the life cycle and ecology of native species;</p> <p>ii.as far as practicable, to create safe habitats, especially for at-risk or threatened species and taonga species:</p> <p>iii.to avoid, remedy, mitigate, or offset (using biodiversity offset) adverse ecological effects in order to achieve, as far as practicable, a net positive ecological outcome:</p> <p>iv.to enhance the positive ecological role of the works area in the wider ecological context, including its role as a buffer that protects or enhances</p>		
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	<p>other areas with ecological significance.</p>		
<p>27. HBRC</p>	<p>Ecological survey and assessment</p> <p>a) The consent holder must ensure that the Project Ecologist and a suitably qualified and experienced person nominated by the Māori entities representatives work together—</p> <ul style="list-style-type: none"> i. to prepare an ecological scoping survey before construction works begin; and ii. as soon as practicable after construction works are completed, to prepare an ecological effects assessment. <p>b) The purpose of the ecological scoping survey is to identify all ecological values relevant to applying the ecology principles to the places where construction works are to be carried out and adjoining land and adjacent water bodies and watercourses (and the CMA, if relevant), including the following:</p> <ul style="list-style-type: none"> i. all naturally uncommon ecosystems; ii. all at risk or threatened species; iii. all taonga species that may be significantly adversely affected during or as a result of construction; iv. significant natural inland wetland values; v. any pest plants or animals that might spread or become established (for example, Chilean needle grass, privet, and yellow bristle grass), having regard to the HBRC Pest Management Plan; 		

	<p>vi. any fish, bird nesting areas, bat habitats, or habitats of species protected under the Wildlife Act 1953.</p> <p>c) The purpose of the ecological effects assessment is to assess the adverse effects the construction works have had on the ecological values identified by the ecological scoping survey.</p>		
<p>28. HBRC</p>	<p>Managing ecological loss</p> <p>a) If any indigenous ecosystems, flora, or fauna (including taonga species) are identified by the ecological scoping survey under condition 27 of this schedule, the consent holder must ensure that the Project Ecologist <u>and a suitably qualified and experienced person nominated by the Māori entities representatives work in partnership and take account of advice provided by cultural monitors to prepare an Ecology Management Plan for the construction works undertaken north of State Highway 2 and a separate Ecology Management Plan for the construction works undertaken south of State Highway 2. Each must include (where applicable to the area of works concerned), in association with the Māori entities representatives,—</u></p> <p>i. <u>An accidental discovery protocol to provide guidance if unexpected bat species are discovered,</u></p> <p>ii. <u>An accidental discovery protocol to provide guidance if unexpected lizard species are discovered,</u></p> <p>iii. <u>Procedures for managing native bird species prior to vegetation,</u></p>	<p>Managing ecological loss</p> <p>a) If any indigenous ecosystems, flora, or fauna (including taonga species) are identified by the ecological scoping survey under condition 27 of this schedule, the consent holder must ensure that the Project Ecologist <u>and a suitably qualified and experienced person nominated by the Māori entities representatives work in partnership and take account of advice provided by cultural monitors to prepare an Ecology Management Plan for the construction works undertaken north of State Highway 2 and a separate Ecology Management Plan for the construction works undertaken south of State Highway 2. Each must include (where applicable to the area of works concerned), in association with the Māori entities representatives,—</u></p> <p>i. <u>An accidental discovery protocol to provide guidance if unexpected bat species are discovered,</u></p> <p>ii. <u>An accidental discovery protocol to provide guidance if unexpected lizard species are discovered,</u></p> <p>iii. <u>Procedures for managing native bird species prior to vegetation,</u></p> <p>iv. <u>A construction methodology for the reclamation/diversion of the</u></p>	

