

s42A Report for Resource Consent Application: APP-131470
13 February 2026

Applicant: Hawke's Bay Regional Council

Application Number: APP-131470

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

Authorisation No:	Activity Description	Activity Type:	Activity Location
AUTH-132788-01	To reclaim part of streams to form a floodway	Land Use Consent	Alongside the Wairoa River, including land either side of Ruataniwha and Waihirere Roads within North Clyde AND along Mitchell Road and Marine Parade within the Wairoa Township.
AUTH-133232-01	Vegetation and clearance soil disturbance	Land Use Consent	
AUTH-133233-01	To construct specified infrastructure affecting wetlands and to install culverts and stormwater outlets and scour protection solutions	Land Use Consent	
AUTH-133234-01	To discharge drainage water (during construction and operational) and to discharge solid contaminants within 20 of a surface water body for the construction of stopbanks flood mitigation measures	Discharge Permit	
AUTH-133235-01	To discharge dust associated with the construction works	Discharge Permit	
AUTH-133238-01	To divert water from the Wairoa River during times of flood arising from the stopbanks / floodway	Water Permit	

AUTH-133239-01	To take and use surface water from the Wairoa River and drainage water for construction and dust suppression purposes	Water Permit	
AUTH-133240-01	To take and use groundwater (relating to the 'take' of drainage water for construction (including dewatering) and dust suppression purposes)	Water Permit	
AUTH-133241-01	To discharge sediment laden water to land or water	Discharge Permit	
AUTH-133244-01	To undertake planting and other activities not deemed to comply with permitted activity rules in section 6.8 of the Regional Resource Management Plan	Land Use Consent	

1. EXECUTIVE SUMMARY

- 1.1 This application is for construction of flood protection works proposed by Hawke’s Bay Regional Council and seeks consent under the *Severe Weather Emergency Recovery (Hawke’s Bay Flood Protection Works) Order 2024* (OIC 2024). This pathway streamlines the consenting pathway for major flood protection works situated within a delineated footprint.
- 1.2 Applications subject to the OIC 2024 must be granted as a controlled activity by an independent hearings commissioner. Consultation in accordance with Clause 15 of the OIC 2024 occurred and notice to the listed parties was sent by Hawke’s Bay Regional Council (HBRC) (the regional consent authority) and WDC (the district Consent Authority) on 14 January 2026. The opportunity for invited parties to comment closed on 28 January 2026.
- 1.3 Eleven comments were received within the statutory timeframe. These comments have been considered and responded to where appropriate. One other comment was received outside the statutory timeframe and this comment has been considered with the others.
- 1.4 This report addresses the relevant sections of the OIC 2024 and makes recommendations to the hearings commissioner for consideration in their decision and on the imposition of relevant consent conditions.
- 1.5 The hearings commissioner, as delegated by Hawke’s Bay Regional Council, has delegation specifically to grant a consent under s104A(a) of the RMA (i.e. for a controlled activity).
- 1.6 The proposal is located entirely within the delineated footprint for Wairoa as set out within the OIC 2024, no other resource consents are applied for or necessary.

2. THE ACTIVITY

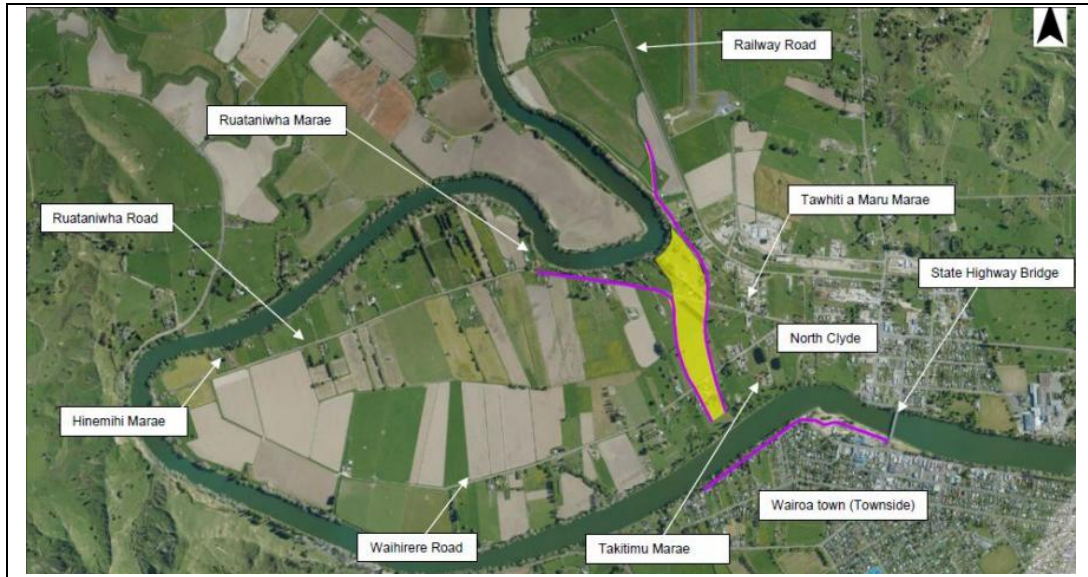


Figure 1: Site of activity

THE SITE

- 2.1 The subject site is located in the Wairoa area on the true left bank of the Wairoa River adjacent to North Clyde and on the true right bank of the Wairoa River adjacent to Wairoa Township. The area of works extends through the inner ‘peninsula’ of the greater Wairoa meander on the true left side of the Wairoa River and adjacent to the Wairoa township on the true right side of the Wairoa River near Alexandra Park.

SITE VISIT

- 2.2 An inspection of the site was undertaken by the reporting officer, accompanied by Philip McKay (Independent Commissioner), Tyler Trafford-Mission (Wairoa District Council), Hira Campbell (Wairoa District Council), Gabriella Luscombe (Wairoa District Council), Cameron Drury (Principal Planner | Director at Strategy Planning Limited), Graeme Hansen (Hawke’s Bay Regional Council – Applicant Project Manager) and Dr Andy Hicks (Principal Ecologist at Stradegy Planning Limited), on 4th February 2026.

BACKGROUND

- 2.3 The Hawke’s Bay Regional Council’s Project Management Team (hereafter referred to as the ‘applicant’) has applied for resource consent to undertake flood mitigation work on the true left side of the Wairoa River near the North Clyde and Wairoa areas. The application proposes works within the *Severe Weather Emergency Recovery (Hawke’s Bay Flood Protection Works) Order 2024* (OIC 2024) Schedule 1 ‘Locations of flood protection works’ area ‘Wairoa Location’ (Figure 2).
- 2.4 The proposed works are situated within the OIC 2024 Schedule 1 location Wairoa – B¹ and therefore, the proposal is subject to the clauses of the OIC 2024 which set out a process for considering applications for this activity that differs from the traditional/standard Resource

¹ None of the works under this application relate to the Wairoa – A location set out in Schedule 1 of the OIC 2024.

Management Act 1991 (RMA) process. None of the works proposed in this application are situated outside of the OIC 2024 Schedule 1 delineated area.

2.5 The background and purpose of the proposal and statutory context is explained in section 2 of the OIC application², which are agreed with and adopted, and therefore need not be repeated here.

2.6 In addition to the statutory context set out in the application, for additional context it is noted that the OIC 2024 came into effect on 27 May 2024 and contains provisions for flood protection works as proposed, and for carrying out of those flood protection works as a controlled activity under Clause 8(2) of the OIC 2024. A controlled activity must be granted. For context, clauses of the OIC 2024 are simplified 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 Hawke's Bay regional Council's Project management Team (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. As the application was formally lodged on 22 December 2025, the 30th working day and date in which a decision is due by is 23 February 2026.
- **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 Wairoa Flood protection works as shown in Figure 2 below (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.

2.7 The application to the consent authorities³ considers the following matters;

- General Matters –

² Resource Consent Application for Stopbank Works, signed by – Andrew Caseley, Manager Regional Projects/Programme Director and dated 15 December 2025.

³ HBRC as the regional consent authority and WDC and the district consent authority.

- Flooding
- Construction management
- Effects on ecology
- Cultural values
- Freshwater
- Coastal environment
- Stormwater management
- Visual effects and amenity
- Heritage and archaeology
- Access and transport
- Contaminated land

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

Nature Of Activity

2.9 The proposal seeks to undertake flood protection works including construction of a floodway formed by two stopbanks / floodwalls (Stopbanks 1 and 2) to convey and constrain high flows on the true left side of the Wairoa River near North Clyde and constructed through the inner ‘peninsula’ of the greater Wairoa meander. A third stopbank (Stopbank 3) is to be situated adjacent to the Wairoa township on the true right side of the Wairoa River opposite the outlet of the floodway. the stopbanks / floodwalls are designed to limit flooding and provide protection up to and during a 100-year Annual Recurrence Interval (ARI).

2.10 Stopbank 1, being the west stopbank, is approximately 1,520m long. The first (northern most) 1,260m (approximate) section will comprise of earth stopbank, with the final ~260m being a floodwall. Approximately 30,000m³ of fill is expected to be required to construct this stopbank.

2.11 Stopbank 2, being the east stopbank, is approximately 1,800m long. The first (northern most) 1,520m section will comprise of earth stopbank, with the final ~280m being a concrete wall structure. Approximately 45,000m³ of fill is expected to be required to construct this stopbank.

2.12 The crest of Stopbanks 1 and 2 will be designed to the 100-year ARI level plus freeboard between 410mm – 600mm at different sections⁴. The stopbanks will be formed utilising site-won materials.

2.13 The floodway will be approximately 1,000m long, with the first 800m being approximately 200-250m wide and the last ~200m narrowing to approximately 105m wide. The lower bank at the inlet to the floodway will be reinforced with willow poles to improve scour resistance with a buried concrete sill constructed across the floodway, followed by a 20m length section of buried rock scour protection. Final solutions will be confirmed as part of the detailed design.

2.14 At the downstream end of the floodway, a 60m length concrete slab (extending approximately 20m further than the floodwalls) is proposed. This is likely to include baffles to reduce water velocity and enhance hydraulic performance. To reduce the impact of

⁴ See Figure 5 of Appendix 9 of the application - Developed Concept Design Report, authored by WSP, and dated 10 December 2025.

higher velocity flows, a flow direction structure may be constructed and this is to be clarified at time of final design. A willow pole riparian buffer will form the lowest/downstream extent of the floodway where it rejoins the Wairoa River.

- 2.15 The floodway will be cut to a depth varying from approximately 1m at the inlet to not more than 2m at the outlet and will entail approximately 220,000m³ of cut to form the floodway. An additional 40,000m³ of cut may be required for associated works. Final cut depths and volumes will be finalised as part of the detailed design.
- 2.16 The Townside Stopbank (Stopbank 3) will be approximately 1,200m long. The entire length of Stopbank 3 will comprise of earth stopbank. Approximately 18,500m³ of fill is expected to be required to construct this stopbank and will be formed utilising stie-won materials from the floodway excavations near North Clyde.
- 2.17 Stopbank 3 is to be constructed to protect the Wairoa township during a 100-year ARI event plus freeboard. While a proposed alignment of Stopbank 3 has been provided, the application mentions that the final alignment will be confirmed through detailed design as the portion of stopbank upstream of Churchill Ave may shift inland to mitigate erosion potential along the riverbank.
- 2.18 The proposal also includes associated works such as road raising and modifications to Ruataniwha and Waihirere Roads, cross drainage (stormwater) management and subsurface drainage.
- 2.19 A detailed description of the proposal is contained within section 4 of the OIC application, and this description is agreed with and adopted here; this section of the application should be referred to. Figure 2 below outlines the '*Wairoa – B footprint*' set out in the OIC 2024 Schedule 1 that the proposal is subject to.

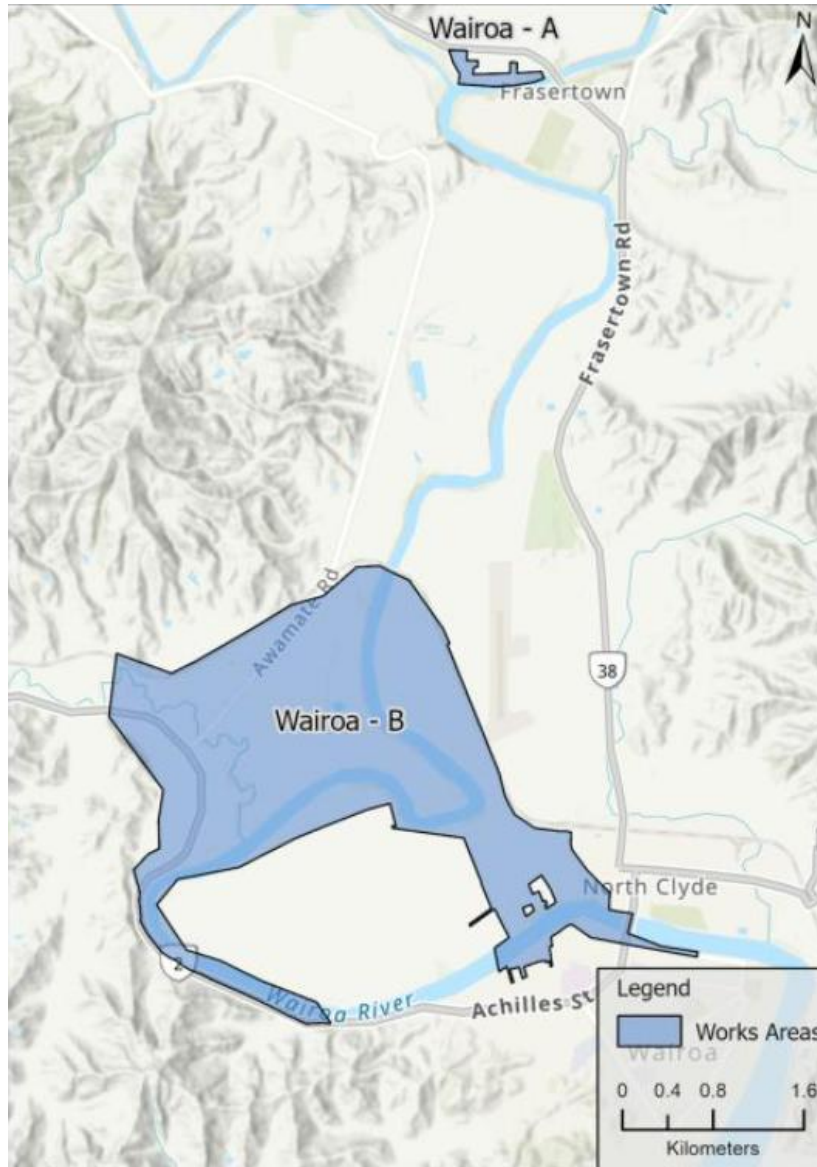


Figure 2: OIC 2024 Schedule 1 ‘Wairoa – B’ footprint.

2.20 The applicant has applied to both Hawke’s Bay Regional Council for those matters in which fall under the Hawke’s Bay Regional Resource Management Plan (RRMP), and to Wairoa District Council (WDC) for those matters which fall under the Wairoa District Plan (WDP).

3. REQUIRED APPROVALS

RESOURCE CONSENTS

3.1 The OIC application is a non-notified controlled activity in accordance with clauses 8 and 14 of the OIC 2024.

3.2 Consent is required from HBRC (the regional consent authority) for the following Resource Management (National Environmental for Freshwater) Regulation 2020 (NES-F) and RRMP matters:

- Regulation 45 of the NES-F for the construction of specified infrastructure affecting wetlands
- Regulation 57 of the NES-F for the reclamation of the southern permanent streams

- Regulation 71 of the NES-F for the installation of culverts within the northern permanent stream
- Rule 8 of the RRMP for vegetation clearance and soil disturbance
- Rule 30 of the RRMP for a discharge of dust
- Rule 33 of the RRMP (if not considered permitted under Rule 32) for the discharge of drainage water (during construction and ongoing)
- Rule 52 of the RRMP for the Discharge of Sediment laden water to land or water
- Rule 52 of the RRMP for the discharge of solid contaminants within 20 m of a surface water body (not meeting permitted Rule 48)
- Rule 55 of the RRMP for other takes & uses of surface & groundwater (relating to the 'take' of drainage water and the taking and use of water from the Wairoa River for construction and dust suppression purposes)
- Rule 59 of the RRMP for the Diversion of the Wairoa River during times of flood arising from the stopbanks / floodway
- Rule 69 of the RRMP for the planting and other activities not deemed to comply with Permitted Activity rules in section 6.8
- Rule 69 of the RRMP for the disturbance of the northern and southern permanent streams, installation of culverts, stormwater outlets and scour protection solutions.

Other Approvals

3.3 In accordance with the WDP, the applicant requires resource consent from WDC for some matters. For the purpose of clarity, this report only addresses the matters relevant to the HBRC's consent authority jurisdiction and does not address those matters that are within WDC's jurisdiction. WDC's assessment has been provided separately to the Hearings Commissioner and should be referred to for matters within WDC's jurisdiction.

4. COMMENTS

4.1 In accordance clause 15 of the OIC 2024, notice was sent to listed parties (clause 15(2)) and they were given the opportunity to comment on the application, with the comment period beginning 14 January 2026 and closing 28 January 2026.⁵

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)(1)(x). These parties were those who had properties with a modelled increase of flooding on their land from the baseline scenario as identified in in Figure 9 of Appendix 13 of the application⁶.

4.3 It should be noted that two posted letters were returned as undelivered due to a closed PO box. These letters were for the properties with the following valuation numbers: 0878032600 (immediately adjoining party #13) and 878034800 (a greater interest party).

4.4 During that comment window, ten comments were received from invited parties.

⁵ Notice to listed parties inviting comment on the application was sent on behalf of both councils/consent authorities via:

- Email from HBRC (regional consent authority) acting as 'lead agency' to those parties where a contact email address was available, or
- Letter drop/post from WDC for the remaining parties who only had physical addresses.

⁶ Figure 9 of Appendix 13 of the application – *Consequential Flooding Assessment*, authored by WSP and dated 21 November 2025.

- 4.5 One comment was received from KiwiRail Holdings Limited after the comment window had officially closed but it was received on the same day. Tātau Tātau o te Wairoa also provided additional supporting emails and assessment after the comment period had closed in support of their comment that was received within the set time period .
- 4.6 All eleven comments are summarised in Appendix 1 to this report. Comments were received from the following parties:
- Hira Campbell
 - Blair Ferguson
 - Kitea Tipuna (on behalf of Joyce Kotuhi)
 - Kitea Tipuna (Taumataoteo 19B4 Maori Land Trust and descendants and whanau of beneficial owners
 - Ashby Pearse
 - New Zealand Transport Agency (NZTA)
 - John and Donna Waihape
 - Tania Te Whenua
 - Te Tumu Paeroa
 - Tātau Tātau o Te Wairoa
 - KiwiRail
- 4.7 The high level key issues from the comments are briefly summarised below in this section. Appendix 1 of this report summarises the comments in more detail and provides a response to these as required by Clause 15(4) of the OIC.
- 4.8 A full copy of all comments received has also been provided to the Independent Hearings Commissioner, WDC reporting officer and the applicant.
- 4.9 **Hira Campbell** comments relate to concern for impacts of flood water discharge and erosion, responsibilities of parties, that conditions address the concerns raised and inclusion of additional conditions relating to erosion and flood protection, monitoring, notification of discharge events, liability, remediation and documentation. Various conditions of consent have been recommended to address these matters in accordance with the matters of control.
- 4.10 **Blair Ferguson** comments oppose the project, express concern that the proposal is a misuse of emergency powers and departs from the standard RMA process and principles, seeking the application be declined and that additional assessments be undertaken. In accordance with clause 8 of the OIC 2024 and RMA s87A(2)(a), as a controlled activity, the application cannot be declined. The OIC process does indeed diverge from the 'standard' RMA process however, consultation and effects management are prescribed in the conditions of consent and changes to these conditions are recommended by the reporting officer in Appendix 2 to this report.
- 4.11 **Kitea Tipuna (on behalf of Joyce Kotui)** seeks that there be no adverse effects on their property from construction works, that they be communicated with for the life of the project and that a representative from their whanāu be added to the stakeholder group. Conditions have been recommended to address construction effects and to the Stakeholder Advisory Group (STAG) to enable effective communication. Under the conditions of consent, this party will be invited to join the STAG.

