Evenden Energy Centre

Application for Resource Consent
Prepared for Hamachek Holdings Ltd

28 October 2025

Document Quality Assurance

Bibliographic reference for citation: Cogito Consulting Limited 2025. *Evenden Energy Centre: Application for Resource Consent*. Report prepared by Cogito Consulting Limited for Hamachek Holdings Ltd.		
Prepared by:	Craig Batchelar Cogito Consulting Limited	
Reviewed by:	Project Team	
PM Approved for release:	Craig Batchelar Cogito Consulting Limited	
Status: Final	Revision / version: 15	Issue date: 28 October 2025

CONTENTS

Appendices

Summary

Hamachek Holdings Ltd is seeking resource consent to develop the Evenden Energy Centre, a multi-fuel refuelling and service hub located at the corner of Evenden Road and State Highway 2, near Hastings. The proposal responds to a clear and growing need for safe, efficient, and future-ready transport facilities to serve the Heretaunga Plains, one of New Zealand's most productive horticultural regions.

The Energy Centre will cater to a wide range of vehicles, including heavy goods vehicles (HGVs), ,electric vehicles (EVs), and in time, hydrogen-powered vehicles. Its design brings together fuel supply, driver rest facilities, convenience retail, and environmental services on a single, strategically located site.

Key Components:

- A large truck stop with diesel, petrol, and EV charging stations.
- Future provision for green hydrogen production or storage.
- A café and convenience retail space for drivers and travellers.
- A fruit shop that showcases and sells local produce in a market-style setting.
- Stock effluent disposal facilities, helping reduce environmental risks on the road.
- Dedicated parking for trucks, long vehicles, and cars.
- Stormwater management through an extensive wetland detention basin.
- Landscaping and site design that blends with the rural character.

This proposal delivers a range of benefits including:

- Freight and Transport Efficiency: The Energy Centre will fill a current gap in the region's infrastructure, providing a safe, accessible refuelling point for freight vehicles travelling between Napier Port, Hastings, and the wider Hawke's Bay region.
- Climate-Ready Infrastructure: The inclusion of EV charging stations and futureproofing for hydrogen supports the national transition to low-emissions transport.
- Wellbeing for Drivers: By offering high-quality amenities, the site supports driver rest and welfare, helping meet statutory rest requirements for long-haul drivers.
- Safety and Compliance: Facilities for stock effluent disposal will support better environmental compliance, reduce spillage on roads, and contribute to cleaner waterways.
- Support for Local Produce: The on-site fruit shop will give local growers a direct outlet to sell fresh, seasonal produce, enhancing the visibility and value of the region's horticultural output.
- Employment and Local Services: Construction and operation will create local jobs and generate service demand for local trades, suppliers, and contractors.

Technical assessments confirm that the site can be safely accessed, serviced with infrastructure, and developed without significant adverse environmental effects. Landscape and flood mitigation measures are built into the design, and iwi engagement will guide cultural and ecological aspects of the project.

Although the site is located on highly productive land, the Energy Centre's modest scale and focused purpose avoid the risks typically associated with rural subdivision and lifestyle development. It is a contained and strategically located facility that complements the productive economy of the Plains, rather than displacing it.

Construction is expected to take approximately 9 to 12 months, depending on final design and procurement.

1.0 Applicant and Property Details

A completed application form is enclosed as **Appendix 1**. The summary details relating to the applicant and subject site are as follows:

Applicant's:	Hamachek Holdings Ltd
Address:	160 Evenden Road Twyford 4175 Part of 176 Evenden Road Twyford 4175
Legal Description	Pt Lot 2 DP 7912 - Also Known As Sec 7 So 479817 Part of Lot 11 Deposited Plan 4352 and Lot 1 Deposited Plan 7912

2.0 Site and Locality Description

The site and locality are described in detail in the technical assessments provided for the Assessment of Environmental Effects.

2.1 Site

2.1.1 Physical

The application site area is approximately 5.26 Ha. The application site is shown below outlined in red in the figure below.

Figure 1: Application Site

The Site is generally level. The Site is currently used for cropping and orcharding.

All buildings and other improvements on the land will be removed from the Site to enable development to proceed.

Adjacent to one of the houses (to the south) is a cluster of exotic conifers. An exotic shelterbelt runs through the centre of the site similar in character to many others in the wider landscape. The majority of the site adjacent to the SH2 corridor is fenced in a conventional post and wire fence with the eastern most portion also containing a low, exotic hedge.

The Site has frontage to both Evenden Road and the Hawke's Bay Expressway ("SH2").

Evenden Road is classified as a 'Primary Collector' adjacent to the Site and is subject to an 80km/h. speed limit. There is existing vehicle access provided from Evenden Road.

No vehicle access is provided from SH2 which is Limited Access Road. SH2 is classified as a 'National Route' and operates with a posted speed limit of 100km/h.

2.1.2 Legal

The application site forms part of a wider land holding comprising approximately 14.86ha shown in yellow outline below, with the application site shown in red outline.

Figure2: Wider Land Holding

The wider land holding is held in two certificates of title. A copy of the record of title is in **Appendix 2**.

Description	Area	Owner	Other
Pt Lot 2 DP 7912 - Also Known As Sec 7 So 479817	2.4915 hectares more or less	Hamachek Holdings Limited	Encumbrance (see below)
Lot 11 Deposited Plan 4352 and Lot 1 Deposited Plan 7912	12.3657 hectares more or less	Kevin Archie Bayley, Karen Judith Bayley and Te Mata Trustees (Bayley) Limited	5095465.13 Gazette Notice 5642542.2 Gazette Notice Land taking for Napier-Hastings Motorway

An encumbrance on the title of Pt Lot 2 DP 7912 in favour of NZTA relates to:

- Protection of the highway from reverse sensitivity effects for activities within 30m of the State Highway;

Protection of the highway from lighting which may dazzle or distract drivers;

- Protection of the highway from signage which may distract drivers, with a requirement for written approval from NZTA for any signage;
- A “No Complaint Covenant” in relation to noise, vibration, dust, emissions, visual, and landscape and amenity effects.

A copy of the encumbrance is also in **Appendix 2.** Compliance with the provisions of the encumbrance is a matter that falls outside the resource consent application process. Written approval will be sought from NZTA when the final detail of signage is known.

2.2 Locality

The application site is located on the corner of Evenden Road and State Highway 2, adjacent to an intersection with two circulating lanes.

On the opposite side of Evenden Road is the Delegats Winery, opened in 2018. The winery consists of a large building that houses the wine making and storage operation, architecturally designed to showcase the stainless steel tanks through large windows facing SH2. The landscape around the winery is planted in grapes, although a small area of formal amenity planting is located near the corporate entrance. Access to the winery for staff and visitors is also located off Evenden Road, primarily involving light vehicle movements. A separate access on Ormond Road accommodates heavy vehicle movements to and from Delegat Wine Estate.

Diagonally opposite is the “Mitre 10 Park Hawkes Bay” sports and recreation ground. This was constructed in this location following the sale of Nelson Park in Hastings in 2007, and provides regional sports facilities including an athletic track, swimming pool, gym, netball and hockey courts, cricket facilities, etc. In 2022 the Hastings Council acquired the land between the athletic track and Evenden Road to allow for the expansion of the Sports Park.

Other sites surrounding are used predominantly for horticulture and cropping. There are five houses within 500m of the site, the nearest being approximately 125m to the southeast across the State Highway from the site

Raupare Stream is located 700m to the northeast of the site, separated by another landholding. Beyond this is the Ngaruroro River 1.2km away.

Key activities in the surrounding area are shown on the figure below.

Figure 3 Activities in the Surrounding Area

3.0 Proposal

3.1 Overview

The primary objective of the proposal is to provide a multi-fuel energy centre ("Evenden Energy Centre") to meet the long-term needs of heavy goods vehicles (HGV) serving the primary sector and other business in the Heretaunga Plains. Refuelling will be provided for diesel and petrol, electric and hydrogen powered vehicles.

Secondary aims of the proposal are to provide:

- facilities for stock effluent discharge;
- food services and convenience retail for HGV drivers and other travellers;
- multi refuelling needs of other vehicles;
- a fruit shop facility on site that offers an outlet for local produce;

The Evenden Road site has strong locational attributes to meet the long term refuelling needs of HGV in the region due to its location, size, and access from the SH2 major transport corridor.

The energy centre will provide for both north and south-bound users of State Highway 2 with the opportunity to stop at an energy centre and service centre enroute between Napier and Hastings and for users of State Highway 2 from further afield, particularly traffic travelling to Port of Napier from the south.

The general layout is shown in the figure below, with larger scale plans included in **Appendix 3 Proposal**.

Figure 4 General Layout

Users of the State Highway will be able to access an energy centre service station and truck stop in a manner that is convenient, safe, and efficient. The proximity of the two-lane roundabout at the intersection of Evenden Road and the Expressway facilitates this.

The energy centre includes the following components:

A four-lane dispensing forecourt for the truck stop, with the design futureproofed to provide for hydrogen dispensing;

- An eight-lane dispensing forecourt for the service station with associated 6m high freestanding forecourt canopy (468m^2);
- Underground petrol and diesel tanks with a combined volume of 300,000 litres;
- 4 EV charging stations;
- Space for future hydrogen production and/or storage;
- LPG “Swappa” Bottle sales;
- A retail service area and shop with a floor area of approximately 290m²;
- A combined entry/exit entrance for the site;
- A facility for disposal of stock effluent from stock truck holding tanks;
- 50 standalone carparks, a truck parking lay-by, and space for eight long vehicles such as campervans;

Plans showing the site layout, building layout and elevations are contained in **Appendix 3 Proposal**.

3.2 Fuels

3.2.1 Diesel and Petroleum

Underground petroleum storage tanks and associated equipment involve installation of three new 100,000 litre double-walled fibreglass tanks. When full, there will be 100,000 litres of diesel and 200,000 litres of petroleum products stored at the site.

The tanks will be installed in tank pits, located under the hardstand area to the central part of the forecourt area. These will require excavation to a depth of approximately 4.5 metres.

Underground tanks will include:

- Reinstatement of voids and the site surface to an erosion proof state (as required). Excavated soil will be re-used on-site;
- Installation of at grade remote fill points near the underground storage tank area;
- Installation of vents adjacent to the pump islands;
- Installation of a new underground API separator to a depth of approximately 3m;
- Installation of associated fuel lines/pipes, automatic tank gauge, observation wells; and vapour recovery

The new underground petroleum tanks will be designed, installed and operated in accordance with the manufacturer's standards and guidelines and the following industry standard prepared by the Environmental Protection Authority:

- Below ground stationary container systems for petroleum – design and installation HSNOCOP 44, Version 1.1, June 2013.
- Below Ground Stationary Container Systems for Petroleum Operation – HSNOCOP 45, May 2012.

3.2.2 Electric Vehicle Charging

Electric vehicle charging stations will initially be provided at four carparks with the ability to provide further stations as and when demand increases.

A dedicated electricity supply will be provided by Unison networks.

3.2.3 Green Hydrogen

The site has sufficient space to operate either as:

- an off-site station, where hydrogen is delivered by truck, and stored and dispensed from the site, or as
- an on-site station that produces and compresses hydrogen for vehicles on the forecourt.

The layout has been futureproofed to accommodate either option.

Resource consent is sought for hydrogen to be stored and dispensed from the site. Provision for storage of up to 1,000kg of compressed hydrogen is sought, which will provide fills for up to 200 cars (@5kg prefill) or 20-50 HGV per day (@20-50kg per fill).

The proposed conditions of consent require the submission of a detailed design and management plan confirming compliance with all applicable hazardous substances codes of practice, standards and regulations.

Electricity demand and supply for hydrogen production will also be confirmed in the detailed design stage.

3.3 Café

The café (495m^2) will provide facilities for HGV drivers to take statutory rest breaks and obtaining food, as well as providing service to other drivers.

3.4 Fruit Shop

The proposal seeks to replicate the Pakowhai Road "The Fruit Shop" which is owned by Kevin Bayley through his Family Trust, selling seasonal fruit and produce grown within the Plains production zone as an ancillary and complementary service to people using the energy centre and service station.

The Fruit Shop will comprise a courtyard encompassed by a "lean to" style shelter (302m^2 roof extent) to create a pleasant "outdoor market" experience.

3.5 Buildings

Buildings are shown on the layout plan in Figure 2 above.

Elevations of buildings are shown in the Figure below

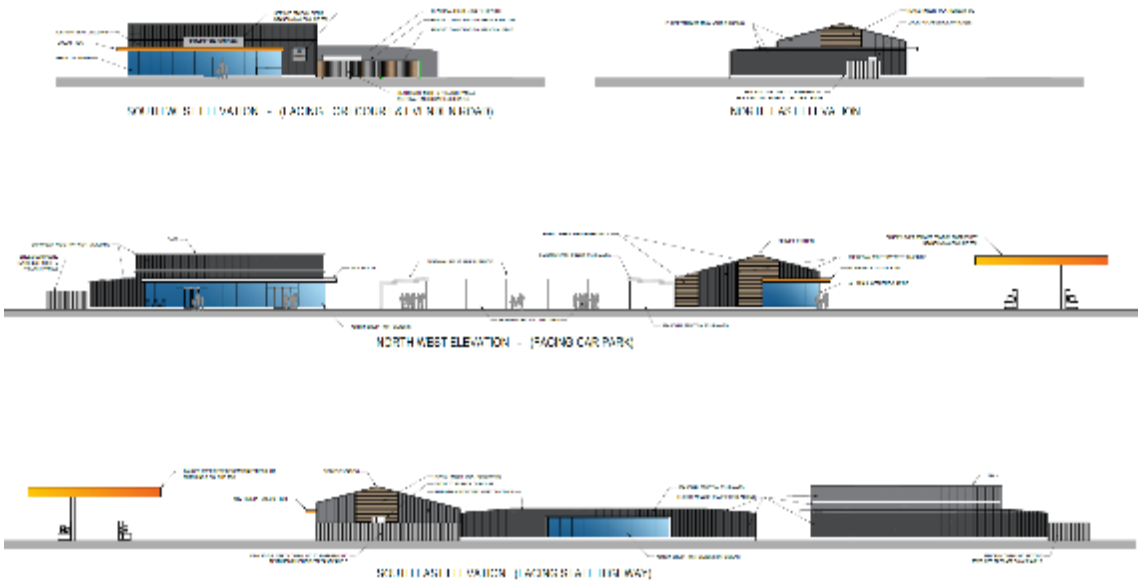

Figure 5 Elevations of buildings.

The maximum height of buildings is 10m.

3.6 Hours of Operation and Staffing

The anticipated operating hours and staffing requirements for each activity on the site are outlined below:

Vehicle refuelling and retail shop	24 hours, seven days per week	6 staff on average (duty manager, 2 cashiers, barista/food-prep, forecourt/yard),
Café	6 am–10 pm, seven days per week	6-7 FTE
Seasonal Fruit Shop	6:00 am and 8:00 pm, with shorter hours during off-peak seasons depending on produce availability and customer demand.	2-3 FTE

Cleaning and grounds maintenance will be undertaken by external contractors on a scheduled basis and will not contribute to permanent on-site staffing levels

3.7 Access, Parking, and Pedestrians

A single 28m wide, two-way access point is proposed along the Evenden Road frontage. This width has been designed to accommodate two-way truck movements. The access point will be approximately 75m west of the limit line at the SH2/Evenden Road roundabout. The access will be about 60m from the Delegat Wine Estate access on the opposite side of the road.

Separate and dedicated car and truck service positions will be located within the northern area of the site with manoeuvring and circulation areas provided within the eastern area. The development will provide the 62 car parking spaces located centrally within the overall layout. Three spaces will be marked as accessible spaces, and four for electric vehicles supplemented with charging stations.

Twelve dedicated truck parking spaces and three long vehicle/camper parking space will be provided. These spaces will have a width of at least 3m and a length of at least 20m.

Pedestrian footpaths and marked crossing points are included throughout the Site between parking and fuelling spaces, and the service station shop / cafeteria, to provide safe walking routes for pedestrians.

Bicycle parking spaces will also be provided to accommodate 13 parked bicycles.

The Site has been purposefully designed to allow good separation between the pump islands and Evenden Road, to mitigate any potential for queue back during busy period operations and includes a dedicated internal circulation arrangement and 'relief' routes to ensure vehicles can circulate within the Site clear of vehicles queuing at the pumps.

The tracking of vehicles complies within District Plan and Code of Engineering requirements.

The access and parking arrangement including vehicle tracking is shown on the Figure below.

Figure 6 Vehicle Tracking

The application is supported by the Transportation Assessment Report in **Appendix 4.**

3.8 Improvements to Road Network

The section of Evenden Road adjacent to the Site has been redesigned with widening to the north, to accommodate a 3.5m wide painted flush median and a 3.5m wide eastbound traffic lane. The 28m vehicle crossing width will ensure that the largest trucks can make their turns without encroaching in to the opposing traffic lane.

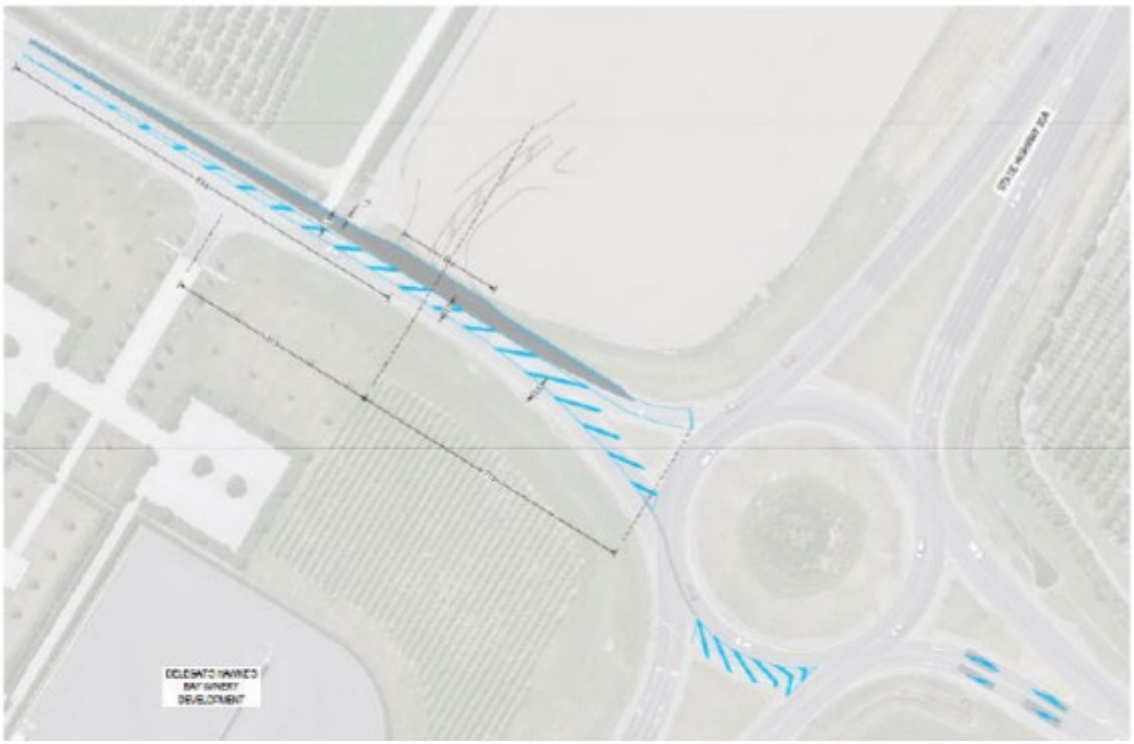

Figure 7: Proposed Layout of Evenden Road and Site Access

To provide for the safe arrival of vehicles towards the Site from SH2, it is proposed that the existing short 2-1 merge westbound from the SH2/Evenden Road roundabout be removed. This can be achieved by line marking changes on Evenden Road, the south-east approach to the roundabout, and through the circulation area, as shown in the figure below.

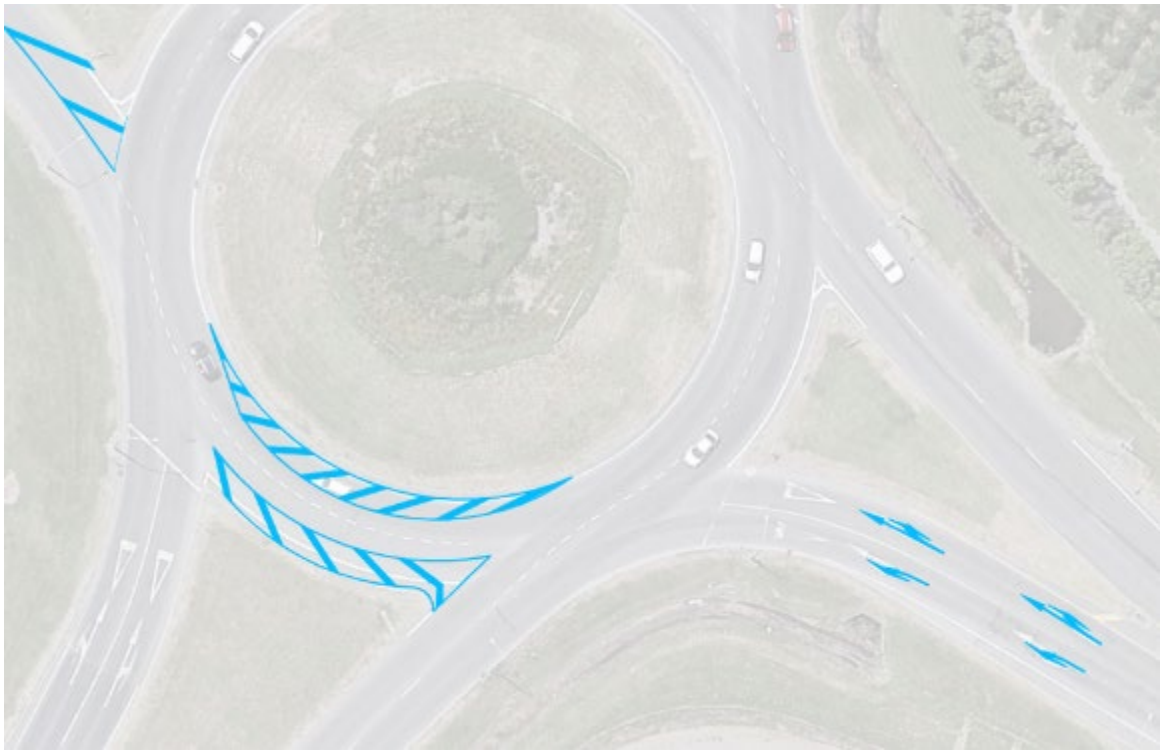

Figure 8: Proposed Lane Configuration Changes on South-east approach to SH2/Evenden roundabout

The detail of this proposal is set out in the Transportation Assessment Report in **Appendix 4.**

3.9 Signage

Proposed signs are shown on the site plans and elevations.