	<p>iv. <u>A construction methodology for the reclamation/diversion of the Tūtaekurī-Waimate Stream to facilitate the capture and relocation of fish,</u></p> <p>v. <u>Preparation of a planting plan for the reclamation/diversion of the Tūtaekurī-Waimate Stream to achieve, as far as practicable, a net positive ecological outcome,</u></p> <p>vi. <u>Preparation of a planting plan to offset any remaining effects of the reclamation/diversion of the Tūtaekurī-Waimate Stream, including the approach to offsetting to achieve, as far as practicable, a net positive ecological outcome,</u></p> <p>vii. <u>Preparation of a planting plan to offset effects on Wetland 23 (if affected by the alignment) should the alignment of the stopbank not be able to avoid its extent, including the approach to offsetting to achieve, as far as practicable, a net positive ecological outcome.</u></p> <p>i. applies the effects management hierarchy to the management of all direct or indirect adverse effects on those ecological values (including, where relevant, kauri dieback disease), taking the ecology principles into account; and</p> <p>ii. prepares an ecology management plan.</p> <p>b) The consent holder must,</p>	<p><u>Tūtaekurī-Waimate Stream to facilitate the capture and relocation of fish,</u></p> <p>v. <u>Preparation of a planting plan for the reclamation/diversion of the Tūtaekurī-Waimate Stream to achieve, as far as practicable, a net positive ecological outcome,</u></p> <p>vi. <u>Preparation of a planting plan to offset any remaining effects of the reclamation/diversion of the Tūtaekurī-Waimate Stream, including the approach to offsetting to achieve, as far as practicable, a net positive ecological outcome,</u></p> <p>vii. <u>Preparation of a planting plan to offset effects on Wetland 23 (if affected by the alignment) should the alignment of the stopbank not be able to avoid its extent, including the approach to offsetting to achieve, as far as practicable, a net positive ecological outcome.</u></p> <p><u>viii. Management of water takes including intakes and fish screens required by condition 30; and must,</u></p> <p><u>ix. Apply the effects management hierarchy to the management of all direct or indirect adverse effects on those ecological values (including, where relevant, kauri dieback disease), taking the ecology principles into account.</u></p>	<p>The recommended addition of viii. ensures that the screening requirements for the water intakes are considered by the Project Ecologist and included in the Ecology Management Plan.</p> <p>The change recommended to condition 28(a)(ix) reinstates the effects management hierarchy and the need to take into account the ecology principles when developing the EMP. This change restores the wording as set out in OIC Schedule 2. This change better ensures the intent of the OIC conditions remains and that the EMP is developed with due regard to the ecology principles.</p>
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	<p>i. at regular intervals throughout construction, record all measures taken under subcondition (a)(i); and</p> <p>ii. report to the stakeholder advisory group every 2 months—</p> <p>1. the measures taken; and</p> <p>2. any recommendations made by the Project Ecologist, working with the Māori entities representatives, to change those measures.</p> <p>c) The consent holder must implement the ecology management plans prepared under subcondition (a)(ii) throughout the construction works <u>and report to the Stakeholder Advisory Group every 2 months on:-</u></p> <p>i. <u>work undertaken according to the Ecology Management Plans,</u></p> <p>ii. <u>any other works deemed necessary by the Project Ecologist, working with the Māori Entities representatives.</u></p> <p>d) The consent holder must keep a record of any habitat identified in the ecological scoping survey that is lost as a result of the construction works.</p> <p>e) When the construction works and any ecological mitigation works carried out under subcondition (a)(i) are both completed, the consent holder must give the stakeholder advisory group—</p> <p>i. a copy of the ecological effects assessment prepared under condition 27 of this schedule; and</p>	<p>i. applies the effects management hierarchy to the management of all direct or indirect adverse effects on those ecological values (including, where relevant, kauri dieback disease), taking the ecology principles into account; and</p> <p>ii. prepares an ecology management plan.</p> <p>b) The consent holder must,—</p> <p>iii. at regular intervals throughout construction, record all measures taken under subcondition (a)(i); and</p> <p>iv. report to the stakeholder advisory group every 2 months—</p> <p>1. the measures taken; and</p> <p>2. any recommendations made by the Project Ecologist, working with the Māori entities representatives, to change those measures.</p> <p>c) The consent holder must implement the ecology management plans prepared under subcondition (a)(ii) throughout the construction works <u>and report to the Stakeholder Advisory Group every 2 months on:-</u></p> <p>i. <u>work undertaken according to the Ecology Management Plans,</u></p> <p>ii. <u>any other works deemed necessary by the Project Ecologist, working with the Māori Entities representatives.</u></p> <p>d) The consent holder must keep a record of any habitat identified in the ecological scoping survey that is lost as a result of the construction works.</p> <p>e) When the construction works and any ecological mitigation works carried out under subcondition (a)(i) are both completed, the consent holder must give the stakeholder advisory group—</p>	
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	<p>a report that describes the ecological mitigation works to be carried out by the consent holder.</p> <p>f) The consent holder must establish, and contribute to, a fund called the Ecological Enhancement Fund to ensure that compensation is available when compliance with the effects management hierarchy requires compensation for adverse ecological effects that cannot be offset (using biodiversity offset).</p> <p>g) The Ecological Enhancement Fund —</p> <p>i. applies throughout the Hawke’s Bay region; and</p> <p>ii. must be used by the consent holder to provide compensation in relation to —</p> <ol style="list-style-type: none"> 1. making space available for a river (for example, by acquiring adjacent land); and 2. rehabilitating or enhancing areas of vegetation in the river corridor with high biodiversity values (for example, by planting appropriate species); and 3. in-stream ecological values; and 4. any other area of important in river or riparian habitat. 	<p>i. a copy of the ecological effects assessment prepared under condition 27 of this schedule; and</p> <p>a report that describes the ecological mitigation works to be carried out by the consent holder.</p> <p>f) The consent holder must establish, and contribute to, a fund called the Ecological Enhancement Fund to ensure that compensation is available when compliance with the effects management hierarchy requires compensation for adverse ecological effects that cannot be offset (using biodiversity offset).</p> <p>g) The Ecological Enhancement Fund —</p> <p>i. applies throughout the Hawke’s Bay region; and</p> <p>ii. must be used by the consent holder to provide compensation in relation to —</p> <ol style="list-style-type: none"> 1. making space available for a river (for example, by acquiring adjacent land); and 2. rehabilitating or enhancing areas of vegetation in the river corridor with high biodiversity values (for example, by planting appropriate species); and 3. in-stream ecological values; and 4. any other area of important in river or riparian habitat. 	
ARCHAEOLOGICAL VALUE			
29. HBRC & HDC	Archaeological discovery protocol		

