35 Statutory assessment

Overview

The objectives and policies that are relevant to the Project span national, regional and district planning documents. An analysis of these is provided in this Chapter, the conclusions of which are as follows:

- The Project is a key part of the Government's national policies for transportation: as part of the Wellington RoNS the Project will, as a whole, result in significant safety and travel time savings between Wellington Airport and Levin, remove congestion, improve travel time reliability, route security, and ease freight movements into and out of Wellington;
- Overall, the Project is not inconsistent with the objectives and policies of the relevant national and regional statutory planning documents;
- The Project is consistent with the transport related policies in the Regional Policy Statement, the Regional Land Transport Strategy and the Kapiti Coast District Plan;
- The Project will enable communities at a local, regional and national level to provide for their social, economic and cultural wellbeing. The Project will meet the growing transportation needs of the Region and does not preclude future opportunities for other land transport development, such as public transport;
- The Project will sustain the potential of natural and physical resources for future generations, and safeguard the life supporting capacity of air, soils, water and ecosystems;
- As set out in Part H of this AEE, the adverse effects of the Project on the environment will be sufficiently avoided, remedied or mitigated (including by offsetting) to satisfy the requirements of section 5 of the RMA;
- The Project recognises and provides for the matters in section 6 of the RMA;
- The Project has appropriately responded to those matters in Sections 7;
- Engagement with tangata whenua in developing the Project has taken into account the principles of the Treaty of Waitangi in accordance with section 8 of the RMA.

Consequently, the Project meets the statutory tests of the RMA,and is consistent with its purpose and principles, particularly when the benefits of the proposal are considered alongside the proposed measures to avoid, remedy and mitigate the adverse effects. To this end, it is considered that the sustainable management purpose of the RMA will be achieved by confirming the designation and granting the resource consents sought.

35.1 Introduction

The assessment of the Project against relevant statutory documents generally follows the hierarchy of applicable planning documents shown in Figure 35.1 below, and concludes with an assessment against Part 2 of the RMA. Further detail regarding the specific provisions within these documents relevant to

the Project is contained in TR2 – Analysis of Policy Framework Objectives & Policies, Volume 3 of the AEE.

Figure 35.1: Hierarchy of Relevant Planning Documents

35.2 National Policy Statement for Freshwater Management 2011

The National Policy Statement for Freshwater Management (NPSFW) is relevant to the Project. The NPSFW contains a Preamble and five sections containing objectives and policies which are grouped into the following topics:

- Water quality
- Water quantity
- Integrated management
- Tangata whenua roles and interests
- Progressive implementation programme

35.2.1 Water quality

The objectives related to water quality are of particular relevance to the Project:

Objective A1

To safeguard the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems of fresh water, in sustainably managing the use and development of land, and of discharges of contaminants.

Objective A2

The overall quality of fresh water within a region is maintained or improved while:

(a) protecting the quality of outstanding freshwater bodies

(b) protecting the significant values of wetlands and

(c) improving the quality of fresh water in water bodies that have been degraded by human activities to the point of being over-allocated.

The NPSFW sets out a staged implementation programme, over which time Councils are required to include objectives and policies in their plans to reflect the stated objectives (including those above). In particular, the NPSFW provides a transition Policy A4 that has immediate effect on discharge consent applications. This policy applies until such time as GWRC adopts policies for inclusion in its RPS and Regional Plans to give effect to Policy A1 and Policy A2 (freshwater quality limits and targets). Policy A4 states that:

1. *When considering any application for a discharge the consent authority must have regard to the following matters:*
   a) *the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water; and*
   b) *the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided.*
2. *This policy applies to the following discharges (including a diffuse discharge by any person or animal):*
   a) *a new discharge or*
   b) *a change or increase in any discharge – of any contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.*
3. *This policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management takes effect on 1 July 2011.*

Options to avoid discharges to freshwater that will have a more than minor effect have been extensively considered during the development of the Project, including stormwater treatment during the construction and operation of the proposed Expressway, along with a wider package of measures to avoid, remedy and mitigate adverse effects of the Project as a whole (Policy 1(b)). Methods to avoid adverse effects, and consider alternative options, are discussed in Chapters 22 and 28, Volume 2 of the AEE, and include an integrated approach between specialists.

Overall, it is concluded that the Project will be generally consistent with the intent of the NPSFW in relation to water quality.

35.2.2 Water quantity

The NPSFW sets out objectives for water quality, which are aimed at:

- Sustainably managing the taking, using, damming, or diverting of fresh water to safeguard the life-supporting capacity, ecosystem processes and indigenous species (B1);
- Avoiding any further over-allocation and phasing out existing over-allocation (B2);
- Improving and maximising the efficient allocation and efficient use of water (B3); and
- Protecting significant values of wetlands (B4).

The route assessment process resulted in the identification and avoidance of significant wetlands in selecting the final alignment of the proposed Expressway. However, the proposed alignment does include some minor degraded wetlands which cannot be avoided; it is proposed to offset the loss of these wetlands by promoting the regeneration of neighbouring wetlands.

The Project will require the abstraction of groundwater for use during construction, a series of streams will be temporarily diverted during construction, and small sections of the Muaupoko Stream and Paetawa Drain would be permanently realigned. Due to the use, take, diversion and realignment of water bodies, Objectives B3 and B4 are relevant as is Policy B7, as set out below:

Policy B7

1. *When considering any application the consent authority must have regard to the following matters:*
   a) *the extent to which the change would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem and*
   b) *the extent to which it is feasible and dependable that any adverse effect on the life-supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided.*
2. *This policy applies to:*
   a) *any new activity and*
   b) *any change in the character, intensity or scale of any established activity – that involves any taking, using, damming or diverting of fresh water or draining of any wetland which is likely to result in any more than minor adverse change in the natural variability of flows or level of any fresh water, compared to that which immediately preceded the commencement of the new activity or the change in the established activity (or in the*

> *case of a change in an intermittent or seasonal activity, compared to that on the last occasion on which the activity was carried out).*
>
> *This policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management takes effect on 1 July 2011.*

As outlined in Chapters 24 and 28, Volume 2 the Project proposes a range of measures to safeguard the life-supporting capacity of fresh water and of any associated ecosystem, including the construction of sediment retention ponds and use of swales and wetlands to attenuate stormwater discharge.

While the proposed Expressway will result in the culverting and diversion of several waterbodies, the design of the features takes into account the existing character and nature of the waterbodies. In addition, it is proposed that restoration work will be undertaken on streams and wetlands elsewhere to offset any loss or adverse effect. Overall, it is considered that the Project will result in a net environmental benefit in terms of this Policy.

35.2.3 Integrated management

Part C of the NPSFW emphasises the importance of integrated management. Objective C1 states:

> 1. *To improve integrated management of fresh water and the use and development of land in whole catchments, including the interactions between fresh water, land, associated ecosystems and the coastal environment.*

While this objective and corresponding policies C1 and C2 is particularly relevant for local authority policy development, there is direction that this Objective is taken into account in resource consents and Notices of Requirement. The development of the Project followed an integrated process, by which the interrelationships of various aspects of the proposed Expressway and its effects were assessed and considered in the alignment and design of the Project. Overall, it is considered that the Project achieves the objective of improving integrated land use and development (i.e., the proposed Expressway) with freshwater management.

35.2.4 Tangata whenua roles and interests

Part D of the NPSFW seeks

> *To provide for the involvement of iwi and hapu, and to ensure that tangata whenua values and interests are identified and reflected in the management of fresh water including associated ecosystems, and decision-making regarding freshwater planning, including on how all other objectives of this national policy statement are given effect to.* (Objective D1)

Part D requires local authorities to take reasonable steps to work with iwi and hapu and to reflect tangata whenua interests (Policy D1).

Whilst the NPS requires actions to be taken by regional councils to develop policies (rather than requiring actions by an applicant for consents and approvals), it is relevant to highlight that this Project has been developed in consultation with tangata whenua, including in terms of how the Project may affect freshwater systems and ecology.

35.3 National Policy Statement for Electricity Transmission 2008

The National Policy Statement on Electricity Transmission (NPSET) sets out one objective and a number of policies for managing the electricity transmission network under the RMA. Local authorities are required to, within 4 years of the gazetting of the NPSET, give effect to its provisions. The NPSET gives guidance to the drafting of plan rules and decision-making on resource consents.

There is one objective in the NPSET:

> *To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:*
>
> - *managing the adverse environmental effects of the network; and*
> - *managing the adverse effects of other activities on the network.*

Policy 1 seeks to have the national benefits of sustainable, secure and efficient electricity transmission recognised. Policies 2 – 9 manage the environmental issues generated by transmission infrastructure. Policies 10 and 11 manage the adverse effects of third parties on the transmission network.

With respect to the Project, the alignment of the proposed Expressway crosses under the Hayward to Bunnythorpe Transmission Line 220kV line in the vicinity of Smithfield Road. Any changes that may be required to the line in this section to ensure the continued safety and capacity of the line are anticipated to be minor (for example, raising the height of conductors), and will occur prior to the construction of the proposed Expressway. This work would be undertaken in liaison with, and with the agreement of Transpower. Accordingly, it is considered that the Project is consistent with the NPSET.

35.4 NZ Coastal Policy Statement 2010

The New Zealand Coastal Policy Statement 2010 (NZCPS) provides policy guidance and direction on management of the coastal environment.

While the Project is not considered to be located within the coastal environment, the Project has the potential to affect the streams its crosses and consequently the final receiving environments within the coastal environment, including the Waikanae River Estuary and the mouths of the Waimeha and Wharemauku Streams.

Policy statements and plans produced by regional and territorial authorities must give effect to the NZCPS.[245] Matters addressed in the NZCPS include:

- Preservation of the natural character of the coastal environment;

[245] Sections 62(3), 67(3)(b) and 75(3)(b) RMA.

- Protection of those characteristics of the coastal environment of special value to tangata whenua;
- Provision of appropriate subdivision, use and development of the coastal environment; and
- The Crown's interest in the Coastal Marine Area.

These matters are addressed at a regional level within the objectives, policies, rules and other provisions of the Proposed Wellington Regional Policy (PRPS) Statement and the Wellington Regional Coastal Plan (Coastal Plan) which are discussed separately below. It is acknowledged that the statutory planning documents will be out of date with respect to aspects of the new NZCPS which only came into effect in December 2010.

The following planning assessment is provided for relevant objectives and policies of the NZCPS.

35.4.1 NZCPS objectives

There are seven overarching objectives of the New Zealand Coastal Policy Statement, of which Objectives 1, 2, 3, and 6 are most relevant to this Project. These set out the high level direction for management of the coastal marine area, and the policies seek to give effect to that direction. The following assessment considers both the relevant objectives and policies together.

35.4.2 The Extent and Characteristics of the Coastal Environment (Objectives 1 and 2, and Policy 1 and 4)

The NZCPS 2010 introduced a new focus on the extent and characteristics of the coastal environment (Policy 1). Technical Report 7 - Assessment of Landscape and Visual Effects, Volume 3 concludes that the proposed Expressway corridor is not situated within the coastal environment (as defined in Policy 1 of the NZCPS). Where the proposed Expressway crosses the Waikanae River, about 2km upstream from the coast, there may be minor coastal influence in the River (due to tidal movement downstream, and migration of some fish species), but the water in this section of the River is not saline and the area has no perceptible coastal characteristics.

The Project does not require resource consents under section 12 of the RMA (Restrictions on use of coastal marine area), or under the Regional Coastal Plan. However, as outlined in Chapter 28, Volume 2 the Project has the potential to have adverse effects on the coastal environment, in particular the Waikanae Estuary, arising from land-based construction activities (re NZCPS Policy 4). Having regard to the extent and, in particular, the characteristics of the coastal environment, assessments have been undertaken to consider the effects of the Project on the coastal environment and coastal processes. In particular, this is reflected in Technical Report 22 - Assessment of Hydrology and Stormwater Effects, Technical Report 26 - Ecological Impact Assessment and Technical Report 31- Marine Habitat and Species – Description and Values in Volume 3 of the AEE.

In summary, the development of the Project had detailed regard to the potential to have effects on the coastal environment by assessing methods to avoid or mitigate effects on freshwater, through either contamination or sediment runoff. The assessment concludes that any adverse effects on the ecological values of the coastal environment would be very low to neutral in the long term, subject to the effective implementation of erosion control and sediment management and the preparation of a risk management

plan for storm events. Further discussion about the regionally specific objectives and policies in the PRPS and the Coastal Plan and regionally specific features and effects follow below.

35.4.3 Treaty of Waitangi, Tangata Whenua and Māori (Objective 3 and Policy 2)

Through engagement with tangata whenua, and by making key design decisions in consultation with tangata whenua, matauranga Māori (Māori customary knowledge, traditional knowledge or intergenerational knowledge) has been incorporated into the consideration and design of the Project (refer to Chapter 14).

35.4.4 Natural Character (Objective 2 and Policies 13 and 14)

Policy 13 relates to preserving the natural character of the coastal environment and recognises that natural character is different to natural features, landscapes and amenity values. Policy 14 promotes the restoration or rehabilitation of the natural character of the coastal environment.

As discussed above, the Project is not considered to be located within the wider coastal environment from a landscape perspective. In terms of an ecological perspective, the actual and potential adverse effects on the identified estuaries from construction works on the streams and wetlands, are considered to have low to neutral impacts, subject to the implementation of erosion and sediment controls.

35.4.5 Water Quality (Objectives 1 and 6, and Policy 21, 22 and 23)

Policy 21 requires that where water quality in the coastal environment has deteriorated such that it is having a significant adverse effect, priority be given to enhancing it. Policy 22 requires consideration of controls to manage the effects of sedimentation on the coastal environment, including through managing land uses, forestry and vegetation removal. Policy 23 seeks to manage the discharge (of contaminants) to the coastal environment.

Water quality is a primary issue for the coastal environment in the consideration of the Project, particularly during construction. The extent of effects on the coastal environment, from this Project, relate to construction activities that generate an increase in sediment upstream of the estuaries.

Having regard to Policies 21, 22 and 23, the following assessment is made:

- The Coastal Plan identifies that the coastal water along the Kāpiti coast are to be managed for contact recreation purposes.
- Technical Report 22, Volume 3 details the characteristics, water quality and ecological values of each of the three estuaries Waikanae Estuary, Waimeha/Ngarara Stream mouth, and Wharemauku Stream mouth – all of these estuaries have high ecological values.
- Land use activities within the catchments upstream of the estuaries have resulted in varying levels of water quality both in the water discharging into the estuaries and the coastal water. Whereas the Waimeha Stream mouth has moderate water quality, influenced by lowland agricultural land uses, the streams and water bodies upstream of the Wharemauku Estuary are highly modified by land use, and water quality and ecological values are relatively low. The

Waikanae River has good water quality, reflecting the forest and pastoral land use in the catchment, but the quality of water in the River reduces near the coast due to the discharge of treated wastewater via the Mazengarb Drain. Overall, it is anticipated that the effects of the proposed Expressway on water quality entering coastal water will be negligible, and, indeed the proposed stormwater treatment systems may result in overall improved water quality.

- The likely sedimentation as a result of the construction activities is considered to have a negligible adverse effect, while the likely quality of stormwater runoff from the operation of the proposed Expressway is considered to be either neutral or positive due to proposed wetland treatment measures, retirement of grazed land and the removal of stock contributions (Technical Report 24 – Baseline Water and Sediment Quality Investigation Report andTechnical Report 27 - Ecological Impact Assessment, Volume 3).

Overall, it is concluded that the Project will be consistent with these objectives and policies of the NZCPS.

