



THE **PLANNING**  
COLLECTIVE



## Application for Resource Consent

to construct, operate and maintain a pathway for pedestrians, to be known as Te Ara Tipuna (Stage 1), from Gisborne around the coast to Ōpōtiki

**Applicant Name:** Te Ara Tipuna Charitable Trust

**Date:** Updated November 2024

This planning assessment has been prepared by The Planning Collective Limited and forms part of the application for resource consent on behalf of Te Ara Tipuna Charitable Trust to construct, operate and maintain a pathway for pedestrians, to be known as Te Ara Tipuna (Stage 1) from Gisborne around the coast to Ōpōtiki.

(TPC Reference: TAT 168-22).

This report has been prepared by:

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Dated: 13 November 2024

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Dated: 13 November 2024

*“The curves within the circle symbol of our logo are a depiction of the shape the Mahurangi River takes as it weaves its way through Warkworth. This was chosen to illustrate the whenua and landscape of the town that The Planning Collective works so closely with.”*



28 July 2023

Tena koutou i runga i nga ahuatanga o te wa, me nga manaakitanga a Matariki e haere ake nei, mo te tau hou.

As the world grapples with challenges of poverty, pollution, polarization, of war, racism, and climate change, and their impacts on Aotearoa, we look to secure our homes, lands, roads, waterways, our connection, communities and culture. Our identity.

Te Ara Tipuna is a piece of our shared puzzle of how we might do this here at home.

Te Ara Tipuna is, at one level, an idea and a prayer to restore a way of life inherited from our forebears, made fit for modern times, and sustainable into the future. At another, it is simply much needed infrastructure – a network of accessways providing a critical option for routine (and emergency) movement through the takiwa.

At yet another level, Te Ara Tipuna is a motivation for collecting, protecting, learning and teaching our stories, our songs, our systems and structures, our distinctive ways of seeing and being. Also, Te Ara Tipuna is the provision of access and opportunity for local level enterprise, for the sharing and showcasing of cultural wealth, for manuhiri and manaakitanga, and for material wellbeing. And, Te Ara Tipuna will require us, and rely upon us, to be practiced and perpetual kaitieki guardians of our whenua, whanau, whakapapa – our taiao, and our ao whanui.

This initiative has been conceived as a physical realisation of cultural connection. While it has been sponsored and led by Te Runanganui o Ngati Porou, in partnership and resourced by Te Puni Kokiri, it has been developed as a cultural embrace - of the iwi and hapu who are linked through whakapapa and share boundaries from Te Toka a Taiau (Ngati Porou) to Tarakeha (Te Whakatohea). It is in the spirit of an open invitation, respecting the mana of each to make their own decision, in their own time, as to whether to take up the opportunity.

Ultimately, however, it is the right and responsibility, the decision of landowners, shareholders, trustees, over whose property it is proposed Te Ara Tipuna passes.

Along with the high-level proposal for the mapped route it is further proposed that a device, akin to a passport, will be developed for users of Te Ara Tipuna. This 'passport', and an undertaking to abide by its settings, would apply to the entire journey, informed by the specific requirements negotiated with landowners, the hapu and iwi of that rohe. It is intended that the 'passport' provide for a principled commitment of safe and welcome passage, by both guest and host alike.

We are excited about the possibilities of Te Ara Tipuna. We trust that you are too!

Kia tau te ia o te Mauri kia tatau.

A handwritten signature in black ink, appearing to read 'S. Parata'.

Sir Selwyn Tanetoa Parata KNZM

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# Abbreviations

Abbreviation	Full Description
AEE	Assessment of Effects on the Environment
Application	This Resource Consent Application as described in Section 1 and 4
BOPRC	Bay of Plenty Regional Council
CIA	Cultural Impact Assessment
CMA	Coastal Marine Area, as defined in section 2 of the RMA
CMP	Construction Management Plan
EMP	Ecological Management Plan
GDC	Gisborne District Council
HAIL	Hazardous Activities and Industries List 2011
LMP	Landscape Management Plan
LVA	Landscape and Visual Assessment
MACAA	Marine and Coastal Area (Takutai Moana) Act 2011
NES	National Environmental Standard
NPS	National Policy Statement
NZCPS	New Zealand Coastal Policy Statement 2010
ODC	Ōpōtiki District Council
RCA	Roading Controlling Authorities
RMA	Resource Management Act 1991
RoT	Record of Title
SIA	Social Impact Assessment
SSA	Safe System Audit
Stage 1 (the Proposal)	The pedestrian track is Stage 1 of Te Ara Tipuna and is the subject of this resource consent application.
Stage 2	The cycling and horse trekking tracks of Te Ara Tipuna. This is a future stage and not the subject of this resource consent application.
Te Ara Tipuna (the Project)	Working title of this multi-layered project, literally meaning “the ways of our forebears.” The long-term vision is a project to build and maintain the infrastructure of accessways for pedestrians, cyclists, and horse trekkers; local commuters, visitors, and whole-of-journey hikers, bikers, and riders.
TIA	Traffic Impact Assessment

# 1. Application Details

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<b>Applicant</b>	:	Te Ara Tipuna Charitable Trust
<b>Site Address</b>	:	Various – Gisborne to Ōpōtiki – Refer <b>Appendix 2</b>
<b>Legal Description</b>	:	Various – Gisborne to Ōpōtiki – Refer <b>Appendix 2</b>
<b>Records of Title</b>	:	Various – Gisborne to Ōpōtiki – Refer <b>Appendix 2</b>
<b>Area of Site</b>	:	Various – Gisborne to Ōpōtiki – Refer <b>Appendix 2</b>
<b>Type of Consent</b>	:	District and Regional Land use Consent s9(2) and s9(3), Use of Beds of River s13(2), Discharge consent s15(2A), Works in the Coastal Marine Area s12(1)
<b>Consent Sought</b>	:	Construct, operate and maintain a pedestrian track, to be known as Te Ara Tipuna – Stage 1, from Gisborne to Ōpōtiki
<b>Zoning</b>	:	Various – Gisborne to Ōpōtiki – Refer <b>Appendix 2</b>
<b>Overall Activity Status</b>	:	Tairāwhiti Resource Management Plan : Discretionary Bay of Plenty Regional Natural Resources Plan: Discretionary Ōpōtiki District Plan: Discretionary
<b>Additional RMA Consents Required:</b>	:	If at the detailed design phase there are additional consents that are triggered, those consents will be applied for at that point in time.

## Contact Details

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## 2. Description of Proposal

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### 2.1 Te Ara Tipuna

Te Ara Tipuna, the Project, is the working title of this multi-layered project, literally meaning “the ways of our forebears.” The long-term vision is a project to build and maintain the infrastructure of accessways for pedestrians, cyclists, and horse trekkers; local commuters, visitors, and whole-of-journey hikers, bikers, and riders. Te Ara Tipuna is to be implemented in stages. The Proposal / Stage 1 that is the subject of this Resource Consent Application (Application) is the first stage of that vision; being a pedestrian walking track. In the future the cyclist and horse tracks (Stage 2) will be advanced via future resource consent applications.

As with all kaupapa, Te Ara Tipuna has layers of meaning. And it anticipates further layers of growth and development.

First, Te Ara Tipuna is an evocation of the ways of our ancestors. The way they practiced life and community; the way they interacted with the physical and metaphysical environment; the ways they used to move between whanau and hapu, undertake activities, and connect with each other; the way they were in the world, in their time, and the cultural legacy they have left.



Second, Te Ara Tipuna is intended to restore connectivity and momentum in the daily life of those who live and work in rohe, the iwi kaenga, the ahi ka, safe and independent of SH35. To be able to create local level enterprises and economic development, to save and share the stories of their wahi, to revitalise the pa kaenga as centres of activity and society, to be everyday aiteiki of the ara and the people who traverse them, locals, and manuhiri alike.

Third, Te Ara Tipuna, is the overall description of a proposed network of ara/tracks, connecting existing tracks, old and new, reviving unused tracks, defunct paper roads, and encroachments, along with new mapping to create a continuous journey from one end of Te Tairāwhiti to the other, through Ngāti Porou, Te Whānau-ā-Apanui, Ngai Tai ki Torere and Te Whakatōhea.

Fourth, Te Ara Tipuna, provides the opportunity for a distinct tourism experience in the heart of Te Tairāwhiti, on foot, cycle, and horseback. It opens up to a part of Aotearoa New Zealand where tough terrain, beautiful beaches and bays are home to richly carved and decorated whareniui and wharekai, and to people who know how to hunt, dive, fish, cook, haka, sing, tell long stories, sly jokes, and deliver fast and furious one-liners.



Fifth, Te Ara Tipuna can offer a unique manaaki experience – iwi to kiwi - a warm welcome to fellow New Zealanders to walk into a marae, prepare kai in the kauta, eat and wash dishes, yarn by the fire, sleep in the whareniui, and head off into the day and to the next equally proud hapu along the ara.

The Proposal (i.e. Stage 1 of the Project) will provide a 500km pedestrian track stretching from the southern boundary of Ngāti Porou at Te Toka-a-Taiāu through the rohe of Te Whānau-ā-Apanui, Ngai Tai ki Torere, and ending at Tarakeha, in Te Whakatōhea.

As indicated above, in Stage 1, the focus is on the foundation layer of a pedestrian track to create and support the ara/accessways, that together make up Te Ara Tipuna network, and, subsequently to support the wider Kaupapa. This Application seeks consent for the pedestrian track as Stage 1 of the Project. The cycle and horse trekking tracks are part of the longer-term visions, Stage 2, for the Project and as and when they are able to be advanced will be the subject of further, separate resource consent applications.

This Project is designed to enrich the cultural, social, and economic status of the East Coast while providing incentive for entrepreneurial activity upon completion and employment during and after construction. Through the rohe of the four Iwi bracketed by Gisborne and Ōpōtiki, the Project is planned to carve a path for future generations, while treading lightly on the land and along the coastline.

Stage 1 will stretch from Gisborne to Ōpōtiki and will provide connection to marae and significant cultural and environmental landmarks, along with opportunities for economic development and local entrepreneurial endeavours. Although the primary purpose of the development of Te Ara Tipuna is to restore connectivity, particularly since recent weather events have further deteriorated State Highway 35, it is also expected to provide opportunities for local practical kaitiakitanga, local curricula for teaching and learning, protecting and conserving and for unique tourism experiences that would be unrivalled anywhere in the world. This part of Aotearoa is home to rich cultural heritage and practices, stunning landscapes of mountains, rivers, beaches and bush and has proud traditions of diving, hunting, fishing, paddling and haka. Supporting local people to create businesses and to financially support their whanau by sharing their knowledge, stories and places of recreation will be a by-product of Te Ara Tipuna. The Proposal has been designed to ensure minimal impact on the environment, with the avoidance of adverse effects as a first principle.

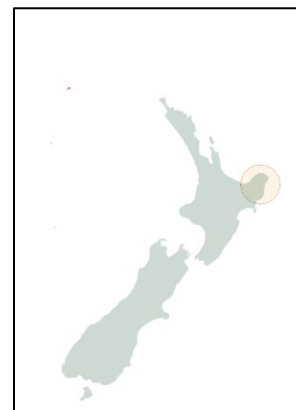
The client for the initiation of this multi-layered, multi-year Project is Te Rūnanganui o Ngāti Porou (TRONPnui), led by Hekia Parata as Special Advisor to the Rūnanganui. Given the planned scale of the Project, and the different interests over time, a separate legal entity, Te Ara Tipuna Charitable Trust, has been formed and is the applicant. Going forward, the Trust will be responsible for the overall development and management of Te Ara Tipuna.