	<p>a) The consent authority must prepare an accidental archaeological discovery protocol—</p> <ul style="list-style-type: none"> i. at least 10 working days before construction works begin; and ii. in collaboration with the Māori entities representatives; and iii. in consultation with Heritage New Zealand Pouhere Taonga. <p>b) The protocol applies if—</p> <ul style="list-style-type: none"> i. a worker or any other person associated with flood protection works discovers any cultural or archaeological artefacts or features on a work site; and ii. an authority in relation to the location is not required under the Heritage New Zealand Pouhere Taonga Act 2014 <p>c) The consent holder must—</p> <ul style="list-style-type: none"> i. follow the protocol; and ii. ensure that workers and other persons on site are aware of the protocol. <p>d) In subcondition (b)(ii), authority has the same meaning as in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.</p>		
WATER TAKE			
30. HBRC	<p>Taking of water from the Tutaekuri-Waimate Stream shall be limited to the length of stream between a point 700m upstream of Franklin Road and the Ngaruroro Stopbank.</p>		
31. HBRC	<p>The taking of water from the Tutaekuri-Waimate Stream at each point of take shall not exceed 25 L/s.</p>	<p>The taking of water from the Tutaekuri-Waimate Stream at each point of take shall not exceed 25 L/s. The combined rate of abstraction at any one time shall not exceed 50 L/s.</p>	<p>The recommended addition sets a maximum rate of take at any one time. Under the applicant's proposed condition this would not be limited.</p>

32. HBRC	<u>Each point of take shall be installed to prevent fish, including eels, from entering the reticulation system.</u>	<u>Each point of take shall be installed to prevent fish, including eels, from entering the reticulation system. The fish screen design shall be confirmed by the Project Ecologist or other suitably qualified professional as being appropriate relative to the velocity of the intake(s) and the presence of fish species at the site(s) of take.</u>	This recommended addition links to the recommended requirement above for the project ecologist to consider fish screening in the development of the EMP under condition 28.
33. HBRC	<u>The combined maximum volume of take shall not exceed 1,080m³ per day.</u>	<u>The combined maximum volume of take shall not exceed 1,080m³ per day, except that:</u> <u>a) Taking shall cease at times when the flow in the Tutaekuri Waimate Stream is at or below 1,200 L/s measured at the Goods Bridge flow measuring site (no.1023149). Abstraction shall not commence until the flow in the Tutaekuri Waimate Stream is at or above 1,200 L/s as measured at the Goods Bridge flow measuring site.</u> <u>Advice note: during times of low flow ban, abstraction in accordance with the conditions of the relevant permitted activity rules may occur.</u>	<p>While minimum flow bans on this stream are uncommon, it is recommended that the minimum flow limits specified by the RRMP and the TANK Plan Change (PC9) are applied. This ensures that instream values are protected during period of low flow, and is appropriate given the relatively large scale of the water take proposed.</p> <p>The applicant accepts the requirement of a minimum flow of 1,200 L/s but prefers the approach of allowing for ongoing abstraction under a water demand reduction plan during times of low flow. The applicant has suggested an addition to condition 33 to provide for this.</p> <p>HBRC continues to recommend that the take from the stream be required to cease in the unlikely event of a minimum flow ban. There are alternative water source in this area, with groundwater accessible via wells across the project area. As set out in the recommended advice note, permitted activity volumes are able to also be accessed from ground and surface water sources.</p> <p>It is recommended that if the take is allowed to carry on during low flow bans under the</p>

