# Section 6: National policy statements and national environmental standards

## What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

## Please write your answer here

The following is a general assessment of the project in relation to any relevant National Policy Statement ("**NPS**"), including the New Zealand Coastal Policy Statement ("**NZCPS**"), and any relevant National Environmental Standard ("**NES**").

For completeness, no assessment has been completed against any proposed NPS or NES.

**NPS for Freshwater Management (NPS-FM)**

The project is intended to be consistent with the outcomes sought under clause 2.1 of the NPS-FM, specifically by ensuring the health and well-being of the Wairakei Stream and Kaituna River and associated freshwater ecosystems are prioritised whilst ensuring that cultural and economic well-being of people and communities are provided for.

These outcomes will be achieved by ensuring that the project is managed in a way that gives effect to Te Mana o te Wai and that Tangata Whenua are actively involved in the decision-making processes around this project. In this instance the significance and importance of both the Wairakei Stream and Kaituna River are recognised through existing regulatory documents that directly impact this project including the requirements to comply with conditions of the existing CSC, along with the outcomes sought under the Kaituna River document and numerous iwi and hapu management plans.[1] [2]This project is intended to be carried out in a manner that align with the expectations of these documents.

Discharges authorised by the existing CSC will be managed in a way that achieves compliance with existing consent requirements (including associated catchment management plans) and ensures the improvement to the health and well-being of freshwater ecosystems and the protection of habitats of indigenous freshwater species. Earthworks and all other site works associated with construction of the Overflow will be managed in an integrated way to avoid further loss of natural inland wetland areas including the ability to restore and provide significant additional wetland restoration areas in the vicinity of the project area.

The works necessary for construction are intended to satisfy the requirements set out under clause 3.22 of the NPS-FM. This project is interpreted as being for specified infrastructure being that it will

[1] Kaituna He Taonga Tuku Iho – A Treasure Handed Down (The Kaituna River Document) was a requirement of the Tapuika Claims Settlement Act 2014. The Kaituna River Document is now recognised through Change 5 (now operative) of the BOP RPS.

[2] A detailed analysis of iwi and hapu management plans has been provided as part of the response under Section 4 of this application.

be delivered and operated by TCC for the purpose of disposing of stormwater for a significantly large urban area within the Papamoa Catchment.

Overall, the project is aligned with the outcomes and methods to achieving these as set out in the NPS-FM.

**NPS for Highly Productive Land (NPS-HPL)**

The majority of land subject to this project is classified as class 6 land under the Land Use Capability (LUC) system. However, adjacent to the Kaituna River are small areas of class 2 land. It is noted that these areas have limited productive use and are largely existing wetland areas.

However, notwithstanding the presence of this higher classed land, this land is part of the wide Te Tumu planned urban growth area identified within the Urban Form and Transport Initiative (UFTI) Programme Business Case, which is a relevant strategic planning document (adopted by local authority resolution) as defined under the NPS-HPL.

For this reason, this land would not be required to be mapped as highly productive land and the construction of the overflow in this location, notwithstanding the presence of higher-class land use types is both anticipated and enabled through this NPS.

**NPS for Indigenous Biodiversity (NPS-IB)**

TCC holds considerable information regarding known indigenous biodiversity in this area. There are many areas already identified as being Significant Natural Areas (previously Significant Ecological Areas) within the Operative Tauranga City Plan. Many of these areas are however identified as wetland areas and as such would be subject to the requirements of the NPS-FM and its associated regulations.

The construction works intended to deliver this project would be guided by the recommendations of specialist ecologists and subject to appropriate construction management plans to ensure indigenous species and habitats are protected and that tangata whenua are included in the preparation and monitoring of any such works.

Being a project intended to deliver specified infrastructure that will provide a significant regional public benefit the project will be subject to the application of the effects management hierarchy and utilise biodiversity offsetting or compensation as appropriate. This will also be guided by specialist ecologist input and make use of the significant areas available across the wider Te Tumu area for such offsetting and/or compensation to occur.

Overall, the project is aligned with the outcomes and methods to achieving these as set out in the NPS-IB

**NPS on Urban Development (NPS-UD)**

The project is considered to be consistent with the outcomes intended under this NPS. The overflow is a crucial component in delivering a well-functioning urban environment (Policy 1) in the fact that its purpose is primarily to ensure that residential and business land within this stormwater

catchment is resilient to the likely current and future effects of climate change. In addition, the project provides the opportunity to improve water quality and access to freshwater bodies that allow for Māori to express their cultural traditions and associations with these important features.