The letter from the TRONPnui Chairperson, Sir Selwyn Tanetoa Parata, reflects the invitation to, and the potential for the landowner and iwi partnerships necessary to complete the entire proposed ara tipuna.

## 2.2 The Site

The region where the track is proposed is known as Te Tairāwhiti or ‘the tide where the sun rises’, more commonly known as the East Coast. Tairāwhiti is the first region in the world to see the sunrise and it holds a huge amount of Māori culture and historic significance.

In its 500km entirety, Te Ara Tipuna traverses the rohe of Ngāti Porou, Te Whānau ā Apanui, Ngāi Tai ki Torere and Te Whakatōhea. It will engage with some of the most beautiful, rugged, and isolated land and waterways of Aotearoa New Zealand; experiencing cultural icons of marae, mountains, rivers, oceans and the unique character of its local people and communities.



The Project will build and maintain accessway infrastructure along a proposed tracks of 500kms, from Te Toka-a-Taiāu near Gisborne to Tarakeha near Ōpōtiki. An overview map of the Project is in **Figure 1** below:



Figure 1 – Overview Map

The network of tracks will connect SH35, public land, whenua Māori, private land and reserves to create a continuous journey around the coast through the respective Iwi rohe. The track begins near Te Toka-

a-Taiaū, in Makorori, a beach community on the outskirts of Turanganui-a-Kiwa Gisborne which is the major urban centre within Tairāwhiti and ends at Tarakeha, near the coastal community of Ōpōtiki, in the Eastern Bay of Plenty. The pedestrian track has an additional option – the Hikurangi Loop, which walks around the culturally significant Hikurangi Maunga. See the track distances schedule within **Appendix 4**.

Stage 1 can be broken down into 26 walking days, plus five additional walking days if one chooses to complete the Hikurangi Loop. It is estimated it would take 29 days to complete the entire journey by foot. By walking the Hikurangi Loop, the user would miss days 9 and 10 (Whareponga and Reporua Beach).

Each day varies in difficulty, with some days longer or harder than others. Some walkers may find that they can walk the whole Ara in a shorter timeframe by joining some of the shorter days together. Some people may take longer than 29 days and spend extra time in areas they are enjoying, or they may require rest days.

The track could be used in a myriad of ways. While some users may want to complete the whole track in one attempt, others may choose to attempt a couple of sections. Others may do the whole track, but over a prolonged time period. The opportunities for self-designed, unique experiences are endless.

## 2.3 The Track

Stage 1 of Te Ara Tipuna will provide a 500km pedestrian track for a continuous walking track in either direction between Makorori headland and Ōpōtiki in the Gisborne and Ōpōtiki districts. The effect of its presence is to be as natural, unobtrusive and harmonious with its location as possible.

The track is planned to sit lightly with the land and coastlines. The vast proportion of the track (90 percent – approximately 450kms) will be following low key consistent wayfaring signage across paddocks, over hills, and along beaches in their natural state. The remaining (10 percent, approximately 50kms) portion will have some safety and protective measures built into the landscape.

In many locations the track will be aligned with existing recreation tracks, beach areas above high tide, farm tracks and unformed legal (paper) roads. In other areas it will be located alongside SH35 and formed local roads. In places the route crosses through whenua Māori and private land, as negotiated/to be negotiated with landowners.

The process of confirming the alignment has followed an iterative process with the wider Project Team of effects specialists. This included further consideration following successive cyclones and flooding events which have closed SH35 and local roads, for weeks on end. The design report contained within **Appendix 6** outlines the process behind the track location and formation.

The design of the track is provided at a high level, to allow for refinements in the detailed design phase in response to specific site/context issues, and to provide for further input to the design as it progresses from Iwi, hapū, landowners and trustees, and the wider Te Ara Tipuna community.

The track will involve various types of construction, depending on the local conditions, including boardwalks, simple wooden tracks, gravel tracks and way findings through paddocks. There will also be establishment of toilets and shelters throughout the network to provide amenities for users and potentially the construction of carparks at key points for day or multi-day trips.

The intention of the track is to provide a level of resilience to the East Coast by providing alternative walking access to remote sections where State Highway 35 is prone to closure after significant weather events such as the recent Cyclone Gabrielle event. At this stage, the track between Tokomaru Bay and Ruatoria will be designed as a secondary, emergency walking access route. Te Ara Tipuna has the potential to provide Civil Defence options for access in these emergency events only.

Initially it was proposed to consent and construct the shared pathway for walking, horse riding and cycling track users (Stage 1 and Stage 2) at one time. The reiterative design process and subsequent assessments and management plans provided by the specialists are therefore based on the complete Project. After various discussions with the relevant Councils during the pre-notification phase, a revised approach is now being presented in this Application which only seeks consents related to establishing, maintaining and using a track for pedestrian use only (Stage 1).

During the detailed design phase required for the construction of the pedestrian track (Stage 1), on ground assessments will be completed for the additional track users (Stage 2), which will inform the detailed design, assessment of effects and potential future resource consent application for Stage 2. This approach will allow the very low impact pedestrian track to be established initially, while providing for a process to thoroughly assess and, provide for the Stage 2 via future consenting processes.

### 2.3.1 Track Type

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In aiming to keep with the natural environment and provide an immersive experience for walkers, approximately 90% of the track is proposed to remain relatively untouched with the track composition to emulate that of a farm track.

As outlined in the Construction Management Plan (CMP) and supported by the LMP, the CMP will require consideration of the operational needs and requirements of the track in order to function safely and effectively as a first principle at detailed design stage. If a higher level of service is required due to an identified need or requirement, additional work will be required to construct a path comprised of aggregate, steps, timber, or a widened and improved berm/road shoulder surface. The steps outlined in the management plans will ensure that the effects of any construction will be managed such that effects will be less than minor.

A detailed explanation of track types and their construction and cross sections are provided in the CMP contained in **Appendix 7**.

## 2.3.2 Structures

A number of structures will be constructed to provide access across streams/ivers and to provide amenities to sections of the track that are not located in towns. The main structures proposed as part of Stage 1 are detailed below:

### 2.3.2.1 New Bridges

New bridges are proposed to cross streams along the route, where the track is not able to use an existing bridge, or the stream is considered too deep to cross at the river mouth. For example, at Whangara, see **Figure 2** below:

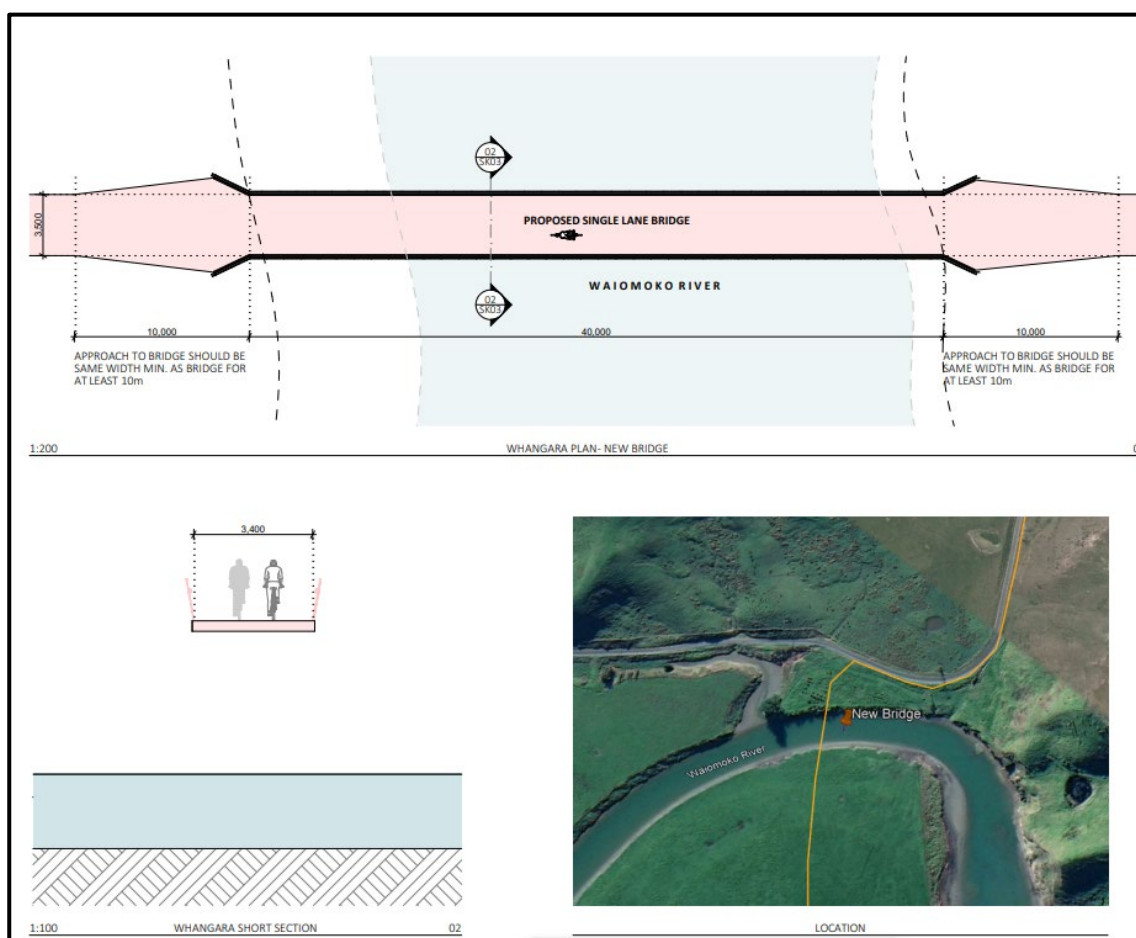


Figure 2 – Indicative Whangara Bridge Design

### 2.3.2.2 Clip on Bridges

Clip on bridge sections are proposed for existing bridges that do not currently have a foot path or are not wide enough to accommodate pedestrians. For example, over the Pouawa River, see Figure 3 below. Each bridge and clip on will be site specific and subject to detailed design and geotechnical investigations prior to construction.

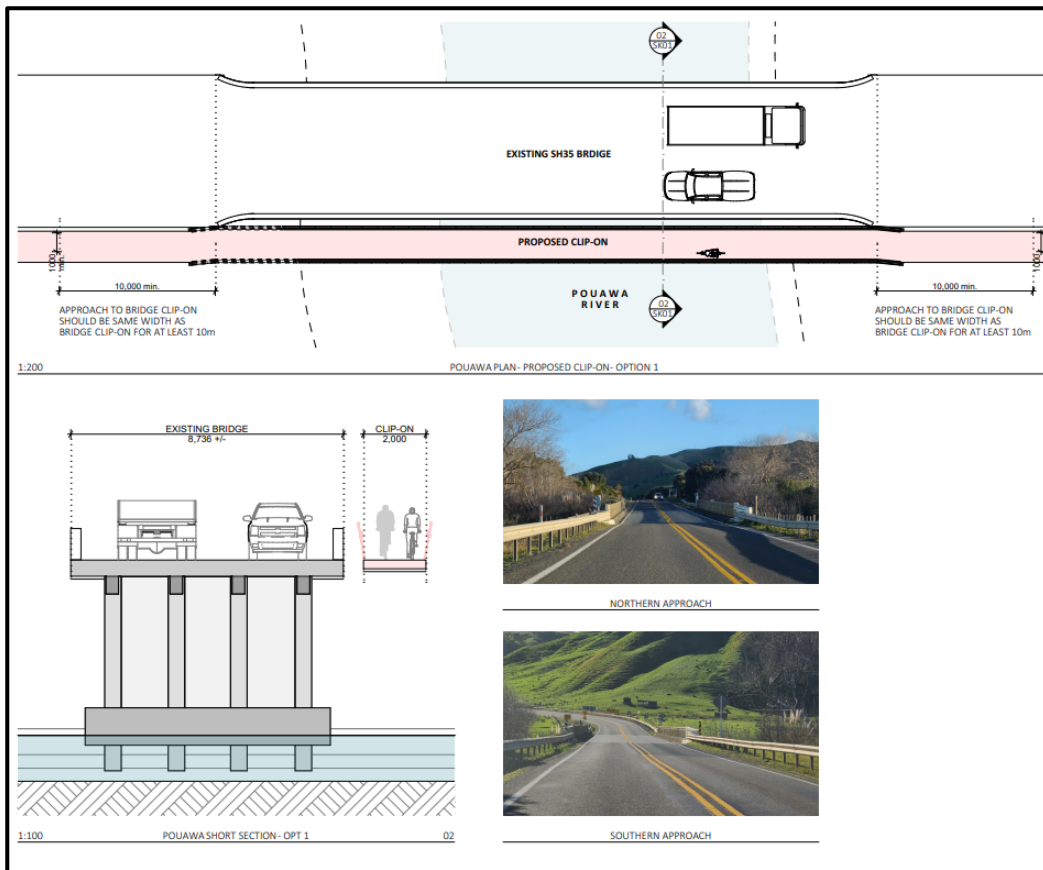


Figure 3 – Indicative Pouawa Bridge Design

Clip on bridges will not be utilised in every scenario. Due to each site being very specific, each would require engineered design.