			<p>reduction plan approach, it be for a set period of time (e.g. not more than 10 days) which provides time for alternative sources to be found, such as groundwater, and that the maximum rate of take is reduced to a specified maximum rate (e.g. 25 L/s). This should only be implemented after assessing all the alternative options and should only reduce to the greatest extent practicable or viable to undertake works that are essential.</p>
<p>34. HBRC</p>	<p><u>The measurement and reporting of water use shall be undertaken and provided to the Hawkes Bay Regional Council in accordance with the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010.</u></p>	<p><u>The measurement and reporting of water use shall be undertaken and provided to the Hawkes Bay Regional Council in accordance with the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010, and:</u></p> <ul style="list-style-type: none"> <u>a. A water meter with a data logger and telemetry unit(s) compatible with the Council's telemetry system shall be installed prior to the exercise of this consent and be operated and maintained to measure the volume of water taken (in cubic metres) to an accuracy of +/- 5%.</u> <u>b. The water meter and telemetry device(s) required by Condition (d) shall be installed and maintained in accordance with 'The New Zealand Water Measurement Code of Practice' (January 2023).</u> <u>c. A record of water meter installation shall be provided to the Council using the 'Water Information Services (WIS) Meter Installation Form' prior to commencement of abstraction.</u> <u>d. The telemetry unit(s) shall record the volume (in cubic metres, m³) of take every 15 minutes. Each 15 minute interval of data shall be date and time stamped with the New Zealand Standard Time at the end of the 15 minute interval.</u> <u>e. Data shall be transmitted to the Council's telemetry system at least once per day.</u> <u>f. The telemetry unit(s) shall be installed so as to provide an accurate record of the flow meter</u> 	<p>The proposed additions reflect HBRC requirements for metering and telemetry of water take data.</p>

		<p><u>data by a suitably qualified person. A record of installation shall be provided to the Council (Manager Compliance) in writing using the Council’s “Telemetry Installation Form” within one week of installation of the new or re-installed unit(s) having occurred.</u></p> <p><u>g. A manual water meter reading shall be taken during the month of June each year. The water meter reading and the date and time the reading was taken shall be provided in writing to the Council (Manager Compliance) prior to 10 July each year.</u></p> <p><u>h. Where the telemetry equipment fails, the consent holder shall notify the Council (Manager Compliance) of the failure within 3 working days, shall read the water meter at daily intervals and shall provide the Council with a record of the following:</u></p> <p><u>i. The meter reading (in cubic metres); and,</u></p> <p><u> i. The daily volume of water taken (in cubic metres); and,</u></p> <p><u> ii. The date and time of each reading;</u></p> <p><u> iii. This information shall be supplied no later than 7 days after the end of each calendar month. Where the telemetry equipment is returned to full operation, the information shall instead be supplied within 7 days of this return to full operation occurring.</u></p>	
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DRINKING WATER SUPPLIES