- 4.12 **Kitea Tipuna (Taumataoteo 19B4 Maori Land Trust and descendants and whanau of beneficial owners)** seeks no adverse impact from erosion, water run off and earthworks etc upon their land (Maori Land Block Taumataoteo 19B4) and that access to the Wairoa River from this property not be blocked. Conditions have been recommended to appropriately address the effects of the proposal. The applicant responded to confirm that there would be no impacts on access to the 19B4 block of land.
- 4.13 **Ashby Pearse** questioned the need for a stopbank on their land given it had not flooded previously and was concerned for ponding of trapped stormwater behind the proposed stopbank at this location. The applicant responded and confirmed that the stormwater design will achieve at a minimum an equivalent level of service compared to the existing situation.
- 4.14 **NZTA** provided comment and indicated that they had no further concerns.
- 4.15 **John and Donna Waihape** sought assurance of design details relating to stream diversion, municipal wastewater infrastructure and also sought that suitable materials and structures be used, and that they are to be involved in the project by representing whanau and that there be no negative effects on their property. Similar to above, changes to conditions have been recommended to ensure effects are managed appropriately and for representation of parties on the STAG. The applicant noted the reference to municipal wastewater infrastructure at this location was an error.
- 4.16 **Taania Te Whenua** comments focused on downstream erosion, heightened vulnerability from velocity and scour, concerns of the modelling undertaken and demonstration of compliance with the RMA. Seeking additional monitoring, adaptive management, engineer stopbank and armouring, and vegetation reinforcement strategy. Effects relating to velocity and scour are addressed in the Consequential Flooding Assessment⁷ and touched on in section 7 below. The OIC 2024 modifies the 'standard' RMA process for flood mitigation works.
- 4.17 **Te Tumu Paeroa** comments was concerned with how the hydrological function of nearby land would be affected and whether the groundwater table would need to be lowered, potential for increase to natural hazard risk and increase flood depth on land due to floodway. They sought a condition to require a hydrological and risk assessments, dewatering, adaptive management and monitoring and that they be provided with updated assessments and time to provide feedback and compensation of affected land. Part of the comment is out of scope of the OIC consent process but could be considered through private agreements with the applicant. Otherwise conditions of consent are recommended to avoid, remedy and mitigation effects are far as reasonably practicable. There is a maximum 5-year duration that applies to the OIC 2024 consents, and this duration does not therefore provide for long term monitoring or other changes to the scheme. This will fall under the Asset Management Plan for the scheme. The groundwater table will be permanently lowered within the floodway and this may cause marginal drawdown 250m away either side of the excavated length of the floodway.
- 4.18 **Tātau Tātau o Te Wairoa** provided an extensive comment and additional assessment, and largely focused on the Mauri of option 1C+ in comparison to an alternative design proposed

⁷ Appendix 13 – *Consequential Flooding Assessment*, authored by WSP and dated 21 November 2025.

by Tātau Tātau o Te Wairoa (being “Option 1C++”). Their proposed option is seen as having a higher mauri score. The comment sought the project be redesigned in accordance with the principles of Option 1C++, particularly that nature based solutions be prioritised over hard engineering approaches. Concerns that the OIC 2024 process defies rights and that option 1C+ will have negative cultural effects. A number of the recommendations of this comment are outside the scope and footprint of OIC 2024, i.e. a comprehensive catchment wide strategy.

- 4.19 The applicant provided a comment to HBRC (regional consent authority) stating that they were unaware of option 1C++ until the receipt of this comment. They stated that while the option has some interesting elements, the feedback has been provided too late in the process to be factored into the design and that the costs involved with Option 1C++, estimated at \$10.1 million, are not budgeted in the project.
- 4.20 **KiwiRail** comment focused on work in proximity to railway tracks and overland flow paths, sought confirmation of liquefaction or instability assessments, whether climate change had been factored into design, effects on drawdown, location of Stopbank 2 and flood data. The applicant provided a response confirming the design did not include climate change, that liquefaction risk assessment has been undertaken and will be updated as part of detailed design, that there will be some water table drawdown approximately 250 m away from the floodway. The applicant confirmed that the rail corridor would not be affected by the works, except for section within the 250 m buffer.
- 4.21 The applicant was invited to provide a response to several matters raised across the comments, some of which are mentioned in the above summary. The applicant’s responses are included in Appendix 1 of this report.
- 4.22 Where applicable to the scope of this application and the matters of control, the recommendations in the comments from the eleven parties have been considered by the reporting officer.

5. MATTERS TO BE CONSIDERED

- 5.1 When considering an application made pursuant to the OIC 2024, and in accordance with 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 s104 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.*
- 5.2 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 would therefore mean that there is no opportunity for the commissioner or the Council to decline the application within the OIC delineated area.
- 5.3 Clause 12 of the OIC 2024 states that instead of complying with section 88(2)(b) of the RMA, alternative information requirements are set out for applications made in accordance with the OIC 2024. Section 88(2)(b) of the RMA requires standard RMA applications to include the information required by Schedule 4 of the RMA, that information is therefore not required for applications such as this one, made under the OIC 2024.

- 5.4 Schedule 4 of the RMA sets out the requirement for standard RMA applications to contain an assessment against the matters in Part 2 of the RMA. Since this application has been made pursuant to the OIC 2024, Clause 12 applies, and there is no requirement for the application to include consideration of national direction (i.e. NPS and NES) or Part 2 of the RMA.
- 5.5 For standard RMA applications, Section 104 and s104A of the RMA requires that a consent authority must, subject to Part 2 of the RMA, have regard to relevant provisions, effects, measures and matters when considering an application. The relevant matters are limited by the matters of control set by the OIC (Schedule 3).
- 5.6 The consent authority may only consider effects and associated conditions of consent that fall within the matters of control, which are set out in full in Schedule 3 of the OIC 2024.
- 5.7 In summary, [Schedule 3](#) of the OIC 2024 sets out the matters over which the consent authority's *control* is reserved (see [clause 17\(3\), \(4\), and \(6\)](#)). Those matters are potential adverse effects and proposed mitigation measures in relation to the following:
- i. general, including risks of flooding and 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)
- 5.8 When considering an application for a resource consent, in accordance with s104 and s104A of the RMA, the hearings commissioner must, to the degree that they are relevant and within the matters of control, have regard to:
- any actual and potential effects on the environment of allowing the activity, and
 - relevant plans, policies and regulations.
- 5.9 The effects on the environment are addressed in section 7 of this report. The relevant plans, policies and regulation are addressed in section 8 of this report.
- 5.10 And in relation to any discharges proposed, the hearings commissioner must, in accordance with s105 of the RMA, also have regard to:
- the nature of the discharge and the sensitivity of the receiving environment,
 - any possible alternative methods and points of discharge,
 - the applicant's reasons for making the proposed choice.
- 5.11 Section 107 is also relevant, and in relation to discharges, sets out effects that must be avoided.

- 5.12 The hearings commissioner must make the above considerations subject to the purpose and principles of the RMA (Part 2).
- 5.13 The purpose of the RMA is to “*promote sustainable management of the natural and physical resources*” (Section 5). This involves 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.
- 5.14 In promoting the sustainable management of natural and physical resources, the RMA requires the hearings commissioner to:
- i) Recognise and provide for matters of national importance (section 6) including such things as:
 - the preservation of the natural character of coasts, rivers and their margins,
 - the relationship of Maori with their taonga,
 - The management of significant risk from hazards.and
 - ii) Have particular regard (section 7) to such things as:
 - Kaitiakitanga, and the ethic of stewardship,
 - The efficient use and development of natural and physical resources,
 - The maintenance and enhancement of the quality of the environment,
 - The maintenance and enhancement of amenity values,
 - Any finite characteristics of natural and physical resources,
 - The effects of climate change.and
 - iii) Take into account the principles of the Treaty of Waitangi (section 8).

6. RMA s95A AND s95B ASSESSMENT

- 6.1 Clause 14 of the OIC 2024 requires that an application made (under the OIC 2024) must not give public notification or limited notification of the application under s95 of the RMA and must instead carry out consultation in accordance with clause 15.
- 6.2 As mentioned in section 4 above, invitation for comments were sent to parties in accordance with clause 15.

7. ACTUAL AND POTENTIAL EFFECTS

- 7.1 The applicant has proposed amendments to the standardised conditions of the OIC 2024 to better reflect the detail of the proposed activity. With the inclusion of several recommended additions/changes (see Appendix 2 of this report) the proposed conditions are suitable for addressing adverse effects of the activity.
- 7.2 The actual and potential effects of the proposal have been detailed and assessed in section 7 of the Application and this assessment is largely agreed with and adopted, except where

further discussed below for those matters relevant to the Hawke’s Bay Regional Council’s jurisdiction as a consent authority. Those effects relating to:

- General matters
 - Consequential flooding
- Cultural values
- Freshwater
 - Natural Inland Wetlands
 - Reclamation/diversion of the bed of a water body
 - Fish passage
 - Discharge of drainage water
- The coastal environment
- Stormwater management
- Soil, land and ecology
 - Erosion and stability
 - Natural landform and contour
 - Ecology
 - Water take
- Visual Effects, Landscape and Amenity
- Adjoining land uses
 - Effects on the subject land and adjoining land
 - Effects on infrastructure assets
- Heritage and archaeology
- Access and transport
- Contaminated land
- Construction

7.3 Important effects of the project are summarised as follows

Cultural

7.4 The application includes three Cultural Impact Assessments^{8,9,10} (CIA) and a Cultural Research Report¹¹ (CRR), and the applicant has provided a response¹² to the recommendations of the three CIA’s and the CRR in which they detailed how matters raised have either been incorporated into the design or why they are unable to be considered, and, although confidential, the Independent Hearings Commissioner should refer to these documents for completeness. The conclusions of the recommendations of the CIA’s and CRR have been summarised here:

⁸ Appendix 1 of the application - *Cultural impact assessment – proposed flood mitigation options for North Clyde, Wairoa [Options 1C and 1D]*, authored by Piripi Winiata of Ngāi Te Apatu, Ngāti Hinehika and Ngāti Kurupakiaka (Ngāti Kahungunu) and Ngāti Hikairo (Rongomaiwahine) and dated January 2025.

⁹ Appendix 2 of the application – *Ruataniwha Marae Cultural Impact Assessment*, authored by Ruataniwha Marae, no date.

¹⁰ Appendix 4 of the application – *Cultural Impact Assessment Option 1C+ Wairoa Flood Mitigation Project*, authored by Takitimu Marae and dated 27/11/2025.

¹¹ Appendix 3 of the application – *Cultural Research Report*, authored by Mani Crawford on behalf of Tāwhiti-ā-Maru Marae and dated 14 December 2025.

¹² Appendix 12 of the application – *Responses to CIA Recommendations*, authored by the applicant, no date.

- The recommendations from CIA relating to Options 1C and 1D¹³:
 - Provide flexible relocation support for directly impacted whānau, prioritising staying on or near ancestral land.
 - Develop and implement a culturally endorsed Accidental Discovery Protocol (ADP) with hapū/whānau, including taonga procedures.
 - Require cultural induction for all staff, including site visits to significant places.
 - Conduct karakia before construction starts.
 - Resource urupā near excavations to identify potential unmarked kōiwi.
 - Ensure design protects nearby urupā and marae during flood exceedance events.
 - Focus on erosion control and native planting around floodway areas.
 - Explore cultural enhancement opportunities (mahinga kai access, waka launching areas).
 - Involve hapū/whānau in creating pou and storyboards for stopbank walkways.
 - Protect significant identified trees.
 - Additional Recommendations: Option 1C
 - Support aspirations of adjacent marae, including potential relocation or improved access.
 - Explore returning unused A&P Showgrounds land or using it for whānau relocation.
 - Additional Recommendations: Option 1D
 - Ensure Makeakea Urupā is not within the floodway path, preserve unimpeded access, improve drainage, enable native planting buffers, and conduct ecological assessment with Trust oversight.
 - Remove plantation trees on Taumataoteo No.33 before works.
 - Implement ADP and proceed carefully near known archaeological areas (Takitimu anchorage site, historic whare site).
- The recommendations from Ruataniwha Marae CIA¹⁴:
 - Data, Modelling, and Information
 - Provide all modelling for flood scenarios with the river mouth open/closed.
 - Provide the full WSP fluvial hydraulic dataset (Feb 2024).
 - Provide the July 2025 alternative modelling results.

¹³ Appendix 1 of the application - *Cultural impact assessment – proposed flood mitigation options for North Clyde, Wairoa [Options 1C and 1D]*, authored by Piripi Winiata of Ngāi Te Apatu, Ngāti Hinehika and Ngāti Kurupakiaka (Ngāti Kahungunu) and Ngāti Hikairo (Rongomaiwahine) and dated January 2025..

¹⁴ Appendix 2 of the application – *Ruataniwha Marae Cultural Impact Assessment*, authored by Ruataniwha Marae, no date.

- Provide the promised Environmental Impact Assessment (EIA).
- Partnership and Governance
 - Establish a genuine long-term partnership with Ruataniwha Marae.
 - Train and employ two Cultural Monitors for all works.
 - Ensure cultural design input from mana whenua.
- Long-Term Strategic Vision
 - Co-develop a 100-year strategy for Te Wairoa-hōpūpū-hōnengenenge-matangi-rau restoration.
 - Develop new wāhi tapu protocols and conduct five-yearly reviews.
- Resilience, Emergency Management and Infrastructure
 - Create a catchment-wide early flood-warning system.
 - Develop a Civil Defence Plan and establish Ruataniwha Marae as a Civil Defence Centre.
 - Fund marae upgrades (wharekai, wharenuī roofing, three waters).
 - Ensure culturally appropriate pre-activation communication.
- Environmental Management
 - Co-develop an Environmental Management Plan (EMP).
 - Support development of an Environmental Strategic Plan (ESP).
 - Fund environmental apprenticeships and restoration work.
 - Stabilise riverbanks around marae land.
- Land and Cultural Protection
 - Return Te Rato land purchased for the spillway.
 - Fund establishment and management of a native reserve with biodiversity restoration.
 - Protect spiritual sites, taniwha, riverbank areas, urupā, and apply tikanga procedures for discoveries.
 - Require cultural induction for all workers.
 - Conduct karakia before works begin.
 - Provide all final design data for Option 1C+.

- The recommendations from Takitimu Marae CIA¹⁵:
 - Partnership and Cultural Governance
 - Establish a robust partnership agreement reflecting Te Tiriti o Waitangi.
 - Appoint at least two Cultural Monitors with direct communication lines to project governance.
 - Develop a Cultural Monitoring Plan integrated into the Construction Management Plan.
 - Ensure all plans (ecological, planting, sediment control, ADP, H&S) receive Cultural Monitor input.
 - Protection of Cultural Sites
 - Avoid disturbance to urupā and wāhi tapu; establish clear setbacks and buffer zones.
 - Implement a comprehensive ADP with immediate cessation protocols.
 - Ensure uninterrupted access to marae/urupā, especially during tangihanga.
 - Identify and protect significant sites, puna, and waterways.
 - Tikanga, Kawa and Mātauranga Māori Requirements
 - Require tikanga-led processes, cultural induction, karakia, and cultural oversight.
 - Ensure works align with marae strategic plans and cultural values.
 - Recognise mātauranga Māori equally alongside scientific or engineering protocols.
 - Environmental and Ecological Measures
 - Fish screens, timing to avoid spawning/migration periods.
 - Riparian and wetland planting to stabilise banks and support biodiversity.
 - Strong sediment/erosion control to prevent impacts on the awa.
 - Land, Access and Resourcing
 - Avoid compulsory acquisition of Takitimu lands; allow meaningful discussions if needed.
 - Gift or return adjacent land to Takitimu for kaitiakitanga or reserve purposes.
 - Support creation of cultural spaces (pou, carvings, landscape features).
 - Provide worker development, training and procurement participation for local whānau.

¹⁵ Appendix 4 of the application – *Cultural Impact Assessment Option 1C+ Wairoa Flood Mitigation Project*, authored by Takitimu Marae and dated 27/11/2025.

- Liability and Safety
 - Guarantee liability for any spillway failure impacting marae or wāhi tapu.
- The recommendations from the Cultural Research Report¹⁶:
 - Data and Technical Transparency
 - Provide all HBRC modelling (open/closed river mouth, WSP hydraulic model, July 2025 results).
 - State explicitly how the health of Parawhenuamea and the river mouth will be measured as key cultural indicators.
 - Formalising Cultural Authority and Participation
 - Recognise Tāwhiti-ā-Maru Marae as a decision-making partner.
 - Fund and appoint Cultural Monitors with full authority to halt works.
 - Fund cultural design participation at consultant-equivalent pay rates.
 - Intergenerational Planning
 - Co-develop a 100-year ecological and cultural restoration strategy for the entire Wairoa Awa.
 - Include biodiversity, māhinga kai, cultural practices, and recreation goals.
 - Review progress every five years.
 - Marae Resilience and Infrastructure
 - Fund wharekai, wharepuni, wharepaku rebuilds.
 - Fund three-waters infrastructure.
 - Install early warning sensor systems.
 - Ensure culturally appropriate activation communications.
 - Environmental Management Frameworks
 - Release EIA and co-develop an EMP with all three marae.
 - Integrate tikanga and cultural science into governance.
 - Protection of Wāhi Tapu, Taniwha and Spiritual Sites
 - Provide absolute protection; prohibit works near significant sites.
 - Apply tikanga-led protocols for discoveries.

¹⁶ Appendix 3 of the Application – *Cultural Research Report*, authored by Mani Crawford on behalf of Tāwhiti-ā-Maru Marae and dated 14 December 2025.

- Conduct karakia before, during, and after works.
- Cultural Competency and Oversight
 - Require cultural induction for all personnel covering awa significance, marae heritage, taniwha, kawa, and safety.
 - Provide all final Option 1C+ design details.
 - Fund independent peer review.
 - Support ancestral land protection, fencing, and project management assistance for the marae.

7.5 The applicant confirmed an important factor in the design of Option 1C+ was how the protection measures were to be designed around Māori owned land so as to avoid a need uplifting those owners and occupants from their lands. Additionally, the design was developed around areas of significance, particularly urupa and marae.

7.6 That being said there is a lower lying area of project footprint between the river and Te Kopua urupa, Paeroa No 1E No 14, (see CH250-440 of the design plans) being Māori land that the proposed works is indicated to occur on (this section of alignment is yet to be confirmed), and this is located at the northern end of Stopbank 2. The current alignment at this urupa is shown on the lower lying area of this property, which is away from the higher terrace where there are obvious koiwi likelihood (currently a fenced area) of cultural importance. In the event the applicant is unable to progress this option, an alternative alignment around the landward side of the urupa will be adopted and confirmed as part of final design.

7.7 The application states¹⁷:

Although there are no recorded sites in the footprint of the proposed works it was concluded that there is a reasonable cause to suspect that sub-surface archaeological material relating to pre-1900 Māori and European activity may be encountered during earthworks. This aligns with risks identified in the CIA's and working alongside an urupa.

7.8 The OIC 2024 sets out accidental discovery protocol conditions which will be imposed and will apply if in the event an accidental archaeological discovery were to occurs.

7.9 The OIC 2024 sets out conditions requiring the consent holder to invite persons appoint representatives to be members of a stakeholder advisory group, who will have the purpose of make decisions in the consultations taking place in relation to the flood protection works. The role of the stakeholder advisory group is to inform and advise the consent holder about managing and monitoring the flood protection works.