A second viable option proposed for bridge crossings, and which could be used in place of some clip on bridges is the bridge crossing concept provided in Appendix 7.2 of the CMP. This has been implemented on Blackbridge Road along Dairy Flat Highway in Auckland. The concept utilises a series of static and illuminated signs to warn traffic of active users on or very near the bridge.

Where this second option is to be used, there will be a SLOW DOWN sign installed 300m from the bridge to warn traffic of the need to reduce their speed. This may be accompanied by a speed restriction sign if deemed necessary and approved by the RCA 200m from the bridge there will be two solar panels both of which will supply power to the illuminated sign which will light up when activated by the user. 100m from the bridge there will be a pole which will have a button to press to activate the illuminated sign 200m from the bridge. Once activated, motorists will be instructed that there is a pedestrian near or on the bridge.

The appropriate use of this second option will be determined during the detailed design phase, which will be informed by a safety assessment and input from the relevant RCA.

### 2.3.2.3 Huts and Shelters

Huts and shelters are proposed to be constructed along sections of the track. At this stage no specific design has been provided on the size and type of such structures, however, it is envisaged that these will involve lightweight timber structures that will be founded on timber poles.

The location of the proposed structures for Stage 1 are indicated on the GIS maps with the final location being determined at the detailed design phase.

Stage 1 includes the consents required for the establishment of these structures. The general permitted activities standards (including setbacks, minimal floor heights) of the underlying zone will be complied with and applied to determine the location of the structures.

#### 2.3.2.4 Toilets

Toilets are proposed to be constructed along the track and the size and type of these structures will likely vary from basic toilet structures in isolated areas, to larger toilet blocks in towns. Requirement for geotechnical input will need to be assessed depending on the type and size of the structure at the detailed design phase.

The location of the proposed toilets for Stage 1 are indicated on the GIS maps with the final location being determined at the detailed design phase.

## 2.4 Implementation

### 2.4.1 Staging

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Stage 1 will be constructed and implemented on a staged basis.

Staging to construct the track is proposed for a number of reasons, including but not limited to the need to obtain funding, obtain landowner approvals, undertake detailed design and the availability of the labour force (noting a priority to use local contractors to undertake all construction).

### 2.4.2 Earthworks

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Earthworks will be kept to a minimum. More extensive earthworks will be required where a compacted aggregate track, lime stabilised track, boardwalk or alternative formed surface will be installed. Removal of topsoil and some subgrade (if required) will be completed prior to backfilling and compacting with the selected clean engineered fill material.

Large cuts of 1 m or more and retaining structures will be avoided where possible, with the natural contours of the land followed.

All earthworks will be conducted in a manner which takes into consideration dust, sediment, and erosion controls. Excavated material will be kept onsite and utilised for landscaping or lost within the contours of the land where possible. Any material that needs to be taken offsite will be transported to an approved facility for disposal.

### 2.4.3 Stormwater

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The track will maintain a level of cross fall (slope) that will allow stormwater flow across the track and towards the nearest drainage channel. During construction, the natural drainage channels will be preserved with any introduced structures allowing flow paths for water to continue to flow at pre-development levels. No existing stormwater flows will be restricted.

Where culverts or drainage facilitating structures are introduced, these will be designed for a 1:100-year AEP event based on the NIWA Hirds 2081-2100 RCP8.5 predicted rainfall probability data. Culverts will be avoided underneath structures that traverse water courses.

### 2.4.4 Wastewater

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All toilets installed are proposed to be compostable. The units are fully contained and do not produce any liquid/solid discharge to the surrounding environment. The location of these toilets shall be such that they are not within any culturally sensitive areas or areas in close proximity to drainage channels or watercourses. Where possible existing infrastructure will be utilised.

Wastewater generated from hut basins/sinks will be appropriately disposed of in septic fields in compliance with local authority guidelines.

### 2.4.5 Water Supply

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Water supply to huts and for any washing facilities will be supplied from onsite storage tanks in remote locations. Mains supply will be utilised where this is accessible.

### 2.4.6 Vegetation Removal

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During the pre-consenting phase, in-depth desktop analyses were undertaken to determine locations where the route passed through sites with high ecological value. The track was realigned to avoid any adverse effects on those significant values where possible. The track has also been realigned to avoid wetlands mapped on the Council internal GIS layers.

The pedestrian track will weave between existing vegetation, preserving indigenous and exotic species where possible.

If existing vegetation is required to be removed, attempts will be made to replant adjacent to the track.

Where vegetation clearance is in close proximity to dwellings, arborists will be engaged (where necessary) to ensure this clearance does not pose any risk to residents or their assets. Close approach permits will be applied for as necessary when working beneath any overhead lines or when excavating near live underground services.



## 2.5 Operation

It is proposed that a kawa, a code of care, be developed for use of the Project and represented in a device, akin to a passport for users of Te Ara Tipuna. This 'passport', which will include an undertaking to abide by its settings, would apply to the entire journey, informed by the specific requirements negotiated with landowners, the hapū and iwi of that rohe. It is intended that the 'passport' provide for a principled commitment of safe and welcome passage, by both guest and host alike.

Technical experts in the social and cultural impact assessments have referred to the same Kaupapa as 'uru whenua' passport and 'oati' oath or undertaking. They refer to the same operating approach and tool.

### 3. Planning Assessment

Te Ara Tipuna extends through the Gisborne Region and Bay of Plenty Region and thus the relevant consenting authorities are:

- Gisborne District Council
- Ōpōtiki District Council
- Bay of Plenty Regional Council

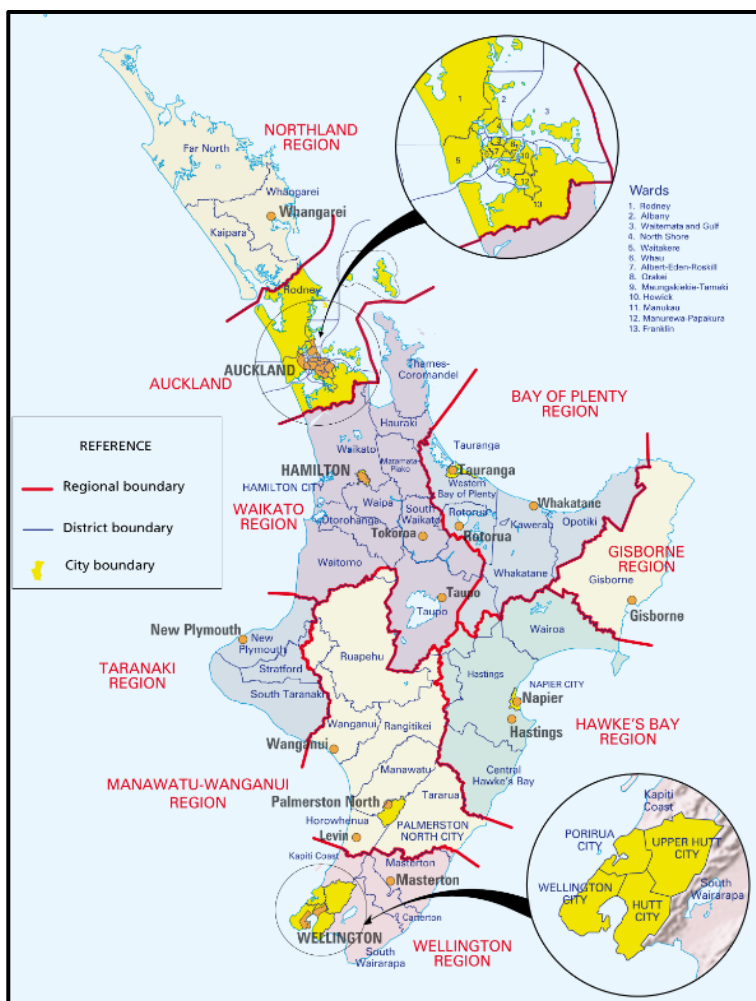


Figure 4 – Relevant Authorities (Source: [North-Island-PNG.PNG \(2480x3657\) \(lnz.co.nz\)](#))

Stage 1 needs to be considered under the following district and regional planning documents:

- District Plan - Tairāwhiti Resource Management Plan. This covers all Gisborne District Council’s resource management plans, including the regional policy statement, regional coastal plan, regional plan and district plan
- Bay of Plenty Regional Natural Resources Plan
- Ōpōtiki District Plan

An assessment of the Proposal against the relevant statutory documents has been undertaken and the following reasons for the specific required consents are identified. A detailed analysis of the rules under all the relevant planning documents is provided in **Appendix 3**.

### 3.1 Tairāwhiti Resource Management Plan

In terms of the provisions of the Tairāwhiti Resource Management Plan (TRMP), Resource Consent is required and sought for the following reasons:

#### Part D: Area Base Provisions

- Consent is required as a **Discretionary Activity** under Rule DC1.6.1(18) Significant Values Coastal Management Area for new structure (bridge) in the CMA.
- Consent is required as a **Discretionary Activity** under Rule DC2.6.1(21) General Coastal Management Area for new structure (bridge) in the CMA.
- Consent is required as a **Discretionary Activity** under Rule DD4.6.1A(19) for activities not listed as Permitted activities but which comply with the General Standards in the Rural Zone.

#### C3 Coastal Management

- Consent is required as a **Restricted Discretionary Activity** under Rule C3.14.3(9) for vegetation clearance in the Coastal Environment Overlay.
- Consent is required as a **Restricted Discretionary Activity** under Rule C3.14.3(10) for land disturbance in the Coastal Environment Overlay.
- Consent is required as a **Discretionary Activity** under Rule 3.14.3(13) for vegetation clearance, land disturbance and structures within 200m of MHWS.