Proposed energy centre signage includes pylon (with electronic price boards) and canopy fascia signage, with smaller scale wayfinding signs and pump decals.

Signage associated with the service station shop, café, and fruit and produce shop will be wholly contained within the building's architectural envelope.

3.10 Lighting

The proposal includes external lighting and illuminated signage to support safe operation of the Energy Centre. Lighting will be provided across the truck stop, parking areas, EV chargers, forecourt canopy, and public areas using downward-directed, low-glare LED luminaires.

Two 9.0m-high static, backlit pylon signs are proposed at the site frontages, along with canopy and building-mounted logo signs, fuel price panels, and LED edge lighting. A backlit 4.55m high Seasonal Fruit sales sign is also proposed All signage will be static and non-reflective, with no flashing or animated elements.

The lighting and signage concept has been assessed by Kern Consultants and confirmed to comply with the relevant Hastings District Plan provisions (Rules 6.2.5E and 28.1.7B), AS/NZS 4282:2023 standards for low brightness zones, and the lighting and signage restrictions contained in the NZTA encumbrance on the site title.

Lighting calculations confirm maximum spill at the site boundary is below 8 lux, and vertical illuminance at the nearest residential window is 0 lux.

For road users on SH2 or Evenden Road, glare levels, threshold increment, and luminous intensity are all well within NZTA accepted limits, with no potential for distraction, dazzle or reduction in driver safety or network efficiency.

The exterior lighting calculations are shown in the figure below, with the lighting assessment and larger scale plans included in Appendix 12.

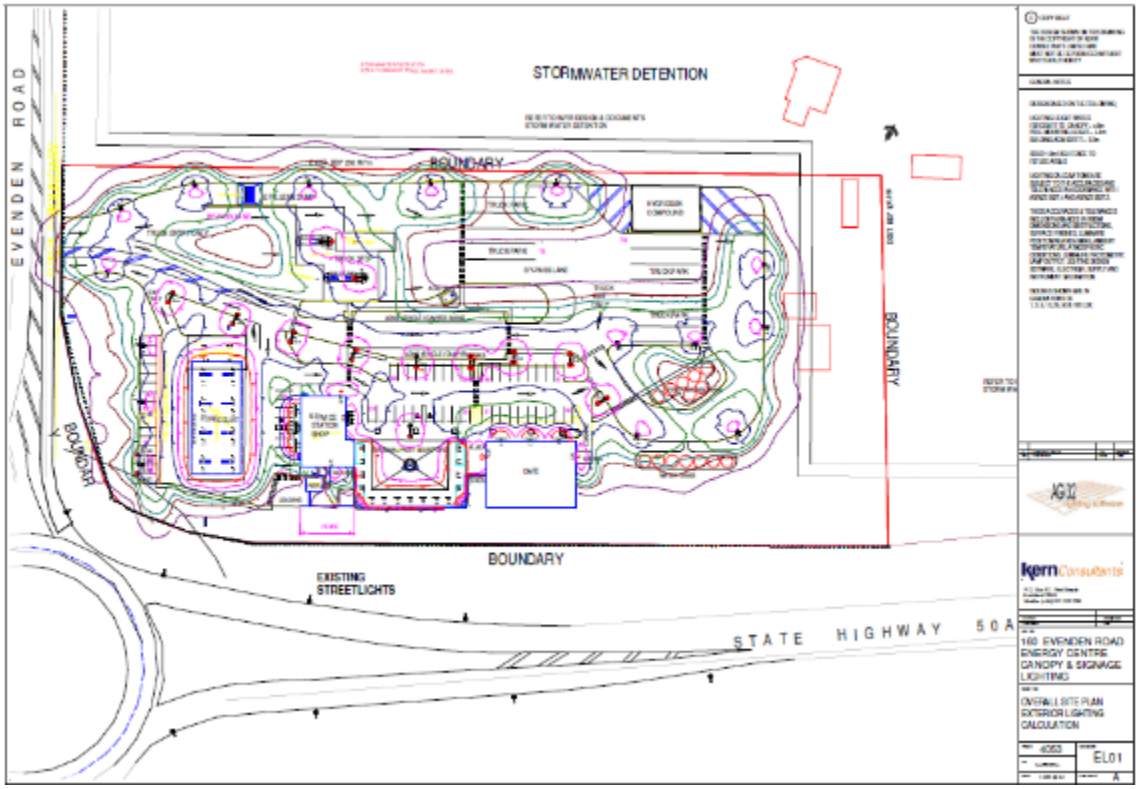

Figure 9 Exterior Lighting Calculations

3.11 Landscaping

The proposal site will incorporate extensive landscape planting.

Landscape development proposals are shown in the Figure below and included in full in the Landscape Effects Assessment in Appendix 5.

Figure 10:Landscape Development Proposals

The landscape plan aims to integrate the development into its semi-rural context while providing amenity, screening, and visual softening of built infrastructure. The site layout includes a range of planting zones, stormwater detention areas, and structured green elements to buffer the energy centre from surrounding land uses and road corridors.

The planting palette includes a mix of low groundcover and native shrub mixes, detention basin planting, and feature trees such as Pin Oaks, Tulip Trees, Māori Princess pōhutukawa, and Olives. Native wetland and riparian species are used in stormwater areas, while hedging is used to screen sensitive site elements like service areas and refuse zones.

The layout retains the site's flat topography, in keeping with the local landscape character, and includes a large stormwater basin planted to provide both ecological function and visual relief. The planting design also takes cues from the nearby Delegat winery, echoing elements like gridded tree rows and amenity landscaping,

The stormwater detention area, constructed to mitigate and attenuate stormwater flows from the developed site, provides an opportunity for extensive wetland planting. This will incorporate locally sourced indigenous planting with plant selection assisted by cultural inputs from local hapu. The wetland area will also incorporate a low flow channel to enhance ecology and, potentially, to provide eel habitat.

A consent condition is proposed requiring a fully detailed Landscape Plan to be submitted, approved and implemented prior to the commencement of the use.

The application is supported by a Landscape Effects Assessment which in Appendix 5.

3.12 Waste Management

Two refuse storage areas are located on-site, one adjacent to the service station shop and the second next to the cafeteria. Each of these storage areas also provide an adjacent loading space. The loading spaces are at least 3.5m in width and have lengths greater than 12.5m.

3.13 Stock Effluent Disposal Site

A stock effluent disposal facility is included in the proposal. The facility will conform to the best practice guidance "Stock Truck Effluent Disposal Facility Design Manual"[1]. HDC has agreed to allow a connection to the Hastings urban wastewater network.

The proposal is supported by the road transport industry and other interests including Regional Council and New Zealand Transport Agency (NZTA).

Importantly, the site has been identified as a recommended location in the nationally prioritised Stock Effluent Disposal Sites Programme, developed through a recent NZTA-led project. This programme involved a national environmental scan of potential sites and resulted in a strategic investment plan to support safer and cleaner freight transport across New Zealand.

The programme is included as a "Low Cost–Low Risk" investment in the 2024–2027 National Land Transport Plan[2][3], with implementation scheduled for 2025–2027. This provides validation of the site's strategic role and its alignment with broader national land transport and environmental objectives.

3.14 Infrastructure Services

The application is supported by an Infrastructure Assessment which is contained in **Appendix 6.**

Three waters services will comprise:

- On site stormwater treatment device;
- Onsite water supply using a bore;
- On site water tanks for firefighting water supply.
- Wastewater disposal to the Hastings urban network;

The stormwater system will be like that at the Delegats Winery across Evenden Road, using a created wetland, although with greater capacity.

Applications for stormwater discharge and water take consents will be made separately to the Hawkes Bay Regional Council when the design detail of site services is known.

There is potential to use the existing private sewer rising main in Evenden Road which conveys effluent from the Delegats site.

Power and telephone services are available to the site.

[1] WSP, Report Number U20/55, Date: 24 November 2020 Reference: Status: Final

[2] Email from NZ Transport Agency Waka Kotahi to Craig Batchelar, 19 February 2025, subject: "Fwd: General feedback – website query", confirming the Stock Effluent Disposal Facilities Programme as part of the Low Cost–Low Risk work category in the 2024–2027 National Land Transport Plan.

[3] See Development of Low Cost-Low Risk (LCLR) Programmes for the 2024-27 National Land Transport Programme, Waka Kotahi NZ Transport Agency, January 2024

An 11kV overhead power line runs along the site frontage nearby on Evenden Road. This line is expected to provide sufficient capacity to supply the proposed energy centre, subject to final load calculations and confirmation by the electricity network provider. A new dedicated connection and transformer will be provided as part of the site development, if necessary.

Telecommunications services can be readily provided to the site using a range of existing and emerging technologies. Given the flexibility and wide availability of modern service options (including fibre, wireless, and mobile networks), there is no servicing constraint that would preclude the establishment or operation of the proposed activities. Confirmation of the preferred service provider and connection arrangements will be made during the detailed design and construction phases, as is standard practice for commercial developments of this nature.

3.15 Earthworks

An Infrastructure Report by Infir Ltd which addresses earthworks is included with the application and attached at Appendix 6.

The site will be excavated to remove compressible soils, and to create detention basins and then back filled to create building platforms, and open graded gravel to create water storage under the carpark.

Proposed earthworks will comprise:

- Clearing the site and stripping of topsoil;
- Excavation to allow for installation of petrol and diesel tanks;
- Levelling and grading to facilitate hardstand surface and stormwater runoff;
- Excavation to allow for installation of stormwater detention basin.

Application for earthworks consent will be made separately to the Hawkes Bay Regional Council when the detailed design of site works is known.

3.16 Construction Programme

The total estimated construction duration is 9–12 months.

An indicative construction programme is shown below.

Stage	Duration	Scope
Site Establishment & Earthworks	2–3 months	Site fencing, erosion and sediment controls, bulk earthworks, detention basin excavation, platform preparation.
Civil Infrastructure & Underground Services	2 months	Installation of stormwater, sewer rising main, bore water supply, underground services (power, comms), and tank pits.
Fuel Systems, Pavement & Forecourt Works	2–3 months	Underground fuel tank and separator installation, forecourt hardstand, internal roads, vehicle tracking.

Stage	Duration	Scope
Building Construction & Site Fit-Out	3 months	Construction of shop, café, fruit shop, fuel canopies, EV charging foundations, signage, lighting.
Landscaping & Environmental Enhancements	3–4 weeks	Tree and wetland planting, hedging, landscape integration, cultural planting contributions.
Testing, Commissioning & Operational Readiness	2–3 weeks	Final service testing (fuel, EV, stormwater), signage install, compliance certification, staff training and site handover.

3.17 Balance Area

There are no plans to change the current horticultural use on the balance of 176 Evenden Road (Part of Lot 11 Deposited Plan 4352 and Lot 1 Deposited Plan 7912). The large frontage on Ormond Road provides multiple options for safe and compliant vehicle access to the balance land.

4.0 Hastings District Plan

4.1 Planning Maps

4.1.1 Zoning

The application site is located within the Plains Production Zone.

The two parcels that contain the application site are shown in the figures below.

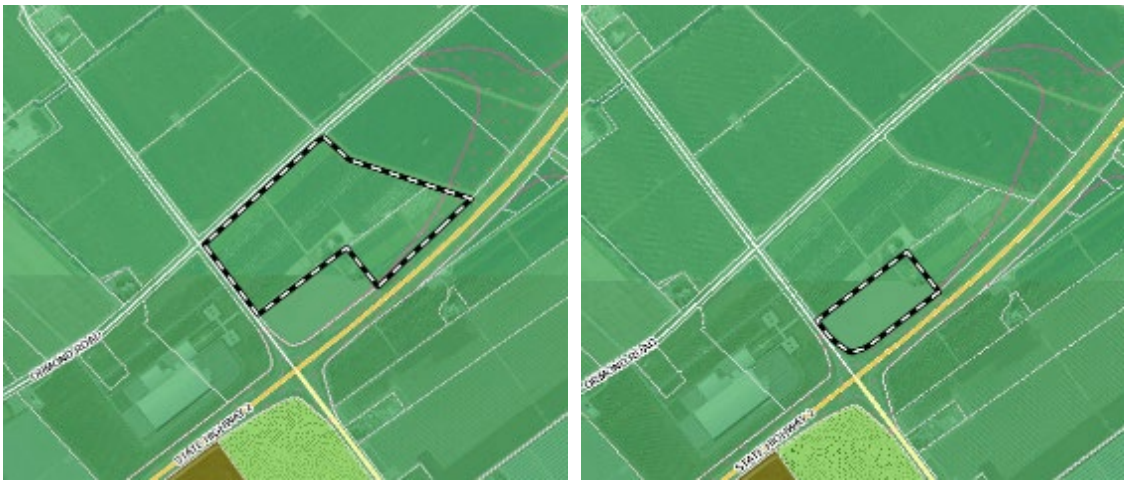

Figure 11: Planning Map

The application site does not contain any archaeological or other heritage assets and is not affected by any policy overlays.

4.1.2 Road Hierarchy

Evenden Road: Primary Collector

Roads of strategic importance which provide significant links within the local economy. Links to arterials or state highways.

SH2: National

Roads of strategic regional importance and contributing significantly to the regional economy. Linking regionally significant places, industries, ports or airports. Additionally, arterial roads may perform a 'lifeline' function.

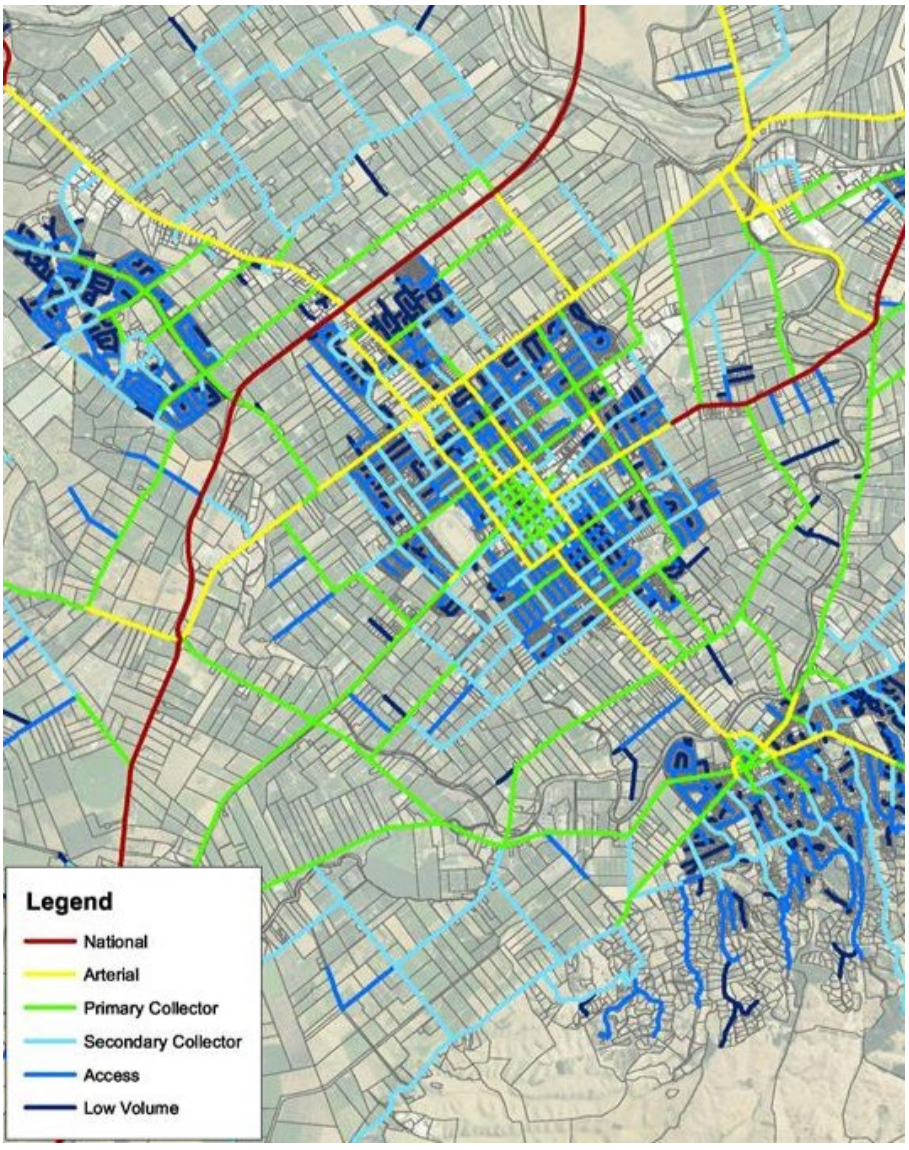

Figure 12: Road Hierarchy

4.2 Designations

Part of the land is subject to Designation: NZTA – 2 Pakowhai To Morley Road; Purpose: Proposed Motorway; Authority: New Zealand Transport Agency.

Figure 13 Designation: NZTA – 2 Authority: New Zealand Transport Agency: Purpose: Proposed Motorway

The designation affects a small area of the Site but does not encroach on any of the functional elements of the proposal. The edge of the stormwater detention area is separated by at least 10m from the designation boundary and will be more than 15m from any future carriageway taking into account provision of berms and provision for roadside drainage.

The requiring authority will need to redirect the drain alongside SH2 when the work goes ahead, and the reworked system will need to accommodate the Energy Centre discharge which will be managed to maintain pre-development flow rates.

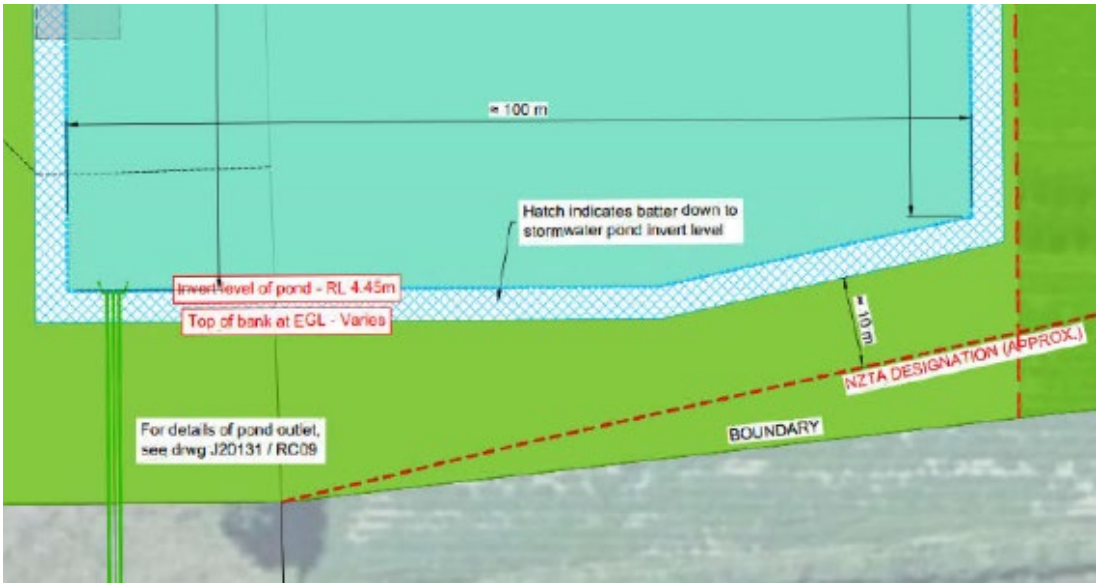

Figure 14: Area of Application Site affected by NZTA Designation

An approval from Waka Kotahi as the designating authority is not required under s176(1)(b) as the development will not prevent or hinder the exercise of the designation.

Waka Kotahi has advised that it is investigating options for the future optimisation and potential grade separation of the State Highway 2 / Evenden Road intersection as part of the Hawke's Bay Expressway (HBEX) project. These investigations are at a preliminary stage and do not currently have statutory effect under the Resource Management Act 1991.

Based on a general understanding of what may be proposed, the changed intersection boundaries could require some modification to the proposed Energy Centre site layout. An initial assessment indicates that an amended layout to accommodate such a change would be feasible within the proposed application site, although the extent of modification cannot be confirmed without access to the finalised design.

Given the current level of information, this resource consent application has been prepared based on the existing designation and transport network. The applicant will continue to engage with Waka Kotahi as the intersection design progresses and will consider appropriate mechanisms to align with any confirmed works through the relevant provisions of the RMA.

4.3 Plains Production Zone - Specific Performance Standards and Terms

The proposal is defined as a 'Commercial Activity:

> *Commercial Activity*
>
> *means the use of land or buildings for the display, offering, provision, sale, repair or hire of goods, equipment or services; and includes commercial service activities, but excludes helicopter depots*

Commercial activities are a permitted activity where "Threshold Limits" in Rule 6.2.6D (1) are met[4] (in summary):

- Retailing: maximum Gross Floor Area of 100m^2
- All commercial activities: Maximum of four employees, including one resident on the site.
- Commercial Activity hours of operation are limited to 8.00am-10.00pm.

These rules are intended to enable retail activities which have a relationship to goods produced in the District to have the opportunity to establish[5].

The proposal exceeds the Threshold Limits for a Commercial Activity in Rule 6.2.6D (1) and is a Non-complying activity[6].

[4] Rule PP5 Commercial Activities within specified limits

[5] 6.2.6D COMMERCIAL ACTIVITIES - Outcome

[6] Rule PP39 Any activity which is not provided for as a Permitted, Controlled, Restricted Discretionary or Discretionary activity shall be a Non-complying activity. To avoid any doubt this includes activities not provided for above that do not comply with the following Specific Performance Standards: 6.2.6C(a) and (c), 6.2.6D(1), 6.2.6E(1) and 6.2.6(F).