7.10 Tātau Tātau o te Wairoa's comment (summarised above and provided in more detail in Appendix 1 below) included assessment¹⁸ (the 'Mauri Assessment') of the mauri of the proposal (Option 1C+) and it's belonging. The Mauri Assessment included consideration

¹⁷ Application section 3.4.2 page 17.

¹⁸ *Mauri Model based Assessment of the Wairoa Flood Mitigation Project*, authored by Dr Kēpa Morgan & Dr Te-Rina King-Hudson and date 2 February 2026.

against four dimensions being: Taiao (Ecosystem), Tāhua (Economic), Tangata (Community) and Tikanga (Cultural). The Mauri Assessment concluded that the consequences of Option 1C+ are significant and frustrate the capacity of Iwi and Hapū to recover from previous disasters, and that there would be a disruption of connection to place as a result of permanent engineering structures because of the infrastructure forming physical barriers between marae and their whenua, communities and waters.

7.11 Tātau Tātau o te Wairoa’s comment introduced Option 1C++, being a high-level design that weaves cultural infrastructure and stream diversions into the floodway. The Mauri Assessment identified that option 1C++ would have more positive mauri (improving the four dimensions) and belonging, improving the sense of space and connection addressing the cultural layer.

7.12 The applicant responded that they were unaware of this option and:

“while having some interest in the elements of the proposal [Option 1C++], these have been provided too late in the process to be factored into design considerations and assessments”

7.13 The applicant provided additional commentary that the scheme is a high-level spillway designed to operate in a 1 in 20-year event and is not a river diversion. River water will not gravitate through the project at design level, and therefore, wetlands, meandering streams and swimming holes cannot be fed from the river. The floodway floor anticipates keeping the spillway floor as dry as possible to manage erosion risks. Furthermore, the assets shown in the Mauri Assessment¹⁹ are outside the footprint of the project and land purchased. In addition to the above, the applicant mentioned local marae had given their feedback separately, generally in support of the project.

7.14 The proposed additions in Tātau Tātau o te Wairoa’s comments to include a stream diversion and seek to alter the design of the proposal (Option 1C+). The merits or otherwise of Option 1C++ are unable to be assessed through this OIC consent process. The applicant should explore ways in which connection to place and belonging (i.e. pou) could be incorporated into the project in location(s) that do not compromise the integrity or function of the flood protection works.

Consequential Flooding

7.15 The proposed flood protection works is designed to provide protection of land from floods up to a 100-year ARI event. The design does not include climate change.

7.16 A key potential effect of the proposal relates to consequential flooding. The application included an assessment²⁰ (CFA) and reviews²¹ of consequential flooding effects which took into consideration extensive modelling through a predicted scenarios to inform an assessment of flood hazard risk.

7.17 The consequential flooding modelling indicates an increased depth of flood waters

¹⁹ Figure 1: *Transformative Project Option 1C++* of Appendix D (*Option 1C++ Alternative*) of *Mauri Model based Assessment of the Wairoa Flood Mitigation Project*, authored by Dr Kēpa Morgan & Dr Te-Rina King-Hudson and date 2 February 2026.

²⁰ Appendix 13 of the Application – *Consequential Flooding Assessment*, authored by WSP and dated 21 November 2025.

²¹ Appendices 14 – *Consequential Flooding Assessment – Review Letter*, authored by Beca and dated 25 November 2025, and 15 of the application – *Consequential Flooding Assessment*, authored by Beca and dated 18 September 2025.

approximately 3.8km of the Wairoa River upstream from the floodway outlet than would occur under the base scenario with no protection. Figure 3 below is a replication of Figure 9 from the CFA. This shows the difference between base case and the 100-year ARI level protection.

7.18 The red area (the floodway) shows that water levels in the floodway itself will increase up to greater than 1 meter (as intended). At the immediate outlet of the flood way there will be an increase of approximately 0.25 – 0.75 m in flood water depth. And an increase of approximately 0.05-0.25 m for an approximate distance of 3.8km upstream of the floodway outlet. The majority of this flood level increase is contained within the confines and immediate margins of the Wairoa River however, increases are identified on some land immediately adjacent to the Wairoa River(i.e. the yellow and orange shading shown in Figure 3).

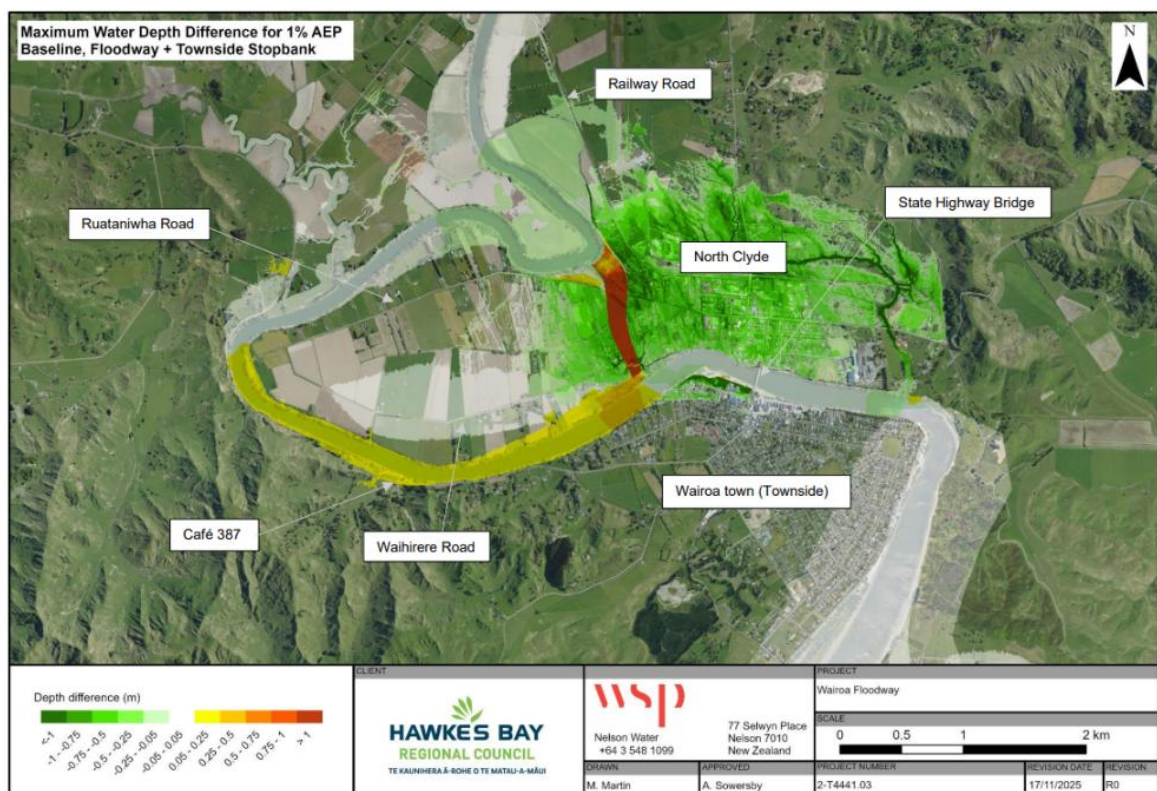


Figure 3: Flood water depth differences between no flood protection and flood protection. Green signifies a reduction in flood depth and yellow through red signifies an increase in flood water depth. Grey is no change (replicated from Figure 9 of Appendix 13)

7.19 The applicant identified that there are four buildings (none of which are dwellings) within the areas identified to receive a small increase (yellow areas – less than 0.25 m) in flood water depth and these buildings are reported as being ancillary (shed/garage) or farm buildings.

7.20 Figure 3 above shows an identified reduction of flood depth water for the majority of North Clyde and a small portion of northern Wairoa town (areas shown in green) ranging from 0.05 – 1 m.

7.21 The CFA summarised consequential flood water depth changes on urupā and marae in the

area, with the inclusion of the flood protection, there is a flood depth reduction for most marae and urupā²² and some received no change to flood depth however, the Makeakea Urupā is identified as receiving a small flood depth increase of up to 0.2m. The application explains that this urupā already experiences flooding in the base (do nothing) scenario to a depth of 1.22 m deep. The 0.2 m increase was considered by the design author as being relatively small and not likely to result in a measurable impact.

7.22 Regarding velocity, the CFA stated with the proposed measures in place there is a slight reduction in river velocity observed upstream of the floodway outlet (compared to the do-nothing base scenario). Along the Wairoa River velocity remain largely unchanged. Flow velocity and scour along the floodway and immediately downstream of the outlet at the Townside stopbank is predicted to increase. However to address this, the CFA stated²³:

“The scheme will be designed to withstand the predicted scour with a combination of grassed surfaces and engineered surfaces in high velocity areas. The townside stopbank will be setback at least 6m from the river edge away from the areas of high predicted velocities just downstream of the outlet. AS such, the consequential impacts from flood velocity and scour will be mitigated.”

7.23 The CFA (authored by WSP) evaluated the benefits of the proposal against its potential adverse effects and concluded that the consequences are acceptable.

7.24 The independent review (authored by Beca) of the CFA considers the CFA analysis and concurred with the conclusions drawn by WSP that the overall consequences of the proposed works are beneficial in reducing flood hazard overall.

Freshwater Ecology

7.25 The application states²⁴ there will disturbance to seven natural inland wetland areas and four watercourses will be affected, being a drain and a stream in the norther extent of the footprint and two southern streams. Figure 4 below (being Figure 8 from the application) identifies these features. Proposed Condition 26(b)(i)(1) *Ecological Principles* that apply the effects management hierarchy to potential adverse effects, including freshwater habitats, and excluding the drain, this condition will apply to any reclamation of these wetland and/or stream features. The applicant will need to assess the values associated with these features (except the drain) and, if necessary, offset or compensate any loss.

²² See table 4 of the CFA (Appendix 13 of the Application - *Consequential Flooding Assessment*, authored by WSP and dated 21 November 2025).

²³ Section 3.3.3 of Appendix 13 of the Application – *Consequential Flooding Assessment*, authored by WSP and dated 21 November 2025.

²⁴ Section 3.4.3 of the Application.



Figure 4: Freshwater Features.

Subsurface Drainage and Drawdown

7.26 The applicant proposes to undertake “construction site establishment works” prior to commencement of “construction works”. Construction site establishment works includes subsurface drainage of the floodway, through installation of cut off drains between 1 m to 2 m deep to draw down the groundwater ahead of the earthworks phase. Through the applicant’s response to comments, it was stated that marginal drawdown of up 250 m away from either side of the excavated length of the flood way is expected, but that this is not relevant where the stopbanks are not besides the excavated floodway. Some recommend changes to the conditions are made to reflect the need to survey wetland and stream extent prior to drainage work occurring as this work (which the applicant considers as site establishment work) could otherwise proceed prior to the CEMP and Ecological Management Plan being completed.

7.27 For completeness, section 7 of the OIC application should be referred to as it is not

repeated here in full. The applicant has proposed amendments to the standardised conditions of the OIC 2024 to better reflect the detail of the proposed activity and, with the inclusion of some recommended changes²⁵, are suitable for addressing adverse effects of the activity.

8. RELEVANT NATIONAL POLICY STATEMENTS, NATIONAL ENVIRONMENTAL STANDARDS, POLICIES AND PLANS AND OTHER STATUTORY MATTERS

8.1 Relevant plans and policies are the:

- * National Policy Statement (NPS),
- * National Environmental Standard (NES),
- * Regional Policy Statement (RPS),
- * Regional Resource Management Plan (RRMP),
- * Wairoa District Plan (WDP).

NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT 2020 – AMENDED DECEMBER 2025

8.2 The NPS-FM has the objective of ensuring that natural and physical resources are managed in a way that 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 recently amended and s104 no longer requires consent authorities to have regard to certain specified provisions of the NPS-FM.

8.4 The following policies are considered as 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 7:** The loss of river extent and values is avoided to the extent practicable.
- Policy 9:** The habitats of indigenous freshwater species are protected.

²⁵ See Appendix 2 of this report.

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 A change to s104 of the RMA now means that decision makers cannot have regard to clause 1.3(5) or 2.1 of the NPSFM 2020, which relate to the hierarchy of obligations.

8.7 The NPS-FM also seeks to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, or other water bodies 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.

NPSFM Considerations

8.8 This proposal is generally 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. All earthworks and sediment will be controlled to ensure that effects relating to the loss of sediment to the watercourses surrounding the project is avoided, remedied or mitigated.

8.9 The works will result in reclamation of stream beds and wetlands. However, the conditions require that any loss in ecological values is mitigated, offset or compensated, through application of the effects management hierarchy.

8.10 The proposed works are required and will enable people to provide for their social, economic and cultural well-being by improving major flood mitigation protection in Wairoa and cultural values have been identified and those matters within the scope of the OIC 2024 matters of control have been provided for.

8.11 Based on the above, it is considered that the proposal is consistent with the objectives and policies of the NPS-FM as it is unlikely to cause degradation of water quality or adverse effect on freshwater ecosystems.

National Policy Statement for Infrastructure 2025 (NPS-I)

8.1 The NPS-I came into force on 15 January 2026 and supports infrastructure development 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 proposed flood protection works.

8.2 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.*"

8.3 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.

8.4 The proposed flood protection works will help reduce flooding risk from natural hazards which have affected the Wairoa 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 and alterations to existing (i.e. roads) will help to reduce the adverse effects on the environment and local community which meets the requirements of Policy 9.

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

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

8.6 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 tsunamis. 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.

8.7 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 new stopbanks and a floodway, the NPS-NH is not considered applicable to this proposal. The effects associated with managing the natural hazard risk

are covered under the NPS-I for this proposal and therefore, additional 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

- 8.12 The NES for freshwater (NES-F), intends to manage activities in that relate to freshwater. 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.
- 8.13 The NES-F document does not have any specific objectives or policies. Regulation 45 requires consent for the construction of specified infrastructure in proximity to wetlands, Regulation 57 requires consent for reclamation of the bed of a river and Regulation 71 requires consent for culverts in, on, over, or under a bed of a river where it is unable to comply with conditions set out in the NES-F regulations.
- 8.14 These regulations generally set out that the effects management hierarchy be followed where specified infrastructure is to be developed in or within proximity to natural inland wetlands or where there is a functional need to reclaim a stream bed. The conditions of the OIC 2024 are consistent with this approach.

RESOURCE MANAGEMENT (NATIONAL ENVIRONMENTAL STANDARDS FOR SOURCES OF HUMAN DRINKING WATER) REGULATIONS 2007 (NES-DW)

- 8.15 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.
- 8.16 There are no down-gradient drinking water supplies within 3 km of the project site. The nearest registered water supply is the Wairoa Water Supply (Waiau River), located approximately 7 km up-stream from the works, and supplying 501 – 5,000 people.
- 8.17 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.
- 8.18 The proposal does not have the potential to affect a registered supply because there are no supplies of this nature downstream of the proposed activity.
- 8.19 Therefore, this resource consent can be granted, in accordance with sections 7 and 8 of the regulations.
- 8.20 As the proposal is not likely to affect a registered supply a condition of consent under Regulation 12 is therefore also not recommended.

REGIONAL POLICY STATEMENT (RPS)

- 8.21 The RPS provisions relating to the proposed activity are listed below and summarised.
- 8.22 **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.
- 8.23 **OBJ 25, 26 & 27** – relate to quantity of water and sustaining quality for a variety of purposes.
- 8.24 **OBJ 27A** – relates to riparian vegetation for maintaining water quality and diversity.
- 8.25 **POL 49** – management of stormwater and mitigation of effects of discharges on water quality.
- 8.26 **OBJ 31** – relate to avoidance or mitigation of adverse effects of natural hazards.
- 8.27 **OBJ 32** – the development of physical infrastructure that supports people and communities and provides for their health and safety.
- 8.28 **OBJ 34 & 35 and POL 59** – being the recognition and contribution of tikanga Māori values to sustainable development and to consult with Māori in a manner creating effective outcomes.
- 8.29 The activities as proposed are consistent with the RPS.

REGIONAL RESOURCE MANAGEMENT PLAN (RRMP)

- 8.30 The key RRMP provisions relating to the proposed activity are stated below and summarised.
- 8.31 **OBJ 40, POL 71 & 72** – relate to maintenance of water quality of specific rivers.
- 8.32 **OBJ 41, POL 73 & 74** – relate to the maintenance and management of surface water quantity, such as through setting allocation limits and managing takes with minimum flows. A minimum flow and allocation limit are not specifically set for the Wairoa River.
- 8.33 The activities as proposed are consistent with the RRMP.

Outstanding Water Bodies (OWB) Proposed Plan Change 7

- 8.34 Proposed Plan Change 7 (Outstanding Water Bodies (OWB)) was notified on 31 August 2019 and decision (Environment Court decision issued May 2025) is now operative. OWB proposes to incorporate outstanding water bodies in the region into the RRMP. There are no outstanding water bodies as listed within OWB within the area of works. Therefore, the provisions of OWB are not applicable to this proposal.

WAIROA DISTRICT PLAN (WDP)

- 8.35 The WDP provides the means to manage the effects of the use, development and protection of the natural and physical resources within the Wairoa District. Assessment of the WDP provisions relating to the proposal are assessed separately by WDC. The WDC

assessment has been provided separately to the Hearings Commissioner and should be referred to.

SECTION 104(c) OTHER MATTERS

8.36 An independent review was commissioned by HBRC in late July 2023 to investigate the circumstances and contributing factors that led to flooding during Cyclone Gabrielle. The Hawke's Bay Independent Flood Review (HBIFR) presented their report, containing 47 recommendations, to HBRC Councillors on 24 July 2024.²⁶

8.37 The report sets out that Cyclone Gabrielle (February 2023) caused record-breaking rainfall and resulted in catastrophic flooding across Hawke's Bay. Wairoa was among the areas significantly affected by this event and experienced 450 millimetres of rainfall. Cyclone Gabrielle resulted in the loss of life, widespread property and infrastructure damage, and highlighted significant gaps in flood risk management and planning.

8.38 A review project for Wairoa indicated that no stopbank protection is currently in place. The HBIFR also stated that the condition of the river mouth had very little influence on flooding in North Clyde due to the approximate 7m elevation of river water levels at the North Clyde which would have flowed over the high point at the river mouth. Therefore, blocking the mouth completely would not have resulted in flooding at North Clyde in that event. River mouth condition and location is thought to have played a role in subsequent floods, and is closely monitored and managed by HBRC.

8.39 The HBIFR made a number of recommendations including:

- Prioritising the objective of safely conveying large floods from the mountains to the sea in order to minimise and prevent damage from floods and erosion,
- Making room for rivers through use of secondary systems such as spillways and diversions,
- Partnering with mana whenua groups to look into options to render marae and papakāinga communities safe and sustainable into the future, and
- Communicating and collaborating with communities, mana whenua and stakeholders in development of flood risk solutions.

SECTION 105

8.40 Section 105(1) of the RMA 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:

- a) *The nature of the discharge, the sensitivity of the receiving environment, and the applicant's reasons for making the proposed choice; and*
- b) *The applicant's reasons for the proposed choice; and*

²⁶ <https://www.hbrc.govt.nz/assets/Document-Library/Cyclone-Gabrielle/Report-of-the-Hawkes-Bay-Independent-Flood-Review-Digital-Version.pdf>

c) *Any possible alternative methods of discharge including discharge into any other receiving environment.*

8.41 The nature of the discharge is addressed in section 7 of this report and the applicant's reasons for the proposed choice are addressed in section 2 of this report.

8.42 The receiving environment is the Wairoa River. The matters of control and recommended amendments to the conditions set out by [Schedule 2](#) of the OIC 2024 and the proposed by the applicant subject to recommended changes (set out in appendix/set out below) are considered appropriate for managing any potential adverse effects of the activity.

SECTION 107

8.43 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.”

8.44 The proposed discharge is considered unlikely to result in any of these effects and will be temporary in nature, occurring over the course of construction. Consent can therefore be granted.