#### C6 Freshwater

- Consent is required as a **Discretionary Activity** under Rule C6.2.12(7) for discharge of solids (clean material) in areas that will be within 20m of G15 Scheduled Waterbodies or significant vegetation/habitat.
- Consent is required as a **Restricted Discretionary Activity** under Rule C6.3.2(16) for placement of culverts in larger catchments.
- Consent is required as a **Discretionary Activity** under Rule C6.3.2(18) for erection of any structure (bridges) in the bed of a stream which is not otherwise provided for by a rule in the Plan.
- Consent is required as a **Restricted Discretionary Activity** under Rule C6.4.5(16) for vegetation clearance in the Riparian Management Area of Schedule G15 waterbodies.
- Consent is required as a **Restricted Discretionary Activity** under Rule C6.4.5(19) for vegetation clearance in the Riparian Management Area that exceeds 10m<sup>2</sup> per contiguous 100m of Riparian Management Area.
- Consent is required as a **Restricted Discretionary Activity** under Rule C6.4.5(20) for land disturbance in the Riparian Management Area (10m<sup>2</sup> of earth per contiguous 100m).
- Consent is required as a **Restricted Discretionary Activity** under Rule C6.4.5(21) for the erection of new structures or alteration or additions of existing structures in the Riparian Management Area.

### C7 Land Management

- Consent is required as a **Controlled Activity** under Rule C7.1.6(7) for ground levelling involving side cutting deeper than 1m in Land Overlay 1.
- Consent is required as a **Controlled Activity** under Rule C7.1.6(16) for side cutting over a contiguous length greater than 100m and the activity causes the disturbance of more than 50m<sup>3</sup> of soil on land in any 3-month period, in Land Overlay 2.
- Consent is required as a **Restricted Discretionary Activity** under Rule C7.1.6(30) for side cutting over a contiguous length greater than 100m and the activity causes the disturbance of more than 10m<sup>3</sup> of soil on land in any 3 month period, in Land Overlay 3.

### C9 Natural Heritage

- Consents are required as a **Restricted Discretionary Activity** for Vegetation clearance (Rule C9.1.6(10)), Land Disturbance (Rule 9.1.6(12)), Erection of Structures (Rule 9.1.6(13)) in the Outstanding Landscape Area Overlay.
- Consents are required as a **Restricted Discretionary Activity** for Vegetation clearance (Rule C9.1.6(23)), Land Disturbance (Rule C9.1.6(25)) and Erection of Structures (Rule 9.1.6(26)) in the Protected Management Area Overlay.

### C11 General Controls

- Consents are required as a **Discretionary Activity** for signs in Natural Heritage Overlay which are not provided for as Permitted or Restricted Discretionary- All zones, Rule C11.1.6(8), Signs not specifically provided for as Permitted or Restricted Discretionary activities- All Zones, Rule C11.1.6(10), Permanent signs located in Natural Heritage Overlay and are not provided for as Permitted or Restricted Discretionary activities- Rural zone C11.1.11(3) and Signs listed as Permitted in the Rural Zone which do not comply with the rules and are not provided for as Restricted Discretionary Activities (For signs within Road Reserve) C11.1.11(4).

In summary, the Proposal requires assessment as a Discretionary Activity under the TRMP.

## 3.2 Bay of Plenty Regional Natural Resources Plan

In terms of the provisions of the Bay of Plenty Regional Natural Resources Plan (RNRP), Resource Consent is required and sought for the following reasons:

### Chapter 5- Land Management

- Consent is required as a **Restricted Discretionary Activity** under Rule LM R3 (Rule 1B) for disturbance of land and soil as a result of earthworks in Riparian Management Zone (General) for stream crossings not meeting the permitted volumes and/or for exposing 500m<sup>2</sup> and 500m<sup>3</sup> excluding stream crossings.
- Consent is required as a **Discretionary Activity** under Rule LM R4 (Rule 1C) for land and soil disturbance as a result of earthworks in the Coastal Land between 0-50m metres of the Coastal Marine Area (CMA) on Sand Dune Country, Coastal land between 0-20 metres of the CMA on the Coastal Margin, earthworks in the Coastal Margin between 0-20 horizontal metres as measured from the CMA on the edge of an estuary, harbour or the open rocky coast, Land disturbance for river crossings in Riparian Areas of waterbodies in Schedule 1 (over 600m<sup>2</sup>) in

each crossing and land disturbance exposing over 400m<sup>2</sup> in area and volume greater than 200m<sup>3</sup>, excluding stream crossings.

#### Chapter 8- Beds of Water Bodies

- Consent is required as a **Restricted Discretionary Activity** under Rule BW (Rule 51c) for extension and upgrade of any existing lawfully authorised structure (Clip on Bridges).
- Consent is required as a **Controlled Activity** under Rule BW R21 (Rule 60A) for the use, erection, alteration of a single span bridge.

In summary, the Proposal requires assessment as a Discretionary Activity under the RNRP.

### 3.3 Ōpōtiki District Plan

In terms of the provisions of the Ōpōtiki District Plan, Resource Consent is required and sought for the following reasons:

#### Chapter 8- Rural Zone

- Consent is required as a **Controlled Activity** for the signs in the Rural Zone under Rule 8.6.16.2.
- Consent is required as a **Controlled Activity** for public toilets in the Rural Zone under Rule 8.3.2.1

#### Chapter 9- Coastal Zone

- Consent is required as a **Controlled Activity** for Community and outdoor recreation activities where any buildings and structures are less than 100m<sup>2</sup> in area under Rule 9.3.3.1.1 and for the signs in the Coastal Zone under Rule 9.3.3.1.6. and for public toilets in the Coastal Zone under Rule 9.3.3.1.5

#### Chapter 10- Coastal Settlement

- Consent is required for a **Controlled Activity** for non-residential activity not specifically provided for, which meets the zone standards, in accordance with Rule 10.3.2.1.7 and for public toilets in the Coastal Settlement zone under Rule 10.3.2.1.4

#### Chapter 13 Earthworks, Landscapes, Indigenous Vegetation and Habitats

- Consent is required as a **Discretionary Activity** for disturbance of any Pohutukawa tree within all zones.
- Consent is required as a **Discretionary Activity** for indigenous vegetation disturbance within an IBDA A that is within the Coastal Environment Overlay under Rule 13.3.2.4.
- Consent is required as a **Restricted Discretionary Activity** for indigenous vegetation disturbance within an IBDA B that is within the Coastal Environment Overlay under Rule 13.3.2.5.
- Consent is required as a **Controlled Activity** for indigenous vegetation disturbance for construction of new walking and cycling tracks up to 1.5m in the Outstanding Natural Landscapes, Outstanding Natural Features and Coastal Environment Overlay under Rule 13.3.2.12.
- Consent is required as a **Discretionary Activity** for earthworks that do not comply with the standards 13.6.2 in the Outstanding Natural Landscapes and Outstanding Natural Features under Rule 13.3.3.5.

- Consent is required as a **Restricted Discretionary Activity** for earthworks that do not comply with the standards 13.6.2 in the Coastal Environment Overlay and the Coastal Zone under Rule 13.3.3.5

#### Chapter 18- Natural Hazards

- Consent is required as a **Discretionary Activity** for activities located within Areas Sensitive To Coastal Hazards. It becomes a **Controlled Activity** if the application includes a Coastal Hazard report which concludes that the activity will not result in an increase of adverse effects from coastal hazards under Rule 18.3.3.2.

In summary, the Proposal requires assessment as a Discretionary Activity under the Ōpōtiki District Plan.

### 3.4 Resource Management (National Environmental Standard for Assessing & Managing Contaminants in Soil to Protect Human Health) Regulations 2011

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES Contaminated Soils) were gazetted on 13th October 2011 and took effect on 1st January 2012. Council is required by law to implement this NES in accordance with the RMA. The standards are applicable if the land in question is, or has been, or is more likely than not to have been used for a hazardous activity or industry and the applicant proposes to subdivide or change the use of the land, or disturb the soil, or remove or replace a fuel storage system.

The desktop assessment undertaken for the Project has not identified any current or previous activities undertaken in the area of the site that are included on the current version of the Hazardous Activities and Industries List (HAIL). As such, it is considered that there aren't any properties that constitute a 'piece of land' covered under Section 5(7) of the NES, and therefore, the NES is not considered applicable to Stage 1.

Should any HAIL sites be identified during the Stage 1 detailed design process either the track will be relocated to avoid the site or a resource consent will be sought under the NES Contaminated Soil provisions.

### 3.5 Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (came into force on 3 September 2020)

The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 (NES-FW) came into force on 3 September 2020. The NES-FW set out requirements for carrying out certain activities which pose risks to freshwater and freshwater ecosystems.

In particular, the NES-FW has standards for activities near to or within a natural wetland.

A natural wetland is defined in the National Policy Statement for Freshwater Management as “a wetland (as defined in the Act) that is not:

- (a) a wetland constructed by artificial means (unless it was constructed to offset impacts on, or restore, an existing or former natural wetland); or
- (b) a geothermal wetland; or
- (c) any area of improved pasture that, at the commencement date, is dominated by (that is more than 50% of) exotic pasture species and is subject to temporary rain derived water pooling”.

The NES-FW states vegetation clearance or earthworks within 10m of a wetland requires a non-complying resource consent, any discharge within 100m of a wetland where there is a hydrological connection, and the diversion will change the hydrological function requires non-complying resource consent.

The pedestrian track, and any construction activities, have been located to ensure that they do not trigger any consents under the NES-FW.

Should any wetlands be identified during the detailed design process either the pedestrian track will be relocated to avoid the wetland (or any effects upon it) and any consent triggers under the NES:FW, or a resource consent will be sought under the NES:FW provisions. On this note it should be recognised that the NES-FW provides for wetland utility structures (i.e. boardwalks) as a Restricted Discretionary activity (s42). The definition of the wetland utility structure is provided below:

**wetland utility structure—**

- (a) means a structure placed in or adjacent to a wetland whose purpose, in relation to the wetland, is recreation, education, conservation, restoration, or monitoring; and
- (b) for example, includes the following structures that are placed in or adjacent to a wetland for a purpose described in paragraph (a):
  - (i) jetties:
  - (ii) boardwalks and bridges connecting them:
  - (iii) walking tracks and bridges connecting them:
  - (iv) signs:
  - (v) bird-watching hides:
  - (vi) monitoring devices:
  - (vii) maimai

### 3.6 Overall Activity Status

Overall, the activity status of the Proposal is **Discretionary** under the TRMP.

Overall, the activity status of the Proposal is **Discretionary** under the RNRP.

Overall, the activity status of the Proposal is **Discretionary** under the Ōpōtiki District Plan.

All relevant resource consents for Stage 1 have been considered and are applied for within this Application. However, please treat this as a full Application to cover any other aspects of Stage 1 that Council consider requires resource consent.

## 4. Activity Status Assessment Framework and Approach to Consenting

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### 4.1 Activity Status Assessment Framework

Overall, the Proposal is a Discretionary activity under the TRMP, Ōpōtiki District Plan and RNRP. The matters that require consideration in assessing this Application are set out in section 104 and section 104B of the RMA. These matters include the actual and potential effects of allowing activities on the environment, the relevant objectives and policies of the planning documents, and any other matter that is relevant and necessary to determine the Application. The provisions of section 104 are subject to the matters set out in Part 2 of the RMA.

The following sections of this Application will address the relevant assessment criteria, the actual and potential effects of the Proposal on the environment, the relevant objectives and policies and the relevant provisions of Part 2 of the RMA.

### 4.2 Approach to Consenting

Given the geographic scale of the Proposal within the Application documentation material we have provided general parameters outlining the scope of work sought by the consents and listed the sites over which Stage 1 will be implemented.

The potential consent triggers have been identified and global consents are sought.

The Application includes a set of proposed conditions (**Appendix 19**) which require the implementation of management plans to manage effects. The proposed conditions prescribe clear objectives and outcomes of each management plan to ensure that effects on the environment will be appropriately managed.

Management Plans have been included for Landscape (**Appendix 13**) and Ecological Values (**Appendix 20**) as well as a Construction (**Appendix 7**) and Historic Heritage Management Plan (**Appendix 22**).