4.4 Plains Production Zone - General Performance Standards and Terms

Compliance is assessed in the following table:

Standard	Description	Proposal	Compliance
6.2.5A Building Height	Industrial, commercial, frost protection fans, winery buildings or structures – maximum height 15 metres All other buildings or structures – maximum height 10 metres	No commercial building or structure will exceed 15m in height.	Yes
6.2.5B Yards	Industrial, Commercial and Winery Buildings and Structures Front yard 15 metres All other boundaries 15 metres	No commercial building or structure will be within the 15m yard, other than a single pylon sign.	No
6.2.5D Screening	Outdoor storage areas of commercial, industrial, and winery activities shall be fully screened by fencing and/or planting from adjacent or opposite commercial and residential activities and motorists using public roads. Outdoor display areas and parking areas of commercial, industrial, and winery activities shall have landscaping which consists of a mixture of ground cover and specimen trees with a minimum width of 2.5 meters.	There are no outdoor storage areas. A Landscape Plan is submitted with the application and shows how the development will comply with these specific requirements.	Yes
6.2.5E Light and Glare	All external lighting shall be shaded or directed away from any residential buildings or roads and shall be less than 8 lux spill measured at a height of 1.5 meters above the ground at the boundary of the site.	All illuminated signs and lighting will be designed to comply with this standard and such that there will be little light spill from the site. There are no sensitive activities that will be affected by light spill. A detailed assessment of lighting compliance is included in the Lighting Assessment in Appendix 7.	Yes

Standard	Description	Proposal	Compliance
6.2.5F Traffic Sightlines, Parking, Access and Loading	Activities shall comply with the provisions of Section 26.1 of the District Plan on Transport and Parking.	See Transport and Parking compliance assessment below.	No
6.2.5G Noise	Activities shall comply with the provisions of Section 25.1 of the District Plan on Noise.	See Noise compliance assessment below.	Yes
6.2.5H Shading of land, buildings and roads	1. Trees on Boundaries Trees forming a shelterbelt for a distance of more than 20 metres on a side or rear boundary of a property under separate ownership: shall be planted a minimum distance of 5m from an adjoining property boundary and be maintained so that the branches do not extend over that boundary; and where planted between 5m and 10m from an adjoining property boundary shall be maintained at a height of no more than their distance from the boundary +4m (e.g. at a distance of 5m from the boundary, the height limit is 9m; at a distance of 9m from the boundary, the height limit is 13). 2. Trees Adjoining Public Roads Trees forming a shelterbelt for a distance of more than 20 metres within 5 metres of a public road shall be maintained at a height of less than 9 metres.	No shelter belts are proposed as part of this development.	Yes
6.2.5J Total Building Coverage (including hardstand and sealed areas)	The maximum building coverage (including hardstand and sealed areas) shall not exceed 35% of the net area or 1500m², whichever is the lesser. Netting, structures, and greenhouses where crops grown under or within those structures are grown directly in the soil of the site are excluded from total	The Total Building Coverage will be 29% of the net area or 14,885 m^2.	No

Standard	Description	Proposal	Compliance
	building coverage calculations.		

4.5 Noise Performance Standards and Terms

A detailed assessment of the proposal against Section 25.1 of the District Plan on Noise is included in the Assessment of Noise Effects in Appendix 7.

The assessment concludes that operational and construction noise will comply with the relevant noise performance standards.

4.6 Transport and Parking Performance Standards and Terms

A detailed assessment of the proposal against Section 26.1 of the District Plan on Transport and Parking is included in the Transportation Assessment Report (TAR) in Appendix 4.

The proposal complies with the performance standards and terms with the exception of:

- Rule 26.1.6A 2 (b): Access to property - driveway separation from the SH2 intersection; and
- Rule 26.1.6B 1: Safe sightline distance.

Non-compliance with these rules is a Restricted Discretionary Activity under Rule 26.1.8B and Rule 26.1.8C.

4.7 Earthworks

For the purpose of assessing the total volume of earthworks allowed as a Permitted Activity under Rule 27.1.6A, the volume is calculated by multiplying the volume threshold for the zone by the total area of the subject site in hectares, over any 12 month period.

For the application site the calculation of the permitted earthworks volume is:

- $100m^3$ x 5.25ha = $550m^3$ over any 12 month period.

The proposed earthworks volume will be approximately $6,220m^3$ of cut and $12,400m^3$ of fill.

Where the permitted volume is exceeded, the earthworks is a Restricted Discretionary Activity under Rule EM6.

The removal offsite of more than $25m^3$ topsoil, sand, gravel, metal or earth from any site in the Plains Production Zone is a Discretionary Activity under Rule EM11.

Surplus topsoil will be removed from the site within the area of building and hardstand, estimated at 7,500m^3.

Approximately half of the site will be landscaped with re-use of topsoil. Any topsoil not required onsite will be relocated to another productive landholding, ensuring this valuable topsoil resource continues to be used for productive purposes.

4.8 Advertising Devices and Signs Performance Standards and Terms

The proposal includes signs that will not comply with the performance standards and terms in Section 28.1 of the District Plan on Advertising Devices and Signs.

The total area for an "advertising device" in the Plains Production Zone under Rule 28.1.6A Total Area of Advertising Devices is 2.5m^2, and 1.5m^2 for Health and Safety Signs.

The area of a sign is calculated as the area of the sides which are used as part of the device, and which are visible from any one point (direction). Applying this definition, the proposed maximum sign area visible from the direction of external road boundaries from any one point will be:

Sign Type	**Sign Area**		**Other Compliance Features**
	Visible from Evenden Road Direction	**Visible from State Highway 2 Direction**	
Site Identifier Sign (Pylon)	-	16m^2	Maximum Height 10m. Will include the fuel range and prices which will not comply with 28.1.7A (a). Purpose Will comply with 28.1.7B Illumination Rule.
Service Station Price Sign	20,52m^2	20,52m^2	
Canopy Sign	1.5m^2	1.5m^2	Signs will: • state the occupant's name • be fixed to the canopy parapet or building wall and will not project above the highest point of the building. • not use colours that replicate official signs. • have a minimum lettering height of 160mm. • not be located within 15 metres of an existing official sign or traffic signal.
Service Station Shop Sign	7.26m^2	7.26m^2	
Café Sign	Not visible	Not visible	
Fruit Shop Sign	Not visible	Not visible	

			• have a sign message area that covers no more than 60% of the sign area.
Total	**29.28m^2**	**45.28m^2**	

Signs will comply with the Performance Standards and Terms other than for maximum sign area.

The Service Station Price Sign will include the fuel range and prices which will not comply with 28.1.7A (a) Purpose[7].

Signs that do not meet the Performance Standards and Terms are a Restricted Discretionary Activity under Rule ADS5.

4.9 Hazardous Substances Rules

The "Storage, Handling or Use of Hazardous Substances" is a permitted activity in areas other than within the Heretaunga Plains Unconfined Aquifer Overlay (excepting Major Hazardous Facilities).

The Application Site is not within the Heretaunga Plains Unconfined Aquifer Overlay.

The energy centre will exceed the Hazardous Substances permitted activity limits as a result of:

- The storage/use of more than 100,000L of petrol (**200,000L of petrol is proposed**)
- The storage/use of more than 50,000L of diesel (**100,000L of diesel is proposed**)
- Purpose built bulk storage facilities for the storage of hazardous substances (other than petrol, diesel or LPG) for wholesale or restricted commercial supply (**hydrogen production and storage is proposed**)

The energy centre activity is therefore classified as a "Major Hazardous Facility" and requires consent as a Discretionary Activity under Rule 29.1.5.

4.10 Activity Status

In summary, the following resource consent activity status applies to the proposal:

Plan Provision	Activity Status
Plains Production Zone Commercial Activity	Non-complying Activity
Plains Production Zone Performance Standard non-compliance	Restricted Discretionary Activity
Transport and Parking Performance Standards non-compliance	Restricted Discretionary Activity

[7] "…shall be limited to the purposes of stating the occupant's name, occupation or property name."

Earthworks: permitted volume exceedance	Restricted Discretionary Activity
Earthworks: removal offsite of more than 25m^3 topsoil	Discretionary Activity
Advertising Devices and Signs Performance Standards non-compliances	Restricted Discretionary Activity
Hazardous Substances Major Hazardous Facility	Discretionary Activity

Applying the bundling principle, the proposal requires consent as a **Non-complying Activity** under the Hastings District Plan.

5.0 Hawkes Bay Regional Resource Management Plan

5.1 General

Applications have not been made to Hawkes Bay Regional Council (HBRC) for resource consents for earthworks, discharges of stormwater, or for water takes. These consent applications are not needed for the purpose of better understanding the nature of the proposal.

The scope of the activities for which regional consents are required are described in the Proposal Description, and a preliminary assessment of compliance issues is set out below.

5.2 Land Use Activities

Soil disturbance for earthworks is a Permitted Activity under Rule 7 Vegetation Clearance And Soil Disturbance Activities, subject to meeting conditons including condition (a) preventing the transportation or deposition of disturbed matter into any water body.

The Explanation of Rule 7 is that in considering whether condition (a)i has been met, Council must have regard to recognised Industry Codes of Practice, Best Practice Guidelines and Environmental Management Plans relevant to and adopted in carrying out the activity.

An Erosion and Sediment Control Plan will be provided to demonstrate that the conditions of Rule 7 are met.

5.3 Discharges to Land/Water

Diversion and discharge of stormwater is a Controlled Activity under Rule 43 Diversion and discharge of stormwater.

Applications may be considered without notification and without the need to obtain the written approval of affected persons in accordance with section 94 (1) (b) of the RMA.

5.4 Water Take

The take and use of groundwater is a Discretionary Activity under Rule 55 Other takes & uses of surface & groundwater.

The applicant holds water take rights to extract ground water on other land holdings within the same local groundwater catchment. The applicant will transfer water take rights to the Energy Centre from other sites.

5.5 Discharges to Air

An air discharge consent is not anticipated. Minor discharges from industrial & trade premises , which includes discharges for the purposes of ventilation or vapour displacements, are a Permitted Activity under Rule 29 subject to compliance with conditions to ensure a low level of effects. A hydrogen electrolyser powered by electricity does not produce direct air emissions during operation.

6.0 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS)

A Detailed Site Investigation (DSI) has been undertaken for the Application Site. (A DSI for each of 160 and 176 Evenden Road)) . See Appendix 8.

The key conclusions of the DSI are:

- The Site is considered suitable for future commercial/Industrial land development;
- Based on comparison of laboratory results with NES standards for commercial/Industrial land use, this Site is considered highly unlikely to pose a risk to human health. No further work is required.
- Earthworks will require targeted soil management and off-site disposal of material, particularly in the area of elevated copper near the pump shed at 160 Evenden Road.

In terms of the NESCS, and having regard to the DSI conclusions:

- the change of use is a permitted activity under regulation 8(4);
- the disturbance of soil is a controlled activity under regulation 9(1).

7.0 Assessment of Environmental Effects (Section 104(1)(a))

Having regard to the proposal and District Plan provisions, the relevant effects that need to be considered are:

- Transport
- Landscape and Visual
- Infrastructure
- Natural Hazards
- Versatile Land/Highly Productive Land
- Hazardous Installations
- Disturbance of soil
- Cultural and Heritage

7.1 Transport

7.1.1 Overview

Transport effects are assessed in the Transportation Assessment Report (TAR) in Appendix 4.

The TAR sets out and describes the:

- Site location and the existing transportation environment near the Site;
- Existing road safety records near the Site;
- Development proposal;
- Assessment of the relevant transportation provisions in the District Plan;
- Assessment of effects resulting from the proposal, including in relation to traffic movements and distribution; and
- Recommendations regarding mitigation.

The assessment has been based on historical traffic volume and travel pattern data from 2019. These remain appropriate as traffic conditions remain unsettled following the roading impacts of Cyclone Gabrielle.

7.1.2 Safety History

There is no record of any crashes having occurred along the Site frontage of Evenden Road nor the Delegat Winery access on the opposite side of the road. Of the 40 recorded crashes on SH2, most were non-injury crashes, with four being minor injury. This low severity is common with the slower speeds involved through the roundabout, with the number of crashes representative of the larger volumes carried by the Expressway.

7.1.3 Regional Context

Under the Hawke's Bay Regional Land Transport Plan 2024-2034 ("RLTP"), four-laning of the Hawke's Bay Expressway is proposed and ranked highly in terms of project prioritisation. The plan mentions the need to strengthen the connection between Hastings and Napier, with the

Expressway forming the key transport spine for the region between these two cities as well as to the north and south.

The Hawke's Bay Expressway was confirmed a part of the Government's Roads of National Significance ("RoNS"). The project is being delivered through a staged approach, with planning and preliminary earthworks associated with Stage 1 north of the Site between Taradale Road and Pakowhai / Links Road underway and delivery anticipated by 2028.

Planning for Stage 2 of the project which covers the section of SH2 adjacent to the Site is expected to begin later in 2025, with construction anticipated to be completed in the 2027-2030 National Land Transport Programme period.

An existing NZTA designation to provide for a grade separated intersection at Ormond Road and Morley Road part of the Hawke's Bay Expressway works crosses a small part of the Site near its northeastern boundary. The proposed development will not prevent or hinder the public work to which this this designation relates.

7.1.4 District Plan Provisions

The TAR includes a detailed assessment of the proposal against Section 26.1 of the District Plan on Transport and Parking is included in the Transportation Assessment Report (TAR).

The proposal complies with the performance standards and terms with the exception of:

- Rule 26.1.6A 2 (b): Access to property - driveway separation from the SH2 intersection; and
- Rule 26.1.6B 1: Safe sightline distance.

The TAR assesses the effects of these non-compliances.

7.1.5 Assessment of Effects

The TAR analyses the effects of traffic generation and distribution.

The available traffic data shows that SH2 carries about 21,000 vpd and about 2,000 vph during the weekday peak periods. The Site is expected to attract between 420 and 840 vpd and between 40 and 80 vehicles associated with the refuelling, and ancillary cafeteria and shop activities during the commuter peak hours. During peak hours there will be 20-30 additonal vehicles associated with trips specifically related to the fruit shop.

The results of SIDRA traffic modelling show that the Site access point can be expected to operate with a high level of service and only minor delays and queuing for turning traffic at peak hours. A sensitivity analysis with a 40% increase of both through volumes and turning volumes has minimal impact on the operation of the access point.

The TAR assesses the effects of the non-complaint intersection separation.

The assessment concludes that the proposed location of the vehicle access and the expected traffic generated from the activities on the property will have no significant effect on the safety or efficient operation of the intersection with Evenden Road or the roundabout.

The TAR assesses the effects of the non-complaint sight distance.

The assessment concludes that the entry and exit speeds to and from the roundabout are such that shorter sight distances are appropriate and will have a no more than minor effect, and that that safe entries and exits can be achieved.

7.1.6 Roundabout Lane Modifications

As described in the proposal, modifications are proposed to the SH2/Evenden Road roundabout to facilitate the form and position of the development access.

This involves a change from the current lane arrangement on the south-east approach to the roundabout from a left lane (left turn / through), and right lane (right turn only) configuration, to the proposed arrangement of left lane (left turn only) and right lane (through / right turn). This adjustment to the lane configuration will provide for a single circulation lane through the roundabout (westbound).

The results of SIDRA traffic modelling show that the proposed change in configuration on the south-east approach increases delays slightly on the right lane of this approach to the roundabout, with a no more than minor effect. The movement lanes are shown to continue operating at their current Level of Service B or Level of Service C following the proposed remarking.

7.1.7 Conclusion

The local road network, including the Evenden Road access and the SH2/Evenden Road roundabout, can safely and efficiently accommodate the additional traffic from the proposal. No significant impacts on intersection performance or queuing are expected.

Transport effects are assessed as no more than minor, and acceptable.

7.2 Landscape

7.2.1 Overview

Landscape effects are assessed in the Landscape Effects Assessment (LEA) in Appendix 5.

The LEA steps out and describes the:

- Assessment methodology, including the scaling of effects;
- Proposal;
- Landscape context;
- Policy context;
- Potential landscape effects;
- Conclusions.

7.2.2 Methodology

Landscape effects are considered in the context of visual change, landscape character, and the public's connection to place, rather than just the visibility of the proposal.

The assessment was guided by the NZILA's 2022 landscape assessment guidelines (Te Tangi a te Manu), which use a 7-point effects scale ranging from "Very Low" to "Very High." This scale helps quantify visual and landscape changes, though it deliberately avoids direct RMA terms like "minor" or "more than minor."

7.2.3 Proposal

The landscape components of the proposal are described earlier in the Proposal Description and in detail in the LEA in Appendix 5.

The LEA methodology included preparation of two visual simulations of the proposed energy centre building, signage and landscape elements, both from SH2, to assess visual impacts. Reduced scale images are shown in the photos below.

SH2 Road looking Northeast

From SH2 Road looking west

7.2.4 Landscape Context

The LEA notes that, historically, the local area has been valued for its rural and productive orchard land, acting as a buffer between Napier and Hastings. However, increasing development along the SH2 corridor (including Delegat, Mitre 10 Sports Park, and Frimley) has begun to erode this rural character.

The combination of intensifying land use and traffic activity along SH2 has led to a more functional, developed feel, particularly east of the Ngaruroro River.

This trend is expected to be reinforced by the planned SH2 widening, including the addition of road safety barriers.

7.2.5 Policy Context

The LEA identifies that the site sits within the Plains Production Zone of the Hastings District Plan, which prioritises protection of rural character, land-based production, and low-scale development.

Relevant policies require new activities to be consistent with the open, flat, and low-density qualities of the zone and to avoid more than minor effects on existing land uses.

While the energy centre represents a departure from traditional rural use, the evolving context of the surrounding area and the proposed design measures help to address the zone's policy expectations and mitigate potential adverse effects.

7.2.6 Potential Landscape Effects

The proposed energy centre is not directly aligned with the rural production focus of the Plains Production Zone, but several mitigating factors reduce its potential landscape and visual effects. Its location alongside SH2—a dominant and growing transport corridor—means it aligns with a common pattern across New Zealand, where fuel and service centres are located on key rural highways.

The site character is also already influenced by nearby developments such as the Mitre 10 Sports Park and Delegat winery, both of which contribute to a more functional and less traditional rural character.

Despite a relatively high proportion of paved surfaces, the number and scale of buildings are modest, and they have been arranged to minimise visibility from SH2. Buildings will be dark-coloured and recessive, with signage more restrained than typical urban centres.

The proposal responds to and visually integrates with its surroundings through planting patterns and screening, while also contributing to local amenity and continuity with adjacent developments. The extensive landscaping, including planting drawn from the surrounding orchard character, will provide buffering, screening, and amenity, particularly along key view corridors.

The large stormwater detention area also ensures the built forms are well separated from adjacent land uses and helps maintain a sense of openness.

The proposal will be visible from the Sports Park and Delegat winery, but views are mostly oblique or screened by existing and proposed planting. No residential dwellings will have direct views of the site.

Although the proposed development will be recognisable as occupying productive land, its scale, design, and context mean it will have limited impact on rural character. It is likely to be perceived as a local landmark linked to the road corridor rather than the surrounding rural landscape.

7.2.7 Conclusion

Overall, the assessment concludes that the landscape and visual effects of the proposal will be low-moderate, translating to minor under the Resource Management Act framework.

7.3 Infrastructure

Infrastructure effects are assessed in the civil engineering report in Appendix 6.

7.3.1 Stormwater Quantity

Stormwater will be managed via an on-site detention basin.

The Site lies within a broader flood-prone landscape and drains naturally toward the Raupare Stream, a key local watercourse. The surrounding land, particularly the area between the site and the Ngaruroro River stopbank approximately 1.5 kilometres to the northeast, also contributes to the overall stormwater dynamics during major rain events. The wider catchment includes land sloping from a watershed about 2.4 kilometres to the southwest, meaning that during heavy rainfall, water flows across the site and adjacent properties toward the stopbank and eventually to the stream and the ocean.

The design must accommodate not only the additional runoff generated on-site but also ensure that the development does not interfere with the natural flow of stormwater from the wider catchment.

To that end, the design includes a large detention basin with a volume of 13,600 cubic metres. Importantly, only about 3,070 cubic metres of runoff during a 1% AEP 24-hour storm event is expected to originate from the developed site itself. The remaining capacity, more than 10,000 cubic metres is available to accommodate water entering the site from the surrounding floodplain during significant rainfall events.

This inflow from outside the site will be facilitated through a proposed 600mm diameter inlet pipe fitted with a flap gate. The flap gate is designed to allow one-way flow into the basin—preventing water from backing up into the catchment under normal conditions, while enabling floodwater from the broader landscape to enter the basin when water levels rise. This is particularly important because during high-intensity storms, water from the catchment will naturally accumulate in lower-lying areas, including parts of the development site, regardless of any runoff generated by the development itself.

The detention basin is designed to control discharge from the site, with a restricted outflow equal to the pre-development discharge rate for a 1% AEP event. This is to be achieved by installing a DN150 outlet pipe, to regulate the flow. Scour protection measures will be required at the point where the discharge exits the basin and enters the downstream system.

The outflow is directed into the existing drainage network that ultimately discharges into the Raupare Stream, which lies downstream of the development site. This stream forms part of the natural drainage path for the broader catchment and is capable of receiving stormwater flows from this area under regulated conditions.

The detention basin will incorporate locally sourced indigenous planting with plant selection assisted by cultural inputs from local hapu. Plant species will be carefully selected by a suitably qualified person, with experience in wetland or riparian environments. An indicative proposal is included in the LEA.

7.3.2 Stormwater Quality

The proposed stormwater system will not only mitigate the increased quantity of runoff from the site but also support water quality improvement through natural treatment processes.

The detention basin has been designed with a flat bottom, which allows it to be planted as a wetland area. When appropriately planted with carefully selected native wetland species, this configuration will provide passive stormwater treatment by encouraging the settling of sediments and the uptake of nutrients and contaminants by vegetation.

This approach supports the removal of common urban pollutants such as suspended solids, hydrocarbons, and metals present in runoff from hardstand and paved areas, including the forecourt, parking lots, and car wash zones. The extended detention time—up to seven days—also enhances the opportunity for natural settling and biological treatment before stormwater is discharged to the receiving environment.

Inlet and outlet structures have been designed to control flows and reduce velocities, which further supports sedimentation and minimises the potential for scouring and remobilisation of contaminants within the basin.

The design approach provides a strong foundation for integrating stormwater quality treatment into the final layout, supplemented with targeted source control and pre-treatment systems during detailed design. Treatment devices (such as oil interceptors or proprietary filters) will be specified at detailed design stage and as part of the future application for stormwater discharge consent.

Overall, the proposed stormwater detention basin, when combined with appropriate planting and pre-treatment measures, will contribute positively to managing stormwater contaminants and protecting downstream water quality in the Raupare Stream.

7.3.3 Wastewater

The expected daily wastewater volume is 12,000 litres, generated mainly by the retail activities on the site.

The inclusion of stock effluent disposal will contribute up to a further 6,000 litres, assuming 15 truck discharges per day. Due to the high BOD content of stock effluent, it is considered controlled wastewater under the Hastings Consolidated Bylaw and will require trade waste consent. On-site treatment and/or trade waste charges will be required. The technical solutions for treatment are well understood and can be addressed during detailed design.

To provide resilience against pump or pipeline failure, a 12m^3 underground storage tank will be installed alongside the pump station. The pumping system is proposed as a duty/standby configuration. The overall contribution to the district system is minor and well within existing capacity. If stock effluent is also included, an increase in storage to 18m^3 will be provided.