35.5 Relevant National Environmental Standards

There are four national environmental standards (NES) that are relevant to the Project:

- NES for Air Quality (2004, amended 2011) – Regulation 8 prohibits the burning of bitumen on a road and Regulation 13 sets the ambient air quality standards and the requirements for management of air quality within those air sheds identified. It is the responsibility of Regional Councils to manage air quality and to comply with the Regional Air Quality targets for their air-shed(s). No consents relating to this standard are required, but the relevant regulations in the NES have informed the assessment of construction and operational air quality effects and proposed mitigation measures included in Technical Report 13 – Assessment of Operational Air Quality Effects and Technical Report 14 – Assessment of Construction Air Quality Effects, Volume 3 of the AEE.
- NES for Sources of Drinking Water (2007) – This NES requires regional councils to ensure that effects on drinking water sources are considered in decisions on resource consents and regional plans. No consents relating to this standard are required. The potential effects of the Project on the District's groundwater resources that are used for water supply are addressed in Technical Report 21 – Assessment of Groundwater Effects, Volume 3 of the AEE. The assessment concludes that there should be no deleterious effect on potable water supplies, but that appropriate monitoring and management should be implemented during construction.
- NES for Electricity Transmission Activities (2010) contains regulations relating to the relocation of existing transmission lines. This may apply at one section of the Project in relation to the HAY-BUN 220kV line at Waikanae North, where minor work on the transmission line might be required to ensure safety standards are met. Any work on the transmission line would be undertaken in liaison with Transpower in accordance with the provisions of the NESETA.

- NES for Assessing and Managing Contaminants in Soil to Protect Human Health (2011) – This NES provides a mix of permitted activities and resource consent requirements for certain activities on land affected or potentially affected by contaminants in soil. The assessment of land and groundwater contamination effects (Chapter 27, Volume 2 and Technical Report 23, Volume 3 of the AEE) has had regard to the relevant standards in the NES. The property at 55 Rata Road appears on the GWRC Selected Land Use Register for the historical storage of fuel at the site. As this activity is listed on the Hazardous Activities and Industries List (HAIL) the NES Regulations apply to this land parcel. The volume of soil disturbance at the site is likely to be more than 25m3 per 500m2 and require more than 5m3 of soil to be removed from the site. This exceeds the permitted activity volumes detailed in the Regulations and therefore this activity will require a consent. As the concentrations of contaminants at location TP209 (refer to Drawing EN-CL-005, Technical Report Appendices, Report 23, Volume 5) exceed the health guideline values set out in the NES, the activities at this site will require consent as restricted discretionary under Regulation 10. Further detail regarding the site investigations, potential effects and proposed methods to manage and/or dispose of contaminated soil are included in Technical Report 23, Volume 3 of the AEE.

35.6 Wellington Regional Policy Statement 1995

The operative Regional Policy Statement (RPS) for the Wellington Region came into effect in 1995. The RPS identifies the regionally significant issues around the management of the Region's natural and physical resources and sets out what GWRC is seeking to achieve (objectives) and the way in which they will seek to achieve those objectives (policies and methods). It is also a key statutory instrument that regional and district plans are required to give effect to.[246]

At this stage, the PRPS is considered to carry greater weight than the operative RPS, because the PRPS has been through the public notification and submissions process, and is currently in the final stage where appeals on some of its provisions are being resolved. Nevertheless, the RPS contains similar themes and topic areas, and the assessment of the Project against the objectives and policies of the PRPS are considered to cover these issues well.

35.7 Proposed Wellington Regional Policy Statement 2009

The PRPS for the Wellington Region was publicly notified in March 2009. The hearing of submissions took place in November 2009, with the decisions on the submissions released in May 2010. The PRPS is currently subject to appeals to the Environment Court.

A full assessment of the Project has been undertaken against the relevant objectives and policies of the PRPS and is provided below. The PRPS is intended to provide a robust, integrated approach to promoting the sustainable management of natural and physical resources. Under section 59 of the RMA "the purpose of a regional policy statement is to achieve the purpose of the Act by providing an overview

[246] Section 65(6), 67(3), 73(4), 75(3), RMA.

of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region."

35.7.1 PRPS – air quality

The PRPS separates air quality issues into two categories: Amenity (Objective 1) and Health Effects (Objective 2). Policy 1 corresponds to Objective 1, while Policy 2 provides direction for both Objectives. The PRPS states that overall regional air quality in Wellington is generally good: the PRPS seeks to maintain and enhance air quality in the Region. In consideration of the relevant objectives and policies, the following conclusions are reached in respect of the Project:

Amenity Effects (Objective 1)

Amenity values can be adversely affected by contaminants in the air, such as when dust and smoke reduces visibility or when odour is objectionable.

Policy 1 directs the inclusion of provisions in district plans to manage reverse sensitivity effects; whereby sensitive activities may adversely affect the operation of land uses that "emit odour, smoke or dust, which can affect the health of people and lower the amenity values of the surrounding area".

In relation to amenity, Policy 2 requires consideration of reducing the effects of odour, smoke, dust and fine particulate matter. Dust emissions from the earthworks associated with construction will be a source of contaminants and could have an adverse effect on amenity. These potential adverse effects would be temporary and are proposed to be satisfactorily managed through best practice construction methods set in the CEMP.

It has been determined that there will be negligible air quality amenity effects arising from the use of the proposed Expressway.

Health Effects (Objective 2)

The potential for health effects in relation to roading infrastructure relate primarily to fine particulate emissions from vehicles and, to a lesser extent, from concrete batching when this is undertaken. Policy 2 requires consideration to be given to reduction of the effects of odour, smoke, dust and fine particulate matter with respect to health effects.

As outlined in Chapter 20, Volume 2 it is anticipated that the Project will have negligible effects on the ambient air quality and level of existing contamination and therefore will not have any effects on human health.

Overall, it is concluded that the proposal will be entirely consistent with the relevant objectives and policies that relate to air quality.

35.7.2 PRPS – coastal environment

The regionally significant resource management issues for the coastal environment and corresponding objectives and policies are categorised into four areas: adverse effects on natural character, and

restoring natural character (Objective 4 and Objective 5 respectively); and natural habitats and features, coastal water quality and ecosystems (Objectives 3, 6 and 7). In relation to this Chapter of the PRPS the following conclusions are made:

Natural character (Objectives 4 and 5)

The Project does not propose the construction of any structures or features in the coastal environment. The Project is not considered to be located within the wider coastal environment (Policy 37).

Natural Habitats and Features (Objective 3), Coastal Water Quality (Objective 6) and Ecosystems (Objective 7)

As demonstrated in Chapter 23, Volume 2 and Technical Report 26 - Ecological Impact Assessment, Volume 3, the magnitude of the actual and potential effects on the quality of coastal ecosystems will be low to negligible.

Public Access (Objective 8)

The Project will not adversely affect public access to the coastal environment because there are no works proposed close to or within the coastal marine area. Maintaining and enhancing public access is an important tenet of all the statutory documents, and this Project will not adversely affect access.

Overall, it is concluded that the proposal is consistent with the relevant objectives and policies that relate to the costal environment.

35.7.3 PRPS – energy, infrastructure and waste

Regionally Significant Infrastructure

The "Infrastructure" objective (Objective 10) and policies (Policies 6, 8 and 9) are particularly relevant to the Project.

Objective 10 states that the "social, economic, cultural and environmental benefits of regionally significant infrastructure are recognised and protected", where the definition of 'regionally significant infrastructure[247]' includes "the Strategic Transport Network, as defined in the Wellington Regional Land Transport Strategy 2007-2016", and includes the State Highway network. It is relevant that Central Government has nominated the Project as a key part of the Wellington Northern Corridor RoNS, in the GPS on Land Transport Funding. The Project is therefore consistent with the policy direction in the PRPS and related documents such as the Regional Land Transport Strategy.

Policy 6 refers to "the social, economic, cultural and environmental benefits of regionally significant infrastructure" (such as the proposed Expressway) and directs regional and district plans and policy to recognise these benefits.

[247] Refer Appendix 3, PRPS

The Project will be entirely consistent with, and will further Objective 10 insofar as the Project provides for a more efficient road transport network that will allow people to travel more quickly and more reliably around the Region.

As discussed in Chapter 12, Volume 2 and Technical Report 32 – Assessment of Transport Effects, Volume 3 the Project will:

- improve travel time reliability;
- reduce traffic travelling through local coastal communities;
- reduce travel times around the Region; and
- improve safety (through crash reduction and route resilience improvements).

Therefore, the Project will provide social and economic benefits in particular, to people and communities by:

- improving the amenity of communities along existing SH1 through a reduction of through traffic – it will be easier for people to cross the road, stop and park on the road, and potentially make it safer to get out of vehicles on the road and visit local shops and businesses;
- enhancing safety for pedestrians and cyclists using the existing SH1 benefitting from less through traffic;
- enhancing safety for people travelling both short and longer distances through the Region by using the new route which has been designed to meet modern safety standards and will result in reduced crashes in comparison to the existing route;
- increasing the reliability of travel times meaning that people will be better able to predict how long it will take to travel, providing greater certainty and less stressful/uncertain travel experiences; and
- reducing travel times around the Region will have benefits for commuters, as well as for tourism and freight movements (which are key aims of the GPS), which will both improve productivity with faster freight movements, along with enhancing trip enjoyment for both tourists and commuters.

Recognising the benefits from regionally significant infrastructure (under Policy 6) is an important consideration for this Project, and it is concluded that the Project will be entirely consistent with this Policy.

Consumption of Non- renewable Transport Fuels and Promoting Travel Demand Management

The PRPS also provides direction on reducing the use and consumption of non-renewable transport fuels and promoting travel demand management, in Policies 8 and 9 respectively. These policies recognise the significant contribution the transport sector makes to carbon dioxide emissions and non-renewable fuel consumption. The policies seek that a reduction in both emissions and consumption is advanced through the Wellington Regional Land Transport Strategy.

Policy 9 also directs district plans to promote travel demand management mechanisms, including improvements to the efficiency of the existing network. The Policy also recognises that it is important to ensure good connectivity within and between settlements to optimise walking, cycling and public transport.

As outlined in Chapter 12, Volume 2 the Project is expected to yield a range of benefits which would be consistent with achieving Policy 9. These include:

- reduced average travel time journeys, both on the realigned State Highway (i.e., Expressway) and on local roads;
- a significant reduction in congestion;
- reduced levels of stopping and starting;
- the establishment of a significant new section of walking and cycleway network;
- provision of a second bridge over the Waikanae River, opportunities for improvements to bus services; and
- provision of opportunities to enhance access to public transport facilities at Paraparaumu and Waikanae town centres.

35.7.4 PRPS – freshwater (including public access)

The PRPS identifies that freshwater is integral to our health, wellbeing, livelihood and culture and that it is a matter of national importance to protect wetlands, lakes, rivers and streams from inappropriate use and development. In this regard Chapter 22, Volume 2 notes two particular concerns as follows:

- *the ecosystem function of some rivers, lakes and wetlands has been impaired, with some wetland and lowland stream ecosystems coming under particular pressure.*
- *The water quality of rivers and streams, lakes, wetlands and groundwater in the region is being polluted by discharges and intensive urban and rural land uses*

Objectives 12 and 13 respond to these concerns and focuses on water quantity and quality, and freshwater ecosystems respectively:

Objective 12

The quantity and quality of fresh water:

(a) meet the range of uses and values for which water is required;

(b) safeguard the life supporting capacity of waterbodies; and

(c) meet the reasonably foreseeable needs of future generations.

Objective 13

The region's rivers, lakes and wetlands support healthy functioning ecosystems.

Policies 39 – 41 set out resource consent considerations, until such time as regional plans have given effect to Policies 5-11, and are therefore relevant:

- Policies 11 and 39 encourage the maintenance and, where possible, enhancement of aquatic ecosystem health, both in freshwater and the coastal marine area;
- Policy 40 identifies the management of earthworks and vegetation disturbance activities to minimise erosion and runoff and to sustain healthy aquatic ecosystems; and.
- Policy 41 identifies a series of mechanisms to reduce adverse effects of stormwater run-off, with specific reference to the following:

(f) using roadside swales, filter strips and rain gardens;

(g) using constructed wetland treatment areas;

(h) using in situ treatment devices; and

(i) using stormwater attenuation techniques that reduce the velocity and quantity of stormwater discharges.

Technical Report 26, Volume 2 concludes that the health of streams and their riparian margins within the Project area is generally poor. This poor quality was attributed to a range of sources, including existing land development (rural and urban land uses), and discharges from the now closed Otaihanga landfill.

The proposed CEMP and ESCP will be the principal methods to avoid or mitigate any adverse effects on aquatic ecosystem health that have the potential to arise during construction to and the adverse effects of potential sediment runoff. Best practice construction methods will also be used to avoid adverse effects on wetlands and riparian vegetation outside the construction footprint of the proposed Expressway.

Technical Report 26, Volume 2 identifies wetlands affected by the Project and sets out their respective ecological value. This information was used in the route selection process through which significant wetlands were avoided in the selection of the final alignment. The alignment would still include the permanent loss of some small degraded wetlands, and measures are proposed to mitigate this loss, including wetland restoration. The total area of wetland restoration has been calculated against off-set ratios, implemented in previous infrastructure projects, and the wetland and riparian areas set aside for restoration to meet these ratios. The proposed restoration will contribute to the Region's ecological values over the longer term.

The Project itself will use a range of devices to capture, treat and discharge stormwater from the proposed Expressway, including those described above. As a result of wetland restoration, riparian planting, culvert design and stream realignment there will be enhancements to water quality in the long term. This is consistent with the approach of Policies 11 and 39.

The proposed project landscaping has been specifically designed with ecology and landscape specialists input in order to provide a coordinated approach to addressing effects. This includes effects on riparian margins of stream crossings and realignments, and wetland replanting and restoration. The final project design also incorporates landscaped swales, and use of areas for stormwater runoff attenuation and filtering. This is consistent with the approach of Policy 41.

In conclusion, the construction and operation of the proposed Expressway will minimise the effects on aquatic ecosystems in a manner that is fully consistent with these policies.

Public Access (Objective 8)

Objective 8 and Policy 52 of the RPS both seek to enhance access to the coastal marine area and to lakes and rivers, and it is considered that this Project will be entirely consistent with this aim. The Project, through the development of a corridor-long walkway/cycleway, will enhance public access to watercourses along the route, including to the Waikanae River and Wharemauku Stream.

35.7.4.1 Historic heritage

The PRPS seeks to avoid the inappropriate modification and use and development of historic heritage (Objective 15). There are no registered or scheduled items of historic heritage value directly affected by the Project, and only two within proximity to the proposed Expressway. However, 20 recorded archaeological sites within the Project designation will be affected, and it is likely that the Project will also have an effect on unknown or yet to be identified archaeological sites in discrete areas along the proposed alignment.

Technical Report 9 – Archaeological Scoping Report and Technical Report 10 – Assessment of Built Heritage Effects) explain the investigative approach to identifying and examining the effects of the proposed Expressway on historic heritage values within the Project area. Early identification of built heritage structures scheduled in the KCDP and/or registered by the NZHPT and registered archaeological sites or areas of high archaeological potential allowed for the modification of the project alignment to avoid these features as far as practicable.

As the adverse effects of the Project on actual and potential archaeological sites that cannot be avoided is likely to be significant an integrated and comprehensive set of mitigation measures is proposed and are detailed in Chapter 13, Volume 2. The affect of the Project on built heritage has been assessed as negligible to minor. However, the Project will adversely affect an unscheduled building of potential historic heritage value (the Stringer 'wind/rain' house in Raumati), and options for its future are being investigated in consultation with the NZHPT.

Policy 45 sets out the matters that particular regard are to be had to in assessing whether an activity may affect a place, site or area with historic heritage value and whether it is appropropriate. The process, findings and response to the impact of the proposed Expressway on historic heritage within the Project area has been informed by these matters and therefore aligns with the intent of Policy 45.

35.7.4.2 Indigenous ecosystems

The PRPS acknowledges that ecosystems are constantly changing, and that all parts of an ecosystem are important to support each other. Objective 16 and Policies 22 and 23 have a particular focus on identifying and protecting indigenous ecosystems with significant biodiversity values, as these relate to future regional and district plan provisions. The PRPS also acknowledges the importance of healthy ecosystems is central to Māori cultural values.