RMA PART 2 CONSIDERATION

8.45 With regard to Part 2 of the RMA, the OIC application seeks to undertake works to sustainably manage the effects from natural hazards on communities and in doing so proposes to avoid, remedy or mitigate adverse effects associated with the activity. The applicant has undertaken consultation with local stakeholders in the proximity of the works, and in particular consulted with members of local Marae to identify matters of cultural significance and address those throughout the evolution of the proposal.

8.46 Section 6(h) provides for the management of significant risks for natural hazards as a matter of national importance, and the works will assist in achieving that for the Wairoa and North Clyde communities.

- 8.47 The consultation as set out in the OIC 2024 has been undertaken with all stakeholders and appropriate mana whenua. Also, ongoing engagement with mana whenua is promoted through the conditions listed in Schedule 2 of the OIC 2024.
- 8.48 Section 6(e), 7(a) and 8 of Part 2 state the decision maker shall recognise the relationship of Māori and their culture and traditions with their ancestral lands, waters, sites, wāhi tapu, and other taonga, have regard to kaitiakitanga, and take into account the Principles of the Treaty of Waitangi. Previous option 1C was abandoned due to wāhi tapu sites being situated within the project footprint. The proposed option 1C+ footprint is not situated over any known archaeological sites or wāhi tapu or wāhi taonga, although the works will be within proximity to known urupa. Ongoing cultural input is required through conditions of consent.
- 8.49 In response to some comments, it is noted that Clause 5 of the OIC 2024 purposefully enables *flood protection works* (as defined by Clause 6 of the OIC 2024) to utilise a bespoke consenting pathway which intentionally differs from the ‘standard’ RMA consent process. The OIC 2024 was first enacted on 27 May 2024 by the Governor-General and processing of this consent application has been undertaken in accordance with all relevant clauses of the OIC 2024 and therefore, is consistent with Part 2 of the RMA.
- 8.50 The intention of the OIC is set out in its Explanatory Notes, which explain that: *“Streamlining the [consent] process is necessary to ensure that the works can progress by restoring land, safeguarding property, and building resilience in affected communities. Similarly, the streamlined consent process also makes it possible to complete necessary flood protection works in an expedient way, allowing work to begin quickly on long-term safety improvements. This approach reflects the purposes of the SWERLA as the flood protection works are necessary safety enhancements to address dangers posed by flooding in future severe weather events.”*
- 8.51 The explanatory notes also state that the *“conditions and matters of control are designed to ensure that consenting is expedited and clearly limited to the overall goals and purposes of the SWERLA”*.
- 8.52 In the light of the above objectives and policies combined with the recommendations included in section 5 above, the activities overall are considered to be consistent with Part 2 of the RMA.

9. CONDITIONS OF CONSENT

- 9.1 The applicant has proposed conditions of consent that include amendments from those that are set out in Schedule 2 of the OIC 2024.
- 9.2 The proposed conditions agreed with by the reporting officer have been included as Appendix 2 attached to this report. The applicant's comments on recommended changes to conditions have been provided to the commissioner in full. Additionally, a suggestion has been made as to which consent authority each condition relates to, for compliance purposes.

10. MONITORING

10.1 The applicant has proposed monitoring conditions in accordance with Schedule 2 of the OIC 2024. The monitoring proposed is intended to:

- Support the Māori entities representatives undertaking their role
- Provide advice for access solutions across the stop bank
- Provide advice to those preparing the Communications Plan and Ecology Management Plan
- Provide the applicant with on-site guidance to 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
- Develop and implement a communications plan for the duration of the construction works
- 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

10.2 As previously mentioned, the applicant has proposed conditions relating to monitoring relating to the above matters. Appendix 10 of the application contains an extensive list of conditions and should be referred to in full for completeness (but note Appendix 2 of this report for the changes recommended by HBRC (regional consent authority)).

MONITORING BY COUNCIL

10.3 In addition to the sampling and analysis to be carried out by the consent holder, HBRC (regional consent authority) staff will carry out the following monitoring:

- 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 2024, the following durations are recommended as follows:

Authorisation No:	Activity Description	Activity Type:	Duration
AUTH-132788-01	To reclaim part of streams to form a floodway	Land Use Consent	5 years
AUTH-133232-01	Vegetation and clearance soil disturbance	Land Use Consent	
AUTH-133233-01	To construct specified infrastructure affecting wetlands and to install culverts and stormwater outlets and scour protection solutions	Land Use Consent	
AUTH-133234-01	To discharge drainage water (during construction and operational) and to discharge solid contaminants within 20 of a surface water body for the construction of stopbanks flood mitigation measures	Discharge Permit	
AUTH-133235-01	To discharge dust associated with the construction works	Discharge Permit	
AUTH-133238-01	To divert water from the Wairoa River during times of flood arising from the stopbanks / floodway	Water Permit	
AUTH-133239-01	To take and use surface water from the Wairoa River and drainage water for construction and dust suppression purposes	Water Permit	
AUTH-133240-01	To take and use groundwater (relating to the 'take' of drainage water for construction and dust suppression purposes)	Water Permit	
AUTH-133241-01	To discharge sediment laden water to land or water	Discharge Permit	
AUTH-133244-01	To undertake planting and other activities not deemed to comply with permitted activity rules in section 6.8 of the Regional Resource Management Plan	Land Use Consent	

12. CONCLUSION

12.1 In conclusion the recommendation of the reporting officer that the resource consents, as attached, be granted to undertake flood protection works within the delineated OIC footprint at Wairoa subject to the recommended conditions of consent.

13. RECOMMENDATIONS

13.1 Clause 8 of the OIC 2024 requires applications made in accordance with the OIC 2024 be treated as a controlled activity. In accordance with the RMA 1991, resource consent applications (the OIC application) for controlled activities 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 2024. The above comments and recommendations are therefore made to the hearing commissioner for consideration in accordance with Clause 15, 16 and 17 of the OIC 2024 and s104A of the RMA.

Recommending Planner



Brandon Baillie
Senior Consents Planner
POLICY AND REGULATION GROUP

13 February 2026

Reviewed By



Paul Barrett
Manager Consents
POLICY AND REGULATION GROUP

13 February 2026

Appendices

1. Summary of Comments and Responses
2. Conditions of Consent

Appendix 1: Comments Summary and Response

Note: The applicant (who had been supplied the comments in full) provided a response to some of those matters raised through comments on 9 February 2026 and these responses have been included in the below table.

Commentor	Issues Raised	Relief Sought	Response to Comment
Comment #1 – Hari Campbell ('Immediately affected')	<ul style="list-style-type: none"> * Concern about potential impacts of flood water discharge and associated erosion * Clarification and assurance of: <ul style="list-style-type: none"> - Prevention of erosion or other damage to properties opposite works - Who is responsible for: <ul style="list-style-type: none"> > monitoring, > enforcement > maintaining erosion and flood mitigation measures - The responsible party for rectifying damage and covering associated costs (if damage were to occur as a result of the works). 	<ul style="list-style-type: none"> * That the issues raised be addressed and conditions explicitly ensure protection of adjacent properties. * Request a response to the concerns raised prior to issuing of a decision. * Proposed additional conditions: <ul style="list-style-type: none"> - Erosion and flood protection - Monitoring and oversight - Notification of discharge events - Liability and remediation - Documentation 	<ul style="list-style-type: none"> * Regarding the request for a response to the concerns raised, this was passed onto the applicant to directly address this request. * Largely, the conditions sought (erosion prevention, erosion mitigation, flood mitigations, responsible parties, monitoring and document circulation and certification) are already reflected in Schedule 2 of the OIC and the application in one way or another (particularly through the design and construction phases). The regional consent is for a 5 year period and focuses on design and construction. The works will become an HBRC (applicant) asset that is managed, monitored and maintained under an Asset Management Plan. It is not possible to include conditions that extend past the duration of consent, for example on long term monitoring. * HBRC and WDC will be the consent authorities responsible for checking compliance with the respective conditions of consent over the duration of the consent. * The application has a focus on preventing scour and has described several measures prevent or minimise scour resulting from the floodway. These have been included in the design, particularly at high risk areas such as the inlet and outlet, and will be constructed. The design report²⁷ sets out grass will be the primary form of erosion protection. * Any evacuation protocols will be determined by Civil Defence Emergency Management (CDEM) and this falls outside the matters of control of 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. The floodway 'activates' at approximately a 30-year ARI flood event and there is no formal process for 'opening' the floodway to allow flows to enter (or prevent from entering the floodway). * The OIC legislation limits consents to a 5-year duration so ongoing liability and remediation is outside the scope of this process. The applicant has advised that the assets of the Wairoa Flood Mitigation Scheme will be managed by the applicant and will be subject to the applicant's asset monitoring and maintenance regime defined in a specific asset management plan covering all stopbanks and flood control assets.

²⁷ Appendix 9 of the application - Developed Concept Design Report, authored by WSP, and dated 10 December 2025.

<p>Comment #2 – Blair Ferguson (‘Immediately adjoining’)</p>	<ul style="list-style-type: none"> * Unequivocally opposes the application. * Misuse of emergency recovery power to authorise permanent works without the same tests as the RMA. * Improper reliance on emergency provisions to circumvent standard RMA process and undermines the principles of the RMA. * Long-term re-engineering of the Wairoa River with potentially irreversible consequences. * Inadequate assessment of downstream and cumulative effects. * Inadequate assessment of environmental effects or demonstration of compliance with RMA Part 2 provisions, national standards and obligations to avoid, remedy or mitigate. * Mitigation is asserted rather than proven, and measures proposed (monitoring and management plans) are not substitutes for proper avoidance. * Unacceptable risk to private land and community assets. * Who bears liability if works fail or flooding worsens. * Unclearly regarding compensation or remediation should land stability or useability be reduced. * Concern that accountability and conditions are not enforceable. * Lack of consultation and public participation in the process is meaningless and inconsistent with the RMA. 	<ul style="list-style-type: none"> * The application be declined. * Application should not proceed unless and until: <ul style="list-style-type: none"> - an independent assessment of downstream and cumulative effects is undertaken. - evaluation of alternative mitigation options. - binding liability, monitoring and remediation conditions are imposed. - normal RMA rights are restored. 	<ul style="list-style-type: none"> * In accordance with the OIC 2024, the proposed activity is a controlled activity and therefore cannot be declined and must be granted. * A number of the issues raised relate to the standard RMA process. The OIC 2024 is its own piece of legislation that purposefully diverges from the standard RMA process, as a number of RMA provisions are amended by this legislation, particularly the information required for an application, the timeframe and procedure of an application, the consultation/‘notification’ required to occur, the assessment of an application and the conditions that can be imposed. * The proposed works have been independently designed by WSP²⁸ and the consequential flooding effects assessment reviewed by independent experts (BECA²⁹). * Given the scale and high-level nature of projects made under the OIC 2024, conditions of consent require a number of management plans detailing mitigations and measures to avoid, remedy and mitigate effects of the proposals. * As per the peer BECA’s peer review, the conclusion that the overall consequences of the proposed works are beneficial in reducing flood hazard overall. * The applicant is responsible for ensuring they comply with the conditions of consent and both HBRC and WDC consent authorities are responsible for compliance monitoring of the activity during the duration of the consents. * Compensation of land is outside the scope of this process and instead will need to be considered through private agreements / the public works process.
<p>Comment #3 - Kitea Tipuna (on behalf of Joyce Kotui) (‘Immediately adjoining’)</p>		<ul style="list-style-type: none"> * Seek that project have no adverse effects that might negatively affect their property, such as, earthworks, dust, noise, drainage water, soil erosion, vibrations during construction and construction (particularly times of construction and construction traffic). * Seek to be communicated with for the life of the project. 	<ul style="list-style-type: none"> * Conditions are set out to avoid adverse effects where practicable and otherwise manage (remedy, mitigate, etc) adverse effects including through development of the CEMP, effects arising from dust, noise and vibration. * Conditions enable a representative to be included in the Stakeholder Advisory Group. * Conditions enable communications during the construction phase of the project to the Stakeholder Advisory Group and additional parties.

²⁸ Appendices 9 and 13 of the Application.

²⁹ Appendices 14 and 15 of the Application.

		* For a representative of their whanau to be added to the stakeholder group to ensure effective communications	
Comment #4 – Kitea Tipuna (Taumataoteo 19B4 Maori Land Trust and descendants and whanau of beneficial owners) (‘Immediately adjoining’)		* Seek no adverse effects that might negatively impact upon Maori Land Block Taumataoteo 19B4 relating to: soil erosion, water runoff, earthworks etc. * Seek no adverse effects relating to access to the Wairoa River via this block for purposes of gathering kai.	* Conditions of consent will be imposed to appropriately manage effects of earthworks and erosion and sediment controls. * The downstream end of the flood way is proposed on property adjacent to this parcel of land and works will be required at/near the boundary of this property for the construction of the concrete channel, concrete wall and concrete slab for the baffles (approximately chainage 1430 – 1513 of stopbank 1). However, it is not anticipated that works would change the existing level of access from this property (Taumataoteo 19B4 Block) to the Wairoa River. This comment was passed onto the applicant who confirmed that that there will be no impacts on access to 19B4 block land.
Comment #5 – Ashby Pearse (‘Immediately affected and immediately adjoining’)	* This property has not flooded previously but stormwater does pond. Concerned the new stopbank on their property will prevent stormwater draining from their property and may enter house. * Existing stormwater flooding doesn’t appear to be considered in the consequential flooding reports.	* Install new drainage pipes into the stopbank.	* The applicant stated WSP has advised that the stormwater design will achieve at a minimum an equivalent level of service compared to the existing situation. * Figure 9 of the consequential flooding report ³⁰ identifies the areas where a change (increase shown in warmer colours) in flood depth as a result of the proposal is to occur and there is a modelled increase on the commenter’s property at the river’s edge restricted by the proposed townside stopbank.
Comment #6 – New Zealand Transport Agency (NZTA) (Greater interest party)	* Have no further concerns regarding the design or scope.		
Comment #7 – John and Donna Waihape (‘Immediately adjoining’)	* Clarification and assurance of: - Stream running through property will be diverted to a box drain - Whether the installation of municipal wastewater infrastructure would result in	* Seek to be involved and included with all aspects for the project duration to represent Whanau. * Seek that project have no adverse effects that might negatively affect their property, such as, dust, noise, water runoff and vibrations.	* Conditions enable a representative to be included in the Stakeholder Advisory Group. * Conditions are set out to avoid, mitigate or remedy effects of the project as far as reasonably practicable. * Conditions of consent will be imposed to appropriately manage effects of earthworks and erosion and sediment controls.

³⁰ Appendix 13 of the Application.

	<p>abandonment of septic tank and cesspits for all residences</p> <ul style="list-style-type: none"> - Ensure sufficient structures and materials used to ensure no current or future negative impact on land. 		<ul style="list-style-type: none"> * Regarding the clarification sought on the diversion of stream running through this property (Taumataoteo 19B1, 19B2 and 19B4 blocks (immediately adjoining ref #112, #89 and #113)); this comment was passed onto the applicant who stated that WSP advised that the stormwater design will achieve at a minimum an equivalent level of service compared to the existing situation. * Regarding the municipal wastewater to be installed along Waihirere Road; this comment was also passed on to the applicant who clarified that the reference to municipal wastewater infrastructure in Section 3.4.7 of the application is an error. There is no municipal wastewater infrastructure in Waihirere Road. * The applicant has stated that WSP has advised that all the structures and material elements required to achieve the detailed design will be specified within the Technical Specifications for the contractor to meet. Materials will be suitable for their design purposes and environment .
<p>Comment #8 - Tania Te Whenua</p> <p>(Greater interest party)</p>	<ul style="list-style-type: none"> * Floodway design increases downstream erosion risk * Location of heightened vulnerability where additional velocity and scour effects cannot be reasonably absorbed without targeted, site-specific mitigation * Assessment lacks property specific modelling-specific modelling * Proposal fails to demonstrate RMA compliance sections 5, 30 and 104 (erosion on private land). 	<ul style="list-style-type: none"> * Additional consenting requirements for monitoring and adaptive management * Require an engineered stop bank and bank armouring system on the north riverbank * Install large woody debris/root-wad revetments * Vegetation reinforcement strategy. 	<ul style="list-style-type: none"> * Conditions are set out to avoid, mitigate or remedy effects of the project as far as reasonably practicable. * Some of the requested conditions and amendment to conditions are out of scope for this process and could be considered through private agreements. * The design of the flood protection infrastructure design has been developed with input from stakeholders and assessed by engineers. The stopbanks are designed to prevent scour and erosion. Consent has been lodged under the OIC 2024 for the flood protection infrastructure outlined in the application. * The OIC 2024 legislation modifies provisions of the RMA and therefore, the application information and process differs from that of 'standard' RMA applications. * Once accepted in accordance with OIC 2024 Clause 12, an OIC consent application must be granted as a controlled activity in accordance with clause 8(2) of the OIC. * The applicant has stated that the assets of the Wairoa Flood Mitigation Scheme will be managed by the applicant and will be subject to the applicant's monitoring and maintenance regime defined in a specific asset management plan covering all stopbanks and flood control assets.
<p>Comment #9 – Te Tumu Paeroa</p> <p>(Immediately adjoining and greater interest party)</p>	<ul style="list-style-type: none"> * Concerned that the proposed floodway will alter the existing hydrological function of land near the floodway and this impact has not been fully considered. * Shallow groundwater table will need to be lowered below finished levels of floodway. * Construction-related water takes may also adversely affect local hydrological function. * Proposed floodway may increase natural hazard risk and adversely affect the ongoing and future use of the land . * Increased flooding depth on land due to floodway. 	<ul style="list-style-type: none"> * Recommendation of conditions for further hydrological and risk assessments, dewatering, adaptive management and monitoring framework. * Provide Māori Trustee with updated assessments and sufficient time to provide written feedback. * Compensation of affected land. 	<ul style="list-style-type: none"> * Some of the requested conditions and amendment to conditions are out of scope for this process and could be considered through private agreements (e.g compensation, land acquisition, access arrangements). * The OIC 2024 stipulates a maximum 5-year duration for this consent therefore, adaptive management, monitoring and review outside is not within the scope of this process. These could be considered through the Asset Management Plan process. * Monitoring is proposed during the construction of the flood works. Water takes for construction will be temporary and measurement and monitoring will be required in accordance with the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010. Changes to the proposed conditions are recommended to ensure adequate monitoring and fish screening occurs. * The design of the OIC consent has been developed with stakeholders and engineers. The project has been independently designed and reviewed. * Regarding groundwater levels – the applicant stated that WSP has advised that the groundwater table must be permanently lowered to prevent the floodway