The project will also support TCC in its requirement to ensure development capacity is provided to meet expected demand for housing and business land (Policy 2). Specifically, the construction and operation of the project is a requirement prior to development commencing with the Te Tumu Urban Growth area. Te Tumu is planned to provide residential zoned land to enable approximately 6,000 additional homes, approximately 55ha of employment land along with considerable community amenity in the form of recreation and open space areas to support a live, work, play and learn approach to support future residents. This level of additional housing supply is critical and necessary for expected demand across the city including addressing existing housing shortfall and high house prices.[3]

The project is intended to be carried out in a manner that responds appropriately to the views of Māori particularly in respect to how the work associated with this project may impact site of significance and other important cultural values across this area. In this regard it is considered that the project will be consistent with the intent set out under Policy 9 of this NPS.

**NZCPS**

A large portion the Te Tumu Urban Growth Area is located within the coastal environment as delineated in the operative Bay of Plenty Regional Policy Statement.[4] However the overflow project sits predominately outside this area other than at the points where the overflow would connect with the Wairakei Stream and then discharge to the wetland areas adjacent to the Kaituna River. The majority of the open channel would sit outside the mapped coastal environment.

Policy 6 of the NZCPS recognises that the provision of infrastructure is important to the social, economic and cultural well-being of people and communities. The overflow will serve as a critical element to managing stormwater run-off and avoiding flood hazard across a large urban catchment. Provision of the overflow is important in this regard and is consistent with this policy.

Policy 11 relates to protecting indigenous biodiversity within the coastal environment. As noted above, the area is currently subject to provisions in the City Plan regarding SNA and assessment has previously been completed as part of the structure plan work for the growth area to identify and plan for the protection of these areas. Construction of the overflow will be guided by these assessments and through ecological specialist input as part of detail design to ensure these areas and the indigenous taxa are protected.

It is acknowledged that whilst there are natural features and landscape areas within Te Tumu that are considered significant and that contribute to the natural character of this area. However, these areas of significance do not extend into the area where construction is necessary for this project. However, consideration would be appropriate as to how this project will impact the wider area and the values associated with these features. It is noted that existing conditions of the CSC require the production

[3] A Snapshot summary of Tauranga City is attached.
[4] Bay of Plenty Regional Policy Statement: Appendix I - Coastal environment and natural character maps (map 23 of 35)

of a landscape plan to ensure any adverse effects on these features and their values are addressed. In this regard the project is considered to be consistent with the direction set under policies 13 and 15 of the NZCPS.

**NES for Freshwater (NES-F)**

This NES seeks to regulate activities that pose risks to the health of freshwater and freshwater ecosystems. The overflow is assessed as being "specified infrastructure" under reg 45 of the NES-F given its primary purpose is to dispose of stormwater as part of TCC's stormwater network. The project is also considered to be regionally significant in that it provides resilience to the overall stormwater network in this catchment and will provide significant flood risk mitigation to both residential and commercial properties located within the same. The project will also facilitate the delivery of significant additional housing and business land within the Te Tumu area which is important for meeting the city's overall development capacity needs.

The functional need for the overflow in this location is largely directed through conditions of the existing CSC. All construction works that result in earthworks or land disturbance, vegetation clearance and/ or discharge of water within, or within the specified 10 m or 100 m setbacks from a natural inland wetland will be considered in terms of satisfying the effects management hierarchy. It is noted that Te Tumu includes large areas of constrained land (unsuitable for urban development) which provide for significant aquatic off-setting opportunities.

**NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011**

A contamination assessment in the form of a preliminary site investigation has been carried out as part of the structure planning and rezoning work for Te Tumu. Within the area pertaining to this project several HAIL activities were identified including historic uses associated with livestock dip or spray race operations (A8); persistent pesticide bulk storage or use (A10); storage tanks or drums for fuel, chemicals or liquid waste (A17); and waste disposal to land (G5). The assessment has concluded that a more detailed level of investigation would be required to consider specific risk assessment, management and remedial options, however based on what has been identified all matters identified are able to be remedied or mitigated at the time of earthworks being undertaken.

**Attachment 1: A Snapshot of Tauranga City**

Tauranga is Aotearoa New Zealand's fifth populous and one of its most rapidly growing city. The population has gone from 92,000 in 2000 to 161,000 in 2023 and expected to rise to 214,000 over next 30 years. The housing shortfall is currently at a 5,500 shortfall, this will rise to a shortfall of 7000 by 2054. Tauranga remains the most unaffordable City.