Policy 46 addresses projects requiring consent or notice of requirement, and provides guidance on the determination of *"whether an activity may affect indigenous ecosystems and habitats or areas with significant indigenous biodiversity values."* Of the matters to give regard to, paragraph (g) states that *"remedying or mitigating adverse effects on the indigenous biodiversity values where avoiding adverse effects is not practicably achievable" is an appropriate determinant."*

Consistent with Policy 22, extensive field investigations were carried out, providing comprehensive vegetation mapping of the proposed alignment and construction footprint. The vegetation and indigenous habitats were assessed and valued against a proven and tested evaluation technique, the results of which are presented in Technical Report 26, Volume 3. The main conclusion of the assessment was that there was low-moderate value in terrestrial vegetation as the majority of the Project area is either productive farmland or is extensively infested with noxious and pest weeds. The principal value of indigenous ecology within the Project corridor is associated with the modified wetlands located within and immediately downstream of the alignment.

Technical Report 26, Volume 3 concludes that there is potentially a moderate level of effect on indigenous ecology as a result of the permanent loss of some small degraded wetlands, but that the corresponding restoration and replanting can offset these adverse effects and create long term ecological benefits. This, in turn, is consistent with the intent expressed in Policy 46.

35.7.4.3 PRPS – landscape

The PRPS acknowledges that the Region has a diversity of distinctive landscapes and that different values are attributed to these landscapes, "depending on their characteristics and our own culture, personal history, relationship with the land and ideas about what is significant". The PRPS also states that 'landscape' is shaped and constantly re-shaped by a combination of natural processes and human actions.

The PRPS outlines the Region's significant resource management issue as being the inappropriate modification and destruction of outstanding natural features and landscapes, and significant amenity landscapes, which is causing a loss of the values associated with those landscapes and features.

Objective 17 sets the overarching aim for landscape management in the Region, which is "to identify the Region's outstanding natural features, and landscapes, and protect their values from inappropriate subdivision, use and development". Policies 24, 25, 26, 27 provide direction on regional and district plan policy and regulation with respect to outstanding natural features and landscapes, and the management of 'significant amenity landscapes'.

The PRPS nominates policies that are of particular relevance in the consideration for resource consents, notices of requirements and plan changes/variations. Both Policy 49 and 52 are relevant for the assessment of the landscape, visual and open space values of the Project.

Technical Report 7, Volume 3 provides a detailed assessment of the visual and landscape effects of the Project, and this assessment is summarised in Chapter 17, Volume 2 of the AEE.

PRPS Policy 24 requires identification of outstanding natural landscapes to be achieved through District Plans (in this case, the Kāpiti Coast District Plan). Technical Report 7, Volume 3 also identifies the

existing identified outstanding natural landscapes that are both within the Project area and within the broader context of the Project. The Waikanae River, for example, is an outstanding natural feature within the immediate Project area, while Kapiti Island represents a key, highly visible landscape feature within the wider Project areaKāpiti.

Policy 49 provides matters to have particular regard to when considering the level of effects from an activity on an outstanding natural feature and/or landscape, or significant amenity landscape, in order to determine whether or not an activity is inappropriate. The relevant matters that this policy lists are:

(a) the degree to which the natural feature or landscape values will be modified, damaged or destroyed including:

(i) the duration and frequency of any effect, and/or

(ii) the magnitude or scale of any effect;

(b) the irreversibility of adverse effects on landscape values;

(c) the resilience of the natural feature place or area to change;

(d) the opportunities to remedy or mitigate previous damage to natural feature or landscape values; and

(e) whether the activity will lead to cumulative adverse effects on the natural feature or landscape values.

The only identified outstanding natural landscape feature directly affected by the proposed Expressway is the Waikanae River, and it is acknowledged that the proposed bridge will affect a short section of the river corridor landscape. However, the bridge has been architecturally designed to sit low in the landscape, and the structure will be visible for only a small length of the River; proposed planting will assist in mitigating this effect. It is noted that a bridge somewhere in this location has long been anticipated with previous motorway and local arterial road designations.

In the wider landscape, it is accepted that the proposed Expressway will result in a significant change in the local landscape, where the corridor has long been protected from development by previous motorway and local arterial designations. While the alignment and design of the Project has sought to fit the proposed Expressway within the landscape, and use existing topography to screen it wherever practicable, it will still be visible from many locations, particularly where it crosses local roads. The proposed planting and other mitigation will mitigate these effects in the long term, although the proposed Expressway will remain a significant change to that which currently exists.

In conclusion, whilst it is acknowledged that the Project will have an undeniable effect on the landscape, the policy direction (Policy 49) acknowledges that managing effects is an appropriate response. It is considered that the proposal will not be inconsistent with the overall policy direction of the PRPS in this regard.

35.7.5 PRPS – natural hazards

The PRPS has three natural hazards Objectives 18, 19 and 20. In summary, these objectives seek to reduce the risks and consequences from natural hazards; ensure that these risks are not exacerbated by hazard mitigation measures; and, ensure that communities are more resilient to natural hazards, including from the impacts of climate change. In addition, Policy 50 provides a list of matters to be considered when determining whether the risk and consequences of natural hazards on people,

communities, their property and infrastructure are minimised, to assist the in determining whether an activity is inappropriate.

One of the NZTA's key objectives for the Project is to improve regional network security by "providing an alternative strategic link" for Wellington and by improving the resilience of the State Highway network. This objective was also a key driver in the Western Corridor Plan, which was adopted as part of the RLTS. The proposed Expressway will significantly improve the existing level of resilience in the network, providing a second crossing of the Waikanae River and providing a road that will improve safety and travel reliability.

In terms of the design of the proposed Expressway itself, Technical Report 1 - Design Philosophy Statement and Technical Report 36 - Geotechnical Interpretative Report, Volume 3 of the AEE detail how these important considerations have influenced and informed the Project's design. A significant amount of geotechnical investigation was undertaken to identify natural hazards along and/or affected by the Project route. The design standards that have been applied to the groundwork and all structures are high to maximise the resilience of the proposed Expressway during earthquakes, recognising the vital role it plays in enabling efficient access throughout the Wellington Region.

In relation to flooding, Technical Report 22, Volume 3 outlines the comprehensive modelling and assessments that were undertaken to ensure the proposed Expressway did not exacerbate flooding risks, with all bridges meeting appropriate GWRC and/or KCDC flood design standards. Additional floodwater storage is proposed to be established in areas in which the proposed Expressway embankment would otherwise affect floodwater levels.

Having regard to these matters, it is concluded that the Project will reduce the risks and consequences from natural hazards by improving network resilience by providing an alternative transport route into and out of Wellington, thus reducing the risks and consequences to people, communities, businesses, property and infrastructure from natural hazards (Objective 18 and Policies 50 and 51) and reducing the consequences of natural hazards (Objective 19). Overall, the proposed Expressway will contribute to making the community more resilient and resistant to hazards (Objective 20).

Accordingly, the Project will be entirely consistent with these objectives and policies.

35.7.5.1 PRPS – regional form, design and function

The Regional Form section of the PRPS is concerned with "the physical arrangement within and between urban and rural communities". The PRPS acknowledges that the Wellington Region has a generally compact pattern of development, based on strong transport "corridors". This regional pattern is a strength as it reinforces local centres, supports passenger transport, reduces energy use and makes services more accessible. One issue highlighted in the PRPS is that "the region also has limited east–west transport linkages, which means freight and commuter movements are focused along the north–south corridors, increasing congestion on some major routes".

Objective 21 states "A compact, well designed and sustainable regional form that has an integrated, safe and responsive transport network" and goes on to list twelve further attributes (a) – (l) which add to the regional form. In terms of the Project, the relevant attributes from Objective 21 are:

(b) an increased range and diversity of activities in and around the regionally significant centres to maintain vibrancy and vitality;...

(i) integrated land use and transportation;

(j) improved east-west transport linkages;

(k) efficiently use existing infrastructure (including transport Network infrastructure); and

(l) essential social services to meet the region's needs.

Policies 29 and 53 are directly relevant in implementing this objective. Policy 29 identifies the regionally significant centres in Wellington City, and the sub-regional centres which include Paraparaumu's town centre. The policy directs district plans to provide a range of land uses that will maintain and enhance the vitality and vibrancy of these identified areas. Parallel to this, Policy 53 requires a thorough consideration of the PRPS urban design principles for any Notice of Requirement[248].

Policy 56 is also relevant insofar as it directs the consideration of integrated land and transport matters for the assessment of Notice of Requirement. The matters identified in this policy are:

(a) whether traffic generated by the proposed development can be accommodated within the existing transport network and the impacts on the efficiency, reliability or safety of the network;

(b) connectivity with, or provision of access to, public services or activities, key centres of employment activity or retail activity, open spaces or recreational areas;

(c) whether there is good access to the strategic public transport network;

(d) provision of safe and attractive environments for walking and cycling; and

(e) whether new, or upgrades to existing, transport network infrastructure have been appropriately recognised and provided for.

Having regard to the objective and policies (including the urban design principles), the following points are noted:

- In relation to the integrated approach to land use and transportation promoted by Objective 21, the NZTA has, in developing the Project, prepared an Urban Design and Landscape Framework (Technical Report 6, Volume 3). The Framework sets out an overall urban design vision and principles for the Project and its wider surrounding context. It also incorporates aspirations from KCDC, GWRC and the local community – including objectives around maintaining the viability of local centres (Policy 29).
- The impact on the vitality and vibrancy the town centres of Paraparaumu and Waikanae were investigated. The findings from Technical Report 6 and Technical Report 20 - Assessment of Social Effects, Volume 3 of the AEE, along with the conclusions reached in the assessment of economic effects (Chapter 29, Volume 2), confirm that the Project will remove most of the heavy freight traffic and commuter traffic that currently travels through these two town centres, and in so doing affects their amenity values and quality of urban environment. The removal of this type of traffic will be a positive effect and allow these town centres to reconnect and revitalise.

[248] The urban design principles are set out in Appendix 3 of the PRPS and include principles relating to context, character, choice, connections, creativity, custodianship, and collaboration

- The economic impact from reduced traffic passing through the area would be adverse for some businesses, but the overall vitality of the town centres was not expected to be significantly adversely affected, and the general economic wellbeing of the District was expected to be enhanced.
- There would be minor impacts on existing walkways (mainly informal ones), and on connections to and from main public spaces as a result of the Project. These connections were all taken into account in the choice of alignment and design of the proposed Expressway. In addition to two proposed pedestrian/cycle bridges over the proposed Expressway, at Raumati and Paraparaumu, a corridor long new walkway/cycleway will enhance the overall District network of cycleways, walkways and linkages. Provision for a bridleway is also made along some sections of the proposed Expressway.
- The Project will reduce traffic congestion on the existing SH1, and accommodate significantly improved traffic flows for through traffic including tourism and freight movement on the new route (Policy 57).
- The Project assists in accommodating the Region's growth in a manner consistent with the PRPS and its strategic objectives, by improving accessibility and efficiency of the transport network between centres of economic development and growth (Policy 29, 56 and 57).
- The Project promotes an integrated approach to land use and transport development (Objective 21(h) and Policy 57) insofar as the Project is recognised in a number of the strategy documents for the Region, and will assist the relevant authorities to fulfil their objectives – as demonstrated in the assessment contained in Chapter 15, Volume 2. The Project promotes transport efficiency in a way that does not compromise the intrinsic values of the Region's natural resources by taking an integrated approach to development of the design and the methods to manage actual and potential adverse effects – particularly those on the natural environment.
- While the route of the proposed Expressway will adversely affect the current urban growth strategy for the Waikanae North area, requiring a revision of the planning for the area, the alignment of the proposed Expressway sought to reduce the overall effect on growth potential in this area. The current KCDC District Plan review enables necessary adjustments to be made as KCDC considers appropriate.
- All local west-east local roads, with one exception at Leinster Avenue, are to be maintained, and a range of opportunities for future links across the proposed Expressway have been identified in liaison with the KCDC in areas of future growth.

In conclusion, consistent with the regional objectives around an integrated approach to development of the transport network, the Project will improve the overall functionality of the transport network (as demonstrated in Technical Report 1 and Technical Report 6 – Assessment of Urban Planning and Design Effects, Volume 3) and will not be inconsistent with the overall policy direction in this Chapter in regard to urban form and functioning.

35.7.6 PRPS – resource management with Tangata Whenua

Chapter 3.10 focuses on tangata whenua aspirations for achieving an integrated and holistic approach to managing the Regions' natural and physical resources. The PRPS explains that Kaitiakitanga is the environmental guardianship system used by tangata whenua, which is based on Māori views of the world

and its origins, and the principle that everything is interrelated and interconnected. Mauri is the life force that exists in all things in the natural world. Tikanga, or customary practices, are followed in order to protect mauri. Observing tikanga is central to the exercise of kaitiakitanga. Kaitiakitanga is a parallel system of environmental management that should be given equal consideration in resource management.

Objective 22 promotes working together on resource management, and Policy 66 seeks to enhance the involvement of iwi in decision-making processes. Objective 23 and Policy 47 emphasise the statutory requirement to take into account the principles of the Treaty of Waitangi and Objective 25 seeks to ensure the concept of kaitiakitanga is integrated into the regions resource management. Policy 48 implements the tangata whenua objectives by directing the avoidance of adverse effects on matters of significance to tangata whenua, and links are made back to topic based Chapters (indigenous ecosystems, heritage, and water quality) to ensure integrated resource management.

The Takamore Trust and Te Rūnanga o Āti Awa ki Whakarongotai Inc were identified as iwi authorities representing the tangata whenua along the proposed Expressway alignment. Engagement has also taken place with Muaupoko, Ngāti Toa, and Ngāti Raukawa. Both iwi authorities were engaged in consultation at the beginning and throughout the progression of the Project. The engagement of these iwi authorities was based on the matauranga Māori concept, whereby considerable effort was made to understand Māori values of the area and natural resources. As part of this process of understanding, both iwi authorities were engaged to prepare cultural impact assessments for the Project (Technical Report 11- Takamore Trust Cultural Impact Assessment and Technical Report 12 – Te Rūnanga o Āti Awa ki Whakarongotai Inc Cultural Impact Assessment).

To this end, tangata whenua were key stakeholders and contributors of information for the route selection process, and a key goal of this consultation was to identify and assess potentially significant adverse effects on cultural values, and measures to avoid, remedy or mitigate these effects. Through the development of the NZTA's environmental response to the Project, which included the preparation of mitigation measures for natural and cultural resources, the iwi authorities have had input into, and helped shape, the final package of mitigation measures.

The proposal is therefore entirely consistent with tangata whenua objectives and policies in the PRPS, and the process for engaging with Māori has been in accordance with the principles of the Treaty of Waitangi.

35.7.7 PRPS – soil and minerals

Issue 3 of the PRPS acknowledgesthat highly productive agricultural land is under threat from development, including the construction of roads. Accelerated soil erosion is another key issue (Issue 1) and Objective 28 promotes land management practices that do not accelerate soil erosion. Objective 29 promotes maintaining the desirable characteristics of soils that enable them to have an ecosystem function. To implement these objectives, Policies 14 and 40 seek to minimise effects from earthworks and vegetation disturbance on aquatic ecosystem health from silt and sedimentation and Policy 59 directs consideration of the productive capability for agriculture of Class I and II land. Having regard to these objectives and policies, the following points are noted:

- The Project area traverses environments with different soil, vegetation and hydrological characteristics, and the design and construction of the proposed Expressway, and the environmental management has been tailored to address these different characteristics.
- Significant earthworks, permanent vegetation removal and disturbance will necessary along the proposed Expressway alignment. The impact of these works on health of streams and wetlands has been evaluated in Technical Reports 24 and 26, Volume 3 of the AEE. The findings of these assessments conclude that the water quality of majority of the existing streams has been degraded through historical rural and urban land uses. To avoid, remedy and mitigate any further degradation, an extensive environmental management system would be in place during construction, and erosion and sediment controls will be tailored to each section of the alignment. Riparian planting is proposed as part of the overall mitigation planting, and this will improve the health of the water bodies which the alignment crosses, and those which are realigned as a result of the Project.
- The Te Harakeke/Kawakahia wetland is nationally recognised for its ecological value. The alignment of the proposed Expressway avoids directly impacting on this wetland, but this wetland is a main receiving environment of the Ngarara Stream catchment. Technical Reports 24 and 26, Volume 3 of the AEE conclude that the environmental management system that is proposed to manage stormwater and sediment runoff during construction and subsequently runoff from the road will avoid significant adverse effects on the health and functioning of that wetland and others that are downstream of the proposed Expressway.
- The alignment of the proposed Expressway will not result in the significant loss of productive land, as much of the terrain comprises former dunes or low-lying peat soils that provide limited pastoral grazing.