			<p>(and associated infrastructure) from being inundated. The groundwater table will be dropped approximately 1m below the floodway finished levels. WSP expect the resulting groundwater table drawdown to be marginal 250 m away either side of the excavated length of the floodway (but this is not relevant where the stopbanks are not beside the excavated floodway).</p> <ul style="list-style-type: none"> * Conditions are set out to avoid, mitigate or remedy effects of the project as far as reasonably practicable. * Conditions enable a representative to be included in the Stakeholder Advisory Group. * Compensation for lost land development potential, and access to private land are not a matter of control under the OIC conditions, and this will need to be considered through a private agreement. * Conditions require cultural indicators to be identified and taken into account when developing management plans and report back to Māori entities representatives. * Land uses within the floodway will be impacted by the excavation and compaction of soil/material to lower the floodway, through the installation of the reno mattress and concrete slab near the upstream end of the floodway, the baffles at the outlet, willow planting, and at times of higher flows, when the floodway is activated (approximately a 30-yea ARI event) and will be limited to bailage / low-intensity grazing. If land is not required by the applicant, the applicant will address impacts through land access agreements. Land ownership and access, and associated compensation will need to be addressed outside the OIC consent process. * Regarding avoidance, mitigation or remedy of potential adverse effects on use of land in which works are carried out on, the applicant stated most land within the spillway footprint is being purchased for the project. For land HBRC will own, HBRC will have a maintenance obligation to ensure the scheme standards are maintained, examples being mowing, light grazing. There are some sections of land where easements are being used as the mechanism to allow the scheme assets to be constructed, protected and access provided for maintenance.
<p>Comment #10 – Tātau Tātau o Te Wairoa (TToTW) (Māori entity)</p>	<ul style="list-style-type: none"> * States the design is hydrological intervention and does not adequately address cultural context * Creation of New Risks & Inequity (I.e. Ruataniwha and Hinemihi marae functional isolation) * Narrow Solution to a Systemic Challenge – addresses single symptom not broader drivers of vulnerability * Belief that a new option (Option 1C++) has greater net gain in wellbeing, connection and resilience. * Insufficient time taken to enable TToTW to provide input. * Option 1C+ in conflict with traditional and ecological values, potential to degrade mauri and fails to demonstrate 	<ul style="list-style-type: none"> * Formal 5-yearly reviews of design assumptions and a comprehensive catchment-wide flood resilience strategy * Creating community resilience hubs at Ruataniwha and Tākitimu marae * Early warning and ecosystem monitoring systems * Incorporating ecosystem enhancements and cultural features * There is potential for the project to have mauri-enhancing ecological and cultural provisions that could ensure the engineering resilience works contribute positively to holistic well beings. * A multifaceted approach be taken seeking holistic understanding of natural processes and the cultural values. * That ‘Te Whakarukea o Tawhirimatea’, a holistic cultural model for understanding environmental relationships and balance; and, the ‘Ngōiro 	<ul style="list-style-type: none"> * Some of the requested conditions and amendment to conditions are out of scope for this process but could be considered through private agreements. * Any evacuation protocols will be determined by Civil Defense Emergency Management (CDEM) and this falls outside of the scope of the OIC process. The need for ongoing flood monitoring, early warning systems and evacuation protocols is considered to also fall outside the OIC scope, as this consent is only for a 5-year duration as outlined under clause 20-21 of the OIC. * Conditions are proposed to manage ecological loss and include requirements for the management and works undertaken to be communicated through the STAG and CEMP processes. * Conditions require cultural indicators to be identified and taken into account when developing management plans and report back to Māori entities representatives. * Wider catchment matters such as river mouth management, sediment loading from eroding upstream landscapes and degraded riparian margins are outside of the OIC 2024 delineated footprint are outside the scope of this application as it is not within the delineated footprint set out in Schedule 1 of the OIC 2024

	<p>reciprocal relationship with whenua (land) and wai (water).</p> <ul style="list-style-type: none"> * TToTW rejects the Option 1C+. But Option 1C++ represents integrated cultural interactions and ecological enhancement. * Additional assessment is necessary for protection of entire community (beyond North Clyde) and catchment-wide drivers such as river mouth management, sediment loading from erosion and degraded riparian margins. * Uncertainty in design and climate change projections. * The works will impact how whanau and hapu interact with their land. * Incorporating nature-based solutions with hard-engineering options will enhance environment's own response. Belief that option 1C++ enables the 'softening' of engineering structures, reconnects people to whenua (land) and wai (water), helps mitigate temperature and supports groundwater resilience. * Hold a view that option 1C+ having inequitable distribution of benefits and costs. * Concerns that the OIC 2024 process defies Declaration on the Rights of Indigenous Peoples. And mentions the Aashukan Declaration (2017) as being Indigenous best practice. * Of the view that fundamental issues are that Option 1C+ is misaligned from a cultural and policy perspective. * Believe the selected option will have persistent negative cultural effects. * The Morgan & King-Hudson 2026 report has assessed the mauri of Option 1C+ against a number of criteria, being Tāhua (economic), Tikanga (cultural), Taiao (ecosystem) and Tangata (community) dimensions. 	<p>Principles' ethical lenses and action for stewardship and design supporting traditional practices, be integrated to address impacts on the wider catchment.</p> <ul style="list-style-type: none"> * Morgan & King-Hudson 2026 report interprets how mauri-informed enhancements could be achieved. * 'Māori-o-meter' used to identify mauri outcomes of options. * That the recommendation of the Morgan & King-Hudson 2026 report be adopted and Option 1C++ embrace the mauri-enhancing mechanisms. * Enhancements of option 1C++ and any further design be reviewed by approved mana whenua. * 5-yearly review of infrastructure design, capability and functioning. * Cultural monitoring be provided following completion of project and events. * To review draft conditions. * * Re-design the proposal with infrastructure should be designed into cultural landscapes and not over it. * Request abandonment of option 1C+ in its current form. <ul style="list-style-type: none"> * Cultural outcomes be treated as a non-negotiable, physical connection to the awa. 	<p>and/or matters of control and therefore cannot be considered as part of this application.</p> <ul style="list-style-type: none"> * Conditions enable a representative to be included in the Stakeholder Advisory Group. * As set out in the act's Explanatory Notes of the OIC 2024 purposefully sets out an amended consent pathway that differs from the 'standard' RMA process. This intentionally expedites and narrows the consenting process so as to enable consents for flood protection works to be gained without delays that may have occurred under a 'normal' RMA process. * In response to comments, the applicant confirmed that the land on which the stopbanks and floodway are to be constructed, are not situated on Māori Freehold Land except for Paeroa No 1E No 14 (urupa), located at the northern most extent of the project. It is also understood that layout of the infrastructure has been designed to avoid Māori Freehold Land as far as practicable so as to avoid impacts on those areas and the values associated with them. * The Morgan & King-Hudson 2026 report largely relates to assessment of mauri. This assessment and use of the mauri-o-meter appear to utilise a number of factors that are either located outside of the OIC 2024 delineated footprint (i.e. mouth bar hydraulics) or are matters that are out of scope (i.e. pest management efficacy) and that relate to a holistic/wider catchment approach. The scope of this assessment is restricted to the proposed works within the delineated footprint set out in schedule 1 and the matters of control set out in Schedule 3 of the OIC 2024. Despite this, the reports and assessments included in this comment have been passed onto the applicant to consider as part of the detailed design of the project. * The OIC 2024 consent process does not enable a complete overhaul and redesign of the proposed option. The OIC process provides for a flood protection scheme to be advanced by the applicant as a controlled activity (i.e. must be approved, subject to conditions), after required consultation with the affected community and specified parties has occurred. * Following receipt of this comment, the applicant was asked to provide a response on the proposed Option 1C++,. The response listed reasons why the measures proposed through Tātau Tātau o te Wairoa's Option 1C++ could not be included into the design, including but not limited to: <ul style="list-style-type: none"> ○ <i>This scheme being a high level spillway designed to operate in a 1 in 20 – 30 year ARI event, not a river diversion.</i> ○ <i>River water will not gravitate through the project at current design levels.</i> ○ <i>Wetlands, meandering streams and swimming holes can't be fed from the river, as designed.</i> ○ <i>The spillway design anticipates keeping the spillway floor as dry as possible to manage erosion risks so is inconsistent with proposed permanent water features.</i> ○ <i>Assets proposed are shown outside the footprint of the project and land purchased.</i> ○ <i>Local marae have given their feedback separately, generally in support of the project.</i> ○ <i>Tatau Tatau are a tripartite member and have been aware of the current alignment for more a year.</i>
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			<ul style="list-style-type: none"> ○ <i>Costs for the 1C++ alternative are estimated at \$10.1m and are not budgeted in the project.</i>
<p>Comment #11 – KiwiRail (Received late)</p> <p>(Network utility operator and 'immediately affected')</p>	<ul style="list-style-type: none"> • No physical works proposed adjacent to or within the PNGL railway corridor • No discharge from construction activities, nor storage of contaminated material, should occur near or in proximity to the railway track • The proposed stop bank will obstruct the existing overland flow path • proposal appears to lack consideration of climate change impacts and seismic risk • north-west and south-west flooding extents do not improve with the introduction of the new floodway. 	<ul style="list-style-type: none"> • Confirmation whether a risk assessment of slope instability or liquefaction has been undertaken. • Confirmation if climate change conditions will be included. • Any anticipated drawdown or change in groundwater levels near the railway corridor as a result of works? • Confirm the full extent of Stop bank 2 and whether there are any works within railway corridor. • Is there actual flood data available from Cyclone Gabrielle or other comparable flood events that have been used to validate or compare against the predicted modelling results? 	<ul style="list-style-type: none"> • Proposed stopbanks and floodway do not appear to be located within the Palmerston North – Gisborne railway corridor. • Regarding liquefaction - the applicant mentioned in response to comments that WSP advised the liquefaction risk assessment, associated with seismic events, has been carried out during the concept design phase (Refer to section 3.1.4 of Wairoa Flood Mitigation Concept Design Report_Rev4, WSP, 10/12/2025), and will be updated during the detailed design phase. • Regarding climate change the applicant mentioned in response to comments that WSP advised climate change has not been incorporated within the design. • Regarding groundwater level the applicant mentioned in response to comments that WSP advised Groundwater table drawdown is expected to be marginal 250m away from the floodway. The railway corridor will not be affected, except for the section within this 250m buffer. In that area, the groundwater table drawdown is expected to be approximately 0.5m. • There was no exceedances of human health or environmental criteria in relation to contaminated land, therefore there will not be any discharge of contaminated soil within proximity to railway corridor, • Regarding flood data, and following the comments from Kiwi Rail, WSP confirmed that the flood model was validated against the Cyclone Gabrielle and the March 2022 events.

Appendix 2: Conditions of Consent

The recommended conditions relating to the works are as follows:

Conditions			
Overarching Condition Number and the Consent Authority to manage compliance	Proposed by Applicant (amendments underlined in blue proposed by applicant on 22 December 2025)	Suggested changes from applicant's proposed conditions or additional conditions by HBRC in red and by WDC in purple	HBRC WDC Comment
Preliminary Matters			
1. HBRC WDC	<p>Compliance with specified documents accompanying consent application</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>i. <u>Wairoa Flood Mitigation Project, Developed Concept Design Report, 10 December 2025, [consent authority to complete];</u></p> <p>ii. [consent authority to complete];</p> <p>iii. [consent authority to complete];</p> <p>iv. [consent authority to complete];</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>Compliance with specified documents accompanying consent application</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>i. <u>'Resource Consent Application For Flood Mitigation Works, Wairoa, Hawke's Bay Regional Council', authored by Stradegy and dated 15 December 2025.</u></p> <p>ii. <u>Wairoa Flood Mitigation Project, Developed Concept Design Report, 10 December 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>It is recommended to include additional key documents provided in the reference of the conditions for completeness.</p> <p>WDC agree with change to this comment.</p>
1B	<u>Tracking changes in the design process</u>	<u>Tracking changes in the design process</u>	

<p>HBRC WDC</p>	<p><u>Changes that occur between developed concept 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 with” 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, and shall include:</u></p> <ul style="list-style-type: none"> <u>i. Establishment of an access over the townside stopbank to facilitate watercraft and public uses,</u> <u>ii. Solutions for the relocation and/or re-establishment of affected park facilities in Alexander Park as part of the construction works, unless otherwise agreed with Wairoa District Council.</u> 	<ul style="list-style-type: none"> <u>a) Changes that occur between developed concept 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> <u>b) In this context, “in accordance with” 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> <u>c) The Final Design Report and final design plans shall be provided to the Hawke’s Bay Regional Council (Manager Compliance) and Wairoa District Council (Compliance Manager) at least 5 10 working days prior to construction commencing, and shall include:</u> <ul style="list-style-type: none"> <u>i. Establishment of an access over the townside stopbank to facilitate watercraft and public uses,</u> <u>ii. Solutions for the relocation and/or re-establishment of affected park facilities in Alexander Park as part of the construction works, unless otherwise agreed with Wairoa District Council.</u> 	<p>Inclusion of requirement for final design plans to be provided to both consent authorities.</p> <p>WDC agrees with change to this comment.</p> <p>Minimum 5 WD timeframe for circulation of plans prior to works commencing.</p> <p>WDC does not have a Manager of Compliance or a Planning Manager, therefore recommendation to include in the consent definitions the following: “Manager(s) Compliance means the person employed by HBRC as manager of compliance or in the case of WDC, the Group Manager of Planning and Regulatory or their respective nominee.”</p> <p>10 working days proposed as it allows more comprehensive review of documentation.</p> <p>Correction to ‘Alexandra’ park.</p>
<p>1C. HBRC</p>	<p><u>Dewatering during Establishment of Construction Site Works</u></p> <ul style="list-style-type: none"> <u>a) This condition applies if dewatering or subsurface drainage is undertaken as part of establishment</u> 	<p><u>Dewatering during Establishment of Construction Site Works</u></p> <ul style="list-style-type: none"> <u>a) This condition applies if dewatering or subsurface drainage is undertaken as part of establishment of construction site works.</u> 	

	<p><u>of construction site works.</u></p> <p>b) <u>Prior to commencement of the dewatering or subsurface drainage activity, the consent holder must provide the following to the Hawke's Bay Regional Council (Manager Compliance):</u></p> <p>i. <u>A description of the dewatering or subsurface drainage methodology and plan showing features.</u></p> <p>ii. <u>A sediment control and environmental management plan.</u></p>	<p>b) <u>At least 5 working days prior to commencement of the dewatering or subsurface drainage activity, the consent holder must provide the following to the Hawke's Bay Regional Council (Manager Compliance):</u></p> <p>i. <u>A description of the dewatering or subsurface drainage methodology and plan showing key drainage features including discharge points.</u></p> <p>ii. <u>A sediment control and environmental management plan.</u></p> <p>iii. <u>Confirmation that ecological survey as required by condition 27.a) iii – v. has occurred.</u></p>	<p>Inclusion of minimum timeframe for information to be circulated prior to specific works.</p> <p>Clarification.</p> <p>WDC agree with changes to this comment.</p> <p>The addition of iii. Is to ensure that ecological surveys of wetlands and streams occur ahead of drainage works that might occur as part of site establishment.</p>
1D WDC	<p><u>Removal of Buildings</u></p> <p>a) <u>Whether undertaken as part of 'establishment of construction site' works or 'construction works', any buildings removed by the consent holder with asbestos cladding must be removed by licensed asbestos removal specialists.</u></p>		<p>No change WDC agree.</p>
2. HBRC WDC	<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>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>No further changes.</p> <p>WDC agree.</p>
3. HBRC	<p>Definitions</p>	<p>Definitions</p>	

<p>CEMP means the Construction Environment Management Plan required by condition 10 of this schedule</p> <p>construction works—</p> <p>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</p> <p>b) does not include ancillary activities such as—</p> <p>i. preliminary activities such as planning, recruitment, site investigation, establishment of construction site, soil sampling; and</p> <p>ii. subsequent activities such as site clean-up and ongoing maintenance of infrastructure, plant, and landscaping until the flood protection works are completed; and</p> <p>iii. ongoing administrative and operational activities such as monitoring and reporting until the flood protection works are completed.</p> <p>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)</p> <p>cultural indicator means an indicator of an identified cultural association in guidance referred to in condition 5 of this schedule</p>	<p>CEMP means the Construction Environment Management Plan required by condition 10 of this <u>schedule consent</u></p> <p><u>Consent authorities means Hawke’s Bay Regional Council (HBRC) and Wairoa District Council (WDC)</u></p> <p>construction works—</p> <p>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</p> <p>b) does not include ancillary activities such as—</p> <p>i. preliminary activities such as planning, recruitment, site investigation, establishment of construction site, soil sampling; and</p> <p>ii. subsequent activities such as site clean-up and ongoing maintenance of infrastructure, plant, and landscaping until the flood protection works are completed; and</p> <p>iii. ongoing administrative and operational activities such as monitoring and reporting until the flood protection works are completed.</p> <p>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)</p> <p>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>Replacement of “schedule” with “consent”</p> <p>Collective reference for conditions referring to both consent authorities.</p>
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<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 4A(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(s) Compliance means the person employed by HBRC and/or WDC as manager of compliance</p>	<p>Updated all references to “schedule” to this “consent”.</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><u>Manager(s) Compliance means the person employed by HBRC as manager of compliance or in the case of WDC, the Group Manager of Planning and Regulatory or their respective nominee.</u></p> <p>Māori entity representative means a person appointed as a representative under condition 4A of this schedule <u>consent</u></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>Inclusion of WDC.</p> <p>WDC does not have a Manager of Compliance or a Planning Manager, therefore recommendation to include in the consent definitions the following: “Manager(s) Compliance means the person employed by HBRC as manager of compliance or in the case of WDC, the Group Manager of Planning and Regulatory or their respective nominee.” HBRC supports this change.</p> <p>Amendment to reference condition 4A as this is the condition setting out the cultural monitors.</p> <p>WDC agrees with other changes.</p>
Engagement and Communications			
<p>4. HBRC</p>	<p>Māori entities representatives <u>Mana Whenua Project Liaison Lead</u></p> <p>a) <u>Prior to issuing invites under condition 4A, the consent holder must invite Te Wairoa Tapokorau Whanui Trust to appointment a Mana Whenua Project Liaison Lead within 10 days of the invite.</u></p> <p>b) <u>The role of the Mana Whenua Project</u></p>	<p>Māori entities representatives <u>Mana Whenua Project Liaison Lead</u></p> <p>a) <u>Prior to issuing invites under condition 4A, and unless a Mana Whenua Project Liaison Lead has been appointed by the Crown Manager to the Wairoa District Council and Hawkes Bay Regional Council, the consent holder must invite Te Wairoa Tapokorau Whanui Trust to appointment a Mana Whenua Project Liaison Lead within 10 days</u></p>	<p>The applicant proposed the additional wording <i>in italics</i> stating that “the amendments included to preserve the ‘relationship management’ function of the Crown Manager to the Wairoa District Council and Hawkes Bay Regional Council – being a specific function of the statutory role”. HBRC consider the additional condition (and amendment) appropriate.</p> <p>Correction of wording.</p> <p>WDC agree.</p>

	<p><u>Liaison Lead will be to co-ordinate:</u></p> <ul style="list-style-type: none"> i. <u>A Mana Whenua Working Group, which will comprise representatives from each relevant Māori Entity,</u> ii. <u>cultural monitors appointed by each Māori Entity representative.</u> 	<p><u>of the invite.</u></p> <ul style="list-style-type: none"> b) <u>The role of the Mana Whenua Project Liaison Lead will be to co-ordinate:</u> <ul style="list-style-type: none"> i. <u>A Mana Whenua Working Group, which will comprise representatives from each relevant Māori Entity,</u> ii. <u>cultural monitors appointed by each Māori Entity representative.</u> 	
4A.	<p><u>Māori entities representatives</u></p> <ul style="list-style-type: none"> a) <u>Working with the Mana Whenua Project Liaison Lead (if one is in place),</u> The consent holder must invite each relevant Māori entity to appoint a representative to <u>join the Mana Whenua Working Group, who will perform,</u> 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. b) The consent holder must issue the invitations at least 20 days before the flood protection work begin. c) The relevant Māori entities may appoint a team of cultural monitors to <ul style="list-style-type: none"> i. Support the Māori entities representatives; and ii. <u>provide advice to those preparing the Communications plan, aspects of the CEMP referred to in condition 10(c)(iii)</u> 	<p><u>Māori entities representatives</u></p> <ul style="list-style-type: none"> a) <u>Working with the Mana Whenua Project Liaison Lead (if one is in place),</u> The consent holder must invite each relevant Māori entity to appoint a representative to <u>join the Mana Whenua Working Group, who will perform,</u> 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. b) The consent holder must issue the invitations at least 20 days before the flood protection work begin. c) The relevant Māori entities may appoint a team of cultural monitors to <ul style="list-style-type: none"> i. Support the Māori entities representatives; and ii. <u>provide advice to those preparing the Communications Plan, aspects of the CEMP referred to in condition 10(c)(iii) and Ecological Management Plan, and</u> iii. provide the consent holder with on-site guidance to enable effective 	<p>Correction of reference to “schedule” to “consent”.</p> <p>WDC agree with change.</p>