35. HBRC	<p><u>If an event occurs on-site that may lead to contamination of groundwater, the Consent Holder shall notify the Napier City Council Drinking Water Supply Manager and the Hawke’s Bay. Regional Council (Manager Compliance) of the event as soon as reasonably practicable after the event occurs</u></p>	<p>35. Drinking Water Supply</p> <p><u>If an event occurs on-site that may lead to contamination of groundwater, the Consent Holder shall notify the Napier City Council Drinking Water Supply Manager, Pākowhai School, and the Hawke’s Bay. Regional Council (Manager Compliance) of the event as soon as reasonably practicable after the event occurs</u></p>	<p>There is no registered public water supply in Hastings District that would be affected. HDC however agree with the changes proposed to include Pākowhai School.</p> <p>The works are located within the Napier City Council’s drinking water source protection zone (SPZ) known as ‘Taradale’. A SPZ is an</p>
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			area of protection to manage and prevent contaminants effecting water supplies. Given the close proximity to the flood protection works it is recommended that Pākowhai School (private supply) is notified in the event of potential contamination risk in addition to the parties recommended by the applicant. Pākowhai School is the nearest registered drinking water supply.
ROAD PAVEMENT CONDITION AND REMEDIATION			
36. HDC	<u>Prior to commencement of stockpiling material, the Consent Holder shall undertake a pre-construction pavement condition survey of Franklin and Gilbertson Roads. The survey shall include photographic and written records of the pavement condition and be submitted to Hastings District Council.</u>		
37. HDC	<p><u>Within 30 working days of completing the stockpiling of material, the Consent Holder shall:</u></p> <p><u>a) undertake a post-construction pavement condition survey of Franklin and Gilbertson Roads. The survey shall include photographic and written records and be compared against the pre-construction survey to identify any damage attributable to the works.</u></p> <p><u>b) Provide a copy of the post-construction survey and comparison report outlining the following to the Hastings District Council for 10 working days for comment:</u></p> <p><u>i. an outline of the damage considered to have resulted from traffic associated with the stockpiling of material;</u></p> <p><u>ii. details of the remedial work proposed to be undertaken to restore the affected roads to a</u></p>		

	condition equal to or better than that recorded in the pre-construction survey.		
38. HDC	The Consent Holder shall, at its expense, shall carry out the identified remedial works within 60 working days of providing of the comparison report to the Hastings District Council.		
39. HDC		<p>Construction Traffic</p> <p>The consent holder shall submit a Construction Traffic Management Plan (CTMP) which shall;</p> <ul style="list-style-type: none"> ii. be prepared by a suitably qualified traffic management practitioner and certified by Hastings District Council and NZTA prior to the commencement of the relevant phase of construction works iii. address those matters referred to in the TIA by East Cape Consulting, Ref 25-0181 Stopbank TIA 251030.doc (HDC Ref: RMA20250133#0005) Section 7, pages 24 and 25, dated 30 October 2025, submitted with the application iv. be developed in consultation with HDC and NZTA prior to the commencement of the relevant phases on the development v. be prepared in accordance with the Code of Practice for Temporary Traffic Management (CoPTIM); and/or the New Zealand Guide to Temporary Traffic Management (NZGTIM) vi. shall address the necessity of reduced traffic speed along local roads for the duration of works, in particular the haulage to stockpile areas 	New condition following review from HDC Transportation Planning and Policy Manager.
40. HDC		<p>Haulage Routes</p> <p>There shall be no right-hand turn on to Pakowhai Road from Gilbertson Road by vehicles under any circumstances whether (includes temporary manoeuvring)</p>	This intersection is particularly challenging due to the proximity of the bridge over the Ngaruroro River, sightlines and the approaches off Gilbertson Road. Even with