In conclusion, the Project is largely consistent with achieving the objectives and policies of the PRPS in respect of managing the soil resources of the District.

35.8 Wellington Regional Freshwater Plan 1999

The Regional Freshwater Plan (RFWP) for the Wellington Region came into force in December 1999. There have been five plan changes that have been made operative since 1999, the relevant ones being:

- Plan Change 1, which changed rules relating to access to groundwater on the Kāpiti Coast, identified minimum flows and allocation limits for three rivers in the region and made small changes to improve the plan. This plan change came into effect in May 2009.
- Plan Change 4 to the Regional Freshwater Plan, which inserted policies to give effect to policies A4 and B7 of the National Policy Statement for Freshwater Management. Plan Change 4 was made in December 2011.

The RFWP applies to the freshwater resources of the Wellington Region, including all water in rivers, lakes, streams, ponds, aquifers and artificial water courses, but excluding freshwater in the coastal marine area. It also applies to all land in river and lake beds, and to all types of activities that use freshwater or that are in the beds of rivers and lakes. A number of consents are required under the RFWP for the Project. In particular, these consents relate to:

- Discharges to freshwater;
- The taking, using, damming or diverting of freshwater;
- The building and modifying of structures in river and lake beds;
- Disturbances of river and lake beds;
- The depositing of substances on river and lake beds;
- Reclamation or drainage of river and lake beds;
- Development on the flood plain; and
- Flood mitigation.

Table 3.4 in Chapter 3, Volume 2 of the AEE provides further detail on the type and activity status of the regional consents required.

Key Issues for the Region are set out in Chapter 2 of the RFWP as:

- The relationship of tangata whenua with fresh water;
- Natural and amenity values and access;
- Flood mitigation;
- Use and development;
- Water quality and discharges to fresh water;
- Water quantity and the taking, use, damming or diversion of fresh water; and
- Use of the beds of rivers and lakes and development on the floodplain.

The objectives and policies are then set out in Chapters according to their accompanying rules:

- Chapter 4 - General Objectives & Policies;
- Chapter 5 - Water quality and discharges to fresh water;
- Chapter 6 - Water quantity; and
- Chapter 7 - Use of the beds of rivers and lakes and development on the floodplain.

Chapters 5, 6 and 7 contain the objectives, policies and rules that address specific uses and development of water bodies and river and lake beds. Many of the objectives and policies in the RFWP are consistent with, and reflect those, identified in the NZCPS and PRPS. In such cases, these objectives and policies are also discussed and in the relevant sections above.

35.8.1 RFWP – general objectives and policies

Chapter 4 of the RFWP sets out general objectives and policies which the consent authority will have regard to when assessing applications for resource consents for Projects that involve works that affect freshwater resources. In summary, objectives and policies considered to be particularly relevant to this Project include:

- Objectives 4.1.1-4.1.3 and Policies 4.2.1-4.2.8 (the relationship of tangata whenua with fresh water);
- Objectives 4.1.4-4.1.6 and Policies 4.2.9-4.2.14 (Natural values);
- Objectives 4.1.7 and 4.1.8 and Policies 4.2.15-4.2.17 (Amenity values and access);
- Objectives 4.1.9 and 4.1.10 and Policies 4.2.18-4.2.22 (Flood mitigation); and
- Objectives 4.1.11-4.1.17 and Policies 4.2.23-4.3.38 (Use and development).

These topic areas are assessed below.

35.8.2 RFWP – The Relationship of Tangata Whenua with Freshwater

Objectives 4.1.1- 4.1.3 and Policies 4.2.1- 4.2.8

Consultation with tangata whenua has been a significant part of the information gathering and development stages of the Project. Consultation with iwi authorities, in particular Takamore Trust and Te Rūnanga o Āti Awa ki Whakarongotai, commenced in early 2010 and continued throughout the development phases of the Project, providing NZTA with an understanding of the cultural values of the site and the wider locality. Tangata whenua have been key stakeholders since the commencement of project investigations and influenced the shaping of the final project and mitigation measures. The NZTA considers that the process and outcomes of the Project demonstrate recognition of principles of the Treaty of Waitangi (the partnership between tangata whenua and the NZTA as a Crown agency). On this basis it is concluded that the Project is consistent with these objectives and policies (Objective 4.1.1 and 4.1.3 and Policies 4.2.2 and 4.2.6).

The mauri of water in a number of streams and wetlands has been adversely affected over time through changing land use patterns and modifications to water courses. The Project, through the proposed mitigation measures such as wetland restoration and riparian planting, will allow for long-term overall improvement of freshwater habitats. These mitigation measures have been developed with input from Takamore Trust and Te Rūnanga o Āti Awa ki Whakarongotai. This approach is entirely consistent with the objective of protecting the mauri of waterbodies (Objective 4.1.2 and Policies 4.2.3 and 4.2.5).

During construction of the Project there will be ongoing involvement with tangata whenua (Policy 4.2.7). Also, the Project will enable opportunities for improved access (including general public access) to waterways.

Overall, it is concluded that the Project will allow tangata whenua to maintain and enhance their relationship with freshwater.

35.8.3 RFWP – natural values

Objectives 4.1.4- 4.1.6 and Policies 4.2.9- 4.2.14

The natural values objectives cover matters in relation to the natural character of wetlands, lakes and rivers (and their margins), life-supporting capacity of water and aquatic ecosystems and significant indigenous aquatic vegetation and habitats. The objectives reflect the purpose and principles of Part II

set out in sections 5(2)(b), 6(a) and 6(c) of the RMA, in reference to freshwater natural resources. The policies provide methods to characterise (and therefore identify) high priority water resources and then apply commensurate levels of protection.

Given the national priority of protection of natural character (RMA Section 6(a)), there is a consistent direction in the objectives and policies of the RPS and PRPS which flows through into the RFWP.

Policy 4.2.9 sets out the characteristics to be considered when classifying streams and wetlands as having a high degree of natural character, and this policy is implemented through the listing of water bodies and wetlands with a high degree of natural character in Appendix 2. The application of Policy 4.2.10 will ensure that these natural values are not degraded through inappropriate development.

The Te Harakeke Swamp at and around R26 827 377 is included in Part B of Appendix 2, and is to be managed for aquatic ecosystem purposes. This wetland is not within the proposed route alignment, but is the main receiving environment for the northern end of the proposed Expressway. The Explanation to Policy 4.2.10 states:

> *In this policy "to avoid adverse effects" means that when "avoiding, remedying or mitigating adverse effects", as identified in subsection 5(2)(c) of the Act, the emphasis is to be placed on avoiding adverse effects. "To avoid adverse effects" means that only activities with effects that are no more than minor will be allowed in the water bodies identified.*

Policy 4.2.11 requires adverse effects on freshwater environments to be avoided, remedied or mitigated.

Technical Report 26, Volume 3 concludes that adverse effects on listed wetlands and stream will be avoided through the effective implementation of the CEMP and ESCP, applying an adaptive management approach to monitor and respond to any adverse changes that may not have been adequately mitigated through the primary measures.

The fieldwork and investigations undertaken to assess all water bodies (streams, wetlands) that may be adversely affected by the Project are also reported in Technical Report 26. The aquatic ecological values were one of many layers of information that influenced the final alignment of the proposed Expressway (Refer to Chapter 9, Volume 2). A key design intention of the proposed Expressway was to avoid adverse effects on streams and wetlands wherever possible, and if not, to remedy or mitigate effects (including by offsetting).

Technical Report 26 further concludes that in overall terms, the proposed modification of freshwater resources (such as the culverting of streams) and their natural character will be satisfactorily mitigated by proposals such as riparian planting and restoration and by offsetting the loss of natural stream courses and wetlands (Objective 4.1.4). Indeed, the reinstatement of freshwater features through reconstruction elsewhere, revegetation, riparian planting and other measures to manage effects is anticipated to lead to a positive overall effect and an improvement to the life-supporting capacity of water and aquatic ecosystems (Objectives 4.1.5 and 4.1.7).

In sum, it is concluded that the Project and its associated works in relation to waterways and freshwater aquatic ecology can be achieved without long term loss to values and quantity. Further, the mitigation proposed will cause a net gain in those values post construction which will secure a long term environmental enhancement of these habitats for the Region (Policies 4.2.9 and 4.2.11).

35.8.4 RFWP – amenity values and access

Objectives 4.1.7 and 4.1.8 and Policies 4.2.15- 4.2.17

Maintaining and enhancing access to lakes and rivers (and the coast) is to be recognised and provided for as a matter of national importance under Section 6(d) of the RMA. Consequently, this is given a high status in the relevant planning instruments including the RFWP. Section 7(c) of the RMA also requires particular regard to maintaining and enhancing amenity values.

Having regard to these objectives and policies, the following assessment is made:

- Policy 4.2.15 refers to those water bodies identified as regionally important for recreational and amenity values (Appendix 5 of the RFWP). The only such waterbody affected by the Project is the Waikanae River. The construction and use of the proposed bridge across the Waikanae River will affect the amenity values and recreational values of this section of the River. However, this part of the River has long been the identified crossing point for a major road through previous designations for motorways and the Western Link Road. A bridge is not an unanticipated feature for rivers, particularly those flowing through growing urban areas. The design of the bridge has been designed to minimise its presence and obtrusiveness in the river corridor, and proposed planting will help to soften its visual impact.
- The Project will offer more direct public access to key streams and waterways by providing greater opportunities for walking, cycling and horse riding, consistent with the RMA's intention to maintain and enhance access (Objective 4.1.7 and 4.1.8).
- While there will be some limitations on public access to the margins of streams during construction of the proposed Expressway for public safety reasons, alternative routes for recreational users will be made available and will be well signposted. Regardless of this, the overall end result will be a substantial improvement in access to streams and their margins in the long term (Objective 4.1.7 and 4.1.8).
- The wetland areas within the construction footprint will be carefully worked around to minimise the loss and degradation of these areas. Mitigation planting, as well as wetland restoration in the Otaihanga section, will provide amenity benefits, ecological mitigation, and water quality benefits (Objective 4.1.7 and Policy 4.2.16).
- The proposed stream works comprise the installation of culverts, temporary stream diversions during construction and two permanent stream realignments. The permanent works include enhancement work, primarily riparian planting. As the majority of the existing streams have little riparian cover, the proposed works and planting will have a positive effect on amenity and recreational values (Objective 4.1.7, Policy 4.2.15).

Overall, as amenity values and access to watercourses within the Project area will be substantially enhanced, the Project will be consistent with the relevant objectives and policies.

35.8.5 RFWP – flood mitigation

Objectives 4.1.9 and 4.1.10 and Policies 4.2.18- 4.2.22

These objectives and policies are concerned with health and safety of the public and the effects of flooding both on natural and physical resources including people's property.

Having regard to these policies the following assessment is made:

- Targeted hydrological investigations have improved understanding of the behaviour of flood flows and the potential for adverse effects from flood events which have informed both the proposed Expressway design and the mitigation measures proposed (Policies 4.2.18 and 4.2.20).
- The design approach of the Project sought to achieve hydraulic neutrality (i.e., no exacerbation of the existing situation), taking into account both increased run-off from the proposed Expressway footprint and the loss of flood plain storage under the footprint. In accordance with the recommendations in Technical Report 22, Volume 3, a number of mitigation measures are proposed to achieve hydraulic neutrality, including:
    - Attenuation in swales and wetlands;
    - The creation of off-set storage areas;
    - Low head culvert designs
    - Rip-rap protected culverts and outlets; and
    - The creation of new open channel drains resembling natural streams.
- Accordingly, the potential effects of the proposed Expressway on flood risk are able to be satisfactorily addressed through mitigation (Objectives 4.1.9 and 4.1.10, Policies 4.2.18 and 4.2.22).

Overall, the proposed stormwater system (in addition to the design standards of the bridges and culverts) will ensure that the proposed Expressway will not exacerbate flood risks during large rainfall events. Consequently, the Project is consistent with Objectives 4.1.9 and 4.1.10, which promote management of flood risks to an acceptable level.

35.8.6 RFWP – use and development

Objectives 4.1.11- 4.1.17 and Policies 4.2.23- 4.3.38

The use and development objectives and policies refer to the enabling aspect of the RMA, as set out in section 5, where people and communities are able to use and develop freshwater resources to provide for their social, economic and cultural well being and for their health and safety (Objective 4.1.11). Encouragement is also provided to activities that enhance freshwater resources (Objective 4.1.13) and recognition given to the adverse effects of the use and development of freshwater resources being avoided, remedied and mitigated (Objective 4.1.12).

Having regard to these objectives and policies, the following assessment is made:

- With respect to lawful water users (Objective 4.1.14 and Policy 4.2.29) the NZTA has worked with the GWRC to understand their water use needs in relation to the Regional water supply, and will continue to manage the continuity of quality and supply during construction. Landowner access to water will also be provided, as required, by the NZTA (Objective 4.1.14).
- As discussed in Technical Report 26, Volume 3, the Project will have some adverse effects on water quality during construction but these effects will be countered in the long term by the benefits that will arise from the riparian and wetland enhancement works that will be undertaken post-construction (Objectives 4.1.12 and 4.1.13, and Policy 4.2.23). Opportunities have also been identified along the alignment to restore and rehabilitate degraded water resources through riparian planting and revegetation and protection of land within the catchments surrounding key streams (Policy 4.2.27).
- Conditions have been developed that offer an effective means to manage adverse effects during construction (Objective 4.1.7). Policy 4.2.34 seeks to avoid, remedy or mitigate effects by using conditions, and the Policy explanation cross-references to Section 108 of the RMA. Policies 4.2.35 and 4.2.36 set out the matters to have regard to when determining the nature and extent of any conditions that may be imposed on a resource consent. The approach to developing conditions and the methods to be used, particularly for controlling the effects of earthworks, are set out in Part H, Volume 2 and Volume 4 of the AEE, with the conditions proposed being entirely consistent with these policies and their corresponding objectives. Policy 4.2.33 seeks to provide for those activities which will have no more than minor adverse effects on the environment and sets out specific criteria (1) to (7) to assess an activity against. As the Project will generate effects that are more than minor this Policy is not strictly relevant.
- Overall, it is considered that the Project will be consistent with the Use and Development objectives and policies.

35.8.7 RFWP – water quality and discharges to freshwater

Objectives 5.1.1- 5.1.3 and Policies 5.2.3, 5.2.6, 5.2.7, 5.2.10, 5.2.13, 5.2.14, 5.2.15 and 5.2.16

The Water Quality Objectives emphasise the sustainable management of fresh water resources (Objective 5.1.1 and 5.1.2), and also specify that the quality of water, as far as possible, is consistent with the values of the tangata whenua (Objective 5.1.3).

Having regard to the policies that implement sustainable management the following assessment is made:

- The Project design has sought to maintain and, in some cases, enhance water quality discharged to coastal receiving waters. While there will be some temporary adverse effects on water quality during construction, there will be a long term positive effect on water quality discharged into these waters as a result of stormwater treatment, riparian revegetation and native planting, which will be an important long term benefit that will be derived from the Project (Objective 5.1.1 and 5.1.2; Policy 5.2.1).