	<p>and Ecological Management Plan, and</p> <p>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> <p>d) Working with the Mana Whenua Project Liaison Lead, 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> <p>i. the appropriate number of representatives:</p> <p>ii. the scope of the representatives' role and responsibilities:</p> <p>iii. time frames for decisions, advice, and actions:</p> <p>iv. support for the representatives:</p> <p>v. remuneration for the representatives.</p> <p>e) In developing the terms of reference, and in working with the Mana Whenua Project Liaison Lead, the consent holder must —</p> <p>i. convene discussions with all relevant Māori entities; and</p> <p>ii. use its best endeavours to achieve consensus on all matters.</p> <p>f) If consensus on all matters is not achieved, the remaining matters must be determined —</p>	<p>management of impact on culturally significant land and other natural and physical resources that have cultural value.</p> <p>d) Working with the Mana Whenua Project Liaison Lead, 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> <p>i. the appropriate number of representatives:</p> <p>ii. the scope of the representatives' role and responsibilities:</p> <p>iii. time frames for decisions, advice, and actions:</p> <p>iv. support for the representatives:</p> <p>v. remuneration for the representatives.</p> <p>e) In developing the terms of reference, and in working with the Mana Whenua Project Liaison Lead, the consent holder must —</p> <p>i. convene discussions with all relevant Māori entities; and</p> <p>ii. use its best endeavors to achieve consensus on all matters.</p> <p>f) If consensus on all matters is not achieved, 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>	
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	<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. 		
5. HBRC	<p>Guidance on Cultural indicators</p> <ul style="list-style-type: none"> a) The guidance provided under condition 4(c)(iii) of this schedule must focus on indicators covering all identified traditional associations,— <ul style="list-style-type: none"> iii. including mahinga kai, cultural stream health, wāhi tapu, wāhi tūpuna, protocols, and heritage; and iv. derived from identified cultural values and any cultural assessment conducted by the cultural monitors. 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; <ul style="list-style-type: none"> i. take all applicable cultural indicators into account; and ii. report to the Māori entities representatives how those indicators have been taken into account. 	<p>Guidance on Cultural indicators</p> <ul style="list-style-type: none"> a) The guidance provided under condition 4A(c)(iii) of this schedule consent must focus on indicators covering all identified traditional associations,— <ul style="list-style-type: none"> i. including mahinga kai, cultural stream health, wāhi tapu, wāhi tūpuna, protocols, and heritage; and ii. derived from identified cultural values and any cultural assessment conducted by the cultural monitors. 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; <ul style="list-style-type: none"> i. take all applicable cultural indicators into account; and ii. report to the Māori entities representatives how those indicators have been taken into account. 	<p>Include reference to condition 4A(c)(iii) as there is no condition 4(c)(iii).</p> <p>Correction of reference to “schedule” to “consent”.</p> <p>WDC agree with changes.</p>
6. HBRC	<p>Stakeholder Advisory Group</p> <ul style="list-style-type: none"> a) The representatives appointed under subconditions (b) and (d) and the Māori entities representatives form the stakeholder advisory group. b) The consent holder must invite the 	<p>Stakeholder Advisory Group</p> <ul style="list-style-type: none"> a) The representatives appointed under subconditions (b) and (d) and the Māori entities representatives form the stakeholder advisory group. b) The consent holder must invite the following 	

	<p>following persons to appoint representatives to be members of the stakeholder advisory group:</p> <ul style="list-style-type: none"> i. the owners and occupiers of land on which the flood protection works are carried out (<u>referred to as 'Immediately affected' in and all adjoining land Schedule 1</u>): ii. all persons <u>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 'Immediately Adjoining' in Schedule 1 who made comments under clause 15 of the OIC</u>: 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: iv. the Manager Compliance: v. Heritage New Zealand Pouhere Taonga: vi. the Department of Conservation: vii. the Māori entities representatives <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</p>	<p>persons to appoint representatives to be members of the stakeholder advisory group:</p> <ul style="list-style-type: none"> i. the owners and occupiers of land on which the flood protection works are carried out (<u>referred to as 'Immediately affected' in and all adjoining land Schedule 1 of this consent</u>): ii. all persons <u>listed in who made comments under clause 15(2)(a)(ii)-(vi) and (viii)-(x) of the OIC</u>: iii. <u>any owner or occupier of land referred to as 'Immediately Adjoining' in Schedule 1 who made comments under clause 15 of the OIC, and any clause 15(2)(a)(x) party that commented</u>: iv. 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: v. the Managers Compliance <u>of both consent authorities (HBRC and WDC)</u>: vi. Heritage New Zealand Pouhere Taonga: vii. the Department of Conservation: viii. the Māori entities representatives ix. Te Tumu Paeroa x. Kiwi Rail <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</p>	<p>To avoid confusion.</p> <p>Inclusion of both authorities.</p> <p>It is noted that Te Tumu Paeroa commented on the application on behalf of 59 Trusts within their portfolio that are within close proximity to the proposed floodway. Some of the properties represented by Te Tumu Paeroa are shown in Schedule 1 as Immediately Adjoining. It is recommend that the comment from Te Tumu Paeroa be taken as a comment from these land owners, and that they be invited to appoint a representative.</p> <p>KiwiRail has been specifically included as a party even though KiwiRail was a party that commented, given it was a "immediately affected" land owner at time of application.</p>
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	<p>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> <ul style="list-style-type: none"> i. frequency of meetings: ii. processes and methods for the performance of the group's role. <p>g) In developing the terms of reference, the consent holder must—</p> <ul style="list-style-type: none"> i. convene discussions with all members of the group; and ii. use its best endeavours to achieve consensus on all matters at the group's first meeting. <p>h) If consensus on all matters is not achieved at the first meeting, 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>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> <ul style="list-style-type: none"> i. frequency of meetings: ii. processes and methods for the performance of the group's role. <p>g) In developing the terms of reference, the consent holder must—</p> <ul style="list-style-type: none"> i. convene discussions with all members of the group; and ii. use its best endeavours to achieve consensus on all matters at the group's first meeting. <p>h) If consensus on all matters is not achieved at the first meeting, 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>WDC agrees with these changes proposed. Manager Compliance as per changed definition.</p>
<p>7. HBRC</p>	<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>No further changes.</p> <p>WDC agrees.</p>

	<p>b) The consent holder must—</p> <ul style="list-style-type: none"> i. record all information and advice provided by the stakeholder advisory group; and 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>	<p>Project Engagement Lead</p> <ul style="list-style-type: none"> a) The consent holder must appoint a person as Project Engagement Lead to act as the consent holder’s main point of contact with— <ul style="list-style-type: none"> i. the Mana Whenua Project Liaison Lead, Mana Whenua Working Group or Māori entities representatives; and ii. the stakeholder advisory group. b) The consent holder must ensure that the Project Engagement Lead is reasonably available to perform their role under this condition. 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>Project Engagement Lead</p> <ul style="list-style-type: none"> a) The consent holder must appoint a person as Project Engagement Lead to act as the consent holder’s main point of contact with— <ul style="list-style-type: none"> i. the Mana Whenua Project Liaison Lead, Mana Whenua Working Group and/or Māori entities representatives; and ii. the stakeholder advisory group. b) The consent holder must ensure that the Project Engagement Lead is reasonably available to perform their role under this condition. 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>Addition of “and/” to be the main contact point for all parties as necessary. WDC agrees with this change.</p>
<p>9. HBRC WDC</p>	<p>Communication Plan</p> <ul style="list-style-type: none"> a) The consent holder must, taking account of the advice provided by cultural monitors, develop and 	<p>Communication Plan</p> <ul style="list-style-type: none"> a) The consent holder must, taking account of the advice provided by cultural monitors, develop and implement a communications 	

	<p>implement a communications plan for the duration of construction works.</p> <p>b) The communication plan must contain detailed processes for communications, throughout the construction works, with the following:</p> <ul style="list-style-type: none"> 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. <p>c) The communications plan must include the following:</p> <ul style="list-style-type: none"> i. a description of the flood protection works or details of (including the likely period over which access to Alexander Park will be affected and the procedures for managing public access to the Park), 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 	<p>plan for the duration of construction works.</p> <p>b) The communication plan must contain detailed processes for communications, throughout the construction works, with the following:</p> <ul style="list-style-type: none"> 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. <p>c) The communications plan must include the following:</p> <ul style="list-style-type: none"> i. a description of the flood protection works or details of (including the likely period over which access to Alexander Park will be affected and the procedures for managing public access to the Park), 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: v. details of proposed communication activities by the Project Engagement Lead, including notifications and other communications with any persons and 	<p>Correction to 'Alexandra' park.</p>
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	<p>about the construction works should be communicated by those persons and bodies:</p> <ul style="list-style-type: none"> 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): vi. information about when the communications plan will be reviewed (and amended, if necessary). <p>d) The consent holder must give to the Manager Compliance—</p> <ul style="list-style-type: none"> i. initial communications plan at least 520 working days before construction works begin; and ii. any amended plan, as soon as practicable after the amendment. 	<p>bodies referred to in paragraph (iii):</p> <ul style="list-style-type: none"> vi. information about when the communications plan will be reviewed (and amended, if necessary). <p>d) The consent holder must give to the Manager Compliance (HBRC and WDC)—</p> <ul style="list-style-type: none"> i. initial communications plan at least 52010 working days before construction works begin; and ii. any amended plan, as soon as practicable after the amendment. 	<p>Condition 9.d)i. the communications plan needs to be reviewed by the manager of compliance and 10 days is considered an appropriate minimum timeframe for this.</p> <p>WDC agrees with these changes. Manager Compliance change as per changed definition.</p>
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN			
<p>10. HBRC and WDC</p>	<p>Construction environmental management plan</p> <p>a) The consent holder must—</p> <ul style="list-style-type: none"> i. prepare a construction environmental management plan for the flood protection construction works; and 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>Construction environmental management plan</p> <p>a) The consent holder must—</p> <ul style="list-style-type: none"> i. prepare a construction environmental management plan for the flood protection construction works; and 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 authorities (HBRC and WDC) and the stakeholder advisory group. 	<p>Require the final design plans be provided to the consent authorities.</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>c) The CEMP must include the following information:</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 <u>and details for cultural induction prior to commencement:</u> 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>works around the Waihirere urupā to identify no-go areas and ensure tikanga is followed; and</u> 3. <u>managing restrictions on public access to marae and urupa in respect to health and safety; and</u> 1-4. <u>ongoing</u> reporting to the Māori entities representatives <u>on how the indicators in condition 5(a)</u> 	<p>b) The level of detail and the measures proposed in the CEMP must correspond with the nature and scale of the flood-protection <u>construction</u> works.</p> <p>c) The CEMP must include the following information:</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 <u>and details for cultural induction prior to commencement:</u> iii) procedures, <u>developed in partnership with the Māori Entity Representatives,</u> for— <ul style="list-style-type: none"> <u>1.</u> obtaining <u>ongoing</u> guidance on cultural indicators provided by cultural monitors; and <u>2.</u> <u>works around the Waihirere urupā to identify no-go areas and ensure tikanga is followed; and</u> <u>3.</u> <u>managing restrictions on public access to marae and urupā in respect to health and safety; and</u> 1-4. <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)(iii) of this schedule:</u> iv) indicative timing of all stages of the 	
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	<p><u>have been taken into account, or if not, why not, under condition 5(b)(ii) of this schedule:</u></p> <p>iv) indicative timing of all stages of the flood protection works, <u>the facilities in Alexander Park affected and the likely period over which access to Alexander Park will be affected:</u></p> <p>v) procedures for the management of hazards, including—</p> <ol 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>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:</u></p> <p>vii) procedures for managing public health and safety, including restrictions on public access to work sites, <u>Alexander Park</u>, and the river:</p> <p>viii) <u>A Contamination Site Management Plan including, but not limited to:</u></p> <ol style="list-style-type: none"> 1. <u>Unexpected discovery protocols,</u> 2. <u>Procedures for the removal of any contaminated soil from 147 Railway Road,</u> 	<p>flood protection works, <u>the facilities in Alexander Park affected and the likely period over which access to Alexander Park will be affected:</u></p> <p>v) procedures for the management of hazards, including—</p> <ol 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>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:</u></p> <p>vii) procedures for managing public health and safety, including restrictions on public access to work sites, <u>Alexander Park</u>, and the river:</p> <p>viii) <u>A Contamination Site Management Plan including, but not limited to:</u></p> <ol style="list-style-type: none"> 1. <u>Unexpected discovery protocols,</u> 2. <u>Procedures for the removal of any contaminated soil from 147 Railway Road,</u> <p>xvii) <u>ix)</u> dust management measures (see condition 16 of this schedule-consent):</p> <p>xviii) <u>x)</u> procedures for managing de-watering (including avoiding or minimising effects on adjacent buildings), <u>and for the managing and measurement of</u></p>	<p>Correction to 'Alexandra' park.</p> <p>Corrections of reference to "schedule" to "consent".</p> <p>Inclusion of managing and measuring if groundwater and surface water and inclusion of fish screening requirements to be addressed in the CEMP.</p>
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	<p>viii) <u>ix)</u> dust management measures (see condition 16 of this schedule):</p> <p>ix) <u>x)</u> 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>x) <u>xi)</u> 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) <u>xii)</u> a detailed process for detecting, investigating, and recording incidents:</p> <p>xiii) <u>xiii)</u> details (including timing) of arrangements for reporting to the consent authority on the outcomes of, and compliance with, the CEMP:</p> <p>xiv) <u>xiv)</u> any ESCP (see condition 14 of this schedule):</p> <p>xv) <u>xv)</u> how works in or adjacent to water bodies will be managed:</p> <p>xvi) <u>xvi)</u> how any river gravel extraction or land-based borrow sites will be managed:</p>	<p>groundwater or surface water takes, <u>including fish screening requirements</u>, and diversions and discharges to land or water (including the CMA):</p> <p>ix) <u>xi)</u> 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) <u>xii)</u> a detailed process for detecting, investigating, and recording incidents:</p> <p>xiii) <u>xiii)</u> details (including timing) of arrangements for reporting to the consent authorities <u>(Manager Compliance)</u> on the outcomes of, and compliance with, the CEMP:</p> <p>xiv) <u>xiv)</u> any ESCP (see condition 14 of this <u>schedule-consent</u>):</p> <p>xv) <u>xv)</u> how works in or adjacent to water bodies will be managed:</p> <p>xvi) <u>xvi)</u> how any river gravel extraction or land-based borrow sites will be managed:</p> <p>xvii) <u>xvii)</u> how noise and vibration generated by the works will be managed:</p> <p>xviii) <u>xviii)</u> the landscaping plan (if any) prepared under condition 24 of this schedule:</p> <p>xix) <u>xix)</u> an outline of key procedures—</p>	<p>Inclusion of both authorities.</p>
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	<p>xvi) xvii) how noise and vibration generated by the works will be managed:</p> <p>xvii) xviii) the landscaping plan (if any) prepared under condition 24 of this schedule:</p> <p>xviii) an outline of key procedures—</p> <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 affecting construction:</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>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 consent affecting construction:</p> <p>xxiii) details of how the ecology principles will guide environmental outcomes:</p> <p>xxiv) cultural and archaeological artefact discovery protocols <u>(see clause condition 29 of this schedule consent) or reference to an Authority where applicable:</u></p> <p>xxv) methods for responding to queries and complaints:</p> <p>xxvi) procedures for amending the CEMP under condition 11 of this <u>schedule consent and reporting on any such amendments.</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><u>Advice Note: The CEMP should include specific procedures for managing effects on land owned by WDC or affecting WDC assets (i.e. public places, public access ways, parks, and community facilities including Alexandra Park) the works should be developed in consultation with WDC.</u></p>	<p>Inclusion for reporting on any amendments. The applicant does not agree as changes would have been shared with the Councils and STAG under condition 11. HBRC continues to recommend this change as it will assist with compliance monitoring by making any changes clear.</p> <p>WDC agrees with these changes. Manager Compliance change as per changed definition.</p> <p>Additional advice note where works affect WDC assets.</p>
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<p>HBRC WDC</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>WDC agree.</p>
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	<ul style="list-style-type: none"> vi. stabilises disturbed land as soon as reasonably practicable in accordance with an ESCP. b) The consent holder must, as far as practicable, ensure that earthworks are carried out in accordance with the ecology principles. 		
13. HBRC WDC	Erosion and Sediment Control Manager and staff <ul style="list-style-type: none"> 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. b) The role of the Erosion and Sediment Control Manager is to— <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. 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 	Erosion and Sediment Control Manager and staff <ul style="list-style-type: none"> 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. b) The role of the Erosion and Sediment Control Manager is to— <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 consent, 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. 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. d) The consent holder must also appoint suitably qualified and experienced staff to 	Correction of reference to “schedule” to “consent”. WDC agree.

	<p>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>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 WDC</p>	<p>Erosion and sediment control plan</p> <ul style="list-style-type: none"> 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. b) The consent holder must engage a suitably qualified and experienced person to prepare an ESCP. c) An ESCP must specify the following matters: <p><i>General</i></p> <ul style="list-style-type: none"> i. how the construction 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: 	<p>Erosion and sediment control plan</p> <ul style="list-style-type: none"> 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. b) The consent holder must engage a suitably qualified and experienced person to prepare an ESCP. c) An ESCP must specify the following matters: <p><i>General</i></p> <ul style="list-style-type: none"> i. how the construction 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: 	

	<ul style="list-style-type: none"> 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: ix. supporting information about the size of erosion and sediment control devices: x. methods for amending and updating the ESCP as required: <p><i>Erosion and Sediment Control Manager and Staff</i></p> <ul style="list-style-type: none"> xi. the name and contact details of the Erosion and Sediment Control Manager: 	<ul style="list-style-type: none"> 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: ix. supporting information about the size of erosion and sediment control devices: x. methods for amending and updating the ESCP as required: <p><i>Erosion and Sediment Control Manager and Staff</i></p> <ul style="list-style-type: none"> xi. the name and contact details of the Erosion and Sediment Control Manager: xii. the names and contact details of other staff appointed to assist with the 	
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	<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>xv. details (including timing) of reporting to the consent authority on the outcomes of, and compliance with, the ESCP.</p>	<p>management of erosion and sediment control (see condition 13(d) of this schedule <u>consent</u>):</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>iesy</p> <p>xv. details (including timing) of reporting to the consent authorityiesy <u>(Manager Compliance)</u> 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>Correction of reference to “schedule” to “consent”.</p> <p>Inclusion of both authorities.</p> <p>WDC agrees with change. Manager Compliance change as per changed definition.</p>
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	<ul style="list-style-type: none"> d) The level of detail and the measures proposed in the ESCP must correspond to the nature and scale of the relevant works. 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. 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. h) The consent holder must implement an ESCP for the duration of the flood protection works. i) The consent holder must, for the duration of the construction works <ul style="list-style-type: none"> i. keep an ESCP; and ii. make it readily available to the consent authority. 	<ul style="list-style-type: none"> 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. 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. h) The consent holder must implement an ESCP for the duration of the flood protection works. i) The consent holder must, for the duration of the construction works <ul style="list-style-type: none"> i. keep an ESCP; and ii. make it readily available to the consent authority <u>iesy (Manager Compliance)</u>. 	
<p>15. HBRC and WDC</p>	<p>Failure of erosion and sediment control measure</p> <ul style="list-style-type: none"> 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— <ul style="list-style-type: none"> i. as soon as reasonably practicable, engage the Project Ecologist to investigate the affected area; and ii. immediately notify— <ol style="list-style-type: none"> 1. the HBRC pollution officer 	<p>Failure of erosion and sediment control measure</p> <ul style="list-style-type: none"> 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— <ul style="list-style-type: none"> i. as soon as reasonably practicable, engage the Project Ecologist <u>(appointed pursuant to Condition 25)</u> to investigate the affected area; and ii. immediately notify— <ol style="list-style-type: none"> 1. the HBRC pollution officer (with responsibility for works in or near any affected water bodies); 	<p>For clarity.</p>

	<p>(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> <ol style="list-style-type: none"> 1. control the released sediment and an 2. resulting erosion; and 3. prevent any recurrence of the control failure. 	<p>or</p> <p>2. the WDC territorial authority <u>planning officer</u> pollution officer (with responsibility for land-based borrow sites); and</p> <p>iii. within 7 days, report the incident to the Manager of Compliance <u>(HBRC and WDC)</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 authorities, 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>(HBRC and WDC)</u> under subcondition (a)(iii) must –</p> <p>i. describe the control failure and its cause; and</p> <p>iii. specify the steps that have so far been taken to</p> <ol style="list-style-type: none"> 1. control the released sediment and an 2. resulting erosion; and 3. prevent any recurrence of the control failure. 	<p>For completeness.</p> <p>WDC does not have pollution officers, to be replaced with planning officer.</p> <p>WDC agrees with changes. Manager Compliance change as per changed definition.</p>
16.	Dust management		No further changes.