## 5. Assessment of Effects on the Environment

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An assessment of the actual and potential effects generated by the Proposal is outlined below. In accordance with section 95D of the RMA this assessment has disregarded any effects on persons who own or occupy the site and any land adjacent to the site, adverse effects of permitted activities, trade competition and the effects of trade competition and any effects on a person who has given written approval to the application.

### 5.1 Assessment of Actual and Potential Effects

The effects of the Proposal have been separated into the following categories for assessment:

- 5.1.1 Positive Effects
- 5.1.2 Landscape and Visual Effects
- 5.1.3 Heritage and Archaeological Effects
- 5.1.4 Cultural Effects
- 5.1.5 Social Effects
- 5.1.6 Recreational Effects
- 5.1.7 Traffic Effects
- 5.1.8 Ecological Effects
- 5.1.9 Coastal Hazard Effects
- 5.1.10 Geotechnical Effects

#### 5.1.1 Positive Effects

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There are significant and wide-reaching positive effects that will be generated by the wider Project and more specifically the current Stage 1 Proposal.

From a cultural perspective, a key positive effect is the opportunity for beneficial cultural impacts. That is because the Proposal has the ability to positively impact cultural identity by supporting Iwi and Hapū, and all East Coast communities, strengthen, sustain, celebrate and share their cultural identity amongst themselves, with other New Zealanders and with international visitors. Educational potential will be realised through the development of local curricula around flora and fauna, land use, social studies and history. Cultural and indigenous experience and exchanges can provide enriching insights and relationships to strengthen the region. There will be opportunities for matauranga and science-based collaborations in a climate challenged and adapting environment, for the restoration and regeneration of biodiversity aligned with Te Ara Tipuna. Together with these possibilities, carefully designed and agreed tourism growth could occur providing possibilities for local enterprise.

Further, Te Ara Tipuna traverses a rich and unique archaeological and cultural landscape. Some places in the landscape are well-known, such as Hikurangi Maunga, but many sites remain obscure or may only be revealed by activities like the Project. Te Ara Tipuna is envisaged as a track that reconnects people (tangata whenua), the Iwi diaspora, with ancestral landscapes through the ability to visit and physically experience the place. Te Ara Tipuna also offers a unique opportunity to raise the awareness of the wider

visitor population to the people, places and past of Te Tairāwhiti and Te Moana a Toi. The track offers the opportunity of access to a number of well-preserved archaeological sites, which will enhance the amenity value of many sites. The visitor experience and understanding of places will also be aided through the provision of interpretation. Careful routing of the track in combination with planting and devices to guide movement will in many cases improve the conservation of sites by enhancing site stability and condition. Mitigation of effects through the provisions of the Heritage New Zealand Pouhere Taonga Act 2014, providing for appropriate archaeological monitoring, investigation and recording will also enhance understanding of the nature and extent of the archaeological resource of Te Tairāwhiti and eastern Te Moana a Toi.

In addition, there are the significant recreational opportunities for those isolated coastal communities; people will be able to access parts of the rohe that are currently inaccessible.

As demonstrated above, there are significant positive effects that will result from Te Ara Tipuna as both a whole and in each of the stages.

### 5.1.2 Landscape and Visual Effects

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A Landscape and Visual Assessment (LVA) and a LMP has been prepared by Isthmus – a copy of such is included within **Appendix 13**. The evaluation considers the landscape catchments and sequence of destinations within each section of the track for both Stage 1 and Stage 2 and the existing features and patterns that contribute to landscape values including:

- a. identified Outstanding Natural Features and Landscapes (ONFL) within the Gisborne and Ōpōtiki Districts with reference to scheduled values.
- b. Natural and built/community landscape characteristics including features that contribute to natural character (as natural character includes biophysical and perceptual matters).
- c. the visual amenity of the landscapes of Te Ara Tipuna relating to existing views and the likely viewing audiences of the path.
- d. planning overlays that are relevant in each district and as they address the biophysical, perceptual, and shared and recognised components of landscape.

The LVA has been conducted alongside development of a LMP. The LMP supports the effects assessment through the methods it sets out to avoid, remedy and mitigate adverse effects of the concept design. The LMP forms part of the consent package.

Te Ara Tipuna follows a varied route, generally close to the coast and within the coastal environment (as identified on Gisborne Regional Council, Ōpōtiki District Council and Bay of Plenty Regional Council planning maps). In many locations it is aligned with existing recreation tracks, beach areas above high tide, farm tracks and unformed legal (paper) roads. In other areas it will be located alongside SH35 and formed local roads. In places the route crosses through whenua Māori and private land, as negotiated/to be negotiated with landowners.

The process of confirming the concept alignment has followed an iterative process with the wider Project Team of effects specialists with avoiding inappropriate adverse effects as a first principle. From a visual and landscape assessment perspective, the path has been located (as far as is possible) to:

- a. avoid sensitive environments such as coastal escarpments, areas with indigenous vegetation and dune and wetland environments (including those scheduled in planning documents and identified on high-resolution desktop study).
- b. avoid road reserves where the carriageway is confined and there are narrow shoulders or limited open and relatively level areas within the road reserve.
- c. avoid the use of unformed legal roads where existing tracks exist and where they are near existing formed roads, and their use would result in indigenous vegetation removal and / or additional cut batters near those already apparent on the legal road.
- d. use existing tracks as a preference outside of the road reserve (such as farm tracks - identified on high-resolution photographs and to be confirmed with landowners) as they often follow the natural contours and may not require any other works, other than sightline wayfinding markers.
- e. provide for logical egress in and out of existing communities using existing cadastral patterns – to avoid oblique connections, on and off a road reserve alignment particularly near spurs (tight corners for vehicles).

Potential adverse landscape and visual effects of the Proposal (noting that the LVA was based on the entire Project) include:

- a. the modification of natural landforms, vegetation (particularly indigenous vegetation), waterways, hydrological patterns, and habitats. Including the height and extent of cut and fill batters.
- b. the location and design of the path in all areas of the coastal environment and where they interact with waterbodies and its fit with the existing context, to include low-key, non-roading type components.
- c. the nature and extent of any new planting, including for rehabilitation of the footprint or any other required mitigation, and how these fit with naturalised patterns in the environment, including known historical habitat types.
- d. the requirement for new bridges and new natural (non-bridged) stream and river crossings including over waterways and their fit with the existing built landscape.
- e. the nature and extent of other new structures, and their relative dominance and qualities or fit within the existing context.
- f. a loss or reduction to visual or physical access to the coastal environment and waterways for example due to the path structures or proposed rehabilitation planting.

For each geographic section of the Proposal in turn, the assessment describes:

- a. the existing environment, as a summary of the baseline evaluation.
- b. the relevant aspects of the Proposal which will determine landscape effects in this Proposal.
- c. further investigation required at the detailed design stage, to avoid adverse effects through alignment and path type design refinement.
- d. a high-level summary assessment of the residual effects (including LMP mitigation) on ONFL (where relevant), natural and built landscape, visual amenity, and natural character with a view to both construction and operational effects.

The LVA concludes:

*Overall, the findings of this assessment are that the effects of Te Ara Tipuna on ONFL, landscape, visual amenity, and natural character will be appropriate. The Project shaping stages, including iterative review and feedback on landscape matters, have confirmed a concept alignment and options for path types and new structures that bring a focus on avoiding adverse effects and practicable mitigation measures, as included in the LMP. Landscape matters to resolve in the next stages of the design relate to both detailed alignment and response to site, to further reduce adverse effects and provide for greater benefits.*

The LVA and LMP concludes that the landscape and visual effects of the wider Project (i.e. both Stages 1 and 2) are less than minor). Stage 1 which is the subject of this Application requires the least amount of physical works (compared to the Project as a whole) and as such will result in minimal landscape and visual effects.

### 5.1.3 Heritage and Archaeological Effects

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A historic heritage assessment has been prepared by Insitu Archaeological Heritage – a copy of such is included in **Appendix 9**.

In preparing this assessment Insitu created a shapefile which identified:

1. Areas where the Proposal will encounter archaeological sites
2. Areas where there is a reasonable cause to suspect archaeological sites will be encountered
3. Areas where there is a low probability of encountering archaeological sites

It is acknowledged that the Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. Any work that may affect an archaeological site requires an authority from Heritage New Zealand before commencement.

Part C4 of the TRMP relates to cultural heritage, recognised as comprising archaeological sites, wāhi tapu and wāhi tapu areas, heritage buildings, places, and precincts. The TRMP incorporates four heritage overlays, including Archaeological Sites & Areas (Overlay 2) to assist with the protection and management of historic heritage. Overlay 2 includes information from the Heritage New Zealand List, NZAA Site Recording Scheme and archaeological surveys; the sites are also listed in a Schedule in Appendix 1 of the TRMP. The TRMP includes rules associated with each heritage overlay.

The Ōpōtiki District Council Plan defines heritage resources, as any historic place, wāhi tapu, archaeological site (as defined under the Heritage New Zealand Pouhere Taonga Act) and items including notable trees, objects or features. Chapter 14 of the Plan provides a set of rules for the management of heritage resources, as well as lists of wāhi tapu, heritage items from The Heritage New Zealand List Rārangī Kōrero and notable trees.

The historic heritage assessment categorises potential historic heritage effects into three categories for the purpose of their assessment, namely:

- *Green Zones are those areas where no archaeological or other historic heritage features were observed and where the possibility of encountering intact subterranean features is assessed to be low. The potential for effects on historic heritage values in these areas have been assessed to be less than minor. Works in these areas can proceed under an Archaeological Site Discovery Protocol (ASDP).*
- *Yellow Zones are those where no direct evidence of archaeological sites or historic heritage features was observed, but where subterranean or unidentified sites are considered likely to occur based on landscape context or secondary information (e.g., from historical survey plans). Further archaeological advice must be sought prior to any earthworks being carried out in such areas. This advice will determine whether areas designated yellow in this assessment are reassigned to either the green or red zones and how they will be managed in terms of the Heritage New Zealand Pouhere Taonga Act archaeological authority process.*
- *Red Zones are those where historic heritage places and/or archaeological sites recorded in the NZAA Site Recording Scheme are crossed by the ara, or where remote sensing techniques provided clear evidence that unrecorded sites are present in the construction footprint of the trail. An archaeological authority from Heritage New Zealand must be sought and obtained prior to any earthworks in these areas. Further archaeological assessment, including field visits, and the development of site instructions and/or management plans will be required to support any application for an archaeological authority. The effects on historic heritage places in red zones will be managed by either avoidance, minimisation of effects or mitigation under the Heritage New Zealand Pouhere Taonga Act provisions.*

The primary type of historic heritage place present in the Proposal area is archaeological sites.

In Green Zones the possibility of effects on archaeological sites and historic heritage places is assessed to be very low. Green Zones are characterised by the use of formed tracks, low use roads or highly modified areas where it is highly unlikely that archaeological or historic heritage features were present or remain in situ. The potential for effects on historic heritage are assessed to be less than minor in these areas, and therefore an Archaeological Site Discovery Protocol is the appropriate effects management tool in these areas.

Yellow Zones represent areas where there is no direct evidence of effects, but where secondary evidence or specific landscape context suggests sites may be present. Yellow zones require further archaeological assessment and advice when further detail of construction methodology and finalised routes are available. That assessment and advice will be used to determine whether areas categorised as yellow zone can be reassigned to either green or red zones.