- The Takamore Trust and Te Rūnanga o Āti Awa ki Whakarongotai Inc have advised that better management (i.e. improvement) of water quality is a key issue for tangata whenua, and the maintenance (and in some cases enhancement) of water quality proposed by the Project is consistent with this (Objective 5.1.3).
- The water quality of streams affected by the Project will be managed during the construction phase and there will be a low magnitude impact on in-stream habitat in the short to medium term. It is also anticipated that some streams will experience positive effects in the medium to long term due to the extensive planting and mitigation measures proposed (Objective 5.1.2 and Policy 5.2.6).
- The proposed Expressway design incorporates swales and attenuation wetland areas along the alignment to capture stormwater discharge and treat this water as it moves westward towards the coast. Policy 5.2.14 encourages the treatment of stormwater discharges and the Project is consistent with this approach.
- The discharge of water associated with the operation of the proposed Expressway (for example, general surface run off, washing and maintenance) will be carried out in a way that appropriately manages the quality of the discharge (Objective 5.1.2). In this regard, the design incorporates swales and attenuation wetland areas along the proposed Expressway alignment to capture and treat stormwater discharge consistent with the relevant standards in the RFWP (Policy 5.2.14).
- Policy 5.2.10 allows for consideration of applications to discharge contaminants where they do not satisfy Policies 5.2.1 to 5.2.9, subject to criteria (1) to (5). Although there will be some adverse construction effects on water quality, it is considered that the Project will meet these criteria because the construction works are temporary in nature, and because of the unusual and exceptional nature of the Project, being part of a proposal of national significance and a RoNS.
- As part of the CEMP, the position of the refuelling, machinery storage and construction are not in close proximity to surface water bodies. As a precaution, the CEMP also requires contractors to have an agreed accidental spill management process in case an event should happen, to ensure that contractors will be able to minimise the impact of any event.
- Overall, it is considered that the Project will be consistent with the Water Quality objectives and policies.

35.8.8 RFWP – water quantity

Objective 6.1 and Policies 6.2.2 – 6.2.8 set out the water quantity objectives and policies in Chapter 6 of the RFWP. These relate to the taking, use, damming or diversion of fresh water and managing water abstraction and water takes, along with protecting lawful water users.

Having regard to these objectives and policies, the following assessment is made:

- The Project involves the temporary diversion of water courses, the impact of which will be low in the short-term and neutral to positive following completion of mitigation works (Objective 6.1.1 and Policy 6.2.2). Diversion of water between catchments is not proposed as part of the Project in accord with tikanga Māori (Policy 6.2.16).
- Technical Report 21, Volume 3 indicates that:

- A small change to groundwater level, flow direction and aquifer through-flow is likely to occur as a result of groundwater take during Project construction;
- A very small change to groundwater level and flow direction is likely to occur as a result of the proposed Expressway embankment and associated peat treatment, but there will be no discernable change in aquifer through-flow; and
- No discernable change to the existing groundwater regime will occur where stormwater devices are constructed at the approximate groundwater level.

- To ensure that appropriate mitigation measures are triggered in the event that actual changes differ from those predicted, a monitoring programme will be implemented prior to the commencement of construction. Any effects that may arise during construction will be addressed through the Groundwater (Level) Management Plan.
- To ensure continuity of supply the NZTA has worked with the GWRC and affected bore owners, with alternative options relating to other lawful water supplies affected by the Project (though none have been identified at this stage) being managed on a case by case basis (Objective 6.1.2).

Overall, it is considered that the Project will be consistent with the Water Quantity objectives and policies.

35.8.9 Use of the beds of rivers and lakes and development on the floodplain

Objective 7.1.1 and Policies 7.2.1 and 7.2.2

Chapter 7 of the RFWP is particularly concerned with appropriate use of the beds of lakes and rivers while avoiding, remedying or mitigating any adverse effects and being consistent with the values of tangata whenua. Maintaining flood mitigation works is also recognised. The Project involves activities and installing structures in the beds of streams. Policy 7.2.1 is relevant because it seeks to allow for particular uses within river and lake beds where adverse effects can be avoided, remedied or mitigated (with reference to Policy 7.2.2), which include:

structures for transportation and network utility purposes;

structures for activities which need to be located in, on, under, or over the beds of rivers and lakes;

the diversion of water associated with activities that are otherwise authorised; and

the enhancement of the natural character of any wetland, lake or river and its margins.

Having regard to these objectives and policies, the following assessment is made:

- The integrated engineering and environmental team design processs, comprising a wide range of technical specialists, has enabled a continuing refinement of the project design and the approach to avoiding adverse effects on the environment (Objective 7.1.1).
- Policy 7.2.1 seeks to provide for particular uses within river and lake beds provided that any adverse effects are avoided, remedied or mitigated and that the significant adverse effects identified on the matters and values identified in Policy 7.2.2 are avoided. Policy 7.2.2 lists the following:

- the values held by tangata whenua; and/or
- natural or amenity values; and/or
- lawful public access along a river or lake bed; and/or
- the flood hazard; and/or
- river or lake bed or bank stability; and/or
- water quality; and/or
- water quantity and hydraulic processes (such as river flows and sediment transport); and/or
- the safety of canoeists or rafters.

- Technical Report 26, Volume 3 concludes that there will be streams permanently lost and/or significantly modified through culverting or through the shortening of stream length associated with diversion. While most of these effects take place in low value streams, the Project incorporates an extensive area of protection and restoration to mitigate the loss. Further, the large areas of planted flood attenuation wetlands will also contribute to the mitigation.
- Although there will be some adverse effects on streams within the Project area, the proposed mitigation is sufficient to ensure that their functional integrity is maintained, and that no fish species are lost. Further, as the medium to long term ecological health of streams and wetlands will be raised through planned retirement and re-vegetation, it is therefore considered that the Project will be consistent with Policies 7.2.1 and 7.2.2.
- In regard to the Waikanae River, some minor effects are likely due to the bridging of the River and the need to protect the river banks under the bridge from erosion. However, in relation to the total length of the River, any effects of these changes are anticipated to be negligible.

While there will be some adverse effects on the beds of streams and the Waikanae River as a result of the Project, in the long term there will be an improvement in water quality, and in the quality of in-stream habitats. This meets the intent of the high level policy direction set in the RMA as to recognising and providing for the preservation of natural character, and the giving of particular regard to maintenance and enhancement of amenity values and the quality of the environment (sections 6(a) and 7(c) and (f)).

35.9 Wellington Regional Air Quality Management Plan 2000

The Regional Air Quality Management Plan for the Wellington Region (RAQMP) applies to discharges to air in the whole of the Wellington Region excluding the coastal marine area and sets out objectives and policies to manage these discharges.

Table 3.4 in Chapter 3, Volume 2 of the AEE provides further detail on the type and activity status of the relevant regional consents required.

Objective 4.1.1 aims to maintain and protect the high quality air in the Region, enhance degraded air quality, and ensure there is no significant deterioration in ambient air quality. Objective 4.1.2 aims to manage (avoid, remedy and mitigate) adverse effects from air discharges.

The assessment of the RAQMP is relevant to the Project because of the anticipated air discharges associated with the construction activities. Policies 4.2.6, 4.2.7, 4.2.14 and 4.2.15 provide direction on the analysis of effects, sensitive environments, and best practice (minimise at source). Policies 4.2.22 and 4.2.23 are also noted in terms of their reference to effects of discharges to air from mobile transport sources, the promotion of improved air quality through different modes of transport and reduction of motor vehicle congestion in urban centres.

An evaluation of the impact of the Project on air quality is included in Technical Reports 13 and 14, Volume 3 of the AEE. Based on these assessments the Project is considered to be consistent with the intent expressed in the relevant objectives and policies for the following reasons:

- Air Quality: Overall, the existing ambient air quality close to the proposed Expressway route reflects the typical characteristics of rural and urban receiving environments. The rural areas have low existing levels of air quality pollutant, whereas the urban areas tend to be affected by PM_{10} emissions from home heating during winter time.
- Sensitive activities: No schools, preschools or healthcare facilities are located within 200m of the proposed Expressway. The assessment identifies the following sensitive receptors within 200m of the proposed Expressway:
    - El Rancho Holiday Camp;
    - Metlife Kāpiti Retirement Village;
    - Makarini Street Reserve;
    - Linwood Drive Recreational Reserve;
    - Waikanae River corridor; and
    - Wharemauku Stream.
- The assessment concluded that the effects of the proposed Expressway on air quality when it is in operation will comply with the relevant standards.
- Effects from construction - Project construction has the potential to generate dust which may have an adverse effect on air quality, particularly during the large scale earthworks. This potential effect is proposed to be mitigated to an acceptable level through the dust management measures detailed in the Construction Air Quality Management Plan (Appendix F of the CEMP, Volume 4).
- Effects from operation - Overall, once the Project is in operation and the proposed Expressway is in use, the results of the dispersion modelling indicate that cumulative PM_{10}, NO_2, CO and benzene concentrations are unlikely to exceed the relevant NESAQ and AAQG thresholds. In relation to the ambient concentrations of pollutants, the predicted contribution of vehicles using the proposed Expressway would be low and therefore on-going monitoring of vehicle exhaust emissions associated with the Project is not considered necessary.

35.10 Wellington Regional Coastal Plan 2000

There are no activities or structures proposed to be undertaken within the coastal marine area, and no resource consents are required for works in this area. There are also no anticipated direct effects on

marine ecological values due to the construction or operation of the Project, as the alignment is located some distance from marine environments. However, potential indirect effects could occur during the construction and operational phases of the Project as a result of runoff to streams and rivers that discharge to the marine environment. Therefore, the objectives and policies in the Regional Coastal Plan (RCP) relating to the discharge of contaminants in the coastal environment are of limited relevance to the Project.

Technical Reports 26 and 31, Volume 3 investigate and evaluate the marine ecology associated with the Project and surrounding area.

For the most part, the objectives and policies are directed at managing activities within the coastal marine area, and in particular those that require approvals under section 12 of the RMA. As a result, many are not directly relevant to this Project. The most relevant are considered to be the general objectives and policies in Clause 4.1 and 4.2, and discharges to land and water in Clause 10.1 and 10.2. Section 4 of the RCP follows similar themes to the RFWP and reference is made to the detail in those assessments. In this regard, the proposal is considered to be consistent with the objectives and policies in Section 4.

Section 10 of the RCP relates to the discharge of contaminants to coastal water, water in the lower reaches of rivers within the coastal marine area, and land in the coastal marine area. Although not technically relevant to the Project, regard has been had to managing and enhancing coastal water quality with particular emphasis given to the policies relating to shellfish gathering (Policy 10.2.1), contact recreation (Policy 10.2.2), improving the adverse effects from land-based discharges (Policies 10.2.10, 10.2.12), and tangata whenua interests (Policy 10.2.11). The assessments in this AEE confirm that the Project will be consistent with the relevant objectives and policies because:

- The Waimeha and Wharemauku Streams discharge to high energy, open sandy beaches, affording significant and rapid dilution and removal of any stormwater discharges; and
- The Waikanae Estuary is lower energy and has more potential to accumulate sediment and associated contaminants. Therefore, it is particularly important to ensure that construction and operational phase stormwater discharged to the Waikanae River from the Project is treated to a high standard to protect the ecological values of the estuary and the adjacent marine reserve.

Further detail is provided in Technical Reports 26 and 31, Volume 3 of the AEE.

35.11 Wellington Regional Plan for Discharges to Land 1999

The Wellington Regional Plan for Discharges to Land (RPDL) applies to the whole of the Wellington Region, except the coastal marine area, and manages discharges of contaminants to land, both solid (such as contaminated soil) and liquid (such as stormwater and human effluent), to ensure that the receiving environment is sustainably managed. Discharges of particular relevance to the Project that are regulated under the plan include:

- Disposal to land of any contaminated material; and
- Discharge of hazardous substances (including pesticides, waste oil, discharges from contaminated sites).

- Table 3.4 in Chapter 3, Volume 2 of the AEE provides further detail on the type and activity status of the relevant regional consents required.

The Project has been assessed against all the objectives and policies in the RPDL, and Policies 4.2.1, 4.2.8, 4.2.30, and 4.2.41 - 4.2.49 have been identified as being particularly relevant. These policies address matters relating to waste management and the management of identified contaminated soil, particularly its use, capping and/or disposal.

- The NZTA implements a general Environmental Plan[249] that contains objectives on Resource Efficiency (Objective RE1 and RE2) and aims to manage waste in a cost effective and sustainable manner. Consequently, the waste generated during the construction of the Project would be managed, taking into consideration the waste management hierarchy of reduce, re-use, recycle, recovery, and responsible disposal of residual waste. This consideration of waste minimisation and management will be consistent with Policy 4.2.1 and Policy 4.2.8.
- Policy 4.2.30 seeks to reduce the environmental effects of unplanned discharges of hazardous substances. The CEMP includes methods to ensure good practice is implemented with respect to the use and application of hazardous substances, and to reduce the risk of unplanned hazardous discharges occurring (refer Chapter 27, Volume 2).
- Policies 4.2.44 – 4.2.49 address the identification, use and management of contaminated sites. The Project has investigated and identified four contaminated sites:
    - 55 Rata Road (HAIL[250] site): previously used by transport operator. Hydrocarbons stored on site in bulk quantities
    - Kāpiti Road Interchange: Potential for illegal dumping to have occurred
    - 160 Otaihanga Road: Historical landfill, potential contaminants may include metals, fuels, oils, landfill gas and leachate, and
    - 124-154 Te Moana Road: Pesticides/metals from horticultural activities.
- The disturbance and/or use of the land in these contaminated sites have the potential to affect human health and the receiving environment during the construction and operation of the Project. These four sites have each been assessed and (refer to Technical Report 23 – Assessment of Land and Groundwater Contamination Effects, Volume 3). Chapter 27, Volume 2 of the AEE identifies the following methods to avoid potential adverse effects:
    - adherence to the Contaminated Soils and Groundwater Management Plan (Appendix K of the CEMP, Volume 4);
    - the Construction Air Quality Management Plan (Appendix G of the CEMP, Volume 4);

[249] Transit New Zealand (2008), Environmental Plan. This specific plan is incorporated within NZTA's broader Environmental Policy Manual.

[250] Hazardous Activities and Industries List (HAIL) is a compilation of activities and industries that are considered likely to cause land contamination resulting from hazardous substance use, storage or disposal.

- resource consent conditions;
- containment of contaminants on–site; and,
- disposal of contaminated soil to licensed landfills.

- Accordingly, with the implementation of these measures, the construction and operation of the proposed Expressway would be consistent with the objectives and policies of the Regional Plan for Discharges to Land.

35.12 Wellington Regional Soil Plan 2000

The Regional Soil Plan (RSP) manages soil and vegetation disturbance activities for the purpose of soil conservation and water quality. Consents relating to earthworks and land disturbance are being sought for the Project, and Table 3.4 in Chapter 3, Volume 2 of the AEE provides further detail on the type and activity status of the relevant approvals required.

This Section includes an assessment of these proposed works against the relevant objectives and policies for these consents. It is noted that many of the objective and policy matters identified in the RSP are consistent with, overlap with, and reflect those identified in the NZCPS, PRPS and RFWP.

The assessment of the Project against the RFWP is particularly relevant because, during its construction, the Project is essentially a large scale earthworks site and the consideration of effects is directly related to the instream health of the freshwater habitats in the District. The themes in the objectives and policies of the RFWP and the RSP are similar, and the conclusion of the assessment of the proposal against the RSP is therefore similar. The objectives and policies are contained in Section 4 of the RSP are all considered to be directly relevant to assessment of this Project.

The assessment drew the following conclusions:

- Objectives 4.1.8, 4.1.9, 4.1.10 and 4.1.11 promote avoiding, remedying and mitigating the effects of vegetation removal and earthworks, with a particular emphasis on riparian vegetation. The Project is entirely consistent with this approach, and a flexible conditions framework involving use of management plans and performance standards to promote this approach during construction is sought.
- An ESCP has been prepared for this Project and is to be read and implemented in conjunction with the CEMP (Refer Volume 4 of the AEE). The plan is consistent with both GWRC[251] and the NZTA's[252] erosion and sediment control guidelines and is therefore consistent with Policy 4.2.15 and 4.2.16. Fundamental erosion and sediment control principles contained within the ESCP include:

[251] Wellington Regional Council, Erosion and Sediment Control Guidelines for the Wellington Region, September 2002

[252] The New Zealand Transport Agency, draft NZTA Erosion and Sediment Control Standard for State Highway Infrastructure, August 2010

- Minimising disturbance;
- Staging construction;
- Protecting steep slopes;
- Protecting waterbodies;
- Progressive and rapid stabilising of disturbed areas;
- Controlling surface water; and,
- Using sediment retention devices.