The report recommends connecting to the Hastings District Council's sewer system. This will involve installing a 500-metre DN50 rising main from the site to the nearest connection point at the intersection of Evenden Road and Percival Road.

Council officers have advised that no weight should be placed on any future wastewater upgrades. The applicant agrees that the proposed connection does not rely on such upgrades and can proceed independently. The applicant proposes a condition allowing Council to direct an alternative connection point if preferred infrastructure becomes available at the time of implementation.

A possible alternative solution is to share the use of an existing private sewer rising main located in Evenden Road, which conveys effluent from the Delegat site to the Hastings District Council wastewater network. Rising main systems of this type typically operate intermittently, running at capacity only for short durations while remaining idle for much of the time. It is technically feasible to use flow management and control systems to coordinate discharges, enabling the proposed

development to use the existing rising main without adversely affecting Delegat's operations. Further investigation and agreement with the asset owner would be required prior to implementation.

A further alternative option for wastewater disposal—on-site treatment and discharge—is also identified but not recommended unless necessary. Should this be pursued, a site-specific design would be required, along with a discharge consent from the Hawke's Bay Regional Council.

7.3.4 Water

Water supply for the site is proposed to come from an existing bore, supported by on-site storage tanks for peak demands and emergency use.

Water demand is expected to be driven by the service station shop, additional retail spaces, the car wash, and landscape irrigation needs. Total estimated daily demand is around 17,285 litres.

The amount of water used per day by an on-site hydrogen generator depends on several factors in addition to scale of production . However, up to an additional 5,000L/day would be needed for a medium-large scale refuelling station.

7.3.5 Other Utilities

The availability of other utilities such as power and telecommunications is expected to be adequate, based on surrounding development.

7.3.6 Conclusion

The infrastructure needs of the proposed activity can be adequately met through on-site and off-site provision as described. Infrastructure effects are assessed as no more than minor.

7.4 Natural Hazards

7.4.1 Overview

The Site is assessed as being susceptible to flood and land instability hazards.

Flood hazard effects are assessed in the civil engineering report in Appendix 6.

Land stability hazard effects are assessed in the geotechnical engineering report in Appendix 11.

7.4.2 Flood Hazards

The Site lies within the Hawke's Bay Regional Council's (HBRC) 50-year flood zone as shown in the Figure below. (Source: https://gis.hbrc.govt.nz/Hazards/)

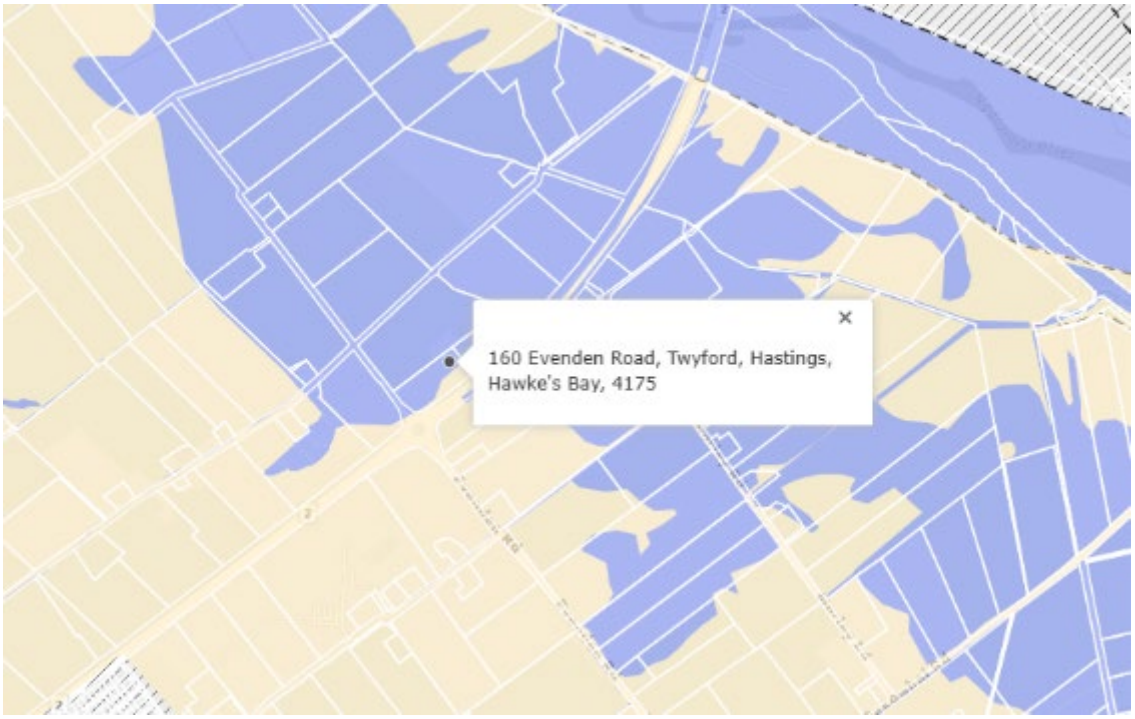

Figure 15: Hawke's Bay Regional Council's (HBRC) 50-year flood zone

The primary flood hazard risk is mitigated by the existing Heretaunga Plains Flood Control and Drainage Scheme (HPFCS), and there is a low degree of risk. The long term impacts of climate change and sea level rise on development or proposed protection works have been considered in the HPFCS design.

Residual risk for the Scheme includes both the chance of an event occurring that exceeds the capacity of the system (a super-design event), and the potential for failure of a flood protection asset; both of which could result in widespread flooding and damage. There are a variety of potential causes for both super-design and failure events and these represent a risk that is impossible to eliminate completely. HBRC management of residual risk focuses on good design practice, audits of asset status, and development of contingency and emergency plans for response management should a super-design or failure event occur[8].

The land was flooded during Cyclone Gabrielle in February 2023 due to the failure of the Ngaruroro River stopbank system. Stopbanks have been rebuilt, restoring critical flood defences ahead of future extreme weather events.

HBRC modelling places the 2% Annual Exceedance Probability (AEP) flood level at RL16.0 (Hawke's Bay Local Authority Datum 1972), which corresponds to RL5.80 in NZVD2016.

To account for the effects of climate change and to adopt a conservative approach, the assessment recommends adjusting this to a 1% AEP climate change-adjusted flood level of RL16.15 (RL5.95 NZVD2016).

This level incorporates an extra 150mm of freeboard, which is consistent with best practice for managing flood risk in commercial developments.

The proposed development responds to flood hazards by:

[8] Heretaunga Plains Flood Control Scheme Asset Management Plan

- Raising building platforms and critical infrastructure above RL16.15;
- Designing earthworks that balance cut and fill to avoid reducing floodplain storage capacity;
- Creating a stormwater detention basin that provides a net effect of more than 1,000 m³ of additional flood storage below RL16.15, thereby ensuring the development is hydraulically neutral for major storm events.

The floodplain context is also considered in relation to the wider catchment. The land surrounding the site floods in large events, and Raupare Stream provides the main outfall for floodwaters. The report emphasises the importance of allowing external floodwaters to enter the site detention basin (via a DN600 inlet) to preserve the existing flood behaviour.

In summary, the proposed mitigation through site elevation, flood storage, and integration with the surrounding floodplain system will ensure the development is appropriately protected from the effects of flooding and does not worsen flood risk elsewhere.

7.4.3 Land Instability Hazards

The site is located on flat terrain near State Highway 2 and is underlain by Holocene river deposits comprising sandy silts and sand mixtures with interbedded clays. Groundwater was encountered at a shallow depth of approximately 0.9 m below ground level.

Key geotechnical risks identified include high liquefaction susceptibility and associated lateral spreading during seismic events.

Under Ultimate Limit State (ULS) earthquake conditions, lateral displacements of up to 441 mm and vertical settlements of up to 150 mm are predicted, particularly within 15 metres of the proposed stormwater detention basin.

To mitigate these risks, the report recommends the construction of a specifically engineered inground palisade wall to restrict liquefaction-induced ground movement and protect buildings and other critical structures. Following this mitigation, a reinforced gravel raft foundation (0.8 m thick) with Specific Engineered Design (SED) is considered suitable to support the proposed structures.

While the 15 m offset is critical for determining protection measures for buildings and essential infrastructure, the report notes that some deformation may be tolerable in hardstand and pavement areas during a ULS event. An alternative approach may allow such areas to deform while protecting key structures with targeted mitigation measures.

The site meets Hastings District Council's geotechnical investigation standards, and the proposed development is considered feasible from a geotechnical perspective, provided the recommended mitigation measures and construction specifications are implemented. Further geotechnical input will be required during construction for verification and certification purposes.

7.4.4 Conclusion

Natural Hazard risk will be low following the completion of development, provided the technical recommendations are followed.

Natural hazard effects are assessed no more than minor.

7.5 Soil Contamination

7.5.1 Overview

A Detailed Site Investigation (DSI) has been undertaken for both 160 and 176 Evenden Road, Hastings, to assess the potential for soil contamination arising from historical land use, and to evaluate the suitability of each site for commercial and industrial development. The investigations were prepared by EAM NZ Ltd,

The 160 Evenden Road assessment was completed in October 2022, and the 176 Evenden Road assessment was completed in April 2025 (Appendix 8). The assessment for 176 Evenden Road is for the whole [property and extends beyond the Application Site.

Both sites have a long history of orchard use and are listed under the Ministry for the Environment's Hazardous Activities and Industries List (HAIL) due to the persistent pesticide use typically associated with such land uses. The primary contaminants of concern considered in both assessments were heavy metals (notably arsenic, copper, lead, zinc, cadmium, and nickel) and organochlorine pesticides (OCPs), such as DDT and its breakdown products.

7.5.2 DSI for 160 Evenden Road

Historical use of the property as an orchard from the 1960s through to the early 2000s has resulted in widespread elevation of heavy metals above natural background levels.

While all soil sample results were below the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) for commercial/industrial land use, exceedances of ecological soil guideline values were recorded at two locations (SS26 and SS27) adjacent to the existing pump shed.

Notably, copper concentrations in these locations were significantly elevated (up to 1,700 mg/kg), exceeding the ecological guideline value of 420 mg/kg. A trace detection of DDE (a breakdown product of DDT) was also identified, although well below NES thresholds. The affected soils in the pump shed area are not considered suitable for reuse in any ecological features, such as wetlands, that are designed to support aquatic life. These soils will need to be managed and disposed of off-site at a consented facility.

7.5.3 DSI for 176 Evenden Road

Similar orchard use has occurred on the property, but contamination was found to be more limited in extent and concentration.

Arsenic and copper were present above regional background levels within orchard areas, and elevated lead and zinc were detected in soils adjacent to the house site. However, all soil contaminant levels were below both NESCS and ecological guideline thresholds. No organochlorine pesticides were detected in any samples.

The results confirm that site soils at 176 Evenden Road are suitable for reuse during earthworks, including in the construction of stormwater management features or wetlands. The site poses no identifiable risk to human health or ecological receptors under the proposed commercial/industrial development scenario.

7.5.4 Off Site Disposal of Contaminated Soil

Up to 7,500m3 of surplus topsoil may require disposal off the site. The surplus topsoil is not likely to meet the definition of "clean fill" which must be free of hazardous substances and contaminants.

High-copper soils (~500–1,000 m³) must not be reused in ecological areas (e.g. wetlands) or near sensitive receptors and are likely need to be disposed of at Ōmarunui Landfill or other special waste facility.

Other soils above regional background levels could be reused on industrial/commercial sites or otherwise disposed of to landfill. There is potential to raise the building platforms above the currently proposed level to take up some of the surplus material.

7.5.5 Conclusion

Both sites are suitable for the proposed development provided the technical recommendations are followed.

Earthworks will require targeted soil management and off-site disposal of material, particularly in the area of elevated copper near the pump shed at 160 Evenden Road.

Soil contamination effects are assessed no more than minor.

7.6 Earthworks

7.6.1 Overview

Earthworks is a Discretionary Activity due to the volume exceeding both general and annual limits for permitted activities.

Earthworks are controlled under the District Plan to achieve the following outcomes relevant to this application:

- Erosion and land instability are avoided.
- Productive soil capacity is maintained.
- Visual and amenity values are preserved.
- Water quality and flood systems are protected.
- Cultural, historic, and natural features are not degraded.

7.6.2 Assessment of Effects

Earthworks effects are addressed under other assessments as follows:

- Erosion and sediment control: These effects will be managed through compliance with Hawke's Bay Regional Council (HBRC) earthworks requirements, including the preparation and implementation of an Erosion and Sediment Control Plan.
- Land stability: Potential land stability effects are addressed in the accompanying geotechnical report.

- Productive soil capacity: Effects on versatile and highly productive land have been considered and are addressed in the relevant section of this application.
- Visual and amenity values: These effects are assessed in the submitted Landscape Effects Assessment.
- Water quality and flood systems: Addressed in the Infrastructure Assessment, which considers stormwater and runoff implications.
- Cultural, historic, and natural features: These are addressed in both the Landscape Effects Assessment and the Cultural Effects Assessment.

7.6.3 Conclusion

Effects relating to the earthworks outcomes sought by the District Plan are assessed as minor or no more than minor.

7.7 Highly Productive Land

7.7.1 Overview

The Site comprises Land Use Capability (LUC) Class 2 land that is classified as "Highly Productive Land" under the National Policy Statement on Highly Productive Land.

HPL - LUC Class 2 is described as *"Very good multiple-use land, slight limitations, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry"*.

The figure below shows the site LUC as shown the Landcare Baseline Highly Productive Land map.

Figure 17 Highly Productive Land

While the HBRC has yet to compete mapping of HPL required under Policy 3.5 of the NPS HPL it is improbable that the land will be relegated to LUC Class 3 or lower.

7.7.2 Strategic Context

The Heretaunga Plains is one of New Zealand's most significant areas of versatile and productive soils, supporting high-value horticulture and cropping. Both the Hastings District Plan and the NPS-HPL seek to protect these soils from inappropriate land use change that may compromise their productive capacity or contribute to fragmentation.

Of particular concern, both locally and nationally, is the ongoing pressure from rural lifestyle development. These developments typically involve subdivision into smaller lots, residential land use, and a pattern of urban encroachment that results in both the direct and indirect loss of productive land. Such development can erode rural character, limit the operational flexibility of adjacent primary producers, and shift land use expectations over time.

The Plains Production Zone reflects this context and provides a strong regulatory framework for avoiding land fragmentation and for managing development that is not directly tied to land-based production. It emphasises the importance of maintaining the rural identity, cohesion, and soil-based productivity of the zone.

7.7.3 Scale and Nature of Effects

While the proposal does involve permanent development on highly versatile land, the scale of the land loss can be considered in proportion to the wider regional context. The Heretaunga Plains contains approximately 42,723 hectares of Class 1 and 2 land. The 5-hectare site represents 0.012% of this total.

The proposal does not involve subdivision, nor does it introduce residential activity. Indeed the proposal involves the transformation of an existing, small, residential lifestyle site into a use that is serves and promotes the wider Plains Production Zone uses within that zone as well as serving Industrial and other land uses in other zones.

It is a single, clearly defined, and self-contained use that does not create sensitive interface issues or land use conflicts with surrounding rural production. While the land will no longer be available for soil-based production, the area affected is small, and the impact is limited to the development site itself.

There is a legitimate concern regarding the cumulative impact of developments on HPL that do use its productive potential. However, this proposal does not reflect the typical pattern of non-rural encroachment. It does not fragment titles, introduce lifestyle amenity expectations, or alter land use character. Its physical containment and functional clarity make it a distinctly different and more manageable type of land use change.

The functional and operational need to be adjacent to strategic transportation routes, together with the need to access those routes using existing roundabout facilities means that this proposal is not readily replicated elsewhere within the Plains Production Zone.

7.7.4 Relationship to District Plan Intent

The Hastings District Plan includes strong direction to avoid adverse effects on versatile soils. Objectives and policies seek to limit buildings and development that are not directly linked to the

productive use of the land. However, the Plan also recognises that a degree of flexibility is appropriate where the effects are well managed, and the activity does not undermine rural values.

This proposal is consistent with the Plan's broader intent:

- It avoids fragmentation of land titles.
- It does not create new demand for infrastructure associated with lifestyle living.
- It does not introduce residential or sensitive activities.
- It is of a scale and nature that preserves the productive potential of neighbouring properties.

7.7.5 Conclusion

The proposed development results in the permanent use of 5 hectares of LUC Class 2 land within the Plains Production Zone. While this is a permanent change to land recognised as highly productive, the effects are assessed as minor due to:

- The very small proportion of regional HPL affected.
- The lack of subdivision or residential use.
- The contained and clearly defined nature of the activity.
- The absence of effects on adjacent rural production.

The proposal avoids the types of effects most concerning under the NPS-HPL and District Plan, namely rural lifestyle development, fragmentation, and displacement of soil-based land uses. The development can therefore be seen as an exception to the general presumption against non-productive use, one that can be accommodated without undermining the strategic purpose of versatile land protections.

7.8 Hazardous Substances

7.8.1 Overview

The proposal is classified as a "Major Hazardous Facility" because it will exceed the Hazardous Substances permitted activity limits.

A "comprehensive risk assessment" is required for a Major Hazardous Facility addressing

- Likelihood and impact of spills, fires, or other accidents;
- Impacts on people, neighbouring sensitive uses (e.g., residential, schools);
- Environmental risks, especially to aquifers and potable water;
- Emergency management plans and containment systems.

The District Plan states that hazardous facilities are generally managed adequately through the HSNO Act. Compliance with this legislation will generally ensure that any adverse effects arising from an accident or incident will be internalised within the hazardous facility site.

The District Plan therefore seeks to avoid any duplication of regulation with the HSNO Act. An extra layer of protection can however be applied appropriately under the RMA to particularly sensitive environments or in relation to major hazardous facilities, in order to further minimise the potential for adverse effects impacting on the environment or the community.

7.8.2 Sensitive Uses and Environmental Risks

This table below summarises Location-Specific Individual Risk (LSIR) criteria alongside actual site-specific distances to sensitive land uses.

The LSIR criteria and separation distances align with international best practice and are consistent with guidelines set out in the Western Australian Environmental Protection Authority's Guidance Statement No. 3 and New South Wales HIPAP No. 4 – Risk Criteria for Land Use Safety Planning.

The guidelines are highly conservative and apply a worst case scenario, for example assuming continuous presence of people at the same location (24/7, 365 days/year), and no mitigating barriers, suppression systems, or emergency responses. 1×10^{-6}/year (1 in a million) represents a very low individual fatality risk, well below many everyday risks (e.g., road travel).

As a comparison, a fully detailed quantitative risk assessment for hydrogen storage and refuelling at Kapuni established an approximate 5E-07/year LSIR risk contour (1 in 2,000,000) of 60m which should not extend to hospitals, schools, childcare facilities and old age housing[9].

LSIR Criterion (per annum)	Probability (per year)	Risk Criteria / Planning Target	Typical Separation Distance (m)	Nearest Sensitive Use (Actual Distance)
5E-05 / year	1 in 20,000	Should be fully contained within the site boundary.	10–30	Fuel storage area >60m from site boundary
1E-05 / year	1 in 100,000	Should not extend to sporting complexes or active open spaces.	20–50	Nearest sporting complexes or active open spaces 285m from the site.
5E-06 / year	1 in 200,000	Should not extend to commercial developments.	30–75	No commercial developments within 1 km. Nearest industrial use (Delegats) is 250–300m from the fuel storage area

[9] Kapuni Green Hydrogen Project Risk Management Process Summary Report, Hiringa, May 2021

LSIR Criterion (per annum)	Probability (per year)	Risk Criteria / Planning Target	Typical Separation Distance (m)	Nearest Sensitive Use (Actual Distance)
1E-06 / year	1 in 1,000,000	Should not extend to residential areas, hotels, motels, tourist resorts.	50–150	Nearest residential zone approx. 1.25 km. Nearest rural dwelling 125m from the site and 260m from any fuel storage area.
5E-07 / year	1 in 2,000,000	Should not extend to hospitals, schools, childcare, aged care.	50–300	Hospital 1.9 km; school >1 km; childcare 1.7 km; retirement village 1.7 km

The information confirms that all LSIR risk contour thresholds are met or exceeded, with substantial buffers to high-sensitivity receptors such as hospitals, schools, residential areas, and childcare facilities. The fuel storage areas are fully contained within the site, and all sensitive activities are located well beyond their corresponding risk thresholds. This supports the conclusion that the proposed activity can operate within a consented operating envelope that ensures a very low risk to human health and safety.

There is a low likelihood of new housing or other sensitive uses encroaching on the site and creating an unacceptable future level of risk. The applicant controls the balance of 176 Evenden Road surrounding the site and, if necessary, can place an encumbrance on the site to ensure any rural dwellings are located to provide an acceptable low level of risk.

No sensitive ecological or cultural features have been identified nearby. The primary environmental risk relates to potential spills contaminating stormwater. These risks can be appropriately managed through standard on-site mitigation measures, including spill containment and treatment systems.

This risk has been addressed through robust design: all fuel storage and dispensing areas will be on sealed, impermeable surfaces with controlled drainage, and an advanced stormwater treatment system (including interceptors and a vegetated detention basin) will treat runoff to remove hydrocarbons or contaminants before discharge.

The site is located in a Rural Plains Production zone, adjacent to agricultural and horticultural activities. These food production sites are economically important and also warrant protection from contamination. No immediate adverse effects on adjacent crops or soil are anticipated, given that all hazardous substances will be handled on impermeable surfaces with containment systems to prevent any off-site soil contamination. Air discharges will be minimal, and within permitted activity limits.

State Highway 2 runs adjacent to the site and is a critical transport corridor. A hazardous substances incident (such as a large spill or fire) could potentially impact highway users or disrupt

traffic flow if not managed. However, the facility's design and location will reduce this risk at a wider spatial scale. By situating a purpose-built truck stop and fuel facility at this strategic location, the need for transporting dangerous goods through more sensitive or urban areas is reduced. Fuel delivery trucks will access the site directly off the state highway, rather than traveling through populous residential streets or commercial centres.

7.8.3 Storage of Petrol and Diesel

In the context of low sensitivity environment, compliance with the HSNO Act will ensure that any adverse effects or risk arising from an accident or incident will be internalised within the hazardous facility site.

The design of the Energy Centre has been reviewed and received approval in principle that it complies with relevant regulations. The relevant documentation is included with the Architectural Plan Set in Appendix X.

The detailed design and consenting of the facility will include provision of emergency management plans and containment systems. There is no need to duplicate these requirements under the resource consent process.