Red Zones are those where there is clear evidence that Proposal passes over or through archaeological or historic heritage sites. Like Yellow Zones, further archaeological assessment is required in these areas to identify the specific effects of track construction on sites. This assessment will follow Heritage New

Zealand Pouhere Taonga guidelines and will include archaeological field survey and fine-grained desk-based analysis. In areas where the further assessment identifies construction of the ara will have effects on archaeological sites an application will be made under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014 for a general authority to modify or damage archaeological sites prior to all ground disturbing works. The effect on sites will be mitigated in a variety of ways including, modification of the route to avoid visible surface features, archaeological monitoring and excavation and construction methodologies that minimise the potential for effects and limit on-going visitor impacts.

On the basis of the Historic Heritage Assessment provided by Insitu Archaeological Heritage and the measures proposed in the Application, it is considered that any adverse effects on heritage and archaeology will be less than minor.

#### 5.1.4 Cultural Effects

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A Cultural Impact Assessment (CIA) has been prepared by Pahou and Associates Ltd; a copy of which is contained in **Appendix 10**.

Due to the scale of the Proposal (approximately 400 land blocks, upwards of 60 Hapu, 4 Iwi, 20 communities), and the economic engagement with all key parties in this stage of the Project, the CIA report did not delve deep into the actual cultural impacts for each specific site. Rather the CIA sets out a framework and a set of high-level principles that will form the basis of the other detailed CIA reports that will stem from it.

Notwithstanding the above limitations, Te Rūnanganui o Ngāti Porou (Ngāti Porou iwi authority/PSGE) has fully endorsed Te Ara Tipuna, and endorsement will be sought from Te Whanau a Apanui, Ngai Tai ki Torere and Te Whakatōhea.



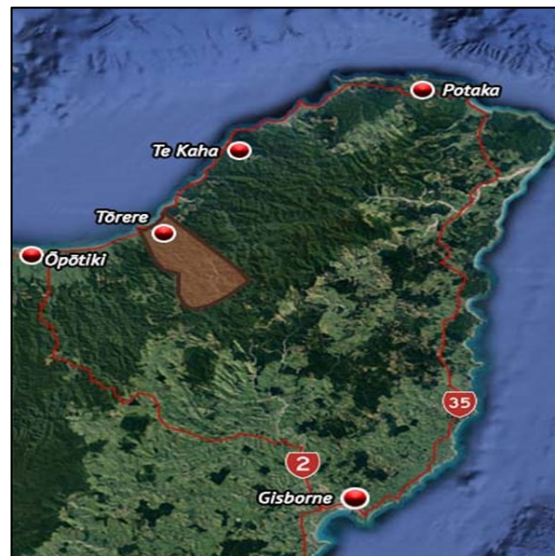
Ngāti Porou geographical area (Source: Te Puni Kokiri)



Te Whanau a Apanui geographical area (Source: Te Puni Kokiri)



Ngai Tai ki Torere geographical area (Source: Te Puni Kokiri)



Ngai Tai ki Torere geographical area (Source: Te Puni Kokiri)

The CIA states that:

*Ngāti Porou, Te Whanau a Apanui, Ngai Tai and Te Whakatōhea have rich histories, strong cultural infrastructure, and lofty ambitions for the future of their people, communities,*

*environment, and way of life. Te Ara Tipuna takes a bottom-up approach to building sustainable enterprise and wellness by investing in cultural infrastructure, capitalising, and enhancing existing cultural wealth and rebuilding the ethos required to ensure the culture thrives and flourishes across the region and into the future. Whenua, Whanau, Waiu – Land, People, Sustenance in a virtuous circle.*

*Te Ara Tipuna is a catalyst for investment in sustainable infrastructure in Te Tairāwhiti, manifesting as a network of ara/accessways around the East Coast for local communities and visitors to hike, bike and trek.*

*Te Ara Tipuna takes a different approach by seeking to create a whenua-based artery around Te Tairāwhiti that will sustain cultural, economic, social rejuvenation. It provides cultural and relational connections and stimulus for businesses and employment services, and unique experiences for both the uri (descendants) of the land and the manuhiri (guests) who visit. It will provide a springboard for multi-level, intersectoral collaboration between landowners, hapu, iwi, central, local government, and the private sector to leverage cultural and environmental collateral, invigorate economic prosperity and uplift social wellbeing.*

The CIA goes on to discuss cultural impacts and states the following:

*While there are a range of cultural impacts that will be identified in more detail in successive cultural impact assessments by the near completion of this project. These successive CIA will form the initial framing of the narrative for particular areas by whanau, hapu and land owners, for the purposes of this report they have been characterised as high level impacts with the appropriate preventative, elimination and or mitigation process advised.*

*Mana Whenua – Whanau, landowners, Hapu and Iwi hold mana whenua, which means they can exercise rangatiratanga over decision made in regard to areas under their direct purview.*

*Access – This speaks to the rights of the landowner, Hapu, Marae and in some cases Iwi to restrict access to certain areas for specific purposes, some of these purposes may include certain activities that are being carried out in a particular place at a particular time. Some might include restrictions due to health and safety concerns.*

***Recommendation*** – *Scope out identified activities and prepare a schedule to help inform users of the track of any restrictions and kawa and tikanga that needs to be adhered to.*

*Cultural Knowledge – Those people who visit and use the track might have a lack of cultural knowledge and information to respectfully engage with different sites, waahi tapu on the track.*

***Recommendation*** – *Develop a Aru-whenua or ‘passport system’, accompanied by an Oati ‘Oath’ to adhere to identified Tikanga and Kawa in specific areas.*



*Construction – any construction on identified sites of significance has the possibility of further damaging the existing site.*

***Recommendation*** – *Development of a Risk appetite statement alongside whanau, landowners, Hapu and Iwi and where applicable relevant agencies to determine an acceptable risk tolerance for construction on, in and around specific sites.*

*Hononga/relationship – The relationship people have with the land is intrinsic, construction, traffic and other such activities could impinge on this relationship.*

***Recommendation*** – *Any finalised construction and design work should be done in consultation with landowners, whanau, hapu, and Iwi where applicable.*

*Korero tuku iho/ whanau, hapu, iwi narratives- Landowners, whanau, hapu, and iwi will have control of the narratives, descriptions and information that is shared with walkers, cyclists and trekkers over their part of the trail.*

All of the above recommendations are accepted and have been incorporated into the Proposal.

The CIA discusses cultural opportunities and outlines the significant opportunities available to whanau, landowners, hapu, and iwi by Te Ara Tipuna. Noting that the earlier introduction of a kaitiakitanga kawa, or code of care, and the device of a passport, intends that there be a consistent, whole of track set of expectations, there will be provision for the respect of the specific interests within each rohe as indicated by the following:

***Mana Whenua*** – *this will provide the aforementioned groups with the ability to practically apply rangatiratanga and mana over the areas under their direct control. This project will also provide the opportunity for these groups to practically exhibit the roles and responsibilities that come with the exercising of rangatiratanga.*

***Access*** – *this will support landowners, whanau, hapu, and iwi to exercise rangatiratanga by determining when and how access to areas will be given and supplementary to this, what parts of the area can be accessed.*

***Cultural knowledge*** – *this holds the greatest opportunity, not only for the users of the track but more importantly for the landowners, whanau, hapu, and Iwi. This will allow for greater access to sites of significance, to the matauranga held in, on and around these sites, to the ecology and eco-systems that make up these sites. The cultural knowledge that will be accessed through this project will help to rejuvenate the people and place.*

*Part of the development of the Aru-whenua and framing of the Oati will help in the articulation of Kawa and Tikanga for each area thereby contributing to the creation of resources for all those involved.*

*The Aru-whenua and Oati will also provide landowners, whanau, and hapu with the opportunity to design and develop the collateral (narratives, story boards) for signage and apps, for their stretch of Te Ara Tipuna, allowing them the opportunity to tell their stories in their way. This will also contribute to the corpus of whanau, hapu, and Iwi cultural resources in the future.*

*Construction* – the planned construction for this project will serve to enhance the natural features of the area by causing negligible to minimal disturbance where possible. In some instances, it will provide an alternative accessway in civil emergency situations. It will provide an aesthetically pleasing infrastructure that will attract and encourage locals to walk these tracks which will contribute towards healthier outcomes for people.

*Hononga/Relationship* – This provides the opportunity to deepen the relationship whanau, hapu and iwi have with their land and therefore their natural resources. It provides one of the best opportunities for the descendants of these lands to connect, reconnect with the land, familiarise or re-familiarise themselves with their 'pepeha', so not only will they know their pepeha, but their pepeha will also know them.

On the basis of the CIA provided by Pahou and Associates Ltd, it is considered that the Proposal will provide a number of cultural opportunities and will have positive cultural effects.

### 5.1.5 Social Effects

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A Social Impact Assessment (SIA) has been prepared through a collaboration between Rau Tipu Rau Ora (RTRO) and Tuara and Health Families East Cape (HFEC). A copy of this report is included within **Appendix 15**.

The SIA has been carried out in the context of the proposed Te Ara Tipuna Project being approved and completed. It is largely a “desktop” review based on information and insights collected from iwi profiles and reports, council plans, statistics, government policy, agency plans, media, literature and oral traditions.

Ten landowner and community engagement hui were scheduled between late April and early July 2023. Ten hui have been completed. The purpose of the hui was to inform landowners and communities of the Project, provide relevant background information, including a full set of maps and canvas the views of hui attendees on potential benefits and risks arising from the Project. The Project team will conduct a subsequent series of consultation hui with landowners to seek their advice and agreement on the exact location of the track on their property, the prevailing kawa and tikanga and the content and presentation of narratives, signage and promotional material.

The engagement hui were led and facilitated by the Te Ara Tipuna project management team and supported by Rau Tipu Rau Ora and Healthy Families East Cape. The engagement hui were a valuable opportunity to hear first-hand from landowners, hapu and community members about any potential risks, benefits and recommendations that they identified and use this feedback to inform the SIA. Six overarching themes emerged from the engagement hui in relation to the social impact of the Project; these are shown in **Figure 5** below:

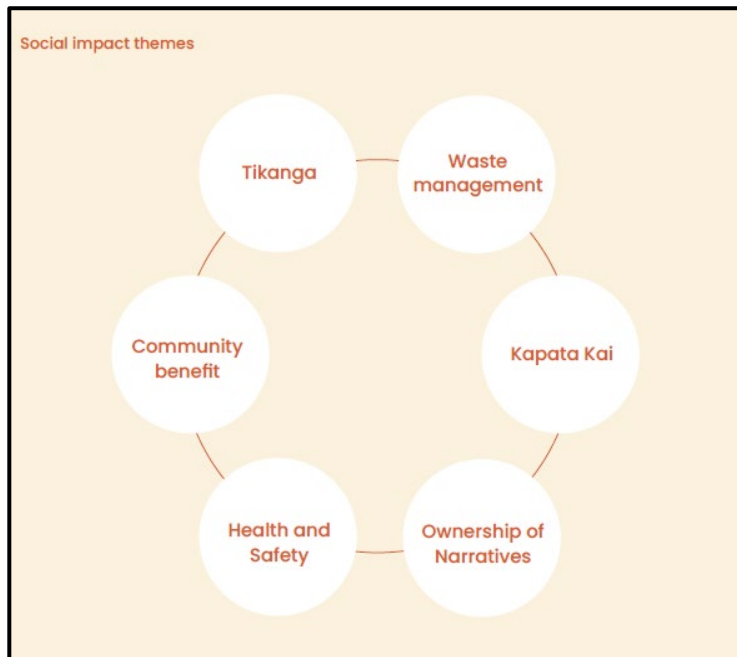


Figure 5 – Social Impact Themes

### Tikanga

The key theme of tikanga and cultural integrity was heard widely throughout the region at each engagement hui. Whānau and landowners were vocal around ensuring the cultural integrity of whanau and hapu. There was also korero and questions around what plans were in place to protect local tikanga practices relevant to each hapu and iwi.