- With further innovation and more detailed design occurring as the Project progresses, site specific CESCPs will be prepared and implemented prior to construction.
- Landscape and visual measures to mitigate the effects of the Project on landform are also proposed. These were derived from the assessment of landscape and visual effects that was undertaken (Refer Technical Report 7, Volume 3) and involve, in particular, the shaping of bunds and the visual treatment of inland dune lands disturbed by the Project.
- Mitigation planting is proposed to be extensively undertaken throughout the Project area. The integrated approach to the design and plant mix specifications of the proposed planting will achieve a result that respects ecological, landscape and cultural values. The vegetation will also help improve long term soil conservation values, an outcome which would be consistent with Policies 4.2.13 and 4.2.14

35.13 Kāpiti Coast District Plan 1999

The list of considerations for requirements, as set out in Section 171 of the RMA, include, amongst other things, having particular regard to any relevant provisions of a district plan or proposed plan. The NoR relates to land managed under the provisions of the Kāpiti Coast District Plan (KCDP).

The "relevant provisions" of the KCDP are matters to which particular regard is to be given when considering the NoR, and the land use consent applications required under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESAMCS) 2011.

The KCDP provides a framework to promote sustainable management of the Kāpiti Coast's land resources with specific methods developed to address the significant resource management issues the community has identified. The KCDP contains objectives and policies that apply to subdivision, development, land uses and activities within the district.

The KCDP became operative on 30 July 1999. There are a number of operative and proposed plan changes and variations to the Plan, several of which are considered relevant to the Project as outlined below:

35.13.1 Existing designations

The KCDP includes a designation relating to the WLR route:

- Designation D0102 "Western Link Road" (WLR) – KCDC is the requiring authority responsible for this designation, which has not been given effect.

The proposed Expressway designation has a similar alignment as the WLR, and as such would occupy much of the land included in the current WLR designation.

The existing SH1 designation is also included in the KCDP, referred to as D0101 "*State Highway*", and is designated for State Highway 1 purposes, for which the NZTA is the requiring authority.

The proposed Expressway alignment also traverses a small part of two other KCDC designations, these being:

- Designation D1110 "Paraparaumu Sewage Treatment Plant"; and
- Designation D1119 "Otaihanga Landfill".

It will also affect Designation D1135, which is a KCDC "*Roading*" designation that applies district-wide to all local roads.

Additionally, the GWRC has land designated for river management purposes, being D0403 "*River Management*", and the Project involves an area of land subject to this designation.

The NZTA will need the prior written consent of all requiring authorities for existing designations affected by the Project[253]. It has been working closely with the relevant organisations to address the effects of the proposed Expressway in order that the Project will not significantly affect the purpose of these designations, with the exception of the WLR.

In regard to the WLR, it is anticipated that this designation (or the greater part of it) will be withdrawn once the designation for the proposed Expressway has been given effect. The legal effect of the proposed Expressway designation would also override the need to obtain land use consents under the KCDP.

35.13.2 Zones

The proposed Expressway alignment crosses a number of different zones as follows:

- Rural;
- Residential;

[253] Pursuant to section 177 of the RMA.

- Open Space;
- Industrial / Service;
- Ngarara; and
- River Corridor.

In addition to these underlying zones, there are a number of other KCDP items that are located under the proposed Expressway alignment or are close to the land required for the designation:

- Notional Road (Ihakara Street);
- Outstanding Natural Landscape (Waikanae River);
- Ecological Sites (K066 – Te Harakeke Swamp, and K170 – El Rancho Manuka Wetland);
- Wāhi Tapu Sites (W1 – Takamore Cemetery, and W4 – Takamore Wāhi Tapu Area);
- Low Impact Urban Area (Ngarara Zone);
- EcoHamlet (Ngarara Zone);
- High Voltage Transmission Lines; and
- Natural Gas Lines.

There are a number of objectives and policies contained in the following sections of the KCDP that are of relevance to the Project: Residential Zone (C1.1), Rural Zone C2.1, Ngarara Zone (C.22), Tangata Whenua C6.1, Earthworks C7.3.1, Heritage C8.1, Landscape C10.1, Ecology C11.1, Noise C14.1, Natural Hazards C15.1, and Transport C18.1.

In assessing the Project against these provisions key points are as follows:

- The Objectives and Policies relating to the Residential Zones seek to maintain the character and amenity of these areas. Policy C1.1.1.1 lists activities and scenarios that could reduce amenity values, with the expectation being that residential development respects the natural environment and avoids, remedies and mitigates any adverse effects. Policies also encourage access to pedestrian, cycle and public transport. As the Project is largely contained within the existing KCDC designation for the WLR (and previous motorway designations), it is located on the edge of established residential areas in Paraparaumu and Waikanae. Activities associated with the Project such as earthworks and landform modification that are within or adjacent to these areas have been designed to reduce, as far as practicable, the impact on residential character and amenity consistent with these objectives and policies. Any construction related effects that might arise from the Project will be addressed through the relevant CEMPs.
- The northern sections of the Project traverse Rural zoned land. Within this Zone, areas to the south and north of Waikanae are predominantly lifestyle properties. Recent plan changes provide for the development of eco-hamlets in this vicinity, small clusters of housing that sit within a primarily rural landscape. The KCDP recognises the value of the appearance and character of the rural environment as a major determinant of the unique visual character of the district and aims to avoid, remedy or mitigate adverse effects from activities on the natural and physical environment (Objective C.2.1/1.0). Activities associated with the Project within the

rural landscape such as earthworks, landform modification and the location of structures have been designed to sit in the landscape and to reduce, as far as practicable, the impact on rural character consistent with this objective.

- In terms of the natural environment, a definition of the landscape characteristics of the Project area, along with an evaluation of the effects of the Project on these characteristics, is included in Technical Report 7, Volume 3 of the AEE. As part of this technical evaluation, the effects on scheduled outstanding natural features and landscapes were identified, both those within the proposed route alignment and the wider context. Objective (C10.1/1.0) in the Landscape Chapter specifies that outstanding landscapes are to be identified and protected from the adverse environmental effects of use and development. To implement this Objective, Policy C10.1.1 clarifies that new buildings, structures and earthworks within outstanding landscapes are to be located so that they will not be visually dominant. In the Rural Zone, Policy C2.1.2 seeks to maintain, enhance and protect the District's outstanding landscapes from inappropriate use and development. Although the Project traverses the Waikanae River, the location and design of the proposed Expressway has been informed by relevant objectives and policies and the design is consistent with their intent: for example, the proposed bridge over the River design to 'sit' within the landscape insofar as practicable. In addition, extensive designation conditions are proposed to mitigate the effects of the Project on the river corridor, and any effects that might arise during construction will be addressed through the Ecological Management Plan (Appendix M of the CEMP) and the Landscape Management Plan (Appendix T of the CEMP) that have been prepared as part of this Project. As noted above, a new road bridge has long been anticipated in the lower reaches of the Waikanae River.
- The Ecology Chapter of the KCDP aims to protect and enhance the natural environment and ecological integrity of the District, including protection of significant indigenous vegetation and significant habitats for indigenous fauna and flora. The associated Policies provide for the avoidance, mitigation and remediation of adverse effects on the natural environment. Policy C11.1.4 seeks to ensure that significant native vegetation is not removed and that any disturbance is avoided remedied or mitigated, while under Policy C11.1.5 any effect on the water table of a significant wetland by a land use is discouraged. Policies C11.1.8 - C11.1.10 encourage the protection of suitable areas that will provide corridors for fauna; planting, particularly adjacent to water bodies; the restoration of ecological corridors and linkages; and eco-sourcing. Technical Report 27, Volume 3 identifies the ecological values of both terrestrial vegetation and wetlands throughout the Project area and within the wider natural environment, and the Ecological Sites identified in the KCDP (K066 – Te Harakeke Swamp and K170 – El Rancho Manuka Wetland) were included in this assessment. The values of herpetofauna and avifauna are respectively identified in Technical Reports 28 and 29, Volume 3. The overall effects generated by the Project are calculated and presented in Technical Report 26, including the magnitude of effects with and without mitigation and the residual impact after mitigation. The Project seeks to avoid, as far as practicable, significant ecological areas such as wetlands in the location and design of the proposed Expressway, consistent with the intent of aim of the relevant objectives and policies. Where this has not been possible the design of the proposed Expressway, in conjunction with the proposed designation conditions, seeks to mitigate the effects of the Project on the ecology of the area, and any effects that might arise during construction will be addressed through the Ecological Management Plan (Appendix M of the CEMP) and the Landscape Management Plan (Appendix T of the CEMP) that have been prepared as part of this Project.

- Regarding Tangata Whenua, Objective C6.1/1.0 adopts similar wording to that in Part 2 of the RMA, with reference to taking into account the principles of the Treaty, having particular regard to kaitiakitanga and ensuring that the relationship of tangata whenua with the natural environment is recognised and provided for. Objective C11.2.3 (Ecology) also seeks to recognise and provide for the relationship of tangata whenua with the natural environment. As outlined in Technical Reports 11 and 12, Volume 3 and Technical Report 3 - Consultation Summary Report, Volume 3, there has been ongoing recognition and engagement with iwi throughout the development of the Project, the preparation of relevant technical reports and the AEE for these applications consistent with the intent of Policy C.6.1.1.1. Iwi were provided with opportunities to influence the design of the proposed Expressway at a number of key stages throughout the Project. An early awareness among the Project team (Policy C.6.1.1.2) of the issues that were of primary interest to tangata whenua (C.6.1.1.4), and that influence their role as kaitiaki of the natural resources of the area (C.6.1.1.5 and C.6.1.1.5), was an important early step, and which demonstrates consistency with the relevant objectives and policies.
- Regarding Heritage, Objective C8.1/1.0 is relevant as it relates to identifying and protecting heritage features of significance. There are no historic buildings or structures listed in the KCDP Register that are within the proposed designation, and the Technical Report 10 - Assessment of Built Heritage Effects, Volume 3 concludes that the effects associated with the Project beyond this area will be negligible to minor. A small portion of the KCDP listed Takamore Wāhi Tapu Area will be affected by the Project but however any adverse effects will be mitigated by measures that have been developed in association in consultation with the Takamore Trust.
- Regarding Noise, Objective C14.1/1.0 and Policies C14.1.1, C14.1.2 and C14.1.3 require consideration to be given to the impact of noise from non-residential activities on the amenity, character and health of residents in residential and rural environments, and that any adverse effects are avoided, remedied or mitigated. Objective C14.2. is specific to the effects of traffic noise on residential amenity values, while C14.2.2 and C14.2.4 are specific to new roads. An assessment of traffic noise effects (refer Technical Report 15, Volume 3) has been carried out and consideration given to potential effects on sensitive receptors (houses) close to the proposed Expressway. Where a higher than acceptable noise level was measured, methods to manage the effects consistent with Policy C14.2.5 were identified. These measures include construction of noise bunds, planting and use of noise reducing road surfaces. It is acknowledged that new noise will be introduced into the environment due to the presence of the proposed Expressway and that this will influence ambient noise levels. However, noise assessments have demonstrated that these levels will be within the acceptable limits specified in relevant noise standards (Objective 14.2). An assessment of construction noise effects (refer to Technical Report 16, Volume 3) has also been carried out and the temporary noise effects arising during proposed Expressway construction will be addressed through the Construction Noise and Vibration Management Plan (Appendix F of the CEMP, Volume 4).
- Natural hazards such as identified flood areas are recognised in the Plan and are included on the associated Planning Maps. Objective C15.1/1.0 and Policies C15.1.1, C15.1.2 and C15.1.6 are relevant, and focus on avoiding, remedying and mitigating actual and potential adverse effects arising from development within the vicinity of a natural hazard. The Project traverses areas subject to potential flooding and the proposed Expressway has been located and designed consistent with the intent to avoid, remedy or mitigate any effects on flood risks.

- The objectives and policies of Chapter 17 of the KCDP are focused on the potential adverse effects associated with the storage and use of hazardous substances on public health and ecological processes of the natural environment. Policy 4 requires that particular regard is given to a number of matters when assessing consent applications for hazardous facilities, including:
    - The location of any special natural features to be protected, or other environmentally sensitive areas;
    - Any risk related to natural hazards, such as earthquakes or floods, and the structures, procedures and contingency plans that may be required to prevent or minimise any adverse effects beyond the boundary of the site. Of particular relevance is the accidental discharge of any hazardous substances into water, whether directly, through land, or through a drainage system.
- A full assessment of the effects of the construction and operation of the proposed Expressway on actual or potentially contaminated land within the proposed designation was undertaken, the results of which are presented in Technical Report 23, Volume 3. A process for managing any contented soil has been identified, and will be implemented through a Contaminated Soils and Groundwater Management Plan (Appendix K of the CEMP, Volume 4), consistent with the policies of the KCDP.
- The aim of the objectives and policies that relate to network utilities (Objective C16.1 and Policies C16.1.1-5) is to provide for the efficient operation of these essential services. The NZTA has been working closely with all potentially affected utility providers, the outcome of which is that the Project will be entirely consistent with this aim.
- Transport Objective C18.1/1.0 is particularly relevant to the Project as it seeks to achieve a transport infrastructure that provides for efficient and safe movement of people and goods throughout the district, and which avoids, remedies or mitigates adverse effects of existing and new traffic routes. Policies 6 to 14 are also of relevance, with Policy 12 being particularly relevant due to its focus on protecting the existing and proposed State Highway network. Given that the Project will result in more efficient movement of people and goods throughout the District (and Region), improved travel times and a safer and more reliable alternative to the existing SH1, it is entirely consistent with this objective.
- Transport policies emphasise the relationship between transport and land uses (Policies 7 and 8). Policy 9 is of relevance as it relates to walking and cycling systems that link natural features, community facilities, schools, commercial and public transport together with residential activities. The assessment of urban planning and design effects (refer to Technical Report 6, Volume 3) and the principles outlined in Technical Report 5 - Urban and Landscape Design Framework, Volume 3 have influenced the route alignment, proposed Expressway design and the linkages and public spaces around interchanges and bridges, the results of which are consistent with these policies. There are also policies which focus on the effects of new roads, including Policy 11 which is directed towards ensuring that the adverse effects of associated earthworks are avoided, remedied or mitigated. Policy 11 (and its reference back to the Earthworks policies (C7.3)) is directly relevant to the assessment of landscape and visual effects contained in Technical Report 7, Volume 3 due to the extent of earthworks necessary for the construction of the proposed Expressway alignment, and will be addressed through the mitigation measures proposed as part of the Project.

The key themes in the relevant objectives and policies are similar to those considered in the PRPS and other planning documents – particularly the provisions addressing natural landscapes, inappropriate subdivision and development and earthworks management – and, as previously mentioned, the Project is considered to be consistent with these.

35.14 Other relevant documents

Other relevant documents in terms of section 104(1)(c) and 171(1)(d)) include both statutory documents (for example, those required to be prepared under other legislation such as the Land Transport Management Act 2003 or Conservation Act 1987) and those non-statutory documents that, whilst not having a regulatory function under the RMA, have been through a public process and/or are important policy documents that set national regional direction on key resource or environmental matters.

The following documents are considered relevant:

- New Zealand Transport Strategy (2008);
- National State Highway Strategy (2007);
- Government Policy Statement on Land Transport Funding (2009/10 – 2018/19);
- National Land Transport Programme (2009 – 2012);
- NZTA Environmental Plan (2008);
- New Zealand Cycling and Walking Strategy – Getting there on Foot by Cycle (2008);
- New Zealand Urban Design Protocol (2005);
- National Infrastructure Plan (2011);
- Wellington Regional Strategy (2007);
- Wellington Regional Land Transport Strategy (2010 – 2040);
- Regional Freight Plan - Greater Wellington Regional Council (2007);
- Western Corridor Plan (2006);
- Wellington Conservation Management Strategy (1996);
- Greater Wellington Parks Network Plan (2011);
- Kāpiti Coast Choosing Futures: Community Plan (2009);
- Kāpiti Coast Development Management Strategy (2007);
- Kāpiti Coast Sustainable Transport Strategy (2008);
- Kāpiti Coast Cycleways, Walkways and Bridleways Strategy (2009);
- Kāpiti Coast Subdivisions and Development Principles and Requirements (2005); and
- Kāpiti Coast Streetscape Strategy (2006).