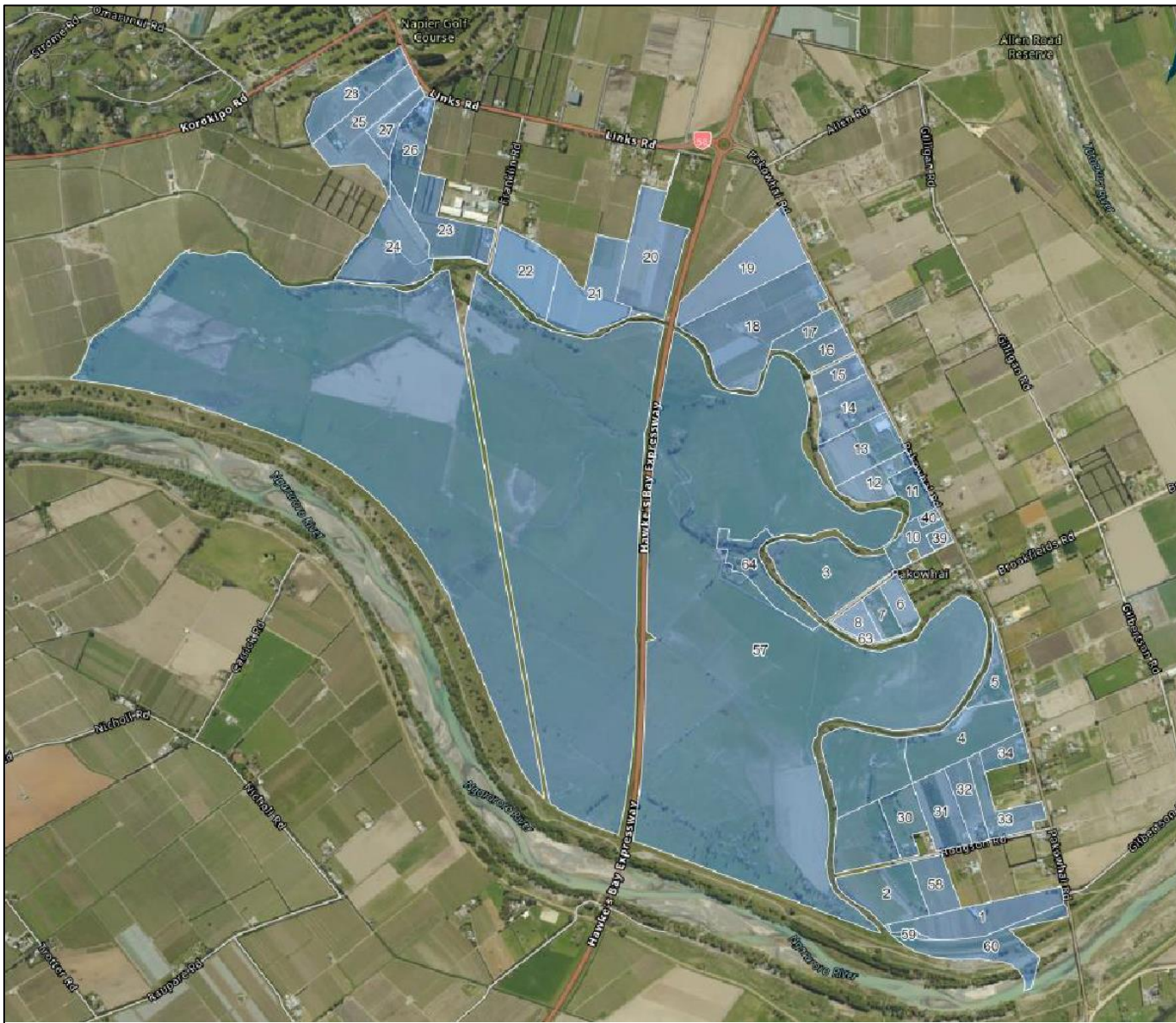
			<p>traffic management in place and on a temporary basis, the traffic implications are considerable due to the volume of materials being transported through this intersection. The consent holder will be required to observe a safer route, and this route should be detailed in the CTMP and certified by HDC.</p>
<p>41. HBRC</p>		<p><u>Local Dust Management Plan</u></p> <p><u>Prior to commencement of construction works within Separable Portion 4 and/or 5, the consent holder must develop a Dust Management Plan developed in consultation with the owners of 56 Franklin Road, and submit this to HBRC (Manager Compliance). The purpose of the plan is to set out how, for the focus area of the plan (being 56 Franklin Road and construction work areas that may generate dust affecting this property), condition 16 will be achieved, and the plan shall include (but not be limited to):</u></p> <ul style="list-style-type: none"> • <u>Identify potential dust sources and sensitive receptors (e.g., orchard, dwellings).</u> • <u>Specify dust suppression measures that will be employed (e.g., water carts, stabilisation, limiting exposed areas).</u> • <u>Include monitoring protocols and complaint response procedures.</u> • <u>Detail contingency actions if dust effects occur beyond the construction site works boundary.</u> <p><u>The plan must be prepared by a suitably qualified and experienced practitioner and implemented for the duration of construction works within Separable Portions 4 and 5, until such time as the work sites are stabilised and no longer present a dust risk.</u></p>	<p>The applicant oppose condition 41 in full as they consider sufficient dust management procedures are covered by other conditions of consent to respond to S&D Mackie comments. HBRC continue to recommend this condition given the potential dust effects on the property 56 Franklin Road given the truck movements will be located adjacent to this property and as described in their comments, the sensitivity of the land use to dust impacts.</p>

42. HBRC

The consent holder shall notify the Manager Compliance (HBRC) of the intention to remove a temporary bridge crossing. This notice shall be provided at between 5 and 10 working days before the removal works occur.

