

If calling ask for: **Michelle Hart**
File Ref RMA20230126#0024

9 June 2023

Stantec New Zealand
PO Box 13052
Armagh
CHRISTCHURCH 8141

Attention: Caroline van Halderen

Dear Sir/Madam

**NOTICE OF REQUIREMENT PURSUANT TO SECTION 168 RESOURCE MANAGEMENT ACT 1991
CONSENT REFERENCE RMA20230126 - 5100 STATE HIGHWAY 2, HAWKES BAY
NOTICE LODGED ON BEHALF OF WAKA KOTAHI NEW ZEALAND TRANSPORT AGENCY**

An initial assessment of the notice of requirement lodged on behalf of Waka Kotahi NZTA has been completed.

The purpose of the proposed designation is to construct, operate, maintain, and improve a state highway and associated infrastructure. The realignment will include a new approximately 160m long vehicle bridge across Waikare Gorge. Proposed works include new structures and upgrades including an upgraded rail overpass, new bridge and stock bridge across Kings Creek, retaining walls, new, extended and replacement culverts, and new stock underpasses. Stormwater treatment facilities and planting and landscaping will be established along the length of the Project.

Under Section 92 of the Resource Management Act (RMA) 1991, the Hastings District Council requires further information to fully assess your proposed activity, its effect on the environment and the ways in which any adverse effects on the environment might be mitigated.

Cultural Matters

1. The proposal is situated over and adjacent to Ngāti Pāhauwera and Maungaharuru-Tangitū Hapū's statutory acknowledgement area (the Waikari River as set out in Ngāti Pāhauwera Treaty Claims Settlement Act 2012 and Maungaharuru-Tangitū Hapū Claims Settlement Act 2014). While the notice refers to these Iwi groups undertaking separate cultural impact assessments, the Council requires these in order to understand at the outset, those matters relevant to mana whenua. Please provide Cultural Impact Assessments which consider the potential effects on those values and matters relevant to Ngāti Pāhauwera and Maungaharuru-Tangitū Hapū.

Hastings District Plan Assessment

2. Please provide an assessment of the following District Plan Sections and demonstrate compliance with those provisions (including all relevant performance standards), or identify in the Assessment of Environmental Effects (AEE), including Appendices where effect associated with these matters have been assessed:
 - a) Section 19.1 - Riparian Land Management
 - b) Section 20.1 - Indigenous Vegetation and Habitats of Indigenous Fauna
 - c) Section 27.1 - Earthworks

Effects on Putorino Community

3. The proposed new State Highway 2 alignment will bypass Putorino village. The AEE does not assess the impact on persons residing or working in this small village. Please address by providing a Social Impact Assessment addressing the social effects the realignment will have on this community.

NPS-HPL/ Objectives and Policies of the District Plan relating to versatile land

4. The new road will be crossing highly productive land, as defined in the National Policy Statement on Highly Productive Land, being LUC Class 3. The District Plan also places significant weight on protecting the versatile land resource. In order for Council to fully understand the impact of the loss of productive land can you please quantify the amount of LUC Class land that will be permanently taken out of production as a result of the new alignment, associated works areas and as a result of any setbacks of productive uses required from the new alignment.

Future of Existing Infrastructure

5. Due to the road realignment, the current State Highway will eventually revert to a local road. While we understand this will be addressed under a different process, can you please advise what will happen to the existing bridge crossing and this section of road once the new bridge and state highway is operational. Has there been any consideration of the effect to landowners on the Wairoa side of what will be the old bridge in the future?

Traffic Impact Assessment

6. The Traffic Impact Assessment (TIA) has not been signed by Jamie Povall (the person who has reviewed and approved the report). For completeness, please submit an amended TIA that has been signed by all authors.

Consultation

7. The AEE refers to consultation undertaken with landowners and the relevant statutory organisations. Please provide a detailed log of those discussions and an update on consultation with landowners, including whether any written approvals have been obtained.

Erosion and Sediment Control

8. The notice provides very limited information on the proposed erosion and sediment control (ESC) measures, aside from noting that controls will be consistent with the HBRC Guidelines, and the provision of corresponding conditions. Typically, as a minimum for projects of this scale, a draft / indicative ESCP and drawings at a high level would be provided, with details to follow on site specific ESCPs. That would also include discussion on specific higher risk areas such as stream works and bridges, and areas (if any) where Guideline compliant controls cannot be implemented. This will inform the assessment of effects. Please provide a draft ESC Plan that incorporates this information.

NESCS

9. The PSI in Appendix E identifies a HAIL activity has been undertaken on a specific site and while a Contaminated Land Management Plan has been provided, it is likely that a DSI will be required prior to works commencing in this area. It is however considered acceptable that consent not yet be applied for in relation to potential increase in concentration of contaminated substances on land but resource consent may be required the future.

Ecological Assessment Report

10. The ecological assessment identifies that the proposal will potentially have 'moderate' adverse effects both before and after mitigation. It is understood that 'moderate' adverse effects would likely be considered more than minor. Additionally, the ecological assessment states potential losses may not be able to be avoided. Given

this, at this stage Council consider that public notification may be required, but this will be confirmed after considering of the further information that has been requested.

Other

11. Subject to any additional information being provided it is likely that Council will seek peer reviews under section 92(2) of the RMA of the following reports;

- Noise and Vibration Report
- Landscape and Visual Assessment
- Urban Landscape Design Framework

We are seeking agreement to undertake peer reviews of the above reports.

In accordance with section 92A of the Act you must within 15 working days of the date of this request, take one of the following options:

1. Provide the information; or
2. Inform the Council in a written notice that you agree to provide the information; or specify a reasonable timeframe for providing the information for agreement of Council, or;
3. Inform the Council in a written notice that you refuse to provide the information.

Please note that Section 95C(2) of the Resource Management Act requires Council to publicly notify your application if:

- i) the information is not received within either 15 days, or;
- ii) the information is not received within any agreed timeframe, or;
- iii) if you decline to provide the information.

Council's deposit fee for public notification is **\$16,000.00**.

A decision on your application has been placed on hold awaiting your response to this request, in accordance with Section 88B of the Act. Where possible however, the application will continue to be processed as allowed by the information already supplied.

Please contact me if you have any questions regarding the above information request or the further processing of the application.

Yours sincerely



Michelle Hart
Senior Environmental Planner (Consents)
Hastings District Council