Other documents that have also been considered are:

- Kāpiti Coast Coastal Management Strategy (2006);

- Kāpiti Coast Environmental Management Strategy (2002);
- Kāpiti Coast Community Outcomes (2009);
- Kāpiti Coast Local Outcomes Statements;
- Kāpiti Coast Youth Action Plan (2011);
- Water Matters - Kāpiti Coast Sustainable Water Management Strategy (2002); and
- Positive Ageing on the Kāpiti Coast (2011).

35.14.1 New Zealand Transport Strategy (2008)

The NZ Transport Strategy (NZTS) seeks to provide direction for the transport sector through to 2040. The strategy relates to all parts of the transport sector, and includes the following relevant aims:

- Environmental sustainability including: reducing vehicle emissions, renewable fuels, fuel efficient technology and electric vehicles, increasing the area of Crown transport land covered with indigenous vegetation;
- Assisting economic development: improving journey times and journey time reliability;
- Assisting safety and personal security: reducing road deaths and serious injuries;
- Improving access and mobility: increasing public transport, walking and cycling; and
- Protecting and promoting public health; reducing people exposed to transport noise and reducing people exposed to dangerous concentrations of air pollution.

The Project will be generally consistent with all these aims for the following reasons:

- It involves extensive areas of revegetation and planting of native, locally sourced vegetation which will be maintained to mitigate the effects of the Project;
- It will significantly improve journey times around the Region and improve journey time reliability;
- There will be a reduction in road crashes and a significant improvement in overall traffic safety both through reduction in through traffic on some local roads, including existing SH1, and through a modern designed new route;
- It will not preclude opportunities for improved development of public transport, and provides some new opportunities for recreational walking, cycling and riding; and
- Transport noise effects and air quality effects have been modelled. Properties likely to be exposed to higher levels of noise than allowed under the relevant standard will be protected by noise mitigation measures, including noise barriers.

35.14.2 National State Highway Strategy (2007)

The National State Highway Strategy (NSHS) sets out how the NZTA will develop and manage the State Highway network as an integral part of a multimodal transport system over the next 30 years. It

provides a link between the NZTS, the Land Transport Management Act 2003 (and other legislation) and NZTA's plans and policies. The goals of the strategy are to:

- Ensure State Highway corridors make the optimum contribution to an integrated multimodal land transport system;
- Provide safe State Highway corridors for all users and affected communities;
- Ensure State Highways enable improved and more reliable access and mobility for people and freight;
- Improve the contribution of State Highways to economic development; and
- Improve the contribution of State Highways to the environmental and social wellbeing of New Zealand, including energy efficiency and public health.

The Project is consistent with these goals for the same reasons outlined in section 35.14.1.

35.14.3 Government Policy Statement on Land Transport Funding (2009/10 – 2018/19 and 2012/13- 2021/22)

A Government Policy Statement on Land Transport Funding (GPS) is developed and issued under the Land Transport Management Act 2003, which is the main statute for New Zealand's land transport planning and funding system. The current GPS came into force in May 2009 and was amended in November 2010. The GPS is reviewed every three years. As such the GPS 2009 covers the financial period from 2009/10 to 2014/15 and provides indicative figures for 2015 -2019. A revised GPS will come into effect on 1 July 2012, which will cover the period from 2012/13 until 2021/22.

The NZTA must ensure that the National Land Transport Programme gives effect to the GPS and must take into account the GPS when deciding whether or not to approve activities for funding from the national land transport fund. Regional transport committees preparing a Regional Land Transport Strategy must take into account the GPS and Regional Land Transport Programmes must be consistent with the GPS.

The GPS identifies and recognises the RoNS as New Zealand's most essential routes, and that they require significant development in order to reduce congestion, improve safety and support economic growth. The purpose of listing roads as nationally significant in the GPS is to ensure that they are taken fully into account when the NZTA develops the National Land Transport Programme.

This Project is one of eight that comprise the Wellington Northern Corridor RoNS.

35.14.4 NZTA Environmental Plan (2008)

The NZTA Environmental Plan outlines NZTA's environmental policies and provides guidance on a wide range of environmental considerations including:

- Noise (operation and construction)
- Air quality

- Water management (runoff, stormwater, use)
- Erosion and sediment control
- Social responsibility
- Cultural and heritage
- Ecological
- Spill response and contamination
- Resource efficiency
- Climate change
- Visual quality
- Vibration

The Project is consistent with these policies. In particular, they have influenced and shaped the proposed route alignment and proposed Expressway design, and have also informed relevant technical assessments, such as the Ecological Impact Assessment (Technical Report 26, Volume 3), the Assessment of Landscape and Visual Effects (Technical Report 7, Volume 3), the Assessments of Construction and Operational Air Quality Effects (Technical Reports 15 and 16, Volume 3) and the Assessment of Built Heritage Effects (Technical Report 10).

35.14.5 New Zealand Cycling and Walking Strategy – Getting there on Foot by Cycle (2005)

The New Zealand Cycling and Walking Strategy sets out a strategy to advance walking and cycling in New Zealand transport. It is a high level strategic document with a vision of "*A New Zealand where people from all sectors of the community walk and cycle for transport and enjoyment*". This vision is supported by the following goals:

- Community environments and transport systems that support walking and cycling;
- More people choosing to walk and cycle, more often; and
- Improved safety for pedestrians and cyclists.

The integration of cycling and walking opportunities into the Project was a key consideration throughout the initial investigations, the alternative route assessment and also the proposed Expressway design process.

As a result, cycling and walking connectivity will be significantly enhanced by the Project through the provision of a shared path along the full length of the proposed Expressway. The shared path will connect to all local roads and to two well used paths at Wharemauku Stream and Waikanae River. The path is expected to provide additional options for students moving to and from local schools.

Connections to other walking networks will also be provided, and the grades on embankments are designed to enable the best practicable slopes for walking and cycling. At the Waikanae River crossing, provision will be made for horse traffic to share the walking/cycle bridge.

35.14.6 New Zealand Urban Design Protocol (2005)

The New Zealand Urban Design Protocol provides a platform to make New Zealand towns and cities more successful through quality urban design. The Protocol is a voluntary commitment by central and local government, property developers and investors, design professionals, educational institutes and other groups to promote better design and to undertake specific urban design initiatives. The NZTA is a signatory to the Protocol.

Consistent with the intent of the Protocol an Urban and Landscape Design Framework (ULDF) has been developed for the Project. The ULDF has helped to inform the nature and extent of investigations into the urban and landscape design matters relating to the Project, and also sets out the underlying design principles to guide Project development and implementation.

35.14.7 National Infrastructure Plan (2011)

The National Infrastructure Plan outlines the Government's 20 year vision for New Zealand's infrastructure to 2030, and provides a three year programme of work to progress this vision. The overall purpose of the Plan is to improve investment certainty for businesses by increasing confidence in current and future infrastructure provision.

A transport Chapter is contained within the Plan. The Chapter assesses the current situation, current work programme and key issues for transport infrastructure. The vision for transport is outlined as "a transport sector that supports economic growth by achieving efficient and safe movement of freight and people".

The relevant goals for transport are as follows:

- Maximising the potential synergies between regional planning and central government strategies.
- A flexible and resilient transport system offering greater accessibility and can respond to changing patterns in demand.
- A network of priority roads to improve journey time and reliability, and ease severe congestion, boosting the growth potential of key economic areas and improving transport efficiency, road safety and access to markets.
- A continued reduction in the number of accidents, deaths and serious injuries that occur on the network.

The Project is consistent with all of these goals.

35.14.8 Wellington Regional Strategy (2007)

The Wellington Regional Strategy (WRS) was developed by the nine local authorities in the region, working in tandem with central government and business, education, research and voluntary sector interests. The WRS is a sustainable economic growth strategy and contains a range of initiatives to realise economic potential. It aims to enhance the Wellington Region's "regional form" by addressing

such issues as transport, housing, urban design and open spaces, which are all the things that contribute to quality of life.

The WRS identifies three focus areas for sustainable growth. They are:

- **Leadership and partnership** – Key players working together to deliver the region's sustainable growth.
- **Grow the region's economy, especially its exports** – Export more and become less reliant on trade within New Zealand.
- **Good regional form** – Building on the physical arrangement of our communities and how they link, and strengthening our city and town centres, matching transport decisions and land use, creating quality urban design, creating strong open spaces and recreation amenities, and providing good housing choice – essentially, making the Wellington Region a great place to live, with a good quality of life.

Relevant WRS initiatives to promote an efficient regional form include:

- Integrating transport with urban and rural needs - The WRS identifies that more employment needs to be created close to where people live. The efficient operation and use of the transport system and consideration of the development 'fit' with the transport network are fundamental to creating a good regional form;
- More homes close to city centres and transport links - One of the region's strengths is its wide range of housing and lifestyle options. An identified need is to enable medium and higher density development close to centres and transport links, while protecting the character of the traditional low-density family-focused suburbs; and
- Rural lifestyles - The WRS identifies that the region offers excellent opportunities for rural residential living. It recognises the benefits in making lifestyle options available in certain areas including making better use of poor productivity areas, strengthening smaller communities, unlocking economic development opportunities, and enhanced management of special environmental features. However, it also recognises that in delivering on these opportunities caution needs to be exercised regarding removing high quality soils from primary production, threatening sensitive ecosystems or significant landscapes, and land fragmentation creating urban expansion difficulties.

The strategy also identifies the area between Paraparaumu town centre and Paraparaumu beach as an area of change and notes that it is subject to residential and retail – especially 'big box' – development pressure which could potentially undermine town centre intensification and passenger transport goals. It also notes that the area is affected by the proposed "SH1 Kāpiti Expressway".

The Project will be entirely consistent with the WRS initiatives because:

- It will strengthen cross-region linkages and improve connectivity;
- It will enhance the liveability of coastal communities as the significant reduction in traffic volumes and speeds will improve local amenity;

- It will improve the town centres at Paraparaumu and Waikanae through the removal of freight and long haul transportation, allowing the town centres to reconnect;
- It will improve linkages to public transport through well designed and functional upgrades at proposed interchanges and existing urban centres; and
- It will not preclude future development of rail and other public transport modes.

35.14.9 Wellington Regional Land Transport Strategy (2010 – 2040)

The Wellington Regional Land Transport Strategy (RLTS) 2010-2040 is a statutory document prepared under the Land Transport Management Act 2003, and incorporates the Western Corridor Plan 2006. It is the strategic transport document that guides the development of the Region's transport system. It sets the framework and vision for the provision and management of movement and transport throughout the Region.

The vision of the Wellington RLTS 2010-40 is:

> *To deliver an integrated land transport network that supports the region's people and prosperity in a way that is economically, environmentally and socially sustainable.*

The objectives of the RLTS are to:

- Assist economic and regional development
- Assist safety and personal security
- Improve access, mobility and reliability
- Protect and promote public health
- Ensure environmental sustainability
- Ensure that the Regional Land Transport Programme is affordable for the regional community.

The Project was designed and developed to be consistent with all of these objectives.

35.14.10 Regional Freight Plan - Greater Wellington Regional Council (2011)

The Wellington Regional Freight Plan is a supporting document to the RLTS as it provides a pathway to implement the RLTS objectives and policies that are relevant to freight. It also supports the GPS on Land Transport Funding with its focus on economic growth.

The key actions identified within the Freight Plan 2011 that are relevant to the Project are as follows:

- Integrate planning processes – Support the implementation of projects in the Corridor Plans identified as having significant freight benefits
- Improve road freight reliability – Ensure the design of State Highway projects facilitate the efficient movement of freight, including provision for over-dimension and over-weight vehicles

The Project implements these actions as the proposed Expressway will have significant freight benefits.

35.14.11 Wellington Conservation Management Strategy (1996)[254]

NZTA guidelines for State Highway work within or adjacent to Public Conservation Land require that any works within a reserve or conservation area must address any relevant conservation management strategy.

The Wellington Conservation Management Strategy (the Strategy) is a statutory document under the Conservation Act 1987 which implements general policies and establishes objectives for the integrated management of natural (including land and species) and historic resources. It indicates the Department of Conservation's position on, and how it intends to respond to, requests to use the natural and historic resources it manages.

The Project is consistent with the Strategy in that the potential effect of the proposed Expressway on the area's natural and historic resources were fully taken into account in the selection of the alignment and design of the Project. Technical Reports 7 and 26, Volume 2 refer to, and have taken into consideration, priority ecosystems and habitats, and natural landscape values identified in the strategy and these have been used to inform the mitigation measures outlined within these reports.

35.14.12 Greater Wellington Parks Network Plan (2011)

The Greater Wellington Parks Network Plan (GWPNP) is a statutory document prepared under section 41 of the Reserves Act 1977. It combines and supersedes previous separate management plans for each of the regional parks in the Region, including Queen Elizabeth Park in Paekākāriki.

The Queen Elizabeth Park section of the GWPNP identifies 'projected changes' in section 6.7.6 and includes a list of external influences, community projects and important working relationships. The list reflects the relationship with the NZTA and states that GWRC will:

> *Work with the New Zealand Transport Agency (NZTA) and other agencies to maximise recreational opportunities from any proposed roading developments by NZTA.*

The GWPNP also includes a corresponding map (Map 17) that illustrates an Expressway option that traverses the north-east corner of the Park. As a result of route and alignment refinements that have occurred during the development of the Project the extent of this intrusion into the Park has been significantly reduced.

35.14.13 Kāpiti Coast Choosing Futures: Community Plan (2009)

Kāpiti Coast Choosing Futures: Community Plan is the KCDC's Long Term Plan (LTP). It was adopted prior to the proposed Expressway being announced. There are seven key community outcomes identified in the Plan:

[254] A further preliminary draft Wellington Hawke's Bay Conservation Management Strategy has been released but it is currently a non-statutory draft document.

- There are healthy natural systems which people can enjoy;
- Local character is retained within a cohesive District;
- The nature and rate of population growth and development is appropriate to community goals;
- The Community makes wise use of local resources and people have the ability to act in a sustainable way on a day to day basis;
- There is increased ability to work locally;
- The District is a place which works for young people; and
- The District has a strong, healthy, safe and involved community.

The district-wide outcomes are applied to eight individual areas within the District,[255] and a set of locality-specific outcomes (Local Outcomes) have been identified for each of these areas.

These relate to such matters as the natural features, unique characteristics and urban environments of the Kapiti Coast and their associated values. For example, the Otaihanga Local Outcomes emphasis the strong connection to the Waikanae River and Estuary, the Otaihanga Oxbow, pockets of native bush, and the recreation values aligned with these features. Outcomes for Raumati South include reference to the protection of the remaining dunes, while those for the Paraparaumu Town Centre focus on the open space network created by the Wharemauku Stream, key roads and the open spaces, including the dunes. The East/West view shaft to Kāpiti Island is also valued.

The Local Outcomes were considered as part of the design of the proposed Expressway insofar as practicable. For example, the assessments of landscape and visual effects and of ecological impacts detailed respectively in Technical Reports 7 and 26, Volume 3 took into account the local outcomes in addressing the potential effects of the proposed Expressway on the natural and landscape values of the District.

35.14.14 Kāpiti Coast Development Management Strategy (2007)

The Development Management Strategy's purpose is to set a framework for:

- the management of location and intensity of growth pressures and change;
- improvement to the quality of the built environment; and
- the development management processes that Council will use over time.

It contains a range of policies that outline KCDC's high level aspirations for developing and shaping the district. The strategy refers to the WLR and a range of transport modes, a roading network that supports and encourages the development and use of pedestrian, cycle and bridle tracks and quality of design. Regard has been had to these policies in developing and refining the Project insofar as

[255] These areas are Greater Ōtaki; Waikanae North; Paraparaumu Town Centre; Paraparaumu Beach; Raumati Beach; Raumati South; Paekākāriki and Otaihanga.

practicable, recognising that the construction and operation of the proposed Expressway will require a re-evaluation of how the Strategy is to be implemented. The impact of the proposed Expressway on the quality of the built environment, present and future, was taken given particular regard in the selection of the alignment of the proposed Expressway and in its design. Opportunities for future east-west linkages in Waikanae North growth area were also considered, in liaison with KCDC.