### Waste Management

Concerns regarding waste management and waste minimization was a consistent theme at the engagement hui. Surging amounts of waste affect our country, with a reported 30% of waste in the Tairāwhiti region stemming from food wastage. Landowners and whanau shared that they are worried about the waste impact from manuhiri (visitors) in our region because of Te Ara Tipuna.

### Kāpata Kai

It was evident through engagement hui and conversations with whānau and landowners that the placement of the ara should prioritise the protection and growth of traditional kai sources, and support opportunities for local communities to access kāpata kai across te ara.

### Ownership and Narratives

The hapu and whānau along te ara, need to provide the content and decide what narratives are shared about their section of te ara. The preference is for hapu and whanau to use their own people to narrate the stories in their own words, to ensure the authenticity and integrity of the narratives shared throughout te ara. The consensus from attendees at the engagement hui was that landowners and hapu need to have editorial control over the narratives produced for their part of te ara.

### Health and Safety

Health and safety measures for manuhiri, landowners and whānau is of the utmost importance. Queries were raised about proposed measures to protect and keep hau kainga safe, and the need for health

and safety guidelines to provide advice on how to manage the health and safety risks along te ara, including guidance on the people and times people access te ara, on their whenua.

### Community Benefit

Landowners were clear on the need to prioritise opportunities for locals in terms of job opportunities, and utilising hapū networks, skills and expertise in the construction and operation of Te Ara Tipuna.

The assessment of potential social impacts are classified as either positive or negative, dependent on whether the expected social consequences derived from the development enhance or diminish whanau, hapū, iwi, community values and social infrastructure.

The matters considered as part of the SIA are summarised below:

- Way of life: Impacts on people’s daily routines caused by construction activities and/or operational arrangements. Impacts on people’s commuting/travelling times, their experience of travel, and their ability to move around freely. Impacts on people’s experience of privacy, peace, and quiet and enjoyment, especially if affected by increased noise. Impacts on people’s general experience of life in their community.
  - o Te Ara Tipuna provides major opportunities to support existing and new growers to achieve greater produce and diversity and extended production seasons
  - o Through consultation and management of the construction activity the potential ‘way of life’ impacts can be managed to ensure any potential impact is minimised
  - o The placement of the ara can support access to traditional kai sources, leading to positive impacts
- Community and Accessibility: Composition - impacts on demographic characteristics and community structure. Can be changed by in-migration and out-migration over time, including the presence of newcomers and loss of longer-term residents or sections of the community. Also, inflow/outflow of temporary residents, e.g., during construction.
  - o The Project will provide infrastructure for an alternative pedestrian route (as part of Stage 1), and cyclist and horse trekker access route (as part of a potential future Stage 2), with provision for appropriate emergency vehicles in some sections of the track only during emergencies, thereby providing greater resiliency for whānau, hapū, iwi and communities.
  - o There is minimal public transport provision around the East Coast. Increases in visitor numbers to Te Tairāwhiti will significantly enhance the viability of Council or community led public transport initiatives, as well as opportunities for low carbon electric mobility options, i.e., electric vehicles and Ebikes is considered more viable. Low carbon options will benefit both visitors to the region and locals.
- Culture: Indigenous and non-indigenous cultures, including shared belief systems, customs and values. Incorporates stories and connections to whenua and the built environment.

- Te Ara Tipuna will provide opportunities for mana whenua, to practically exhibit the roles and responsibilities that come with the exercising of rangatiratanga.
  - Landowners, whānau, hapū, and Iwi will have greater access to sites of significance, to the matauranga held in, on and around these sites, to the ecology and eco-systems that make up these sites. The cultural knowledge that will be generated and shared through this Project will help to rejuvenate the people and place.
  - The proposed Aru-whenua and Oati will also provide landowners, whānau, and hapū with the opportunity to design and develop the collateral (narratives, story boards) for signage and apps, for their stretch of Te Ara Tipuna, allowing them the opportunity to tell their stories in their way. This will also contribute to the corpus of whanau, hapu, and Iwi cultural resources in the future.
- He Tangata: WHAKAPAPA is the most important thing - the people to whom we are connected - and the understanding that we are people through other people, and all that they represent in terms of knowledge, experience and place.
- The opportunities for relationships and connections under this Project have no bounds.
  - The relationships and connections created at a systems level during the preparation and through undertaking the Project, are multi-level and cross-sector.
  - Te Ara Tipuna will reinforce connection and contribution through whakapapa, and activity between and amongst communities.
- Livelihoods: People's capacity to sustain themselves.
- Te Ara Tipuna will be the wellspring of local level enterprise and economic development, of environmental protection, development and sustainability, of work, wealth and wellbeing, of family, whanau and community.
  - Te Ara Tipuna will generate more possibilities of uri (descendants) returning to live and work at home and contribute their skills and capabilities to growth and development of the Coast.
- Health and Wellbeing: A holistic view of hauora (physical and mental wellbeing) with focus on the wellbeing of individuals within communities, and consideration for those who may be vulnerable to substantial change.
- Te Ara Tipuna will act as a stimulus for whānau to engage in recreation pursuits that will not only improve their physical, mental and emotional health but strengthen their self-determination, identity and connection to the environment.
  - Te Ara Tipuna provides an alternative route during an emergency.
- Decision Making Systems/Power Dynamics: Whether people experience procedural fairness and can make informed decisions. Whether people are enjoying the power to influence decision and can access mechanisms when complaints or grievances are experienced.
- Te Ara Tipuna is a platform for partnering with central and local government, agencies and industry, to create the capillaries of local level enterprise and economic

development, movement and connection, through building the infrastructure of the ara (access ways) and ancillary amenities from Gisborne to Ōpōtiki.

- Te Ara Tipuna takes a different approach by seeking to create a whenua-based artery around Te Tairāwhiti that will sustain economic, social and cultural rejuvenation. It will be the springboard for a multi-layer across- government approach that supports the area to thrive.
- The aim of the track is to deliver positive community outcomes which include creating something for visitors to enjoy, providing opportunities to build stronger and wealthier communities and a better place to live in.

The assessment determines that the effects of the Project on all of the above matters are positive. The SIA goes on to conclude the following:

*Based on the above considerations, it is concluded that there is sufficient demand for the proposed Te Ara Tipuna Trail.*

*Te Ara Tipuna will create the conditions in which Ngāti Porou, Te Whānau-ā-Apanui, Ngai Tai ki Torere and Te Whakatōhea can regenerate the cultural wealth of a lively, healthy society of connected communities, culturally fluent and capable, enterprising and economically active, environmental protectors and sustainers, in revitalised whānau, hapū, and iwi relationships.*

*The potential impact of Te Ara Tipuna is therefore immense, with the added opportunity for a distinct tourism experience into the heart of Te Tairāwhiti on foot, cycle and horseback. The trail opens a part of Aotearoa where tough terrain, beautiful beaches and bays are home to richly carved and decorated whareniui and wharekai. The opportunities for systemic conversations and changes in equity, power dynamics, policy shifting and relationships and connections is therefore massive, as Te Ara Tipuna will be able to offer warm, welcoming and unique experiences of manaaki as all individuals across Aotearoa can walk into a marae, prepare kai in the kauta, eat and wash dishes, korero, sleep in the whareniui and head off into the day and to the next equally proud hapu along the ara.*

*Overall, the social impacts of the proposed development are expected to have a positive impact on the population of the rohe of Ngāti Porou, Te Whānau-ā-Apanui, Ngai Tai ki Torere and Te Whakatōhea and help address the need for increased employment opportunities, better lifestyle and improved well being.*

On the basis of the Social Impact Assessment provided by RTRO, Tuara and HFEC, it is considered that the Project as a whole, as well the Proposal (i.e. Stage 1 in isolation), will result in significant positive social impacts.

## 5.1.6 Recreational Effects

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A Recreation Assessment has been prepared by Sport Gisborne Tairāwhiti – a copy of this assessment is included within **Appendix 14**. This assessment considers the potential effects on recreation that will occur through the development of the Te Ara Tipuna Track around the East Coast.

The key finding from this assessment *is that the development of the Ara will provide increased recreational and well-being benefits, providing a significant social return on investment. For local communities, it will enhance their ability to take part in existing recreational activities, as well as introduce a range of new recreational opportunities. Importantly, these recreational activities transcend beyond purely physical benefits, as they will embrace Ngāti Poroutanga. Whilst increased tourism is seen as a secondary outcome from the development of the Ara behind the restoration of connectivity for local communities, the Ara will result in an increase in visitors to the region who will be enticed by the recreational opportunities afforded. There will be a range of benefits for the wider East Coast from these additional visitors.*

The assessment acknowledged that *there are unintended consequences that will come with the increased accessibility to recreational activities from the development of the Ara, so consideration will need to be given as to how these are best managed. These consequences range from the increased health and safety risks that will occur from both locals and visitors having greater access to te taiao, and specifically hazards such as isolated areas and waterways, to the potential for local kāpataikai and favoured recreation spots to be accessed by visitors to the region. However, these risks can be mitigated and do not outweigh the significant benefits that will occur with the development of the trails.*

In undertaking the recreational assessment Sport Gisborne Tairāwhiti have:

- Considered a definition of what (active) recreation entails and the value it generates.
- Completed an environmental scan – outlining the recreation activities/facilities that currently exist on the East Coast.
- Considered the recreation opportunities that will emerge or be enhanced from the development of the Ara and the flow-on benefits these will have to the region.
- Considered any possible unintended consequences from creating more recreational opportunities, or better accessibility to existing recreation areas, and how these can be mitigated.

With respect to the definition of recreation, the assessment acknowledges that this is subjective and can be difficult to define. With regard to Te Ara Tipuna, the assessment notes that *the activity of walking, biking or trekking the Ara supports physical wellbeing, but it is the taiao, matauranga, and wairua that feeds mental, social and emotional wellbeing. While wellbeing may refer to the wellness an individual experiences, supporting activity on the Ara that focus on positively building hauora, mana and mauri will intrinsically enable people to behave as kaitiaki on the Ara increasing the mauri of a person as well as the Ara and uplifting the vitality and wellbeing of both people and place.*

In terms of existing recreational activities and facilities within the Tairāwhiti and Ōpōtiki districts the report identifies the following:

- 26 schools and kura stretching from Wainui Beach in Gisbore to Opōtiki.
- 29 sport and active recreation clubs, community groups and businesses based on the East Coast (Ngāti Porou) who support and deliver active recreation experiences.

There are 61 additional active recreation and community groups in Gisborne and surrounding rural areas that do not currently service the coast. Te Ara Tipuna would provide an opportunity for many of these groups to consider expanding their offerings or support capacity and capability build for interested communities to include use of the tracks.

In terms of recreational opportunities, the assessment states that the development of Te Ara Tipuna tracks would provide opportunity for more small businesses and eco-tourism ventures to flourish around the Ara, such as accommodation for track users, horse trek tours, guided walks or cycle rides, equipment hires and recreation activities. Local people would be able to share their pūrākau with visitors, offer them unique marae experiences and provide the opportunity for visitors and locals alike to give back to the taioa through planting days and restoration projects.

As acknowledged previously, there are a range of health and safety risks that will occur from both locals and visitors having greater access to te taiao, and specifically hazards such as isolated areas and waterways, and extreme changes in weather. The type and severity of risk can also depend upon the mode of transport being used. A detailed breakdown of risks and key mitigations is included within the assessment; the passport system mentioned previously will be used to highlight and manage these risks.