This ensures the Council is advised of works to remove the temporary bridges and provides an opportunity for Council compliance staff to visit during the time of these works.

Schedule 1



Map Ref	Valuation ID	LINZ Property ID	Parcel ID	Title	Estate Description	Site Address	Footprint or Footprint Adjoining
1		1926287		HBW4/46	Fee Simple, 1/1, Part Pakowhai Maori Reserve 1 Block Maori Land Plan 864 and Section 1-3 Survey Office Plan 10742, 89,042 m2	43 Hodgson Rd, Pakowhai, Hastings District	Footprint
2		2046370		HB54/265	Fee Simple, 1/1, Lot 14-15 Deeds Plan 632, 149,046 m2	74 Hodgson Rd, Pakowhai, Hastings District	Footprint
3		1809407		HBH3/1148	Fee Simple, 1/1, Lot 2-3 Deposited Plan 6071, 251,790 m2		Footprint
4		1848561		HB163/81	Fee Simple, 1/1, Part Lot 2 Deeds Plan 376, 105,876 m2	1844/1854 Pakowhai Road (76 Chesterhope Rd, Hastings District)	Footprint
5		1982821		HB47/125	Fee Simple, 1/1, Lot 35 and Lot 40 Deeds Plan 493, 33,184 m2	1856/1882 Pakowhai Road, Hastings	Footprint
6		1878419		HBA1/887	Fee Simple, 1/1, Lot 3 Deposited Plan 10514, 24,433 m2	47 Chesterhope Rd, Hastings District	Footprint Adjoining
7		1878531		HBA1/886	Fee Simple, 1/1, Lot 2 Deposited Plan 10514, 24,408 m2	47 Chesterhope Rd, Hastings District	Footprint Adjoining
8		1878427		HBA1/885	Fee Simple, 1/1, Lot 1 Deposited Plan 10514, 23,624 m2	47 Chesterhope Rd, Hastings District	Footprint
10		4439914		360055	Fee Simple, 1/1, Lot 2 Deposited Plan 389718, 31,500 m2	22 Chesterhope Rd, Hastings District	Footprint
11		4379112		298723	Fee Simple, 1/1, Lot 1 Deposited Plan 374026, 28,200 m2	1972 Pakowhai Rd, Hastings District	Footprint
12		4379113		298724	Fee Simple, 1/1, Lot 2 Deposited Plan 374026, 40,800 m2	1980 Pakowhai Rd, Hastings District	Footprint
13		1806357		HBV1/547	Fee Simple, 1/1, Lot 39-40 Deeds Plan 80, 76,839 m2	1986 Pakowhai Rd, Hastings District	Footprint
14		1976981		HBL1/145	Fee Simple, 1/1, Lot 1-2 Deeds Plan 437, 65,989 m2	2008 Pakowhai Rd, Hastings District	Footprint