35.14.15 Kāpiti Coast Sustainable Transport Strategy (2008)

The intent of the Kāpiti Coast Sustainable Transport Strategy is to act as a conduit between the transport direction outlined in the KCDP and that set out in the RLTS. It contains five focus areas as follow:

- Transport Network;
- Mode changes;
- Management of the Road corridor – road network hierarchy;
- Vehicle Fleet Emissions; and
- Living with the State Highway.

The strategy recognises that traffic congestion on SH1 is a problem. However, as it was published prior to the Expressway proposal being introduced, reference is made solely to the proposed WLR.

The Project will achieve or be consistent with the overall intent of the Strategy. The proposed Expressway would substantially improve accessibility through and within the Kāpiti Coast. Reduced congestion and improved travel movements will reduce the overall level of vehicle emissions. The proposed Expressway will remove through traffic from the existing State Highway which acts as an important local road, providing opportunities to enhance its role and function as a local road. It will also provide opportunities to enhance public transport nodes and routes.

35.14.16 Kāpiti Coast Cycleways, Walkways and Bridleways Strategy (2009)

The Kāpiti Coast Cycleways, Walkways and Bridleway Strategy provides direction for the future planning of cycling, walking and horse riding on the Kāpiti Coast, as well as providing a foundation for implementing a network of walkways, cycleways and bridleways that would enhance user experience. The vision of the strategy is that “The Kāpiti Coast is renowned for its walking, cycling and horse riding”.

The Project will improve cycling and walking linkages throughout the District and will also provide, where possible, bridle tracks (for example, as part of the Waikanae River connection). The Project is considered to consistent with this Strategy.

35.14.17 Kāpiti Coast Subdivisions and Development Principles and Requirements (2005)

This document sets out KCDC’s development requirements, with emphasis placed on the integrated management of the effects of activities on the environment.

The document contains one transportation objective as follows:

To plan, provide and maintain an efficient road network appropriate to the level of use that will ensure the safe and orderly passage of road users (including cyclists) and pedestrians throughout the Kāpiti Coast District. The Council wishes to encourage pleasant, cyclable and walkable neighbourhoods with a low speed environment which provides increased amenity.

The Project is consistent with this objective as it will contribute to achieving an efficient road network on the Kāpiti Coast, and an improved traffic environment through the town centres of Paraparaumu and Waikanae.

35.14.18 Kāpiti Coast Streetscape Strategy and Guideline (2008)

The Kāpiti Coast Streetscape Strategy and Guideline supports the assessment of applications for subdivision consents and proposals to upgrade existing streets. It provides design guidance to enable a coordinated approach to streetscapes.

A section on the SH1 streetscape is included in the document, outlining important issues and elements associated with the existing State Highway 1 streetscape. As a separate process, KCDC and NZTA having been evaluating opportunities to improve the existing State Highway once the proposed Expressway is in operation, with a public consultation process undertaken in 2011.

35.14.19 Proposed National Policy Statement on Indigenous Biodiversity

The proposed NPS on Indigenous Biodiversity is intended to provide clearer direction to local authorities on their responsibilities for managing and enhancing indigenous biodiversity under the RMA. The proposed NPS contains a list of criteria to identify areas of indigenous vegetation and habitats of indigenous animals that are considered to be rare and/or threatened at a national level, which applies outside the conservation estate. Under the proposed NPS, local authorities would be required to identify significant areas of biodiversity within five years after it takes effect. It would also require a "no net loss" approach to be applied to resource consents.

Although the NPS is not yet gazetted it may come into effect during the process of considering these applications. Regardless, the effects of the Project on indigenous biodiversity has been had regard in the selection of the proposed Expressway alignment and design and in developing appropriate measures to avoid, remedy and mitigate adverse ecological effects arising from the Project (for example, the proposed restoration of former wetlands). Further, the avoidance of a large number of statutorily recognised wetlands in the vicinity of the proposed Expressway has assisted in assuring their long-term survival. In overall terms, the proposed Expressway would have no net loss on indigenous biodiversity, and, in the longer term, would result in an improvement of the area's ecology.

35.15 Assessment of Section 105 matters

Section 105(1) sets out the matters that a consent authority must have regard to when considering a resource consent application for a discharge permit. In particular, consideration needs to be given to the nature of the discharge and the sensitivity of the receiving environment to adverse effects, the applicant's reasons for the proposed choice as well as any possible alternative methods of discharge, including discharge into any receiving environment.

As some of the applications relating to this Project are for permits to discharge contaminants into water and onto land, section 105 is therefore relevant.

Section 105(1)	Comments	Cross-references
Nature of the discharge and sensitivity of the receiving environment to adverse effects	Construction of the Project involves major earthworks, with the resultant effect being that stormwater discharge will contain higher levels of sediment than normal during the construction period and will potentially increase the volume of sediment run-off to freshwater, wetland and marine receiving environments. A detailed description of these receiving environments and the nature of the corresponding discharges proposed are included in Part G, Volume 2 and relevant Technical Reports, Volume 3 of the AEE.	AEE Chapters 21, 22, 23, 24 and 28. Technical Reports 22, 24, 27, 30 and 31.
The applicant's reasons for the proposed choice	The design process to date has, as far as possible, avoided creating adverse effects on sensitive receiving environments. In circumstances where this has not been achievable the best practicable option is to be employed to remedy, mitigate or offset any actual and potential effects on these areas as no other feasible alternative method of discharge is available. The selection of a best practicable option will be informed by the following principles regarding the control of erosion and sediment: ■ Minimising distrubance; ■ Staging construction; ■ Protecting steep slopes; ■ Protecting waterbodies; ■ Undertaking progressive and rapid stabilisation of disturbed areas; ■ Perimeter control; and ■ Deploying detention devices. The construction of the Project will involve all discharges being appropriately managed to ensure that any effects on freshwater, marine and wetland receiving environments are neglible to minor. These effects and their associated mitigation are discussed in detail in the relevant Technical Reports in Volume 3, Part G of Volume 2 and, in relation to the statutory provisions, in the preceding sections of this Chapter.	AEE Chapters 9, 21, 22, 23, 24 and 28.
Any possible alternative methods of discharge, including discharge into any other receiving environment		Technical Reports 22, 24, 27, 30 and 31. CEMP Appendix H

35.16 Assessment of Section 107 matters

Section 107 relates to discharge permits and this section is relevant because the Project involves the discharge of contaminants or water into water (i.e., it involves the potential discharge of silt laden water into streams) which are likely to increase sediment levels above current levels during construction. The relevant effects under section 107(1)(c) that may occur as a result of discharge of contaminants from the Project are:

- A conspicuous change in the colour or visual clarity (section 107(1)(d)) – earthworks and construction works will cause a change in colour or visual clarity of affected waterbodies running through the worksite at times. However, the proposed application of the CEMP will be focused on ensuring that the level of change does not cause significant or permanent adverse effects on water quality and on the receiving environment.
- Any significant adverse effects on aquatic life (section 107(1)(g)) – it is unlikely that there will be any adverse effects on shellfish and other organisms in the coastal marine environment (refer Technical Report 31, Volume 3).

A consent authority may grant a discharge permit which gives rise to these effects if it is satisfied—

- that exceptional circumstances justify the granting of the permit; or
- that the discharge is of a temporary nature; or
- that the discharge is associated with necessary maintenance work —

and that it is consistent with the purpose of the RMA to do so.

The assessments in this AEE and in the technical reports demonstrate that the Project will meet the tests within section 107(2)(b) for the following reasons:

- The discharges will be short term;
- The effects will be felt at times, but not consistently, during the construction period of the Project which isexpected to be in the order of four to five years;
- Any effects on the coastal environment will be those associated with sediment transport firstly from construction areas, then from rivers and streams that discharge into wetlands and/or the coastal marine area;
- The assessment of effects contained inTechnical Report 31, Volume 3 demonstrates that there will be negligible adverse effects on the marine environment;
- Effects on stream water quality are not representative of a “typical” day of work on the site, but instead represent the result of an unlikely or extreme weather event (1 in 10 year storm or worse);
- Measures can be taken to minimise the likelihood of adverse effects resulting from an extreme weather event - these are set out in the ESCP;
- As discussed in Technical Report 26, Volume 3, moderate adverse effects are only likely to arise when a combination of exceptional events all coincide at once, and there are a range of measures that can be used to further reduce the chances of all these factors coinciding;
- There will be no ongoing adverse effects once the Project’s construction has been completed, and there will be some positive effects arising from the implementation of the Project in terms of improving the overall level of discharge of contaminants from roads on the District; and
- It will be consistent with the purpose of the RMA to grant the discharge permits given the scale and significance of the Project and the temporary nature of the approvals sought. .

In summary, it is considered that the Project will meet the tests outlined in section 107 of the RMA.

35.17 Assessment of Part 2 matters and conclusion

Section 104(1)(b) of the RMA sets out the planning documents that decision-makers are required to have regard to when considering an application for resource consent and any submissions received. Similarly, section 171(1)(a) of the RMA sets out the matters that decision-makers must have particular regard to when considering a NoR and any submissions received.

Any such consideration is, however, subject to Part 2 of the RMA which sets out the purpose and principles of the RMA. The purpose of the RMA as expressed in section 5 is to promote the sustainable management of natural and physical resources, with 'sustainable management' defined in section 5(2) as:

> *means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—*
>
> *(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
>
> *(b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
>
> *(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

Part 2 provides further direction on the matters of national importance (section 6), other matters (section 7) and the principles of the Treaty of Waitangi (section 8) which need to considered and responded to.

The promotion of sustainable management often requires a balance between competing resource values and the benefits and adverse effects associated with a proposal, recognising that development, particularly of large-scale projects, will bring about adverse effects. The designation of a public work involves careful consideration of the balance to be struck between the regional or national benefits that might accrue from the Project and the more localised adverse effects that the Project (and its activities) might have on the environment, including on people, communities, and natural resources and values.

In terms of section 5 of the RMA, the construction of this portion of the Wellington RoNS will enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety, by:

- Providing for the economic growth of the Region by improving accessibility and connectivity, particularly between economic centres and through new connections across the Region – consistent with the NZTA's project objectives;
- Providing significant community, social and transport benefits including:
    - Resilience in the transport network;
    - Health and safety benefits through reduced incidence of crashes both on the new route, and on the existing routes through reduced traffic flows;

- Reducing traffic flows on the existing SH1 making the local environments more pleasant – for example, through making it easier to get into and out of side streets, and walk and cycle along the road with less passing traffic;
- Social and economic benefits through improved travel time reliability and quicker trips;
- Improved reliability for freight movements and resulting economic benefits;
- Completing a portion of the Wellington Northern Corridor - an alternative strategic transport corridor to the existing SH1 coastal route.

The completion of the Project is consistent with the RLTS, and is therefore one component of the strategic land transport solution for the Region's economic prosperity and sustainable growth.

In balancing these considerations with the matters in section 5(2) (a) through to (c) of the RMA, the following conclusions are derived from the planning assessment contained in preceding sections of this Chapter:

- In terms of sustaining the potential of natural and physical resources for future generations, the Project is intended to meet the growing transportation needs of the Region and does not preclude future opportunities for other transport development, such as improvements to public transport, particularly rail, and additional improvements to walking and cycling routes beyond those new elements provided by the Project;
- The Project will safeguard the life supporting capacity:
    - of air, by reducing congestion and improving air quality both regionally and at a local level for the coastal communities where the existing SH1 passes through them;
    - of water, because, while there will be a short term adverse effect on water quality from sediment deposition, there will be important long term benefits arising from revegetation and planting and the treatment of stormwater discharges from the State Highway;
    - of soils, by the management of construction works (to control erosion and land disturbance) and remediation of sites of land contamination;
    - of ecosystems, by avoiding, remedying and mitigating the adverse effects on ecological values of the Project, including freshwater, herpetofauna, avian and terrestrial vegetation (including wetlands) ecology; and
    - of people and communities, by managing actual and potential adverse effects both during construction and operation, and by having significant positive effects on the transport network.
- The Project avoids, remedies and mitigates adverse effects on the environment, including through identification of mitigation and offsetting measures and conditions for the consent applications and designations (refer Part H, Volume 2 of the AEE).

The Project recognises and provides for the matters within section 6 of the RMA, particularly in the following aspects:

- The alignment of the proposed Expressway sought to avoid insofar as practicable impacting on stream and wetlands with high natural character – most of the streams it will cross have a highly modified character. The proposed restoration and planting along riparian edges and degraded wetlands will mitigate the loss of natural character, and in the long-term it is anticipated that the quality of instream habitats will be improved. The design of culverts and bridges has taken into account the effect on the ecological functioning of the affected waterways to mitigate their impact. Overall, the Project will result in an improvement in the freshwater habitat of the Project area;
- The Project has been designed to mitigate adverse effects on the characteristics and values of the Waikanae River corridor, currently an identified outstanding natural landscape, in a location that has long been identified as the crossing point of a major road;
- The alignment of the proposed Expressway sought to avoid insofar as practicable impacting on areas of significant indigenous vegetation. The indigenous biodiversity of the Project area will be enhanced through new plantings and the enrichment of existing vegetation using locally source indigenous species inasmuch as practicable, and overall it is anticipated that the indigenous biodiversity of the area will be enhanced. In regard to indigenous flora and fauna, the corridor was comprehensively investigated and it was concluded that the Project overall would not result in any significant effects on habitats of indigenous fauna;
- The maintenance and enhancement of public access to and along the margins of streams and rivers is provided for by the construction of new walking and cycling paths;
- The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, Wāhi tapu, and other taonga was fully taken into account in the selection of the alignment of the proposed Expressway, and in the design of mitigation measures which occured in consultation with iwi;
- The protection of historic heritage has been explicitly recognised in the route selection and design process for the proposed Expressway and has been provided for through such measures as the mitigation proposed in the Takamore Wāhi Tapu Area, the detailed investigations that will be undertaken in areas of high archaeological potential prior to construction; and
- The Project does not impact on any recognised customary activities.

The Project has also had particular regard to and has appropriately responded to the matters in sections 7 and 8 of the RMA. While not exhaustive, the following are considered particularly relevant:

- The kaitiakitanga of tangata whenua has been recognised in seeking specific cultural impact statements from Te Rūnanga o Āti Awa ki Whakarongotai Inc and the Takamore Trust (refer Technical Reports 11 and 12, Volume 2). This process has recognised the principles of the Treaty of Waitangi (the partnership between Iwi and the NZTA as a Crown agency, and the retention by Māori of rangatiratanga over their resources and taonga in particular);
- The ethic of stewardship has been recognised through:
    - engagement with and participation of tangata whenua in hui and working groups early in the Project's development process; and
    - engagement with community groups who have specific interest in and who have exercised stewardship over particular resources.

- The Project will improve the efficient use of the State Highway network as a physical resource, and improve the use and function of the wider network;
- The selection of the alignment and the design of the proposed Expressway sought to avoid, where practicable, effects on ecosystems within the Project area. Where this was not achievable appropriate measures were developed to mitigate the effects of the Project on ecosystem values;
- The selection of the alignment and design of the proposed Expressway sought to mitigate the effect of the Project on local amenity values, with a focus on the relationship of the Project with the adjacent residential communities and on those points along the proposed road with which most of the Community would interact – interchanges and underbridges. An inter-disciplinary approach was undertaken to address all related aspects of the proposed Expressway design – noise attenuation, air quality, lighting, urban design, landscape and visual, and ecology – to develop the best practicable solutions in assessing alternatives and designing appropriate mitigation on adjoining amenity values;
- It is acknowledged that the proposed Expressway represents a permanent and considerable change to the existing character of the area and the quality of its environment, the route of the Project has been selected to minimise the overall impact on the District, aligned within a corridor sufficiently wide enough to provide a significant level of mitigation. In general terms, the development and use of a new major arterial route within a large and growing urban area that is part of a metropolitan region is in keeping with the urban form and environment.

Overall, when the benefits of the Project are considered alongside the proposed measures to avoid, remedy and mitigate the associated adverse effects, the Project will promote sustainable management of natural and physical resources and is consistent with the purpose and principles of the RMA. As a result, it is considered that the purpose of the RMA will be achieved by confirming the NoRs and granting the resource consents sought.