HBRC	<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>		WDC agree.
<p>17. WDC</p>	<p>Works on contaminated land</p> <p>a) This condition applies if the consent holder undertakes earthworks or any other soil disturbance on land discovered to be 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 iii. replace the soil to an erosion-resistant state at the completion of the relevant works. 		<p>No further changes.</p> <p>WDC agree.</p>
WATERCOURSES			

<p>18.</p> <p>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>c) <u>With the exception of the diversion / reclamation of the northern permanent stream and southern permanent stream (where fish passage matters are to be addressed through Conditions 27 and 28), flood 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 Ecological Assessment, 6 November, 2-T4441.03 0 scoping survey conducted under condition 27 of this schedule, as being present in the 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</p>	<p>Works and structures in 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"> i. an applicable ESCP; and ii. the ecology principles; and iii. the earthworks principles; and iv. any guidance provided under condition 4A(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 northern permanent stream and southern permanent stream (where fish passage matters are to be addressed through Conditions 27 and 28), flood 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 Ecological Assessment, 6 November, 2-T4441.03 0 scoping survey conducted under condition 27 of this schedule, as being present in the 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 	<p>Corrections of reference to “schedule” to “consent”.</p> <p>WDC agree.</p>
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	<p>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 ii. address the risks of non-performance (including blockage), taking into account the risk of the flow of soil or debris. <p>f) A permanent spillway or weir must ensure that—</p> <ul style="list-style-type: none"> i. a secondary flow path is available in the event of a blockage of the watercourse; and ii. discharge from the secondary flow path does not 	<p>that is, so far as practicable, consistent with the ecology principles; and</p> <ul style="list-style-type: none"> 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 ii. address the risks of non-performance (including blockage), taking into account the risk of the flow of soil or debris. <p>f) A permanent spillway or weir must ensure that—</p> <ul style="list-style-type: none"> i. a secondary flow path is available in the event of a blockage of the watercourse; and ii. discharge from the secondary flow path does not exacerbate flooding of neighbouring or downstream properties. <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>	
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	<p>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>19. HBRC</p>	<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>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</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>i. give the consent authority <u>(Manager Compliance, HBRC)</u> appropriate data and reasons (supported by relevant design drawings) for not complying with condition 18(4)(b) of this schedule consent; and</p> <p>ii. 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 consent, the consent holder must, at least 10 working days before starting permanent works within a watercourse, give to the consent authority <u>(Manager Compliance, HBRC)</u>—</p>	<p>Correction of reference to “schedule” to “consent” and inclusion of the relevant party of the consent authority.</p>

	<p>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: 	<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 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 (HBRC) 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: v. the Ministry for Primary Industries' requirements and clean dry protocols relating to didymo and freshwater pests are followed in relation to all equipment: vi. machinery is operated in a way that minimises the transfer of organisms 	<p>Clarification.</p> <p>WDC agree.</p>
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	<ul style="list-style-type: none"> iv. other fuels and lubricants are not released into water: v. the Ministry for Primary Industries' requirements and clean dry protocols relating to didymo and freshwater pests are followed in relation to all equipment: vi. machinery is operated in a way that minimises the transfer of organisms or pest plants from one catchment to another: vii. the use of wet concrete is avoided in flowing water. <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> <ul style="list-style-type: none"> i. take all necessary steps to stop or contain the discharge; and ii. notify— <ul 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 iii. take all practicable steps to remedy or mitigate any ongoing adverse effects of the discharge on the environment. <p>i) The consent holder must take the actions set out in subcondition (j) in</p>	<ul style="list-style-type: none"> or pest plants from one catchment to another: vii. the use of wet concrete is avoided in flowing water. <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> <ul style="list-style-type: none"> i. take all necessary steps to stop or contain the discharge; and ii. notify— <ul 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 iii. take all practicable steps to remedy or mitigate any ongoing adverse effects of the discharge on the environment. <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> <ul style="list-style-type: none"> i. authorised by the consent; and ii. no longer required as part of the construction works. <p>j) The consent holder must ensure that the materials are—</p> <ul style="list-style-type: none"> i. removed on completion of the construction works; and ii. reused, repurposed, or disposed of in an appropriate manner and in a place 	
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	<p>relation to construction material, demolition material, and any materials from repair and maintenance activities that are—</p> <ul style="list-style-type: none"> i. authorised by the consent; and ii. no longer required as part of the construction works. <p>j) The consent holder must ensure that the materials are—</p> <ul style="list-style-type: none"> i. removed on completion of the construction works; and 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>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>	<p>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 (beyond cut activities to form the floodway, stopbanks or cross drainage features and any disturbance associated with the installation of scour proteicon) does not take place—</p> <ul style="list-style-type: none"> i. within any actively flowing channel; or ii. within 6 metres of any river bank. <p>b) In addition, the consent holder must ensure that extraction activities are carried out in accordance with the</p>	<p>Extraction activities and river gravel</p> <p>a) The consent holder must ensure that, during construction works, extraction (beyond cut activities to form the floodway, stopbanks or cross drainage features and any disturbance associated with the installation of scour proteicon protection) does not take place—</p> <ul style="list-style-type: none"> i. within any actively flowing channel; or ii. within 6 metres of any river bank. <p>b) In addition, the consent holder must ensure that extraction activities are carried out in accordance with the HBRC River Control Code 'Environmental Code of Practice for River Control Works' (2017).</p>	<p>WDC agree.</p> <p>Typo correction.</p>

	HBRC River Control Code.		Corrected reference to the relevant document.
STORMWATER DISCHARGE			
21. HBRC	<p>Stormwater discharge</p> <p>a) <u>If in the event the works involve permanent stormwater treatment devices,</u> the consent holder must, not later than 3 months 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>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>Stormwater discharge</p> <p>a) <u>If in the event the works involve permanent stormwater treatment devices,</u> the consent holder must, not later than 3 months 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>1. 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>b) 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>c) 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>For completeness.</p> <p>WDC agree.</p>
LAND-BASED BORROW SITES			

<p>22. WDC</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, <u>but does not apply to cut activities to form the floodway, stopbanks or cross drainage features</u></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 practicability. <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 land disturbed by the excavation work is restored (for example, to pasture or vegetation) to its state before the flood protection works—</p> <ul style="list-style-type: none"> i. as soon as practicable; but ii. within 6 months 		<p>No further changes.</p> <p>WDC agree.</p>
CONSTRUCTION NOISE AND VIBRATION			
<p>23. WDC</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</p>		<p>No further changes.</p> <p>WDC agree.</p>

	<p>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 works.</p>		
24. WDC	<p>Landscape assessment and plan Condition 24 omitted</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 proposed 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</p>		<p>No further changes.</p> <p>WDC agree.</p>

	avoid, remedy, or mitigate those effects.		
26. HBRC	<p>Ecology principles</p> <p>a) The consent holder must apply the ecology principles set out in subcondition (b) in—</p> <ul style="list-style-type: none"> i. designing all aspects of the flood protection works; and ii. carrying out all aspects of construction works. <p>b) The ecology principles are as follows:</p> <ul style="list-style-type: none"> i. to apply the effects management hierarchy to the following potential adverse effects: <ul style="list-style-type: none"> 1. permanent habitat loss (including in coastal, terrestrial, and freshwater habitats): 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: 3. habitat fragmentation or habitat barriers (including in coastal, terrestrial, and freshwater habitats): 4. impacts on habitat connectivity (including coastal, terrestrial, and freshwater habitats): 		<p>No further changes.</p> <p>WDC agree.</p>

	<ul style="list-style-type: none"> 5. impacts on at-risk or threatened species and taonga species; 6. effects on water quality (including on kaimoana and mauri) from sediment; 7. alteration of natural hydrology patterns, except as necessary to facilitate the flood protection works: 8. spread or establishment, or both, of pest plants or animals: 9. impacts on habitats that play an important role in the life cycle and ecology of native species; <ul style="list-style-type: none"> ii. as far as practicable, to create safe habitats, especially for at-risk or threatened species and taonga species: 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: 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 other areas with ecological significance. 		
<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</p>	<p>Ecological survey and assessment</p> <p>a) The consent holder must ensure that the Project Ecologist and a suitably qualified and</p>	

	<p>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:- vi. any fish, bird nesting areas, bat habitats, or habitats of species protected under the Wildlife Act 1953.- 	<p>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:- vi. any fish, bird nesting areas, bat habitats, or habitats of species protected under the Wildlife Act 1953.- <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>a) <u>Prior to preparation of the Ecology Management Plan required in Condition 28, the consent holder must ensure that the</u></p>	
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	<p>e) 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>a) <u>Prior to preparation of the Ecology Management Plan required in Condition 28, the consent holder must ensure that the Project Ecologist prepares an ecological survey to determine:</u></p> <ul style="list-style-type: none"> i. <u>The presence of lizards within the area of the floodway works,</u> ii. <u>The presence of bats,</u> iii. <u>The extent and value of wetland areas identified,</u> iv. <u>The ecological value of northern permanent stream and southern permanent streams to inform construction methodology and the need for any offsetting.</u> 	<p><u>Project Ecologist prepares an ecological survey to determine:</u></p> <ul style="list-style-type: none"> i. <u>The presence of lizards within the area of the floodway works,</u> ii. <u>The presence of bats,</u> iii. <u>The extent and value of wetland areas identified,</u> iv. <u>The ecological value of northern permanent stream and southern permanent streams to inform construction methodology and the need for any mitigation, offsetting and/or compensation.</u> v. <u>The requirements of iii and iv shall be undertaken prior to any site establishment works that may affect the levels or extents of wetlands or streams.</u> 	<p>Change to include full range of effects management hierarchy. WDC agree.</p> <p>The addition of v and 1C(iii) is to ensure that the surveys of wetlands and streams are undertaken before any drainage activities commence. This ensures the extent and values of wetlands and streams are captured before they are affected. (N.B: this was recommended late and after the applicant provided a response on an earlier draft – this addition has not provided to or considered by the applicant).</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 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. The Ecology Management Plan must include, in association with the Māori entities representatives, –</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 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. The Ecology Management Plan must include, in association with the Māori entities representatives, –</p> <ul style="list-style-type: none"> i. <u>Pre-commencement procedures for the disturbance of vegetation and</u> 	

	<ul style="list-style-type: none"> i. <u>Pre-commencement procedures for the disturbance of vegetation and ground in areas where the Ecological Scoping Assessment undertaken in accordance with Condition 27 identifies the presence of lizards,</u> ii. <u>Pre-felling procedures for trees where the Ecological Scoping Assessment undertaken in accordance with Condition 27 identifies the presence of bats,</u> iii. <u>In the event that the Ecological Scoping Assessment undertaken in accordance with Condition 27 confirms the presence of natural inland wetlands, measures to remedy, or if required, offset effects to achieve, as far as practicable, a net positive ecological outcome where identified natural inland wetlands may be affected by the construction works,</u> iv. <u>A construction methodology for work within the northern permanent stream and southern permanent streams (including capture and relocation of fish if required) and any responses required to remedy, or if required, offset the effects of deprived fish passage in the northern permanent stream and reclaiming the southern permanent streams, to achieve, as far as practicable, a net positive ecological outcome,</u> v. <u>A planting plan for the vegetated swales along stopbank 1 and</u> 	<ul style="list-style-type: none"> <u>ground in areas where the Ecological Scoping Assessment undertaken in accordance with Condition 27 identifies the presence of lizards,</u> ii. <u>Pre-felling procedures for trees where the Ecological Scoping Assessment undertaken in accordance with Condition 27 identifies the presence of bats,</u> iii. <u>In the event that the Ecological Scoping Assessment undertaken in accordance with Condition 27 confirms the presence of natural inland wetlands, measures to remedy, or if required, offset effects to achieve, as far as practicable, a net positive ecological outcome where identified natural inland wetlands may be affected by the construction works,</u> iv. <u>A construction methodology for work within the northern permanent stream and southern permanent streams (including capture and relocation of fish if required) and any responses required to remedy, or if required, offset the effects of deprived fish passage in the northern permanent stream and reclaiming the southern permanent streams, to achieve, as far as practicable, a net positive ecological outcome,</u> v. <u>A planting plan for the vegetated swales along stopbank 1 and stopbank 2.</u> vi. <u>Identification of where riparian vegetation will be removed and a planting plan for replacement vegetation.</u> vii. Management of water takes including 	<p>The recommended addition of vii. ensures that the screening requirements for the water takes are considered by the Project Ecologist and included in the Ecology Management Plan.</p>
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	<p><u>stopbank 2.</u></p> <p>vi. <u>Identification of where riparian vegetation will be removed and a planting plan for replacement vegetation.</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>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 and report to the Stakeholder Advisory Group every 2 months on:-</p> <p>i. work undertaken according to the Ecology Management Plan,</p>	<p><u>intakes and fish screens required by condition 32,</u></p> <p>viii. <u>Apply the ecology principles set out in condition 26(b)</u></p> <p>ix. <u>Details (including timing) of reporting to the consent authorities (Manager Compliance) on the outcomes of, and compliance with, the EMP.</u></p> <p>iii. 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>iv. prepares an ecology management plan.</p> <p>b) The consent holder must,</p> <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 and report to the Stakeholder Advisory Group every 2 months on:-</p> <p>i. work undertaken according to the Ecology Management Plan,</p>	<p>The change recommended to condition 28)a)viii. is to reinstate the application of the effects management hierarchy through taking into account the ecology principles when developing the EMP. This change restores the intention set out in OIC Schedule 2. The applicant wanted reference to the principles in full rather than only the effects management hierarchy. This comment is reflected in the HBRC recommended wording.</p> <p>The recommend change is to also include details of reporting and enables compliance monitoring. The applicant considers that recommended condition ix may be unnecessary if (e) is included. HBRC recommend this condition as it is broader than the reporting on offsetting that is include below.</p>
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	<p>ii. any other works deemed necessary by the Project Ecologist, working with the Māori Entities representatives.</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)(ii) are both completed, the consent holder must give the stakeholder advisory group—</p> <p style="padding-left: 20px;">i. a copy of the ecological effects assessment prepared under condition 27 of this schedule; and</p> <p style="padding-left: 20px;">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 style="padding-left: 20px;">i. applies throughout the Hawke’s Bay region; and</p> <p style="padding-left: 20px;">ii. must be used by the consent holder to provide compensation in relation to—</p> <p style="padding-left: 20px;">2. making space available for a river (for example, by</p>	<p>ii. <u>any other works deemed necessary by the Project Ecologist, working with the Māori Entities representatives.</u></p> <p>d) <u>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.</u></p> <p>e) When the construction works and any ecological mitigation <u>or offsetting/compensation</u> works carried out under subcondition (a)(ii) are both completed, the consent holder must give the stakeholder advisory group—</p> <p style="padding-left: 20px;">i. a copy of the ecological effects assessment prepared under condition 27 of this schedule; and</p> <p style="padding-left: 20px;">a report that describes:</p> <p style="padding-left: 20px;">i. <u>the assessment undertaken to determine existing ecological values of the affected streams (referred to as the northern permanent stream and southern permanent streams),</u></p> <p style="padding-left: 20px;">ii. <u>the assessment that was undertaken to quantify the extent of ecological loss in value or potential values of the streams referred to in (i) above,</u></p> <p style="padding-left: 20px;">iii. <u>the ecological mitigation and/or offsetting/compensation works that have or will be to be carried out by the consent holder, and an overview of the assessment demonstrating the offset or compensation is consistent with achieving the ecological principles to achieve as far as practicable a net positive ecological outcome.</u></p> <p>f) <u>Where effects cannot be remedied or offset to the extent provided for in a(iii) and/or</u></p>	<p>The addition of ‘compensation’ reflects the requirement for works to be undertaken in a manner consistent with the effects management hierarchy (condition 26 and recommended 28(a)(viii)).</p> <p>The additions to e) reflect the recommendations of the Ecological Assessment (WSP, 12 December 2025, section 5). The works will involve reclamation of a stream. The ecological values of the stream and the assessment of the loss from this work and need for offsetting or compensation is yet to be undertaken in detail. This condition ensures that the assessment is reported on to STAG (including HBRC as a consent authority).</p> <p>The applicant considered this a duplicate of the content of the EMP (condition 27) and suggested alternative wording which has been accepted by HBRC and is reflected in the recommend changes.</p> <p>It is recommended that condition f) and g) be retained as there may be a requirement for compensation due to reclamation of the stream and wetlands.</p>
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	<p>acquiring adjacent land); and</p> <p>3. rehabilitating or enhancing areas of vegetation in the river corridor with high biodiversity values (for example, by planting appropriate species); and</p> <p>4. in-stream ecological values; and</p> <p>5. any other area of important in-river or riparian habitat.</p>	<p>a(iv), the consent holder must establish, and contribute to, a fund called the Ecological Enhancement Fund to ensure that compensation is available.</p> <p>g) <u>The Ecological Enhancement Fund—</u></p> <ul style="list-style-type: none"> i. <u>applies throughout the Hawke’s Bay region; and</u> ii. <u>must be used by the consent holder to provide compensation in relation to—</u> <ul style="list-style-type: none"> 1. <u>making space available for a river (for example, by acquiring adjacent land); and</u> 2. <u>rehabilitating or enhancing areas of vegetation in the river corridor with high biodiversity values (for example, by planting appropriate species); and</u> 3. <u>in-stream ecological values; and</u> 4. <u>any other area of important in-river or riparian habitat.</u> 	<p>The applicant does not expect, given the limited values concerned and the opportunities for offsetting, that there will be a need for the fund, and recommend some additional changes to the conditions so that the focus is on the features referenced in a(iii) and a(iv) – being natural inland wetlands and the northern permanent stream and southern permanent streams.</p> <p>These are accepted and reflected in the recommend changes.</p>
ARCHAEOLOGICAL VALUES			
<p>29. HBRC/WDC</p>	<p>Archaeological discovery protocol</p> <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 	<p>a) The consent holder 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 	<p>Amend condition to reference consent holder, not consent authority as the party to undertake the Accidental Discovery Protocol.</p> <p>Change to consent holder.</p>

	<p>works discovers any cultural or archaeological artefacts or features on a work site; and</p> <p>ii. an authority in relation to the location is not required under the Heritage New Zealand Pouhere Taonga Act 2014.</p> <p>c) The consent holder must—</p> <p>i. follow the protocol; and</p> <p>ii. ensure that workers and other persons on site are aware of the protocol.</p> <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>	<p>archaeological artefacts or features on a work site; and <u>any koiwi (human remains), artefacts or sites of historic archaeological, or cultural significance are discovered on a work site by any worker or any other person associated with flood protection works, and,</u></p> <p>ii. an authority in relation to the location is not required under the Heritage New Zealand Pouhere Taonga Act 2014.</p> <p>c) The consent holder must—</p> <p>i. follow the protocol; and</p> <p>ii. ensure that workers and other persons on site are aware of the protocol.</p> <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>	<p>Modified from WDC Conditions Manual. Ensures that koiwi and further sites are also included.</p> <p>HBRC additions following WDC amendments – inclusion of “on a work site” in 29.b)i. for clarity.</p> <p>No further changes.</p>
WATER TAKE			
30. HBRC	<u>Taking of water from the Wairoa River shall be limited to the length of river between a point 500m upstream of inlet to the floodway and 500m downstream of the outlet.</u>		<p>No further changes.</p> <p>WDC agree.</p>
31. HBRC	<u>The taking of water from the Wairoa River at each point of take shall not exceed 25l/s.</u>	<u>The taking of water from the Wairoa River at each point of take shall not exceed 25l/s. The combined rate of extraction at any one time shall not exceed 75 L/s.</u>	<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> <p>WDC agree.</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 have a suitably designed and maintained fish screen be installed to prevent fish, including eels, from entering the reticulation</u>	<p>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.</p>

		<u>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 sites(s) of take.</u>	WDC agree.
33. HBRC	<u>The combined maximum volume of take shall not exceed 500 m³ per day.</u>		No further changes. WDC agree.
34. HBRC	<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><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"> a) <u>A water meter with a data logger and telemetry unit(s) compatible with the Council's telemetry system shall be installed at each point of take 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> b) <u>The water meter and telemetry device(s) required by Subcondition (d) shall be installed and maintained in accordance with 'The New Zealand Water Measurement Code of Practice' (January 2023).</u> c) <u>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> d) <u>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> e) <u>Data shall be transmitted to the Council's telemetry system at least once per day.</u> 	The proposed additions reflect HBRC requirements for metering and telemetry of water take data. WDC agree.