7.8.4 Production and Storage of Green Hydrogen

The design and specification of the production and storage of green hydrogen is not at the stage where compliance with the relevant HSNO regulations can be assessed. The application proceeds on the basis that hydrogen will either be produced on site or will be trucked in and stored on site and seeks to preserve either option so seeks to futureproof the site for this activity.

Proposed conditions of consent ensure that whichever option is pursued, the facility will meet all HSNO regulations and requirements.

Hydrogen production and storage will be subject to controls under the Health and Safety at Work (Hazardous Substances) Regulations 2017 administered by WorkSafe NZ. These include location and separation controls, secondary containment, emergency response, and design certification."

Given the size and relative isolation of the site, the necessary degree of separation available to sensitive activities will be readily achieved and it is highly unlikely that there will be any matters beyond the scope of HSNO regulations needing to be addressed as conditions of resource consent.

However, as a precaution a report should be required as part of the detailed design process for hydrogen production and/or storage to:

- Confirm through a Quantitative Risk Assessment that there are no residual risks that cannot be managed under the applicable HSNO regulations to an acceptable level;
- Enable a review of consent conditions in the event that residual risks cannot be managed under the applicable HSNO regulations to an acceptable level;
- Determine an appropriate minimum separation distance, if required, for any new dwellings or sensitive activities within a defined buffer on the land at 176 Evenden Road.

The risk assessment would include cumulative hazards arising from the co-location of petrol, diesel, and hydrogen storage, including potential escalation scenarios and interaction effects in the event of a fire or release."

7.8.5 Conclusion

The Site is not located in a sensitive environment. With the separation distances that are available to sensitive activities, hazardous facilities can be managed adequately through the HSNO Act and there are no effects that require direction and management under the RMA.

As a precaution, this assessment should be confirmed through a condition requiring a further risk assessment at the time the hydrogen facilities are designed and specified.

The combined regulatory oversight of HSNO and the RMA, supported by site-specific risk assessments, provides an appropriate framework to ensure the facility operates with minimal risk to human health and the environment.

7.9 Noise

7.9.1 Overview

An assessment of the potential noise effects of the construction and operation of the development based on the noise performance standards of the District Plan is included in Appendix 7.

7.9.2 Methodology

The noise assessment was carried out in accordance with ISO 9613-2:1996 for outdoor sound propagation, using SoundPLAN modelling software.

The existing noise environment was quantified through 7-day unattended noise logging, showing that the site is acoustically dominated by State Highway 2.

Noise predictions were made at seven nearby receiver locations, covering both rural residential and commercial properties. Operational noise was evaluated against the District Plan limits and construction noise was assessed in accordance with NZS 6803:1999.

7.9.3 Operational Noise

Operational noise will mainly arise from vehicle movements and mechanical plant (e.g., refrigeration units and kitchen extraction fans). The facility will operate 24/7 for fuel and truck services, while the café and shops will have daytime and evening hours.

Predicted noise levels for all receiver locations comply with District Plan limits:

- Day: ≤55 dB LAeq
- Evening: ≤50 dB LAeq
- Night: ≤45 dB LAeq / 75 dB LAFmax

The predicted night-time maximum noise level at the closest dwelling (157 Morley Road) is well below the District Plan limit, with low risk of sleep disturbance.

The report concludes that operational noise levels will not generate adverse acoustic effects due to the dominance of SH2 in the local soundscape and the nature of site-generated noise.

7.9.4 Construction Noise

Construction is expected to extend over 20 weeks, qualifying as “long-term” under NZS 6803. Activities include minor earthworks, building construction, and internal fitout. The predicted construction noise at nearby dwellings remains below the 70 dB LAeq limit during standard hours (7:30 am – 6:00 pm), with setbacks ensuring compliance.

With typical mitigation and adherence to standard construction practices, the report confirms that construction noise will comply with relevant standards and adverse effects are unlikely.

7.9.5 Conclusion

The noise effects from both the construction and operation of the Hastings Energy Centre and Truck Stop are predicted to be well within the performance standards of the Hastings District Plan and NZ noise regulations. Given the site's context adjacent to SH2, the additional noise contributions are not expected to significantly alter the existing acoustic environment.

The assessment concludes that no adverse noise effects will result from the proposal.

7.10 Cultural Effects

7.10.1 Overview

The are no specific sites or areas of cultural significance within the Site. The nearest feature of cultural significance is the Raupare Stream.

7.10.2 Outcomes of Consultation

Consultation with hapu on the proposal has occurred through Te Matai Ao. Information on the project was provided through the CEO ahead of meeting with applicant and hapu representatives on 12 August 2024.

No CIA or further meeting were requested by hapu represented at the meeting. Further engagement will occur during implementation stages through Te Matai Ao.

Key matters raised through consultation and responses are also summarised below.

7.10.3 Stormwater Management

The site drains to the Raupare Stream which is acknowledged as Wāhi Taonga. The stream is a tributary to the Karamu Stream, with an estimated separation of approximately 700m.

There is general support for the inclusion of a wetland as part of the stormwater management strategy. However, confirmation is required on key water quality outcomes, specifically:

- The effectiveness of proposed treatment measures;
- Risk management strategies for potential spills;
- Ensuring that stock effluent is prevented from entering the wetland system.

Potential exists to improve overall water quality in the wider area through enhanced wetland function and additional mitigation measures. Identification of appropriate endemic species for planting within and around the wetland is required.

In addition to concerns about the protection of the stream from contamination are general concerns were raised regarding loss of recreational access to the stream due to development impacts.

7.10.4 Wastewater Management

Hapu expressed support for a single wastewater pipeline as a preferred approach, using the pipeline provided form Delegats.

7.10.5 Land Use Considerations

There is general support for the proposed land use and site location, including the rationale behind site selection. The inclusion of a fruit shop as part of the development was viewed positively.

A query was raised regarding the absence of an accommodation component for truck drivers on-site.

7.10.6 Value Capture Opportunities for Iwi

Several “value capture” opportunities were identified including:

- Wetland Opportunities:
    - Potential to develop educational, design, and delivery initiatives related to wetland creation.
    - Opportunity to establish an eel refuge to support aquatic biodiversity during dry spells.
    - Harvesting potential for harakeke and raupō as cultural and ecological resources.
- Raupare Stream Opportunities:
    - Restoration and enhancement efforts could be undertaken to improve stream health.
    - Potential for “rearticulating” access to maintain or enhance recreational opportunities.
- Employment and Cultural Investment Opportunities:
    - Emphasis on cultural presence within the development, ensuring meaningful integration beyond symbolic elements such as a pou.
    - Development of employment and scholarship opportunities for local iwi.
    - Exploration of investment opportunities for iwi in the project.

Of these, the wetland and cultural presence opportunities fall clearly within the scope of the application and can be captured through the resource consent and conditions. Other matters will need to be explored outside the RMA framework.

7.10.7 Future Consultation and Engagement

No CIA or further meeting was requested by hapu represented at the meeting. Further engagement with will occur during implementation stages through Te Matai Ao.

Implementation will occur proactively through the following channels:

- Detailed design of landscape and wetland through a co design process, incorporating symbolic elements such as a pou, harvesting opportunities, and educational, design, and delivery initiatives;
- Investigation of the feasibility of an eel refuge;
- Inclusion of discovery protocols in the consent conditions.
- Consultation on further applications to HBRC for stormwater discharges and earthworks consent, including input on water quality assessments and wetland management plan.

7.10.8 Conclusion

Cultural effects are assessed as no more than minor, with positive effects able to be provided through iwi involvement in the co-design of landscape and wetland features, and through enagement on further applications that will made to HBRC.

7.11 Positive Effects

In addition to assessing potential adverse effects, it is appropriate to consider the positive effects of the proposal. The Evenden Energy Centre will generate a number of social, economic, operational, and environmental benefits, both locally and regionally, which are relevant to the overall consideration of the application.

7.11.1 Improved Regional Transport Efficiency

The Energy Centre provides essential infrastructure for heavy freight vehicles in a location that is directly connected to one of the region's most critical transport corridors—State Highway 2. It supports the efficient movement of goods between Hastings, Napier Port, and the wider Heretaunga Plains. By reducing the need for detours to access fuel or rest facilities, the proposal improves overall freight network productivity.

7.11.2 Support for Low-Emissions Transport

The Energy Centre incorporates EV charging infrastructure from the outset and includes space and design flexibility to accommodate hydrogen refuelling—either through on-site production or remote delivery. This positions the facility as a future-ready asset that actively supports the transition to low-emissions heavy and light vehicles in the freight and primary production sectors.

7.11.3 Driver Wellbeing and Rest Compliance

The proposal provides safe, comfortable rest areas for truck drivers, including appropriate parking, access to food and amenities, and space for statutory rest breaks. This helps support

compliance with driver hours regulations, reduces fatigue-related risk, and contributes to road safety outcomes.

7.11.4 Safer and Cleaner Roads

Provision of an on-site stock effluent disposal facility will reduce incidents of effluent discharge on roads, a known hazard for both safety and environmental quality. The availability of this facility helps to support compliance by transport operators and aligns with national and regional strategies to improve rural transport hygiene and road user safety.

7.11.5 Economic and Employment Opportunities

The development will provide employment opportunities during both construction and operation phases. The café, shop, and fuel services will require staffing, and the build will generate contracts for local trades and suppliers. The Energy Centre also offers indirect support to businesses reliant on efficient freight logistics, such as food producers, packhouses, and exporters.

7.11.6 Direct Outlet for Local Produce

The inclusion of a dedicated fruit and produce retail space will allow local growers to sell directly to the travelling public. This provides an opportunity to enhance the visibility and value of locally grown goods and supports rural entrepreneurship. It reinforces the identity of the Heretaunga Plains as a food-producing region and connects producers with new customers.

7.12 Conclusion on Effects

The assessment concludes that effects on the environment will be no more than minor, subject to adherence to proposed mitigation measures:

- Transport: Access and traffic effects are acceptable, with minor changes proposed to the roundabout to improve safety. SIDRA modelling confirms capacity and safety are maintained.
- Landscape: Visual and character effects are low to moderate and will be mitigated by an extensive landscaping plan reflecting the rural context and orchard character.
- Infrastructure: Stormwater, wastewater, and water supply can be managed adequately. The stormwater system includes a large, planted detention basin with capacity for both on-site runoff and upstream flows.
- Natural Hazards: Flood and liquefaction risks are appropriately managed through site elevation, storage provision, and engineered foundations.
- Soil Contamination: A DSI confirms the land is suitable for commercial use. Targeted removal and disposal of contaminated soil will be undertaken in accordance with NESCS.
- Highly Productive Land: The proposal will result in the permanent loss of 5.26 ha of LUC Class 2 land, classified as Highly Productive Land (HPL). However, the development avoids subdivision, lifestyle uses, or sensitive activities that typically undermine HPL values. The site is functionally justified due to its strategic transport

location and supports regionally significant infrastructure. The development's contained, non-fragmenting form limits adverse cumulative effects. The loss of HPL is therefore assessed as minor and acceptable in this context.

- Noise: Operational and construction noise will comply with District Plan standards. The acoustic environment is already dominated by SH2.
- Hazardous Substances: The site will store quantities of fuel and hydrogen exceeding permitted limits, classifying it as a Major Hazard Facility. A risk assessment confirms that risks can be appropriately mitigated.

In addition to managing adverse effects, the proposal will generate a range of positive outcomes, including improved freight efficiency, safer and cleaner rural roads, enhanced driver wellbeing, and support for low-emissions transport infrastructure. It also provides a visible platform for showcasing local produce and creates local employment opportunities.

8.0 Consideration of Alternative Locations and Methods (Schedule 4 – Clause 6)

8.1 Overview

The selection of the application site for the Energy Centre is a response to the functional and operational needs of operating a refuelling station. In summary:

- Transportation constraints: Safe and efficient location along a national road classified as suitable for high productivity motor vehicles, with alternative site locations with similar functionality for off highway access along the route being more constrained;
- Land use characteristics: Characteristics of proximity to current and future business land generating HGV demand, and separation from current and future sensitive activities;
- Alternative refuelling site constraints: Current refuelling sites that are highly constrained in their ability to service current and future HGV refuelling needs due to small site size and location on congested roads, becoming inefficient and unsafe at peak times and seasons.
- Environmental constraints: The site is not subject to any significant environmental constraints to the activity.

8.2 Assessment Criteria

Clause 6 Information required in assessment of environmental effects

> *(1) An assessment of the activity's effects on the environment must include the following information:*
>
> > *(a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:*
> >
> > *….*

While the Assessment of Environmental Effects is that all effects will be no more than minor, it is acknowledged that for effects on versatile or highly productive land, there may be different perspectives on the scale of these effects.

The consideration of alternatives uses 'functional need' and 'operational need' criteria as defined in the National Planning Standards[10]:

- 'Functional need' means t*he need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.*
- 'Operational need' means *the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints*.

These criteria are used variously in National Policy Statements including NZCPS, NPSFM 2020 and NPSHPL 2022 as the basis for considering the appropriateness of development that is not consistent with the general policy direction.

Similar criteria are also used in the District Plan in the assessment of activities that fall outside the general scheme of the plan provisions. For example, the Rural Resource Strategy recognises that rural character may vary across the district and includes scope for consideration of infrastructure that has a functional, technical or operational requirement to be based in the rural environment[11].

8.3 Transportation Constraints

The refuelling centre is associated with the operation of the transport network.

Service stations service the needs of all zones and people from all areas. They are neither inherently 'urban' or 'rural' and locate in places that best serve the needs of the transport system.

The location of the Site at a low speed junction of the state highway, with the benefit of connection to the multi directional/connecting road infrastructure is logical and an efficient placement for the servicing of vehicles using the roads.

State Highway 2 forms part of the Hawkes Bay 'strategic transport network':

> *"Transport networks and operations of national or regional significance. These include the strategic road network including State Highway and major arterial roads (as defined in district plans, the Regional Land Transport Strategy and the State Highway Classification System) and the rail network, along with the region's core public passenger transport operations and significant regional transport hubs such as the Hawke's Bay Regional Airport and the Port of Napier."*[12]

The Strategic Road Network is defined as 'Strategic Infrastructure' and is of regional significance:

> *Those necessary facilities, services and installations which are of greater than local significance, and can include infrastructure that is nationally significant*[13]

State Highway 2 is classified as a National Road on the One Network Road Classification.

[10] Ministry for the Environment. November 2019. National Planning Standards. Wellington: Ministry for the Environment.

[11] 2.8.2.4 Changing Traditional Expectations on the Use of Rural Land

[12] HBRC RPS 9.225B Strategic Transport Networks

[13] 9.225A Strategic Infrastructure

The figure below shows the site proximate to the national, arterial, and other road classifications.

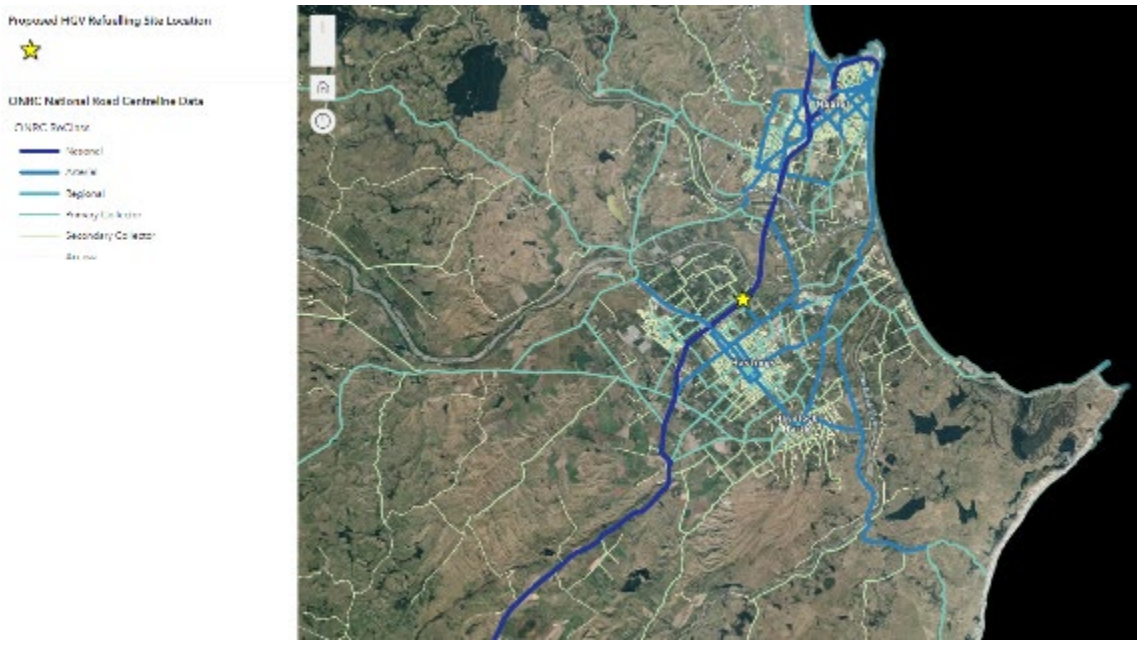

Figure 18: Site proximate to the national, arterial, and other road classifications

State Highway 2 is the primary route for HGV heading to the north, particularly to the Port. The route is classified as suitable for high productivity motor vehicles (HPMVs) carrying the maximum loads available under a permit. The figure below shows the site proximate to these routes and the Max 50 restrictions.

Figure 19: Site proximate to HPMV Routes

The ability to refuel HGV in close proximity to the primary route has benefits of efficiency, through ease of movement and safety, and a reduction of HGV trips on secondary routes within the urban area.

The figure also shows that there are very limited opportunities for siting a fuel stop adjacent to an existing intersection off the main route anywhere else along the route. There are no other viable locations along the route where there is the same functional and operational ability and benefits to locate an activity of this type.

The current road configuration is two lanes. The long term plan is for the road capacity to be increased to four lanes. There are no foreseeable constraints on the capacity of road to fulfil its strategic freight role. The figure below shows the current estimated average daily traffic volume.

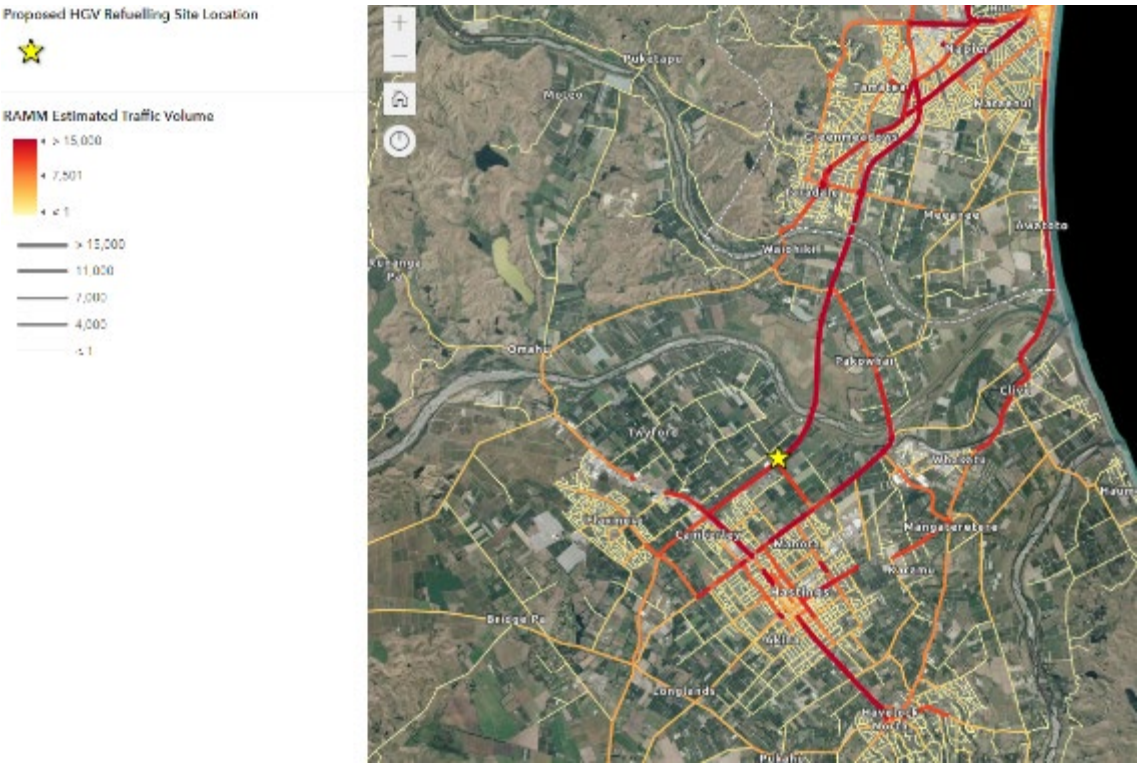

Figure 20: Current estimated average daily traffic volume.

8.4 Land Use Characteristics

There has been rapid uptake of industrial zoned land at Omahu Rd and Irongate, well ahead of Councils expectations. Port growth is also significant, including with shipping that has moved from CentrePort following the Kaikoura earthquake.

Recent industrial developments and land uses tend towards a larger scale with fruit packing and storage, supporting industries, and freight logistics with high HGV generation.

The site is well located to service HGV refuelling needs from industrial activities in and around Hastings as well as HGV traffic passing through to the port.

The site is proximate to HPMV routes and urban zones including greenfield industrial growth areas is shown in the figure below.