15		1926109		HBM2/373	Fee Simple, 1/1, Lot 3 Deeds Plan 437, 26,203 m2	2026 Pakowhai Rd, Hastings District	Footprint
16		1881117		HB23/46	Fee Simple, 1/1, Section 43 Block XII Heretaunga Survey District, 33,791 m2	Pakowhai Rd, Hastings District	Footprint
17		1813203		HBD4/1162	Fee Simple, 1/1, Lot 1 Deposited Plan 12698, 29,567 m2	2046 Pakowhai Rd, Hastings District	Footprint
18		4853870		788862	Fee Simple, 1/1, Lot 2 Deposited Plan 512396 and Lot 2 Deposited Plan 20869, 194,200 m2	2068 Pakowhai Rd, Hastings District	Footprint
19		1814833		HBD1/62	Fee Simple, 1/1, Lot 6 Deeds Plan 437, 130,385 m2	2080 Pakowhai Rd, Hastings District	Footprint
20		4675266		604769	Fee Simple, 1/1, Lot 2 Deposited Plan 460806, 126,484 m2	1023 Links Rd, Hastings District	Footprint
21		3401528		35155	Fee Simple, 1/1, Section 15 Block XI Heretaunga Survey District and Lot 2 Deposited Plan 309041, 107,852 m2	71 Franklin Rd, Hastings District	Footprint
22		1833070		HBF3/989	Fee Simple, 1/1, Lot 1 Deposited Plan 12546, 83,036 m2	71 Franklin Rd, Hastings District	Footprint
23		1778725		HBP3/465	Fee Simple, 1/1, Lot 2 Deposited Plan 12012 and Section 1 Survey Office Plan 9891, 78,978 m2	56 Franklin Rd, Hastings District	Footprint
24		1995515		HBP3/795	Fee Simple, 1/1, Lot 1 Deposited Plan 22965, Lot 2 Deposited Plan 2721 and Section 2 Survey Office Plan 9891, 116,436 m2	70 Franklin Road, Waiohiki, Hastings District	Footprint
25		2039276		HBM1/46	Fee Simple, 1/1, Lot 2 Deposited Plan 16843, 99,766 m2	1135 Links Rd, Hastings District	Footprint
26		1963589		HBM1/1079	Fee Simple, 1/1, Lot 2 Deposited Plan 20523, 59,945 m2	1131 Links Rd, Hastings District	Footprint Adjoining
27		1963559		HBM1/1078	Fee Simple, 1/1, Lot 1 Deposited Plan 20523, 27,977 m2	1133 Links Rd, Hastings District	Footprint
28		1941016		HBM1/45	Fee Simple, 1/1, Lot 1 Deposited Plan 16843, 71,151 m2	1153 Links Rd, Hastings District	Footprint
30		1856978		HB147/95	Fee Simple, 1/1, Part Lot 12 Deeds Plan 632, 45,229 m2	66 Hodgson Rd, Hastings District	Footprint Adjoining
31		1865925		HBB1/859	Fee Simple, 1/1, Lot 10 Deeds Plan 632, 58,839 m2	40 Hodgson Rd, Hastings District	Footprint Adjoining

32		2231944		HB63/176	Fee Simple, 1/1, Part Lot 8 Deeds Plan 632, 37,990 m2	32 Hodgson Rd, Hastings District	Footprint Adjoining
33		4644388		572785	Fee Simple, 1/1, Lot 2 Deposited Plan 450556, 48,509 m2	28 Hodgson Rd, Hastings District	Footprint Adjoining
33		4644388		572785	Fee Simple, 1/1, Lot 2 Deposited Plan 450556, 48,509 m2	28 Hodgson Rd, Hastings District	Footprint Adjoining
39		1983797		HB88/8	Fee Simple, 1/1, Lot 32-33 Deeds Plan 80, 8,094 m2	1942 Pakowhai Rd, Hastings District	Footprint Adjoining
40		1906126		HBB2/296	Fee Simple, 1/1, Section 9 Block XII Heretaunga Survey District, 5,524 m2	1950 Pakowhai Rd, Hastings District	Footprint
57		4975049		916895	Fee Simple, 1/1, Lot 2-4 Deposited Plan 543135, 5,263,000 m2	76 Chesterhope Rd, Hastings District	Footprint
58		1926305		HBL2/450	Fee Simple, 1/1, Lot 13 Deeds Plan 632, 39,942 m2	43 Hodgson Rd, Hastings District	Footprint Adjoining
59	965143001		4208093		Part PAKOWHAI I BLK XII HERETAUNGA SD - SOIL CONS PURPOSES	Pakowhai Rd, Hastings District	Footprint
60	965139501		4209847		NG5 - Part 1 Part 2 PAKOWHAI MAORI RESERVE Part Lot 1 DP 6071	Pakowhai Rd, Hastings District	Footprint Adjoining
63		1976164		HBA1/1341	Fee Simple, 1/1, Lot 5 Deposited Plan 8266 and Lot 4 Deposited Plan 10514, 3,870 m2	Chesterhope Rd, Hastings District	Footprint
64	960028902	4975048	8043507	916894	Fee Simple, 1/1, Lot 1 Deposited Plan 543135, 58,200 m2	76 Chesterhope Rd, Hastings District	Footprint Adjoining