		<p>f) <u>The telemetry unit(s) shall be installed so as to provide an accurate record of the flow meter 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 reinstalled unit(s) having occurred.</u></p> <p>g) <u>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>h) <u>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> <ul style="list-style-type: none"> i. <u>The meter reading (in cubic metres); and,</u> ii. <u>The daily volume of water taken (in cubic metres); and,</u> iii. <u>The date and time of each reading;</u> iv. <u>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> 	
As-Built Plans			
35. HBRC WDC		<u>Within three months of the completion of construction works, the consent holder shall provide the consent authorities (Managers</u>	This addition ensures that both councils receive full as built plans. This will be particularly important for understanding the location and design of key elements of the works, including changes/additions to the stormwater

		<p><u>Compliance) with as-built plans that include (but are not limited to), the following:</u></p> <p>a) <u>plans of the completed works that clearly show their location and layout.</u></p> <p>b) <u>The final contours of the stopbank, floodway and associated earthworks;</u></p> <p>c) <u>The extent and depths of any cut or fill; and</u></p> <p>d) <u>The final overland flow paths, stormwater outlets and any re-directed local catchment flows.</u></p>	<p>network and enables compliance monitoring in the first instance, and then ongoing asset management/maintenance.</p> <p>WDC agrees with these changes. Manager Compliance change as per changed definition.</p> <p>The applicant considered provision of plans including fill depths unnecessary to understand the location and design of key elements of the works, including changes/additions to the stormwater network. HBRC considers that inclusion of this detail will assist with compliance (e.g. stopbank heights) and with providing an accurate final record of the works that were completed/undertaken.</p>
Notice of Commencement			
<p><u>36.</u> <u>HBRC</u> <u>WDC</u></p>		<p><u>The consent holder shall provide the consent authorities (Managers Compliance) notice in writing of intention to commence works, at least:</u></p> <p>a) <u>3 working days prior to construction site establishment works; and</u></p> <p>b) <u>10 working days prior to construction works, and not more than 20 working days prior to commencing the proposed works.</u></p>	<p>This additional condition is to ensure that consent authorities are advised when work will commence to assist with management of compliance resources and administration of the consent.</p> <p>The applicant questioned whether the condition applied to construction works or site establishment works. The recommended wording now makes that clear and intends that notice is provided ahead of both site establishment works and construction works.</p> <p>WDC agrees with this additional condition. Manager Compliance change as per changed definition.</p>

Schedule 1 – Immediately Affected and Adjoining Land

'Immediately affected' land identified in pink and outlined in red, and 'Immediately adjoining' land identified in yellow



Map Ref	LINZ Property ID	Immediately Affected or Immediately Adjoining	Legal Description
<u>1</u>	<u>2170861</u>	<u>Immediately affected</u>	<u>Fee Simple, 1/1, Te Rato 1A4B Block, 3,389 m2</u>
<u>2</u>	<u>2173186</u>	<u>Immediately affected</u>	<u>Fee Simple, 1/1, Part Te Rato 1B Block, 19,513 m2</u>
<u>3</u>	<u>2173190</u>	<u>Immediately affected</u>	<u>Fee Simple, 1/1, Part Te Rato 1D Block, 19,061 m2</u>
<u>4</u>	<u>2173188</u>	<u>Immediately affected</u>	<u>Fee Simple, 1/1, Part Te Rato 1C Block, 31,330 m2</u>
<u>5</u>	<u>2039776</u>	<u>Immediately affected</u>	<u>Fee Simple, 1/1, Te Rato 1A4D Block, 9,738 m2</u>
<u>6</u>	<u>2199954</u>	<u>Immediately affected</u>	<u>Fee Simple, 1/1, Part Te Rato 1E2 Block, 20,022 m2</u>

7	2254457	Immediately affected	Fee Simple, 1/1, Te Rato 1A4C Block, 4,097 m2
8	2016131	Immediately affected	Fee Simple, 1/1, Part Te Rato 1B Block, Part Te Rato 1C Block and Part Taumata-o-teo 32D Block, 2,190 m2
9	4970596	Immediately affected	Partition Order, 1/1, Te Rato 1A3 Block, 2,630 m2
10	2044881	Immediately affected	Fee Simple, 1/1, Te Rato 1A4A Block, 2,099 m2
17	2188590	Immediately affected	Fee Simple, 1/1, Part Te Rato 1E1 Block, 20,029 m2
18	1909705	Immediately affected	Fee Simple, 1/1, Lot 2 Deposited Plan 17914, 58,410 m2
19	2192001	Immediately affected	Fee Simple, 1/1, Part Taumataoteo 20A Block, Part Taumataoteo 20B Block and Lot 3 Deposited Plan 17920, 63,611 m2
21	1984345	Immediately affected	Fee Simple, 1/1, Te Rato 1F2 Block Maori Land Plan 2322, 26,281 m2
24	1871688	Immediately affected	Fee Simple, 1/1, Part Lot 1 Deposited Plan 8639, 8,794 m2
25	1881343	Immediately affected	Fee Simple, 1/1, Lot 1 Deposited Plan 6699, 271,519 m2
26	1875475	Immediately affected	Partition Order, 1/1, Paeroa No 1E No 14 Block, 20,093 m2
27	1876322	Immediately affected	Fee Simple, 1/1, Lot 1 Deposited Plan 5279, 16,552 m2
30	2231962	Immediately affected	Fee Simple, 1/1, Te Rato 1A2 Block, 15,656 m2
39	4219230 (parcel ID)	Immediately affected	Part TAUMATAOTE0 21 BLK V CLYDE S D
45	1916849	Immediately affected	Fee Simple, 1/1, Lot 4 Deposited Plan 17920, 45,335 m2
49	2300750	Immediately affected	Fee Simple, 1/1, Poutaka 13A1 Block, 3,389 m2
54	2069573	Immediately affected	Fee Simple, 1/1, Part Poutaka 13B Block, 7,158 m2
55	2203040	Immediately affected	Fee Simple, 1/1, Poutaka 13C Block, 4,578 m2
56	2271482	Immediately affected	Fee Simple, 1/1, Poutaka 12B Block, 9,940 m2
58	1864318	Immediately affected	Fee Simple, 1/1, Lot 2 Deposited Plan 7513, 8,013 m2
60	1917681	Immediately affected	Fee Simple, 1/1, Lot 3 Deposited Plan 17077, 5,204 m2
63	2173189	Immediately affected	Fee Simple, 1/1, Poutaka 9 Block, 3,819 m2

65	2298123	Immediately affected	Fee Simple, 1/1, Poutaka 8 Block, 3,946 m2
67	1779641	Immediately affected	Fee Simple, 1/1, Lot 1 Deposited Plan 28534, 11,469 m2
70	1930184	Immediately affected	Fee Simple, 1/1, Lot 3 Deposited Plan 9927, 11,548 m2
73	2345309	Immediately affected	Fee Simple, 1/1, Poutaka 4A Block, 2,630 m2
81	4201326 (parcel ID)	Immediately affected	Part SEC 1 SO 10489 - (ROWING CLUB)
82	4201326 (parcel ID)	Immediately affected	SEC 1 SO 10489 BLK V CLYDE SD
83	4201326 (parcel ID)	Immediately affected	Part SEC 1 SO 10489 - (SKI CLUB)
84	4201326 (parcel ID)	Immediately affected	Part SEC 1 SO 10489 - AUDITORIUM/SKATE PARK & LAND
85	4201326 (parcel ID)	Immediately affected	Part SEC 1 SO 10489 - SPORTS COMPLEX (INCL POOL)
86	4201326 (parcel ID)	Immediately affected	Part SEC 1 SO 10489 - ALEXANDRA PARK CAMPING GROUND
87	2001683	Immediately affected	Fee Simple, 1/1, Part Section 9 Survey Office Plan 9425, 95,025 m2
146	5308458	Immediately affected	Fee Simple, 1/1, Section 1 Survey Office Plan 620593, 9,494 m2
11	4502783	Immediately adjoining	Fee Simple, 1/1, Part Taumataoteo 31 Block, 6,359 m2
12	4555055	Immediately adjoining	Fee Simple, 1/1, Te Rato 3D 3C 1 Block, 11,128 m2
13	4556935	Immediately adjoining	Fee Simple, 1/1, Te Rato 3X19 Block, 4,856 m2
14	2231966	Immediately adjoining	Fee Simple, 1/1, Part Taumataoteo 23B1 Block, 11,849 m2
15	1860849	Immediately adjoining	Fee Simple, 1/1, Lot 1 Deposited Plan 6472, 14,154 m2
20	2304099	Immediately adjoining	Fee Simple, 1/1, Te Rato 3E3B1 Block, 1,669 m2
22	1984338	Immediately adjoining	Fee Simple, 1/1, Te Rato 1F1 Block Maori Land Plan 2322, 5,437 m2
23	2344049	Immediately adjoining	Fee Simple, 1/1, Lot 1 Deposited Plan 9579, 2,630 m2
28	1884058	Immediately adjoining	Fee Simple, 1/1, Paeroa 1E12 (Part) Block, 2,706 m2
29	2171753	Immediately adjoining	Fee Simple, 1/1, Paeroa 1E13A Block, 12,065 m2
31	2014509	Immediately adjoining	Fee Simple, 1/1, Paeroa 1B1A2 Block, 4,047 m2
32	4436315	Immediately adjoining	Fee Simple, 1/1, Paeroa 1 B 1 A 1 Block, 733 m2

33	4436294	Immediately adjoining	Fee Simple, 1/1, Part Paeroa 1 B 1 B Block, 1,112 m2
34	1940123	Immediately adjoining	Fee Simple, 1/1, Lot 1 Deposited Plan 19836, 2,682 m2
35	1940113	Immediately adjoining	Fee Simple, 1/1, Lot 2 Deposited Plan 19836, 2,503 m2
36	4537920	Immediately adjoining	Partition Order, 1/1, Taumataoteo 32D1A and 32C2A Block, 1,754 m2
37	4566766	Immediately adjoining	Fee Simple, 1/1, Te Rato 1A1 Block, 551 m2
38	1909707	Immediately adjoining	Fee Simple, 1/1, Lot 1 Deposited Plan 17914, 58,399 m2
40	4540839	Immediately adjoining	Partition Order, 1/1, Taumataoteo 16A Block, 12,122 m2
41	4492595	Immediately adjoining	Fee Simple, 1/1, Part Taumataoteo 22D2 Block, 8,144 m2
44	4510529	Immediately adjoining	Fee Simple, 1/1, Taumataoteo No. 34 Block and Taumataoteo No. 35 Block, 10,116 m2
50	4158263 (parcel ID)	Immediately adjoining	Lot 11 DP 16621-ESPLANADE
51	1793522	Immediately adjoining	Fee Simple, 1/1, Lot 4 Deposited Plan 16621, 1,213 m2
52	1793536	Immediately adjoining	Fee Simple, 1/1, Lot 1 Deposited Plan 16621, 506 m2
53	1800666	Immediately adjoining	Fee Simple, 1/1, Lot 1 Deposited Plan 12644, 592 m2
57	2174676	Immediately adjoining	Fee Simple, 1/1, Poutaka 12A Block, 1,922 m2
59	1856032	Immediately adjoining	Fee Simple, 1/1, Lot 1 Deposited Plan 7513 and Lot 4 Deposited Plan 17077, 1,086 m2
61	4215434 (parcel ID)	Immediately adjoining	Lot 5 DP 17077-ESPLANADE
62	1906747	Immediately adjoining	Fee Simple, 1/1, Lot 2 Deposited Plan 17077, 792 m2
64	2298032	Immediately adjoining	Fee Simple, 1/1, Poutaka 7A Block, 4,376 m2
66	2173167	Immediately adjoining	Fee Simple, 1/1, Poutaka 7B Block, 4,593 m2
68	1779564	Immediately adjoining	Fee Simple, 1/1, Lot 2 Deposited Plan 17179, 908 m2
69	1779648	Immediately adjoining	Fee Simple, 1/1, Lot 3 Deposited Plan 17179, 924 m2
71	1856181	Immediately adjoining	Fee Simple, 1/1, Lot 1 Deposited Plan 9927, 827 m2
72	1856187	Immediately adjoining	Fee Simple, 1/1, Lot 2 Deposited Plan 9927, 827 m2

74	1913137	Immediately adjoining	Partition Order, 1/1, Poutaka 4B Block, 4,148 m²
75	1870031	Immediately adjoining	Fee Simple, 1/1, Lot 1 Deposited Plan 10974, 784 m²
76	2088940	Immediately adjoining	Fee Simple, 1/1, Lot 2 Deposited Plan 10974, 688 m²
77	1915233	Immediately adjoining	Fee Simple, 1/1, Lot 3 Deposited Plan 10974, 688 m²
78	1914640	Immediately adjoining	Fee Simple, 1/1, Lot 4 Deposited Plan 10974, 688 m²
79	1914303	Immediately adjoining	Fee Simple, 1/1, Lot 5 Deposited Plan 10974, 687 m²
80	1876789	Immediately adjoining	Fee Simple, 1/1, Lot 6 Deposited Plan 10974, 688 m²
88	2182282	Immediately adjoining	Fee Simple, 1/1, Taumataoteo 19B3 Block, 1,011 m²
89	2167966	Immediately adjoining	Fee Simple, 1/1, Taumataoteo 19B2 Block, 1,012 m²
90	2183459	Immediately adjoining	Fee Simple, 1/1, Te Rato 3D3C2C1 Block, 2,023 m²
91	4499330	Immediately adjoining	Fee Simple, 1/1, Part Te Rato 3D3C2C2A Block and Part Te Rato 3D3C2C2A Block, 111,490 m²
92	2187774	Immediately adjoining	Fee Simple, 1/1, Te Rato 3D3C2C2C Block, 19,298 m²
93	4497514	Immediately adjoining	Fee Simple, 1/1, Te Rato 3D3C2B Block, 41,349 m²
94	4497511	Immediately adjoining	Fee Simple, 1/1, Te Rato 3D3C2A Block, 1,012 m²
95	4499148	Immediately adjoining	Fee Simple, 1/1, Te Rato 3X1 Block, 1,846 m²
96	4500489	Immediately adjoining	Fee Simple, 1/1, Part Te Rato 3 X 2 & 3 X 17 Block and Part Te Rato 3 X 2 & 3 X 17 Block, 12,873 m²
97	2187012	Immediately adjoining	Fee Simple, 1/1, Te Rato 3X3 Block and Te Rato 3X16 Block, 12,873 m²
98	4503193	Immediately adjoining	Fee Simple, 1/1, Te Rato 3 X 4 Block, 1,846 m²
99	4500396	Immediately adjoining	Fee Simple, 1/1, Te Rato 3E5A Block, 4,046 m²
100	1862693	Immediately adjoining	Fee Simple, 1/1, Te Rato 3E5 Block, 110,883 m²
101	2013770	Immediately adjoining	Fee Simple, 1/1, Te Rato 3X5 Block, 2,200 m²

102	2271244	Immediately adjoining	Fee Simple, 1/1, Te Rato 3X6 Block and Te Rato 3X10 Block, 12,899 m2
103	4500394	Immediately adjoining	Fee Simple, 1/1, Te Rato 3X7 Block, 2,200 m2
104	4498138	Immediately adjoining	Fee Simple, 1/1, Te Rato 3X8 Block and Te Rato 3X12 Block, 12,874 m2
105	2214241	Immediately adjoining	Fee Simple, 1/1, Te Rato 3X9 Block, 12,950 m2
106	2214243	Immediately adjoining	Fee Simple, 1/1, Te Rato 3E3B2 Block, 8,650 m2
108	2208993	Immediately adjoining	Fee Simple, 1/1, Part Paeroa 1E7B2 Block, 115,260 m2
112	4457845	Immediately adjoining	Fee Simple, 1/1, Taumataoteo 19B1 Block, 2,731 m2
113	4457822	Immediately adjoining	Fee Simple, 1/1, Taumataoteo 19B4 Block, 6,815 m2
114	2172304	Immediately adjoining	Fee Simple, 1/1, Taumataoteo 22E Block, 10,875 m2
115	4184159 (parcel ID)	Immediately adjoining	Lot 29 D P 10974-HOUSE ID 30090
116	1882911	Immediately adjoining	Fee Simple, 1/1, Lot 30 Deposited Plan 10974, 807 m2
117	1861089	Immediately adjoining	Fee Simple, 1/1, Lot 31 Deposited Plan 10974, 1,513 m2
118	1940760	Immediately adjoining	Fee Simple, 1/1, Lot 2 Deposited Plan 19636, 630 m2
143	4242848 (parcel ID)	Immediately adjoining	RAIL LAND IN WAIROA DISTRICT
147	4537837	Immediately adjoining	Partition Order, 1/1, Taumataoteo 32D2B2 Block, 1,490 m2
148	4537658	Immediately adjoining	Partition Order, 1/1, Taumataoteo 32D2B1 Block, 1,138 m2
149	2298025	Immediately adjoining	Fee Simple, 1/1, Taumataoteo 32C1A Block, 817 m2
150	5308459	Immediately adjoining	Fee Simple, 1/1, Section 2 Survey Office Plan 620593, 7,000 m2
151	4537661	Immediately adjoining	Partition Order, 1/1, Taumataoteo 32 B 2 A Block, 627 m2
152	2172300	Immediately adjoining	Fee Simple, 1/1, Taumataoteo 32B1 Block, 531 m2
153	4537659	Immediately adjoining	Partition Order, 1/1, Taumataoteo No. 32A Block, 1,188 m2
154	1928556	Immediately adjoining	Fee Simple, 1/1, Lot 10 Deposited Plan 19836, 1,197 m2
155	1928552	Immediately adjoining	Fee Simple, 1/1, Lot 11 Deposited Plan 19836, 994 m2

156	4539992	Immediately adjoining	Partition Order, 1/1, Taumataoteo Y Block, 11,129 m2
157	2304090	Immediately adjoining	Fee Simple, 1/1, Taumataoteo 23B2B1A Block, 1,277 m2
158	4539981	Immediately adjoining	Partition Order, 1/1, Taumataoteo 23B 2B 1B Block, 1,277 m2
159	4754660	Immediately adjoining	Fee Simple, 1/1, Taumataoteo 23B2B2 Block, 1,922 m2
160	4464431	Immediately adjoining	Fee Simple, 1/1, Taumataoteo 23B 2C 1 Block, 12,101 m2
161	1906758	Immediately adjoining	Fee Simple, 1/1, Lot 1 Deposited Plan 17077, 1,011 m2