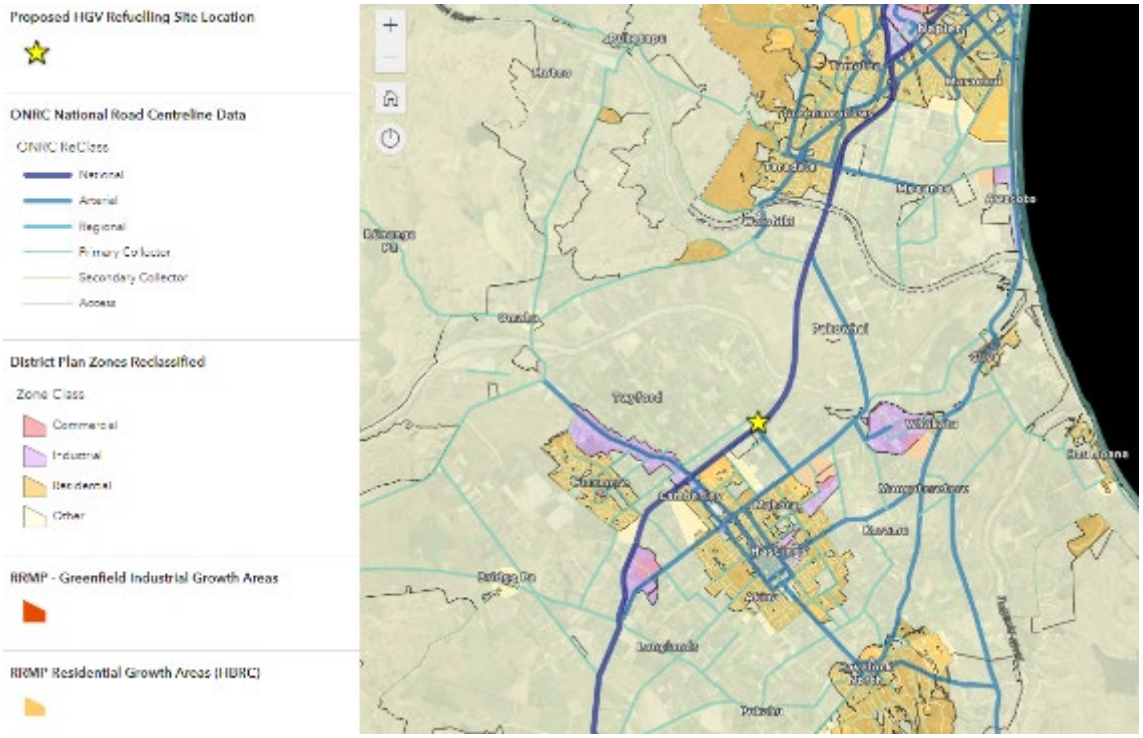

Figure 21: HPMV routes and urban zones including greenfield industrial growth areas

The site is well separated from sensitive activities in current and foreseeable residential zones.

Other sites along the strategic routes are similarly constrained by highly versatile land.

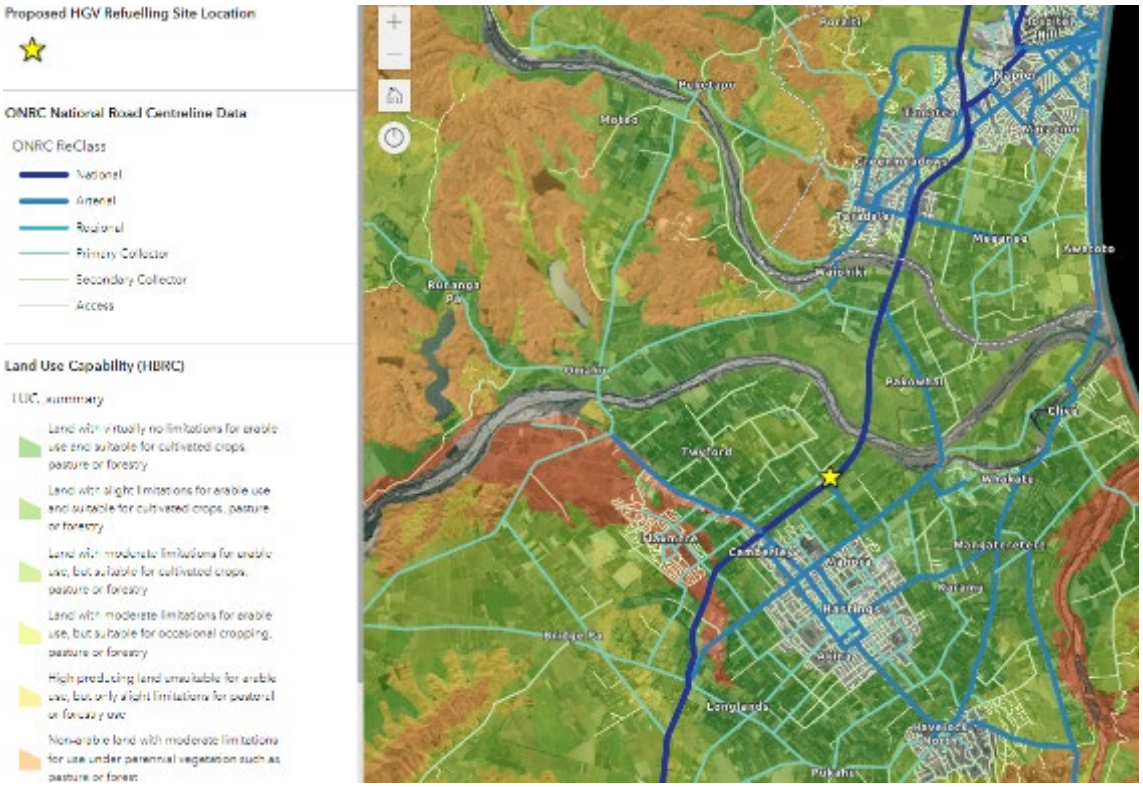

Figure 22: Sites along the strategic routes constrained by highly versatile land

8.5 Existing Refuelling Site Constraints

Current refuelling sites are highly constrained in their ability to service current and future HGV refuelling needs due to small site size and location on congested urban roads, becoming inefficient and unsafe at peak times and seasons.

The figure below shows the location of existing refuelling sites relative to road and land use. All existing refuelling sites are on congested secondary urban routes.

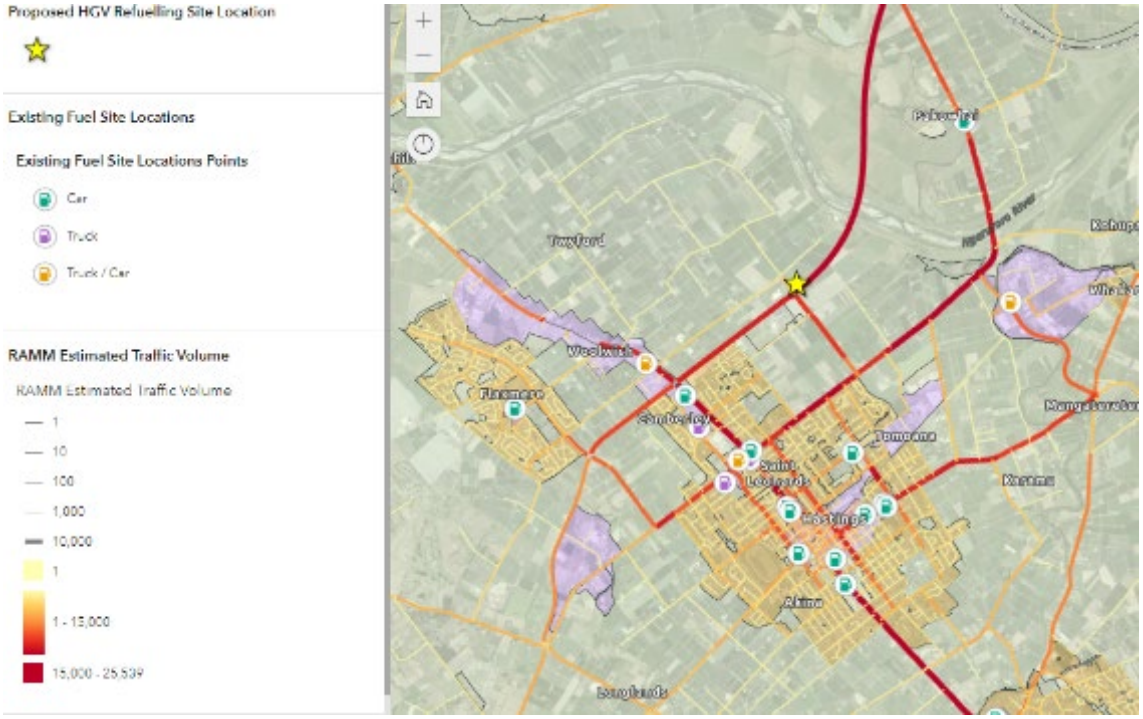

Figure 23: location of existing refuelling sites relative to road and land use

This will significantly worsen over time with planned urban intensification.

Existing sites do not have the space to readily accommodate HGV and alternative fuels, particularly during period of transition when multiple fuels will need to be offered.

The Evenden Road site has scale and location characteristics to address this need.

8.6 Conclusion on Alternative Sites and Methods

The Energy Centre is an appropriate use of the subject land. The energy centre is associated with the efficient operation of the transportation network and has a functional and operational need to be at the proposed location.

9.0 Measures Proposed or Agreed to by the Applicant (Section 104 (1) (ab))

The applicant proposes a comprehensive set of measures secured via consent conditions to avoid, remedy, or mitigate adverse effects of the development.

Suggested Consent Conditons are set out in Appendix 9 and key matters summarised below:

9.1 Transportation

Intersection Upgrade: Reconfiguration of the SH2/Evenden Road roundabout (left turn only lane, signage, and markings) in consultation with Waka Kotahi.

Access Construction: Certified site access design with ongoing maintenance of sightlines for traffic safety.

Temporary Traffic Management: TTMP prepared by a certified STMS and approved by road controlling authorities.

9.2 Landscape and Cultural Design

Integrated Design: Use of recessive materials, low-scale signage, and rural-appropriate layout.

Wetland Planting Plan: Implementation and maintenance of wetland and open space planting with cultural input.

Culturally Informed Landscaping: Co-design of wetland with Te Matai Ao, incorporating native and culturally significant planting, symbolic features (e.g. pou), and harvesting/educational opportunities.

9.3 Infrastructure and Servicing

Stormwater Management: A detention basin with quality treatment; optional use of underground detention to reduce site area.

Wastewater System: On-site pump station and rising main, with on-site storage contingency;

Water Supply Verification: Bore capacity and water quality confirmed prior to use.

9.4 Natural Hazards

Flood Protection: Detention basin and finished floor levels above RL16.15 (including freeboard).

Liquefaction Mitigation: Use of a palisade wall and reinforced gravel raft foundation.

Construction Monitoring: Independent certification of foundation and hazard mitigation works.

9.5 Contaminated Land

Soil Management Plan: Removal of copper-contaminated soils with certified disposal and validation reporting.

Earthworks Protocols: SCMP guided by detailed site investigations and health/safety requirements.

9.6 Hazardous Substances

Risk Assessment: QRA required before any hydrogen infrastructure is established to confirm acceptable risk levels and separation from sensitive activities.

9.7 Cultural Engagement

Te Matai Ao Partnership: Active engagement across design, consenting, and implementation, with reporting to Council prior to operation.

9.8 Review and Monitoring

Infrastructure Monitoring: Regular inspection and performance reporting for stormwater and wastewater systems.

Review Clause: Council may initiate condition reviews in response to reported wastewater volumes or hydrogen QRA outcomes.

10.0 Statutory Assessment (Section 104(1)(b)

The following statutory documents which are relevant to the assessment of this proposal:

- Part 2, and Section 104 and 104D of the RMA
- National Policy Statement (NPS)
- National Environmental Standards (NES)
- Hawkes Bay Regional Resource Management Plan
- Hastings District Plan
- Iwi Planning documents
- Any other matters relevant and reasonably necessary to determine the application.

10.1 Part 2 Purpose and Principles

Consideration of an application for a resource consent and any submissions received includes a range of matters under Section 104 (1), all of which are subject to Part 2 (Purpose and Principles of the RMA).

Case law[14] dictates that:

> *'If it is clear that a plan has been prepared having regard to Part 2 and with a coherent set of policies designed to achieve clear environmental outcomes, the result of a genuine process that has regard to those policies in accordance with s 104(1) should be to implement those policies in evaluating a resource consent application. Resort to pt. 2 in such a case would likely not add anything. It could not justify an outcome contrary to the thrust of the policies.'*

In this case, the applicable plan provisions have been prepared having regard to Part 2 and there is a coherent set of policies designed to achieve clear environmental outcomes. Resort to Part 2 will not add anything.

10.2 National Policy Statement - Highly Productive Land

The site is Class 2 Land and "Highly Productive Land" under the NPS HPL.

While the HBRC has yet to compete the mapping of HPL, it is improbable that the land will be relegated to LUC Class 3 or lower.

Policy 3.9 Protecting highly productive land from inappropriate use and development, provides under Policy 3.9(1) that generally:

> *"Territorial authorities must avoid the inappropriate use or development of highly productive land that is not land-based primary production."*

Policy 3.9(2) provides a list of specific exceptions for use or development of highly productive land including where:

> *(j) it is associated with one of the following, and there is a functional or operational need for the use or development to be on the highly productive land:*
>
> *…*
>
> *(i) the maintenance, operation, upgrade, or expansion of specified infrastructure"*

Policy 3.9(3) further requires that:

> *Territorial authorities must take measures to ensure that any use or development on highly productive land:*
>
> *(a) minimises or mitigates any actual loss or potential cumulative loss of the availability and productive capacity of highly productive land in their district; and*
>
> *(b) avoids if possible, or otherwise mitigates, any actual or potential reverse sensitivity effects on land-based primary production activities from the use or development.*

The Energy Centre will be associated with the operation of specified infrastructure under the Regional Policy Statement, through safe and efficient provision for the refuelling and service needs of HGV and other vehicles using or servicing:

- State Highway 2 (Strategic Infrastructure/Strategic Transport Network)
- Port of Napier (Strategic Infrastructure)

[14] R J Davidson Family Trust v Marlborough District Council [2018] NZCA 316 at [74].

The functional or operational need for the use to be on highly productive land is addressed in detail in the Consideration of Alternative Locations.

In summary:

- Transportation constraints: Safe and efficient location along a national road classified as suitable for high productivity motor vehicles, with alternative site locations with similar functionality for off highway access along the route being highly constrained;
- Land use characteristics: Characteristics of proximity to current and future business land generating HGV demand, and separation from current and future sensitive activities;
- Alternative refuelling site constraints: Current refuelling sites that are highly constrained in their ability to service current and future HGV refuelling needs due to small site size and location on congested roads, becoming inefficient and unsafe at peak times and seasons.
- Environmental constraints: The site is not subject to any significant environmental constraints to the activity.

The area within the application site is the minimum area necessary to enable the proposed Energy Centre Activity, providing sufficient space for the safe movement of HGV and to provide for the management of stormwater and flooding effects. The final design of stormwater management may enable the site area to be reduced through greater utilisation of detention under hard stand areas.

The activity is of low sensitivity and will avoid reverse sensitivity effects on land-based primary production activities in the surrounding area. The u

The proposed use therefore meets the requirements of Policy 3.9.

10.3 National Policy Statement for Freshwater Management 2020

Requirements of the NPS-FW include[15]:

Manage freshwater in a way that 'gives effect' to Te Mana o te Wai:

- *through involving tangata whenua*
- *working with tangata whenua and communities to set out long-term visions in the regional policy statement*
- *prioritising the health and wellbeing of water bodies, then the essential needs of people, followed by other uses.*

Improve degraded water bodies and maintain or improve all others using bottom lines defined in the Freshwater NPS.

While this is directive for policy under regional and district plan, the application includes proposals to improve water quality and minimise the potential for contaminant discharges to stormwater runoff from the site to the stormwater network that discharges to the stream network.

[15] https://environment.govt.nz/acts-and-regulations/national-policy-statements/national-policy-statement-freshwater-management/#requirements-of-the-freshwater-nps

The proposal includes restoring ecological values to the locality within the wetland and the applicant has worked with tangata whenua to develop the proposal.

The proposals are consistent with the NPS FW.

10.4 National Policy Statement on Urban Development 2020 (NPS UD)

The NPS-UD recognises the national significance of:

- having "well-functioning urban environments" that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future[16];
- providing sufficient development capacity to meet the different needs of people and communities[17].

The site sits adjacent to the Hawkes Bay Expressway which forms a functional part of the Hastings and Napier urban environment. State highways are defined as "nationally significant infrastructure".

A "well-functioning urban environment" includes, amongst other things, urban environments that

> *"(b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
>
> *(c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport"*

The proposed Energy Centre will support well-functioning urban environments for Hastings and Napier in several ways:

- Current refuelling sites in the Hastings urban area are highly constrained in their ability to service current and future HGV refuelling needs due to small site size and location on congested roads, becoming inefficient and unsafe at peak times and seasons. This will significantly worsen over time with planned urban intensification.
- The energy centre will reduce current safety deficiencies on the network in the vicinity of existing refuelling facilities in urban areas. The site location will reduce the potential for conflict between HGV and vulnerable users
- Existing sites do not have the space to readily accommodate HGV and alternative fuels, particularly during period of transition when multiple fuels will need to be offered. The Evenden Road site has strong location and size characteristics to address this need.
- The site location and configuration of access will protect the form and function of key regional freight routes to Napier Port and key industry areas by minimising and managing conflicts between travel modes;
- The energy centre will support high productivity motor vehicle capability of strategic routes, avoiding the need for these vehicles to divert onto lower capacity secondary

[16] NPS UD Objective 1

[17] NPS UD Objective 3,

urban streets with inherent conflicts This will actively enhance the transport system to sustainably support growth projections and modal shift.

The proposal is consistent with the relevant objectives and policies of the NPS UD.

10.5 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES

A Detailed Site Investigation (DSI) has been undertaken for the Site. See Appendix X.

The site is assessed as suitable for commercial/Industrial use and development.

10.6 Hawkes Bay Regional Resource Management Plan

The Regional Resource Management Plan (RRMP) includes the Regional Policy Statement (RPS) and sets out a policy framework for managing resource use activities in an integrated manner across the whole of the Hawke's Bay region.

The proposed Evenden Energy Centre has been evaluated against the regionally significant issues, objectives, and policies of the Hawke's Bay Regional Resource Management Plan (RRMP), particularly those in Chapter 3.

10.6.1 Managing the Built Environment

The proposal aligns strongly with policies which seek to integrate land use with strategic infrastructure and transport networks[18].

The Evenden Road site is functionally located on State Highway 2, a major regional transport corridor, and adjacent to the Irongate industrial growth node. The site's proximity to key transport and logistics routes, including the Port of Napier, directly supports the efficient movement of freight, a key priority identified in the Regional Land Transport Plan and Regional Policy Statement.

The proposed facility will enhance regional transport resilience and safety by providing a purpose-designed refuelling and servicing location for heavy goods vehicles (HGV), removing pressure from older, undersized, and less safe refuelling stations located on urban streets.

For the policies which seek to promote compact urban form and avoid unnecessary encroachment on versatile land, the site is acknowledged as part of the Heretaunga Plains' highly productive soils[19]. The proposal is not fully consistent with policies that seek to retain such land exclusively for primary production.

However, the application provides justification for the site selection based on a demonstrated functional and operational need, including the transport corridor location, site size requirements, and separation from sensitive activities. The infrastructure and safety benefits, as well as the locational synergies with the regional freight network and Irongate industrial area, are compelling factors that mitigate the potential policy conflict. Importantly, the proposed activity does not

[18] Objective UD5 and Objective UD6,

[19] Objectives UD1–UD4

fragment land or create reverse sensitivity effects that would prevent future productive use of surrounding properties, nor does it induce urban encroachment.

10.6.2 Integrated Land Use and Freshwater Management

The proposal includes a comprehensive approach to stormwater management, including the construction of a 2.3-hectare stormwater detention basin and wetland planting. These measures will promote contaminant reduction and ecological enhancement consistent with the objectives of water quality protection, efficient land and water resource use, and catchment-based management[20].

The inclusion of a stock effluent disposal facility, to be connected to the Hastings District Council's municipal wastewater system, also contributes to improved environmental outcomes and reduces the risk of rural road contamination from unmanaged effluent discharge.

10.6.3 Recognition of Matters of Significance to Iwi/Hapu

Tangata whenua values have been considered in the design and preparation of the application[21]. Consultation has occurred with mana whenua and that the proposal is consistent with the Te Taiwhenua o Heretaunga Mana Ake framework. The design integrates water-sensitive infrastructure and native planting, aligning with cultural values of mauri, ecological restoration, and sustainable use.

10.6.4 Natural Hazards

The proposal demonstrates a comprehensive and technically robust approach to natural hazard management.

The proposed mitigation measures align with the intent of the RRMP to avoid or mitigate significant risk to people, property, infrastructure, and the environment. The development avoids increasing natural hazard risk elsewhere, integrates well with the regional floodplain system, and maintains the functionality of flood routes during major storm events.

In summary, the risk from natural hazards is considered to be low following implementation of the proposed design and engineering measures. The proposal is therefore consistent with the objectives and policies of the RRMP relating to natural hazards and meets the expectation that new development avoids or appropriately mitigates hazard-related risks through sound site design and engineering[22].

10.6.5 Conclusion

In conclusion, while the proposal inconsistent with some land use policies related to the protection of highly productive soils, this is mitigated by strong alignment with regionally significant objectives relating to infrastructure integration, transport safety, renewable fuel adoption, and environmental management. The proposal supports the broader regional strategy for economic development

[20] Objectives LW1–LW3 and the associated Policies LW1–LW4

[21] Objective LW3 and Objective 36–37,

[22] OBJ 31 The

and well-functioning urban environment and infrastructure while managing potential adverse effects in a comprehensive manner.

10.7 Hastings District Plan Outcomes, Objectives and Policies

10.7.1 Scope

The following Outcomes, Objectives and Policies in the District Plan are relevant to consideration of the proposed development:

- Urban Strategy
- Transportation Strategy
- Transport and Parking
- Rural Resource Strategy
- Tangata Whenua and Mana Whenua
- Hazardous Substances
- Natural Hazards
- Noise
- Earthworks

10.7.2 Urban Strategy

The Urban Strategy identifies the joint approach to urban growth management applied through the Heretaunga Plains Urban Development Strategy (HPUDS) as a framework for

- Quality living environments with high levels of amenity and thriving communities;
- A growing and resilient economy which promotes opportunities to live, work, invest and play;
- Mana Whenua values and aspirations are recognised and provided for;
- Productive value of the District's soil and water resources are recognised and provided for and used sustainably;
- Urban centres of Napier and Hastings have distinct identities and provide complementary working, living and learning opportunities;
- Community and physical infrastructure is planned, sustainable and affordable.

The relevant recommendations from HPUDS have been incorporated into the Regional Policy Statement (RPS). The Regional Policy Statement outlines five Principal Outcomes to reflect the HPUDS recommendations:

- Providing for development both urban and business while retaining versatile land, ensuring efficient utilisation of existing infrastructure and discouraging or avoiding ad hoc residential development or further rezoning for rural residential.

- Achieving containment of urban activities by identifying appropriate and inappropriate growth areas.
- Encouraging intensification of urban activity.
- Achieving strategic integration of infrastructure with land use. This requires the sequencing of growth areas and the drafting of structure plans.
- On-going monitoring and review of development in the Heretaunga Plains sub-region.

The District Plan implements the directions established in the Regional Policy Statement.

The proposal is not a case of unnecessary expansion of urban activity onto the versatile land of the Heretaunga Plains. The proposal is inherently neither an urban nor rural activity, serving the needs of all sectors. It is an activity that does not result in reverse sensitivity effects, being both low sensitivity, and also buffered from surrounding productive uses[23].

The scale of proposed development is such that it will not affect the allocation of land to housing and business[24].

Its operation will enable a better functioning urban environment through safe and efficient provision for vehicle refuelling on a strategic route, reducing current safety deficiencies on the network in the vicinity of existing refuelling facilities in congested urban areas[25]. This will enhance the desirability and feasibility of redevelopment in existing urban areas[26].

The proposed development, although on land that has not been specifically identified for this type of use, will support rather than detract from the direction of the Urban Strategy.

10.7.3 Transportation Strategy

An effective transportation network is a key element in the efficient functioning of the Hastings District and its economy.

The Strategy notes:

> *"On a local scale, transportation networks are critical in the daily functioning of the District. As a community the Hastings District is highly dependent on the mobility of its population, and particularly dependent on a well-designed roading network as its primary means of physical communication. The District is a major producer of primary produce and manufactured goods and linkages to both domestic and international markets are crucial in maintaining a healthy economic sector."*

The proposal will reinforce the ongoing development of the planned roading hierarchy for the Hastings District through providing for servicing of HGV, high productivity and other vehicles adjacent to an increasingly busy strategic route[27].

The proposal will support the reduction of environmental effects of unnecessary traffic utilising access roads as de facto traffic bypasses and reduce the safety and environmental consequences

[23] UDAO4, UDAO4, POLICY UDP3

[24] OBJECTIVE UDO3, POLICY UDP6

[25] OBJECTIVE UDO1, POLICY UDP1

[26] OBJECTIVE UDO5, POLICY UDP12

[27] 2.5.2.1 Establishment and Ongoing Development of a Planned Roading Hierarchy for the Hastings District; OBJECTIVE TSO1, POLICY TSP1

for the community, particularly in terms of noise, vibration and impact on the amenity of residential areas[28].

The development is designed to provide site access that will protect strategic road infrastructure from adverse effects from adjoining land uses[29].

The need for the transportation of hazardous substances through sensitive receiving environments will be reduced[30].

The proposed development is strongly aligned with the Transportation Strategy.

10.7.4 Transport & Parking

The Transport Network is a crucial component of the District's economy, and it contributes significantly to the social wellbeing of the community. The proposal will generate and attract vehicle movement, and it is important that these movements are achieved efficiently and effectively and safely. The provision of convenient and safe access, parking, and loading are part of achieving an efficient traffic network.

The TAR assesses the effects of the proposal and addresses compliance with District Plan requirements for access, parking and loading. The TAR concludes that the local road network, including the Evenden Road access and the SH2/Evenden Road roundabout, can safely and efficiently accommodate the additional traffic from the proposal. No significant impacts on intersection performance or queuing are expected. Transport effects are assessed as no more than minor, and acceptable.

Technical non-compliances with access location and sightlines are assessed as having no significant effect on the safety or efficient operation of the road network, including the adjacent State Highway 2, which is a key strategic route. All other transport standards will be met.

The anticipated outcomes, objectives and policies for a safe and efficient local and strategic transport network and parking, access and loading will therefore be achieved[31][32][33][34].

10.7.5 Rural Resource Strategy, the Plains Strategic Management Area and Plains Production Zone

Retaining versatile land for production purposes is a principle that forms one of the cornerstones for sustainability of the district's natural and physical resources. The economic prosperity of the district relies on the productive nature of this land into the future.

The site is located within the Plains Strategic Management Area. In overview, the Plains Strategic Management Area, including the Plains Production Zone, encompasses the versatile and highly productive soils of the Heretaunga Plains and surrounding valleys.

---

[28] 2.5.2.3 The Environmental Effects of Unnecessary Traffic Utilising Access Roads, OBJECTIVE TSO1, POLICY TSP2

[29] 2.5.2.6 Protecting the Roading Infrastructure from the Effects of Adjoining Land Uses

[30] 2.5.2.8 The Potential Damage to the Environment Caused by the Accidental or Unintentional Release of Hazardous Substances during their Transportation Throughout the District, OBJECTIVE TSO6, POLICY TSP9

[31] 26.1.2 ANTICIPATED OUTCOMES

[32] OBJECTIVE TPO1 Ensure that land uses and new subdivision are connected to the transportation network in a manner that provides for the efficient and sustainable movement of people and goods in a safe manner.

[33] POLICY TPP4 Protect the strategic transport networks from inappropriate development.

[34] POLICY TPP1 Ensure that subdivision and land use are integrated with the transport network and that the traffic effects are mitigated, including through the use of sustainable transport modes.

The management area outcomes, objectives and policies seek to retain the productive potential and open nature of the Plains environment[35]. The policy requirement is that activities and buildings in the Plains environment be linked to land based production and are of a scale that is compatible with that environment, and that commercial and industrial activities that do not have a direct relationship to produce grown in the Plains Production Zone be located in the Industrial or Commercial Zones[36]. The relevant outcomes, objectives and policies for the Plains Strategic Management Area flow through directly to the Plains Production Zone[37].

The Plains Production Zone includes objectives and policies that provide for flexibility in "options" for the use of versatile land in specific circumstances of[38]:

- Industrial and commercial activities in the Plains Production Zone where they are linked to the use of the land for the purpose of allowing primary producers to add value to produce that has been grown on the site, with scale limits;
- Rural Transport Depots as activities that are directly reliant on the land to hold stock in transit, or undertake a land based primary production activity;
- Dairy processing plant as a Discretionary Activity in recognition of its unique requirements of reliance on primary produce together with the need to locate in proximity to land suitable for the irrigation of high volume wastewater;

The Energy Centre proposal does not come within the scope of the defined policy options, However, the rationale of functional and operational need for the location adjacent to and accessible from State Highway 2 is consistent with the broader rationale for flexibility allowed under these options.

The choice of location for the energy centre is not based on a rationale of taking advantage of cheaper land in proximity to the urban marketing preferences for a high profile location, or an area of high amenity for lifestyle residential which are the underlying matters addressed by the Plains policy framework[39].

The site and proposed activity and locality have unique attributes that mean the overall Rural Resource Strategy and the sustainable management of the Hastings District's rural resources will not be challenged or bought into question by granting resource consent.

The proposed development can be differentiated from other activities, particularly residential, that anticipate and desire a higher level of amenity than neighbouring rural productive activities can provide; reducing the life supporting capacity of the soil resource and its availability to future generations through impervious ground coverage; and reducing the safety and efficiency of national, arterial or primary collector traffic routes through an increased number and use of road accessways.

The development proposal will have a minor effect on versatile land from the perspective of the relatively small area of LUC Class 2 land that will be taken out of rural production (The 5-hectare site represents 0.012% of the total 42,723 hectares of Class 1 and 2 land.

In its specific local context, the development will be of a scale consistent with the scale of other nearby development and State Highway 2 which is itself a large scale asset, with no direct link to produce grown and/or stock farmed.

[35] OVERARCHING OBJECTIVE PSMO1

[36] 6.1.2 ANTICIPATED OUTCOMES PAO1 and PAO2

[37] 6.2.2 ANTICIPATED OUTCOMES PPAO1, PPAO2, PPAO3, PPAO5, PPAO6, OBJECTIVE PPO1, POLICY PPP3,

[38] OBJECTIVE PPO2, POLICY PPP8, POLICY PPP9, POLICY PPP10, POLICY PPP12

[39] 2.8.2.3 Pressure on the Rural Resource Close to Urban Centres, POLICY RRSP4

The activity will avoid any significant reverse sensitivity effects on surrounding rural production, itself being of low sensitivity and also buffered from adjacent uses by roads and a large, landscaped stormwater detention basin[40].

The District Plan allows flexibility in options for the use of versatile land. In broad terms the District Plan versatile land policy is concerned with retention of land for primary production purposes, but also recognises that some commercial or industrial activities may be appropriate where they are linked to the use of the land and add value to primary production

This cautiously flexible approach aligns with Clause 3.9 of the National Policy Statement for Highly Productive Land (NPS-HPL) which recognises that the protection of highly productive land is not absolute, and that exceptions may be justified where a proposal delivers significant benefits and cannot reasonably be located elsewhere. Both frameworks support a nuanced approach: one that prioritises soil-based production but allows for limited, well-justified alternative uses where the effects are contained and the broader planning outcomes remain intact.

The definition of 'versatile land' is also an important part of the District Plan policy framework:

> *"…in relation to the Heretaunga Plains sub-region means contiguous flat to undulating terrain within the Heretaunga Plains Sub-region that acts collectively to support regional (and nationally) significant primary production and associated secondary services on the Heretaunga Plains, based around:*
>
> *a. An exceptionally high proportion of versatile Class 1-3 soils (comprising almost 90%); or*
>
> *b. Class 7 soils that are internationally recognised as having a very high value for viticultural production (comprising almost 7%);*
>
> *c. Its proximity to a cluster of national and international processing industries and associated qualified labour force; and*
>
> *d. Its proximity to the Port of Napier and other strategic transport networks providing efficient transport of produce.*

The definition recognises that the versatility of the land is based not only on the intrinsic value of soil resources, but also on the proximity of allied processing industries, labour force and transport infrastructure. The transport network is a legitimate, strategically significant use of rural land in this locality as are activities that are associated with it where they have a valid functional or operational need to be located nearby.

The refuelling activity is neither urban nor rural, servicing all sectors. This includes adding value to the supply chain of the produce coming off the land.

For rural character and amenity, the Landscape Effects Assessment concludes that while the proposed development will be recognisable as occupying productive rural land, its scale, design, and context mean it will have limited impact on rural character. It is likely to be perceived as a local landmark linked to the road corridor rather than the surrounding rural landscape[41].

The proposal responds to and visually integrates with its surroundings through planting patterns and screening, while also contributing to local amenity and continuity with adjacent developments. The extensive landscaping, including planting drawn from the surrounding orchard character, will provide buffering, screening, and amenity, particularly along key view corridors. The large

[40] 2.8.2.2 Managing Reverse Sensitivity Effects (Enabling "The Right to Farm"); OBJECTIVE RRSO3, POLICY RRSP4

[41] 2.8.2.4 Changing Traditional Expectations on the Use of Rural Land

stormwater detention area also ensures the built forms are well separated from adjacent land uses and helps maintain a sense of openness.

Land use and water management have been considered as an integrated package. The design must accommodate not only the additional runoff generated on-site but also ensure that the development does not interfere with the natural flow of stormwater from the wider, flood prone catchment. Infrastructure design includes a large detention basin that will incorporate locally sourced indigenous planting with plant selection assisted by cultural inputs from local hapu.

In overview, while the proposal is not fully consistent with all District Plan objectives and policies it is not contrary, nor repugnant, to the broader policy direction which recognises that commercial or industrial activities may be appropriate on highly productive land where functionally and operationally linked to the use of the land, and where other adverse effects can be appropriately managed.

10.7.6 Tangata Whenua and Mana Whenua

The District Plan recognises and provides for the special relationship of hapu, with Mana Whenua, who have responsibilities as kaitiaki over ancestral lands, water, sites of significance, outstanding natural landscapes, wāhi tapu, and other taonga.

The expectations and aspirations of Tangata Whenua and with Mana Whenua have been acknowledged in development of the proposal and the preparation of the application[42], including acknowledgement and recognition of hapu management plans.

There are no Wāhi Taonga sites or areas within the Site. However, the Raupare Stream is nearby and acknowledged as Wāhi Taonga. Consultation has occurred with Tangata Whenua and with Mana Whenua representatives to define a pathway for addressing matters of concern[43].

10.7.7 Hazardous Substances

The use of hazardous substances creates the potential for adverse effects on human health, property or the natural environment. The potential for adverse effects can be exacerbated where the hazardous facilities are located adjacent or near to particularly sensitive environments.

The HSNO Act provides the general framework for controlling hazardous substances and is intended to ensure that the specific adverse effects posed by hazardous substances are managed consistently and comprehensively. Compliance with this legislation will generally ensure that any adverse effects arising from an accident or incident will be internalised within the hazardous facility site.

The Resource Management Act 1991 (RMA) provides scope for additional controls for hazardous substances located on particular sites. The District Plan seeks to avoid any duplication of regulation with the HSNO Act. An extra layer of protection can however be applied appropriately under the RMA to particularly sensitive environments or in relation to major hazardous facilities.

The Site is not located in a particularly sensitive environment, with large separation from retirement villages, hospitals or medical centres, schools or childcare, and sports or recreation

[42] Objective TWO1, POLICY TW3

[43] 3.1.10 Wāhi TAONGA

activities or residential areas. The proposed development will reduce the need for transportation of hazardous substances through sensitive receiving urban environments[44].

No sensitive ecological or cultural features have been identified nearby. The primary environmental risk relates to potential spills contaminating stormwater. These risks can be appropriately managed through standard on-site mitigation measures, including spill containment and treatment systems.

10.7.8 Natural Hazards

Section 15.1 of the Hastings District Plan sets out the objectives and policies for managing natural hazards, with the overall aim of avoiding or mitigating adverse effects of hazards on people, property and infrastructure, and ensuring new development is resilient to future risk.

Objective NH01 and its supporting policies promote:

- Avoidance of areas subject to significant hazard risk[45];
- Design responses that reduce vulnerability, including consideration of the potential effects of climate change[46];

The site is subject to both flood hazard and land instability risk, and these matters are addressed through assessments supporting the application.

In relation to flood hazard, the site lies within the HBRC 50-year flood zone and was affected by the failure of the stopbank system during Cyclone Gabrielle in 2023. However, the Heretaunga Plains Flood Control Scheme has since been reinstated, and the development responds appropriately to the residual risk:

- Finished floor levels and critical infrastructure will be raised above the adjusted 1% AEP climate change flood level (RL16.15, including 150 mm freeboard);
- A stormwater detention basin will provide more than 1,000 m³ of additional storage below flood level;
- Site earthworks will be hydraulically neutral and designed to maintain wider catchment function, including the allowance for floodwaters to enter the basin during extreme events.

In relation to land instability and liquefaction, a site-specific geotechnical investigation has identified high susceptibility to liquefaction and lateral spreading. The development incorporates:

- A palisade wall to reduce lateral movement near the detention basin;
- SED reinforced gravel raft foundations to protect buildings;
- An allowance for tolerable deformation in hardstand areas.

These measures respond directly to the relevant policy framework by reducing vulnerability to seismic hazards and ensuring critical infrastructure is protected. Construction will be subject to further geotechnical certification, consistent with best practice and council standards.

Overall, the proposal gives effect to the objectives and policies of Section 15.1 by:

[44] HSAO1, OBJECTIVE HSO1, POLICY HSP1 POLICY HSP2,

[45] POLICY NHP4

[46] POLICY NHP6

- Locating development in a way that reflects hazard constraints;
- Avoiding increases in risk to surrounding properties or infrastructure;
- Ensuring that built structures are resilient to both current and future hazard scenarios.

Residual risks following completion of development will be low and acceptable for the type of development proposed. No natural hazard overlay rules are triggered that would preclude the proposed activity.

10.7.9 Noise

Section 25.1 of the Hastings District Plan sets out the objectives and policies for managing the effects of noise. The overall aim is to maintain appropriate noise levels for different zones and activities, protecting community wellbeing while enabling necessary economic activity.

Objective N01 seeks to ensure that noise levels are maintained at appropriate levels for the amenity of different receiving environments. The supporting policies promote:

- Avoiding unreasonable noise (Policy N01);
- Ensuring noise-generating activities are appropriately located and/or mitigated (Policy N02);
- Adopting best practicable options for noise management (Policy N04); and
- Recognising the role of background noise environments (Policy N06).

The site is located in a working rural environment adjacent to State Highway 2. The baseline noise environment is dominated by traffic and freight movement. A detailed acoustic assessment (Appendix 7) confirms that both operational and construction noise levels will comply with the relevant District Plan limits and New Zealand Standards.

In relation to construction noise, the report confirms compliance with NZS 6803:1999 for long-term construction activities. Predicted levels at nearby dwellings are within the 70 dB LAeq limit, and standard setbacks and construction hours will further mitigate potential effects.

Overall, the proposal is consistent with the objectives and policies of Section 25.1. The activity is compatible with the receiving environment, appropriate mitigation is in place, and no adverse noise effects are anticipated.

10.7.10 Earthworks, Mineral Aggregate and Hydrocarbon Extraction

Section 27.1 of the Hastings District Plan sets out the objectives and policies for managing the effects of earthworks. The purpose is to ensure that earthworks are undertaken in a manner that avoids or minimises adverse environmental, cultural, and amenity effects.

Objective EW01 and its associated policies seek to ensure that earthworks:

- Avoid, remedy or mitigate effects on landscape, amenity, and heritage values (Policy EW01, EW02);
- Protect soil structure and productive capacity (Policy EW03);
- Minimise erosion and sediment generation (Policy EW04);
- Maintain the functioning of natural drainage systems and flood plains (Policy EW05);

- Avoid degradation of water quality and natural character (Policy EW06);
- Recognise and provide for sites of cultural, historical and archaeological significance (Policy EW08).

The volume of earthworks associated with the development exceeds the thresholds for permitted and controlled activities, and consent is therefore required as a discretionary activity. The effects of the proposed earthworks have been assessed across a range of technical disciplines.

As outlined in Section 7.6 of this application:

- Erosion and sediment control will be managed through an Erosion and Sediment Control Plan in accordance with HBRC guidelines.
- Land stability effects have been assessed in the geotechnical report, which confirms that engineered solutions will manage liquefaction and lateral spreading risk.
- Loss of productive soil is addressed in the rural land use assessment.
- Visual and amenity effects are minor, with earthworks integrated into the landscape design and supported by a landscape assessment.
- Stormwater and flood protection systems are addressed in the infrastructure design, with no loss of floodplain storage due to compensatory earthworks and detention basin design.
- Cultural and natural features have been considered through engagement with mana whenua and supported by cultural and landscape assessments.

Mitigation measures are embedded in design and implementation, and all relevant environmental and cultural effects have been assessed.

The proposal is therefore consistent with the objectives and policies for earthworks and any residual effects are assessed as minor or no more than minor.

10.7.11 Conclusion

The development proposal has been assessed against the relevant strategies, objectives, and policies of the Hastings District Plan.

While the development does not fully align with the anticipated land uses within the Plains Production Zone, it is not contrary nor repugnant to the broader policy framework, and in several important respects, it supports the strategic direction of the District Plan.

11.0 Other matters relevant and reasonably necessary to determine the application (Section 104(1)(c)

11.1 Iwi Planning Documents

11.1.1 Te Taiwhenua o Heretaunga Mana Ake, An Expression of Kaitakitanga

The relevant Iwi Planning Document lodged with HBRC is Te Taiwhenua o Heretaunga Mana Ake, An Expression of Kaitakitanga (2013).

Mana Ake is a living document that represents the collective aspirations of the hapū of Heretaunga. It is designed to inform policy, guide local decision-making, and ensure the long-term protection and enhancement of natural and cultural resources in the region.

The purpose of the document "Mana Ake - An Expression of Kaitiakitanga", published by Te Taiwhenua o Heretaunga, is to serve as a hapū management plan for marae, hapū, and stakeholders in the Heretaunga region. It outlines:

- Guidance for Managing Natural Resources;
- A Framework for Consultation and Decision-Making;
- A Tool for Treaty of Waitangi Engagement;
- Protection of Cultural Heritage and Traditional Knowledge;
- Community Development and Well-Being.

Consultation with hapu on the proposal has occurred through Te Matai Ao. Information on the project was provided through the CEO ahead of meeting with applicant and hapu representatives on 12 August 2024.

Key matters raised and responses are summarised below.

<u>Stormwater Management</u>

There is general support for the inclusion of a wetland as part of the stormwater management strategy. However, confirmation is required on key water quality outcomes, specifically:

- The effectiveness of proposed treatment measures.
- Risk management strategies for potential spills.
- Ensuring that stock effluent is prevented from entering the wetland system.

<u>Planting and Ecosystem Enhancement</u>

Identification of appropriate endemic species for planting within and around the wetland is required.

Potential exists to improve overall water quality in the wider area through enhanced wetland function and additional mitigation measures.

Raupare Stream Considerations:

The site drains to the Raupare Stream, which is a tributary to the Karamu Stream, with an estimated separation of approximately 700m.

Concerns have been raised regarding loss of recreational access to the stream due to development impacts.

Wastewater Management

Hapu expressed support for a single wastewater pipeline as a preferred approach.

Planning Considerations

Clarification was sought on whether the project will proceed under a Resource Consent, Plan Change or a Fast-Track consenting process. Confirmed the Resource Consent process.

The Future Development Strategy (FDS) is due to be released for public submissions soon and may provide a pathway to address issues related to Highly Productive Land (HPL).

Land Use Considerations

There is overall support for the proposed land use and site location, including the rationale behind site selection.

The inclusion of a fruit shop as part of the development was positively received.

A query was raised regarding the absence of an accommodation component for truck drivers on-site.

Value Capture Opportunities for Iwi

Wetland Opportunities:

- Potential to develop educational, design, and delivery initiatives related to wetland creation.
- Opportunity to establish an eel refuge to support aquatic biodiversity during dry spells.
- Harvesting potential for harakeke and raupō as cultural and ecological resources.

Raupare Stream Opportunities:

- Restoration and enhancement efforts could be undertaken to improve stream health.
- Potential for “rearticulating” access to maintain or enhance recreational opportunities.

Employment and Cultural Investment:

- Development of employment and scholarship opportunities for local iwi.
- Emphasis on cultural presence within the development, ensuring meaningful integration beyond symbolic elements such as a pou.
- Exploration of investment opportunities for iwi in the project.

Future Consultation and Engagement

No CIA or further meeting were requested by hapu represented at the meeting. Further engagement will occur during implementation stages through Te Matai Ao.

Implementation can occur proactively through the following channels:

- Consultation on further applications to HBRC for stormwater discharges, including input on water quality assessments and wetland management plan;
- Detailed design of landscape and wetland through a co design process, incorporating symbolic elements such as a pou, harvesting opportunities, and educational, design, and delivery initiatives;
- Investigation of the feasibility of an eel refuge;
- Inclusion of discovery protocols in the consent conditions.

The engagement process and outcomes are consistent with the direction of Mana Ake in relation to policies for whenua, wai, kaitiakitanga, and consultation, engagement and implementation.

11.1.2 Ngāti Hori Freshwater Resources Management Plan

The Ngāti Hori Freshwater Resources Management Plan is a hapū-level iwi management plan developed by Ngāti Hori ki Kohupātiki. Finalised in December 2012, the plan articulates Ngāti Hori's priorities and objectives concerning freshwater management within their rohe, particularly focusing on the Karamu Stream and its associated ecosystems.

The Raupare Stream as a significant waterway and forms part of broader kaitiaki responsibilities. The plan highlights concerns about reduced water quality, altered flow regimes, and loss of ecological and cultural values throughout the Karamu–Raupare catchment.

The applicant acknowledges these values and has engaged with Heretaunga Tamatea Settlement Trust and Te Mātai Ao to ensure that stormwater design, wetland restoration, and landscaping incorporate cultural input where appropriate, and align with the restoration aspirations set out in the iwi management plan. The proposed stormwater management system will contribute to the Priority 2- Improving Water Quality.

11.2 Hawke's Bay Regional Land Transport Plan 2024-2034

The Regional Land Transport Plan (RLTP) explains why, where, and how future investment will be made to improve performance of the land transport system – its constituent parts, how those parts interact, and how they impact people, place, and environment.

11.2.1 Vision

The vision for the regional transport system is:

> *"An efficient transport system that is resilient, low emissions, safe, provides genuine and equitable choices, and places community wellbeing at the centre.*
>
> *To achieve this vision, we must:*
>
> - *have an efficient, resilient, safe, and equitable transport system*
> - *reduce emissions and vehicle kilometres travelled while improving health outcomes*
> - *ensure that all parts of the transport system integrate and connect the communities they serve*
> - *ensure critical routes, or suitable alternatives are operating for communities, people, and freight at all times."*

11.2.2 Regional objectives and policies

The proposal is assessed against the Regional objectives and policies in the following section:

Objective 1: Resilience and Security

Invest in an efficient transport system that is resilient to changing climate and other risks, with urgency and priority.

The site will provide a modern facility that will be resistant to disruption from natural hazard events such as flooding and earthquakes, adjacent to the Hawkes Bay Expressway which is a regional and inter-regional critical transport system lifeline (P1.6).

The site location and configuration of access will protect the form and function key regional freight routes to Napier Port and key industry areas by minimising and managing conflicts between travel modes (P1.7).

The energy centre will support high productivity motor vehicle capability of strategic routes, avoiding the need for these vehicles to divert onto lower capacity secondary urban streets with inherent conflicts This will actively enhance the transport system to sustainably support growth projections and modal shift (P1.10).

Objective 2: Emissions Reduction

Drive a low-emissions transport system that reduces the risks associated with global warming.

The energy centre will directly promote and support the uptake of low emission vehicles, and in particular for HGV through alternative, emerging, new, and innovative fuel technology, and associated infrastructure in the region use of hydrogen(P2.9).

The Energy Centre will support low-emission transport measures and solutions when making investments into transport solutions(P2.10).

Objective 3: Healthy and safe people

Provide a safe transport system for all users and modes that reduce the economic and social cost of crash injuries.

The energy centre will reduce current safety deficiencies on the network in the vicinity of existing refuelling facilities in urban areas. The site location will reduce the potential for conflict between HGV and vulnerable users (P3.1)

Develop and implement a long-term road safety strategy that takes a community first approach, collaboratively with the territorial authorities and key stakeholders.

Objective 4: Inclusive Access

Support fit-for-purpose, genuine, safe, and equitable transport choices for all users to sustain the health and wellbeing of communities.

The energy centre will improve the functioning of road networks in the subregion through the reduction of heavy goods vehicle movements through urban areas. This will ease congestion at peak periods benefiting all road users, including those using public transport (P4.2)

The energy centre will support investment in a low emissions and low impact transport systems (P4.1).

The site will provide a route stop for active transport routes with cycle parking and recharging facilities(P4.6)

The traffic management measures for the proposal will ensure that transport routes operate to their form, function, and agreed level of service (P4.7)

Objective 5: Environmental Sustainability

Integrate land use planning and development to enable effective efficient use of transport networks.

Mitigation measures will protect key freight corridors and reduce impacts of heavy vehicle movements through urban areas (P5.4).

The location will also reduce the adverse effects of heavy vehicle movements through urban areas enhancing place values promoting a well-functioning urban environment (P5.2).

The nature and scale of the energy centre is consistent and supports the function and levels of service of the strategic road network, including transport connections to Napier port.(P5.4)

11.2.3 Conclusion

The proposal is consistent with the RLTP objectives and policies having regard to:

- Resilience & Security: The energy centre will enhance transport system resilience to climate risks and natural hazards, ensuring efficient freight movement while minimizing conflicts between travel modes.
- Emissions Reduction: It will support low-emission transport solutions, particularly for heavy goods vehicles (HGVs), by promoting alternative fuel technologies like hydrogen.
- Safety & Wellbeing: The project will improve road safety by reducing conflicts between HGVs and vulnerable users, addressing safety deficiencies near existing refuelling stations.
- Inclusive Access: It will ease urban congestion by diverting HGV traffic, enhance public transport efficiency, and provide active transport facilities like cycle parking and recharging stations.
- Environmental Sustainability: The centre will align with land use planning direction to protect freight corridors, reduce urban traffic impacts, and support the strategic transport network's efficiency.

11.3 Hastings and Napier Future Development Strategy 2025-2054

Hastings District Council, Napier City Council, Hawke's Bay Regional Council and iwi Post-Settlement Groups (Maungaharuru Tangitū Trust, Mana Ahuriri Trust and Tamatea Pōkai Whenua), with input from residents, interest groups and industry, have jointly developed the Hastings and Napier Future Development Strategy (FDS).

The Future Development Strategy was notified for public input during November and December 2024. 139 submissions were received. The Future Development Strategy was approved in August 2025.

Council must have regard to the relevant FDS when preparing or changing RMA planning documents.

The FDS should also be used to inform:

- long-term plans, and particularly infrastructure strategies; and
- regional land transport plans prepared by a local authority under Part 2 of the Land Transport Management Act 2003; and
- any other relevant strategies and plans.

11.3.1 Thematic Constraints

The constraints maps confirm the application site:

- Is within a flood risk area;
- Contains LUC Class 2 land;
- Is adjacent to Strategic Infrastructure (SH2).

The constraints mapping is consistent with the assumptions made in the application assessment.

11.3.2 Future Development Strategy

The FDS Transport Upgrades plan (Figure 20) shows SH2 with "Increased State Highway Capacities" (four laning) with the section terminating at the Evenden Road intersection:

> *"Four-laning of the Hawke's Bay Expressway will improve capacity along this strategic freight connection to the port and airport, and improve access between existing and proposed areas of residential growth and employment areas."*[47]

The Hawke's Bay Expressway is included in the FDS, and is component of the Napier/Hastings "urban environment"

[47] Draft FDS 10.11 Strategic infrastructure

Figure 24: FDS Transport Upgrades

The FDS Development Staging Plan (Figure 20) shows Intensification Development areas, Zoned or Consented Greenfeld areas, Un-zoned Greenfield Development areas (medium-long term) and Un-zoned Greenfield Development areas (long term).

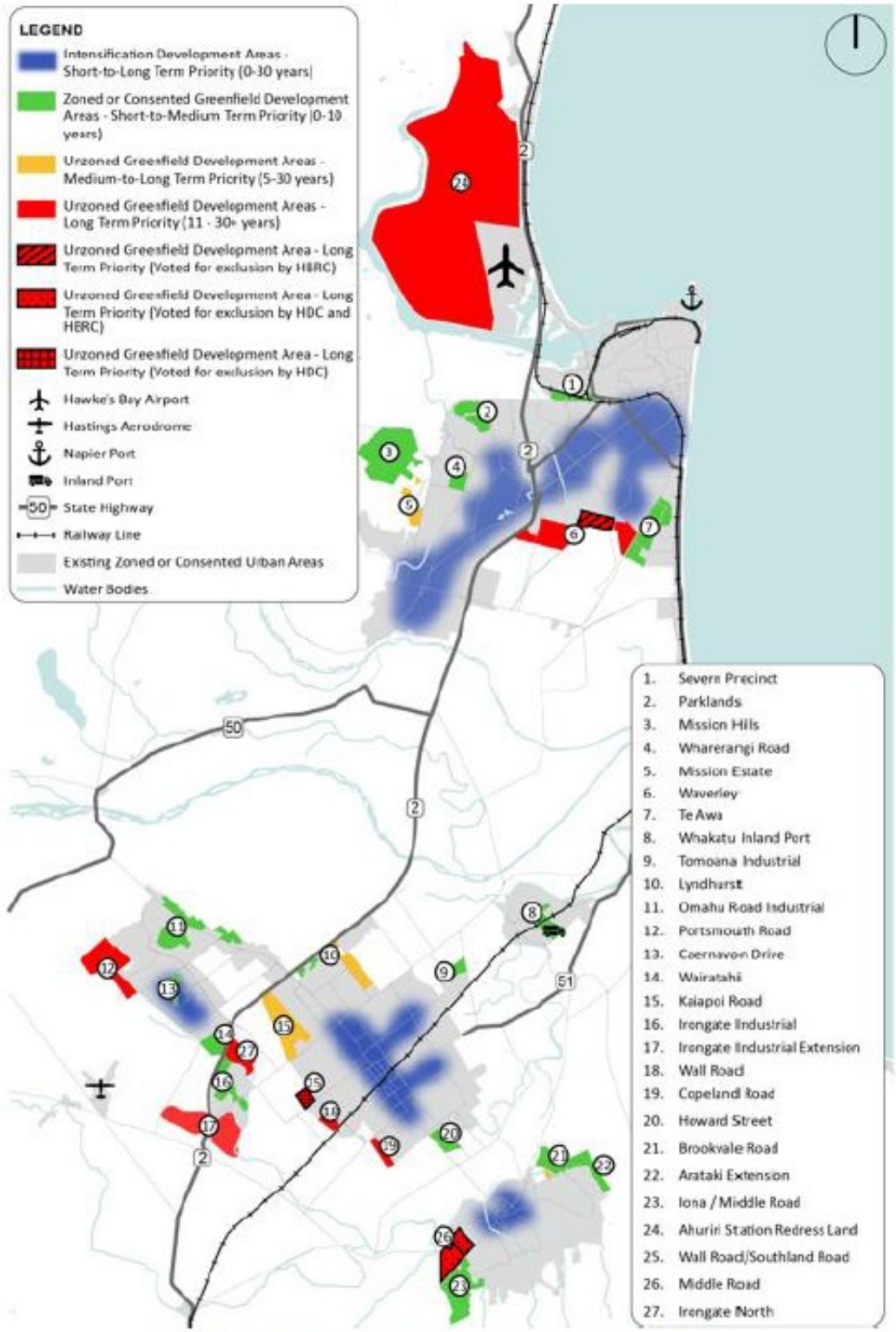

Figure 24 Future Development Strategy Development Staging

Figure 25 Development FDS Development Staging

The assumptions made in the application transportation and locational assessment are consistent with the FDS settlement pattern. A new strategic industrial node at Irongate and Irongate West

located close to the state highway network and existing industrial areas and further supports the case for the application site location.

The FDS does not result in any change in the surrounding receiving environment.

While the FDS does not identify the application site or locality for development, it does identify that smaller scale proposals can be considered on their merits, and therefore should not be excluded from consideration:

> *"The FDS is focussed on identifying strategic opportunities for growth across the urban areas of Napier and Hastings. Except in some circumstances, smaller sites with capacity for less than 100 dwellings or singular business/commercial development proposals are not identified. It is intended that proposals of this scale, or other unanticipated development, are considered on their merits through a plan change/review and/or resource consent processes. Collectively, development on smaller sites may make a meaningful contribution to housing and business capacity and this will be regularly monitored and documented through the Councils' three yearly Housing and Business Capacity Assessments."*[48]

11.4 Hawke's Bay Regional Land Transport Plan 2024-2024

The vision for the regional transport system is to foster a vibrant, accessible, and carbon neutral Hawke' s Bay. The Energy Centre will contribute to this vision by:

- Supporting emission reductions through ready provision of alternative renewable fuels at scale, particularly for HGV;
- Providing enhanced safety for refuelling vehicles with ease of access away from congested secondary urban streets;
- Improving the reliability and resilience of freight journeys to Napier Port and inter-regionally through a well located, modern, low risk refuelling facility

Objective 1: A safe transport system for all users

The energy centre will reduce current safety deficiencies on the network in the vicinity of existing refuelling facilities in urban areas (P1.1). The site location will reduce the potential for conflict between HGV and vulnerable users (P1.5).

Objective 2: A resilient, efficient and reliable network for journeys within Hawkes Bay to Napier port and to other regions

The energy centre will support high productivity motor vehicle capability of strategic routes, avoiding the need for these vehicles to divert onto lower capacity secondary urban streets with inherent conflicts (P2.1). The site will provide a modern facility that will be resistant to disruption from natural hazard events such as flooding and earthquakes (P2.3).

Objective 3: A transport system that contributes to a carbon neutral Hawkes Bay

The energy centre will directly promote and support the uptake of low emission vehicles, and in particular for HGV (P2.3).

Objective 4 Realistic transport choices for all users to meet social, economic and cultural objectives

[48] 11.1 FDS Summary Napier Hastings Future Development Strategy 2025 2054

The energy centre will improve the functioning of road networks in the subregion through the reduction of heavy goods vehicle movements through urban areas. This will ease congestion at peak periods benefiting all road users, including those using public transport (P41). The nature and scale of the energy centre is consistent and supports the function and levels of service of the strategic road network, including transport connections to Napier port (P4.5).

Objective 5: Land use planning and developments to enable efficient transport networks and minimize travel demand

The site location and configuration of access will protect the key freight corridor on state highway 2 (P5.2). The location will also reduce the adverse effects of heavy vehicle movements through urban areas enhancing place values promoting a well-functioning urban environment (P5.3, (P5.4).

12.0 Particular Restrictions For Non-Complying Activities – Gateway Test (Section 104D)

A consent authority may grant a resource consent for a Non-Complying Activity only if it is satisfied that either:

- the adverse effects of the activity on the environment will be minor; or
- the application is for an activity that will not be contrary to the objectives and policies of the relevant plan.

The conclusion on environmental effects is that adverse effects on the environment will be no more than minor if the proposed conditions of consent are imposed and are complied with.

The conclusion on objectives and policies of the District Plan is that while the proposal does not fully align with the anticipated land uses within the Plains Production Zone, it is not contrary nor repugnant to the broader policy framework, and in several important respects, it supports the strategic direction of the District Plan.

The proposal meets both of the gateway tests.

13.0 Consultation (Schedule 4,Clause 6(1)(f)

13.1 Persons Considered Affected by the Activity

The applicant identified a range of individuals and organisations potentially affected by, or with an interest in, the proposed activity. These included government agencies, mana whenua, adjacent landowners, infrastructure providers, industry representatives, and community organisations.

Category	Parties Engaged

Statutory Agencies	Waka Kotahi NZ Transport Agency (NZTA), Hastings District Council (HDC), Hawke's Bay Regional Council (HBRC)
Mana Whenua / Cultural	Heretaunga Tamatea Settlement Trust, Te Mātai Ao,
Landowners / Neighbours	Delegat's Winery (adjacent), nearby Morley Road and Evenden Road properties
Industry / Sector Bodies	Transporting New Zealand
Community and Strategic Planning Stakeholders	Save the Plains Napier–Hastings Future Development Strategy Hearings Panel

13.2 Consultation Undertaken

Consultation commenced in 2021 and extended through to September 2025. The proposal has developed and changed over this period, including a major redesign and site extension following the Cyclone Gabrielle flood event in 2023.

Engagement was undertaken individually or jointly by the directors of Hamachek Holdings Ltd and consisted of the following methods:

- Hui and in-person meetings (including site visits);
- Email communications and provision of information summaries;
- Responses to technical queries and follow-up discussions;
- Provision of draft assessment material (e.g. alternatives assessment, site plans, concept drawings, stormwater layout, traffic assessments);
- Ongoing dialogue with mana whenua representatives.

The purpose of consultation was to:

- Inform stakeholders about the proposal at an early stage;
- Obtain feedback on potential issues or concerns;
- Identify opportunities to address or mitigate effects; and
- Incorporate relevant responses into the design and assessment of the project where possible.

A detailed summary of parties approached, timing of consultation, and topics discussed is included in **Appendix 10.**

13.3 Response to the Views of Persons Consulted.

The views and concerns raised by the consultation and response are set out below

Views/Issues of Concern	Summary of View or Concern	Applicant Response
Traffic and access	Safety and suitability of site access to SH2 and management of heavy vehicle volumes.	Detailed access design developed and assessed in the Transportation Assessment Report (TAR); design accommodates large vehicle turning and visibility requirements.
Use of highly productive land	Concerns raised about loss of versatile soils and alignment with NPS-HPL.	Assessed in AEE; site characteristics, operational need, and regional function considered. Proposal aligns with District Plan rural provisions supporting regionally significant infrastructure.
Planning and policy alignment	Ensuring consistency with regional growth planning and the Napier–Hastings FDS.	Full policy analysis included in AEE; proposal contributes to supporting infrastructure identified in the FDS and regional freight network.
Stormwater and environmental effects	Need for robust flood and stormwater design to protect water quality and avoid off-site impacts.	Addressed through Infrastructure Report (Appendix 6); detention basin designed for climate-adjusted 1% AEP event; supports downstream floodplain behaviour.
Noise, visual and other and amenity effects	Night-time truck noise, lighting spill, and general industrial character.	Noise and lighting assessments confirm compliance with District Plan standards; perimeter landscaping and wetland buffer designed to reduce off-site effects.
Cultural values and tangata whenua	Mana whenua requested early engagement and cultural recognition; concerns around industrialisation of the Heretaunga Plains.	Cultural Effects Assessment prepared; native planting and wetland design align with cultural values; provision made for ongoing engagement and kaitiaki input.
Heavy vehicle servicing	Support for refuelling, rest areas, and effluent disposal for freight network efficiency.	Incorporated into site design; includes stock effluent

Views/Issues of Concern	Summary of View or Concern	Applicant Response
		disposal, truck parking, and EV/hydrogen refuelling.
Alternative site selection	Suggestions to consider less productive land; concern about precedent.	Alternative sites were considered but did not meet access, infrastructure, or operational requirements; rural location adjacent SH2 remains optimal.

13.4 Summary and Conclusion

The consultation undertaken has helped to shape the proposal and ensure it responds to local environmental and community values. Key matters raised have been addressed through design amendments, mitigation measures, and/or assessment within the AEE and supporting documents.

It is acknowledged that some further concerns may be raised through the public notification process.

The applicant remains open to ongoing engagement and collaboration with mana whenua and stakeholders as the project progresses.

14.0 Notification (Section 95A)

The applicant requests that the application be publicly notified under Section 95A(3)(a) of the RMA.

15.0 Conclusion

15.1 Proposal

This application seeks resource consent for the development of the Evenden Energy Centre, a multi-fuel refuelling and service facility strategically located at the intersection of Evenden Road and SH2 on the Heretaunga Plains. The proposal includes diesel, petrol, hydrogen, and EV refuelling; food and retail services; a fruit shop; and infrastructure to support heavy vehicle movements and stock effluent disposal. The design has been futureproofed for hydrogen dispensing and incorporates best practice principles in transport, utilities, and hazard management.

15.2 Site

The 5.26-hectare site is well-positioned on a major transport corridor and previously used for horticulture. It is flat, accessible, and large enough to accommodate the proposed activities while enabling effective landscaping and separation from sensitive boundaries.

15.3 Planning Framework and Activity Status

The proposal is a non-complying activity under the Hastings District Plan due to exceeding commercial activity thresholds in the Plains Production Zone. It also triggers restricted discretionary or discretionary consent status under provisions relating to signage, earthworks, hazardous substances, and transport. When bundled, the proposal requires consent as a non-complying activity.

15.4 Assessment of Effects

The assessment concludes that effects on the environment will be no more than minor, subject to adherence to proposed mitigation measures:

- Transport: Access and traffic effects are acceptable, with minor changes proposed to the roundabout to improve safety. SIDRA modelling confirms capacity and safety are maintained.
- Landscape: Visual and character effects are low to moderate and will be mitigated by an extensive landscaping plan reflecting the rural context and orchard character.
- Infrastructure: Stormwater, wastewater, and water supply can be managed adequately. The stormwater system includes a large, planted detention basin with capacity for both on-site runoff and upstream flows.
- Natural Hazards: Flood and liquefaction risks are appropriately managed through site elevation, storage provision, and engineered foundations.
- Soil Contamination: A DSI confirms the land is suitable for commercial use. Targeted removal and disposal of contaminated soil will be undertaken in accordance with NESCS.
- Highly Productive Land: The proposal will result in the permanent loss of 5.26 ha of LUC Class 2 land, classified as Highly Productive Land (HPL). However, the development avoids subdivision, lifestyle uses, or sensitive activities that typically undermine HPL values. The site is functionally justified due to its strategic transport location and supports regionally significant infrastructure. The developments contained, non-fragmenting form limits adverse cumulative effects. The loss of HPL is therefore assessed as minor and acceptable in this context.
- Noise: Operational and construction noise will comply with District Plan standards. The acoustic environment is already dominated by SH2.
- Hazardous Substances: The site will store quantities of fuel and hydrogen exceeding permitted limits, classifying it as a Major Hazard Facility. A risk assessment confirms that risks are appropriately mitigated.

In addition to managing adverse effects, the proposal will generate a range of positive outcomes, including improved freight efficiency, safer and cleaner rural roads, enhanced driver wellbeing, and support for low-emissions transport infrastructure. It also provides a visible platform for showcasing local produce and creates local employment opportunities.

15.5 Alternative Locations and Methods

The assessment demonstrates that no alternative sites offer the same locational advantages, access, and functional efficiency. The proposed site is unique in providing effective integration with the heavy vehicle transport network and surrounding land uses.

15.6 Statutory and Policy Alignment

The proposal aligns with key planning documents including the National Policy Statement on Urban Development, the Regional Land Transport Plan, and aspects of the Heretaunga Plains Urban Development Strategy. While not fully consistent with the intent of the Plains Production Zone, it reflects exceptional locational and functional needs that justify its placement outside urban zones.

15.7 Overall Conclusion

The Evenden Energy Centre represents a strategically located, well-integrated, and future-focused energy facility that responds to regional transport, environmental, and economic needs. Despite its non-complying status, the effects are appropriately avoided or mitigated, and the proposal meets the gateway tests under s104D of the RMA. The application is consistent with the sustainable management purpose of the RMA and merits approval.

Appendix 1: Application Form

Appendix 2: Certificates of Title

Appendix 3: Proposal

Appendix 4: Transportation Assessment Report

Appendix 5: Landscape Effects Assessment

Appendix 6: Infrastructure Assessment

Appendix 7: Assessment of Noise Effects

Appendix 8: DSI Soil Contamination Report

Appendix 9: Suggested Conditions and Advice Notes

Appendix 10: Consultation Summary

Appendix 11: Geotechnical Report

Appendix 12: Lighting Assessment