Whilst the Recreation Assessment provided by Sport Gisborne Tairāwhiti considered both Stages 1 and 2, Stage 1 in itself will provide significant positive recreational effects. Any adverse recreational effects will be appropriately managed.

### 5.1.7 Traffic Effects

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A traffic assessment and management plan for the Project has been prepared by Urban Connections - a copy of this report is included within **Appendix 16**.

The traffic assessment focuses on the following typical interactions:

- areas where the track runs adjacent to roads,
- intersects with them, and
- areas where parking provisions are to be provided for the track users.

Te Ara Tipuna is currently at a high-level design stage, and a large-scale project. It is proposed that this Transport Assessment and Management Plan is used to support the approval of the transport related aspects of the Project including Stage 1, recognising additional detail will be required as the level of detail for the design evolves for each stage. The Project team will work closely with the relevant Roding Controlling Authorities (RCA) throughout the detailed design process.



It is proposed to utilise a standard set of design standards for the majority of the track. The proposed typical track cross-sections for where the track is within the road reserve and standard design treatments for road crossings are described in **Table 1** below:

**Table 1: Typical Track Cross-Section Descriptions**

Cross-section	Name	Description
C/S 7	Narrow lane adjacent to state highway	For rural State Highways where there are width constraints. Separated from traffic lane by 0.5m and flexi-post bollards. 1 – 1.5m trail on unsealed shoulder.
C/S 8	Multi-lane path adjacent to state highway	For rural State Highways where there are not width constraints. Separated from traffic lane by 0.5m and flexi-post bollards. 1 – 1.5m trail on unsealed shoulder and additional space beyond which allows other trail users to pass.
C/S 9	Pathways adjacent to state highway in residential settlement	Utilises existing 1 – 2m cycle lanes on one side of the road and existing 2 – 3m footpath and berm for walking and horses.
C/S 10	Walkway alongside low-volume local road	For use on low volume roads. A 1.2m walkway constructed on the most practical side of the road.
C/S 11	Low volume local road: Utilising the existing carriageway	For use on low volume roads. Trail utilises one side of the existing carriageway for users.
C/S 12	Local road fit for purpose	Low volume local roads where trail users can either utilise the existing berm or the carriageway.

Example cross sections are provided within the traffic assessment and CMP.

Site specific treatments will be developed for scenarios where these treatments may not be appropriate. These are likely to be at areas where the users may be;

- required to cross bridges,
- travel through pinch points within the road reserve,
- constrained by sight distance.

Some sections of the track or crossing points may require additional engineering features to provide an appropriate level of service and safety. These will be assessed in more detail at the scheme design stage. These additional features may include:

- Speed management – There may be locations where the track is closer to the road or highway than desired. In these locations road vehicle speed management may be an appropriate and/or the additional measures below may be implemented;
- Electronic signs – User or sensor activated electronic signs may be utilised where the users are required to utilise existing bridges, at some crossing points or pinch points to advise motorists of their presence;
- Static signs – Traditional static signs may also be utilised in some locations to raise the awareness of motorists to the presence of pedestrians adjacent to the road or crossing the road ahead;
- Traffic calming – This can take the form of various interventions including raised safety platforms, speed cushions, pedestrian refuges, audio tactile pavement markings, road markings, flexi posts, thresholds and gate ways. These may be used to reduce vehicle speeds where required;
- Sight distance improvements / widening on bends – Where required sight benching or widening may be constructed on curves;

- Street lighting – Lighting may be required at crossing points where refuges or kerb extensions may be required; and
- Shuttles – ultimately there may be sections where engineering solutions may not be able to mitigate risks and some form of shuttle service may be required.

Each stage of the implementation of Stage 1 will include the following steps where the track is within the road reserve:

- A site visit to undertake site measurements, identify pinch points, measure sight distance where required and determine the appropriateness of the standard treatments;
- Undertake a topographical survey as required;
- Develop plans to scheme level, including any site-specific treatments;
- Engage with the relevant RCA for feedback on the scheme design;
- Undertake a preliminary Safe System Audit (SSA);
- Engage with relevant RCA on the results of the SSA;
- Update design to detailed design level, including feedback from the RCA and SSA;
- Undertake a detailed design SSA;
- Update design to construction level, including feedback from the RCA and SSA; and
- Following construction, a post construction SSA will be undertaken and shared with the relevant RCA.

The Project will have an element of continuous improvement in the design process as it will be implemented in a staged manner and the learnings from engagement with the RCA and from the completed SSA can be used in future stages.

The traffic assessment concludes that:

*The trail, crossing points and bridge crossings can be implemented via standard engineering interventions with specific designs at some locations. The project team will work closely with the Road Controlling Authorities throughout the design process.*

*As outlined in Section 2.1, each phase of the design and construction will be subject to Safe Systems Audits.*

*Subject to these audits being completed and any issues addressed, the transport effects are considered to be minimal.*

On the basis of the Traffic Assessment and Management Plan provided by Urban Connection and the measures inherent in the Application it is considered that any adverse effects on traffic and access will be less than minor.

### 5.1.8 Ecological Effects

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An initial Ecological Assessment was undertaken by Tairāwhiti Environment Centre and Graeme Atkins, a copy of this assessment is included within **Appendix 12**.

Thirty-three areas of ecological significance were identified and assessed within the ecological assessment. Seven of these areas are identified as being potentially affected by the Proposal (i.e. Stage 1). The seven areas are as follows:

- Whangaparaoa Dunefield
- Waipare and Nuhiti Q Scenic Area
- Tauhiti
- Te Koau
- Orangoihunui Point
- Whangara Beach
- Oruaiti

To minimise impacts on ecological values, the track alignment avoids areas identified as ‘significant areas’ in the Ecological Assessment, where possible.

A similar approach was taken with wetlands, with the track alignment avoiding all wetlands identified in the relevant Council maps.

The proposed draft conditions (**Appendix 19**) require the implementation of management plans to manage effects. A draft Ecological Management Plan (EMP) has been prepared by Mark Delaney of Viridis included in **Appendix 20**, which outlines the ecological survey and management plan protocol which requires a pre-construction ecological survey to confirm the ecological values of the area and identify any ‘confirmed ecological area’ (which will include any unmapped wetlands). The survey will assess and confirm the impact of the track on those identified values. Whilst unlikely, due to the nature of the pedestrian track and the ability to realign it to avoid ‘confirmed ecological areas’, should the construction of the track impact a ‘confirmed ecological area’ the effects will be managed by the implementation of fauna and habitat management plans which include guidance on how to minimise, mitigate and offset ecological effects.

On the basis of the Ecological Assessment provided by Tairāwhiti Environment Centre and Graeme Atkins (which is also endorsed by Mark Delaney of Viridis), the minor construction required for a pedestrian track, and the implementation of measures included in the EMP it is considered that any adverse ecological effects have been avoided in the first instance and otherwise will be less than minor.

### 5.1.9 Coastal Hazard Effects

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A Coastal Hazard Assessment has been undertaken by 4D Environmental Ltd; a copy of this assessment is included within **Appendix 8**.

The assessment discusses the environment and states the following:

*Large stretches of Tairāwhiti coastline are characterised by high cliffs (up to 100 m) formed from weak sedimentary rocks. Rock properties and bedding angles vary greatly, which influences erosion rates, landslide susceptibility and slope angle development. Extensive*

*sand beach systems exist between cliff headlands, with numerous river and stream entrances. These beaches are dynamic shorelines and in many areas are experiencing slow ongoing erosion. Beaches are backed by dune systems or low-lying coastal plains of varied width and steeply rising land. The coastal margin is fronted by a rocky shore platform in some areas (including Tokomaru Bay and the East Cape area). The shore platform is covered in some areas by a narrow beach and backed by a low-lying coastal plain.*

*The Ōpōtiki coastline is also highly varied, with a mixture of exposed sandy beaches backed by wide coastal plains, narrow sand/gravel beaches with rocky shore platforms, and mixed sand gravel barriers. Multiple rivers supply large volumes of sediment to the coastline. Beaches are separated by sedimentary rocky outcrops.*

*Small settlements exist at many of the beaches, but most of the Tairāwhiti shoreline is backed by coastal reserve and road, or by rural land. Significant townships exist at Tolaga Bay and Tokomaru Bay. The Ōpōtiki shoreline is also largely undeveloped, with numerous small settlements located on the coast but no major urban centres.*

The assessment goes on to describe the main shoreline types and broadly summarise the key processes affecting these environments, as well as their likely response to future sea level rise.

In terms of the potential effects of the construction and operation of the Project the assessment notes the following:

*As the proposed trail is generally a low-profile track, and in many coastal areas an unformed track, the construction and presence of the trail is unlikely to have significant adverse effects on the coastline or coastal hazards. However, inappropriate positioning, construction or management of the trail could exacerbate the existing coastal hazard risk, including:*

- *earthworks and associated vegetation disturbance on sensitive dune and coastal margin environments*
- *damage to dunes and coastal margins from increased pedestrian and horse access*
- *increased coastal hazard risk due to placement of assets (including the trail and associated structures) within high-risk areas.*

The report outlines measures to manage the above potential effects, and such measures are accepted and included in the Application's proposed mitigation measures.

The assessment goes on to state:

*The establishment of Te Ara Tipuna will have little or no effect on existing coastal hazards, based on the following conclusions and assumptions:*

- *the trail will be marked with simple way finding posts and earthworks will be minimised in sand dunes, unless for the purposes of dune restoration or improvement of dune stability*
- *the trail itself does not create a barrier to natural coastal processes*
- *if the trail is threatened or damaged by coastal erosion, management actions will prioritise avoidance and adaptation of the trail alignment over the construction of protection works*

- *the trail does not include lowering of sand dunes or significant earthworks in coastal inundation areas, and will either avoid or be designed to withstand occasional coastal inundation in low-lying coastal margins*
- *coastal hazard risk is minimised by locating proposed structures (toilets, shelters and boardwalks) mostly outside coastal hazard areas, and any remaining coastal hazard risk can be mitigated through an adaptive management approach.*

*Although the establishment of the trail is unlikely to affect coastal hazard processes, users of the trail could be impacted by coastal hazards, and there is a risk of physical damage to the trail over time in some places. There are sections of the trail located close to erosional coastlines, and in some areas the road and/or other land-based assets are already threatened by coastal erosion, with little space to align the trail further landward. In most of these areas, the trail follows existing roads, and its maintenance will likely be integrated with the management of the road.*

*Predicting each of the many components of coastal erosion hazard comes with considerable uncertainty, particularly the long-term rate and effect of future sea level rise. The likely lifespan of a section of trail close to the coast cannot be accurately predicted. Coastal erosion hazard could be managed using an adaptive management approach, with monitoring and a range of triggers and actions that relate to the coastal hazard risk profile over time. This approach would provide for coastal sections of the trail to be utilised while conditions allow, while planning for future actions to adapt to an increasing hazard risk over time and ensuring the objectives of Te Ara Tipuna are met in terms of resilience.*

*In low lying areas (particularly Tokomaru Bay and Tolaga Bay), the trail may be periodically inundated during coastal storm events, either directly by storm surge, or by wave run-up and overwash close to the coast. This is only likely during rare and extreme events but is expected to become more frequent over time with projected sea level rise.*

*A “passport” system has been proposed, to provide trail users with information about appropriate behaviour and sensitive habitats or features (e.g. culturally significant sites, high value ecosystems etc). This system will include information about coastal hazards, including:*

- *avoiding unnecessary damage in sand dune environments, by using defined accessways and trails*
- *awareness of tides and storm surge (i.e. some portions of the trail may not be safe during high stages of the tide, or during storm or high wave events)*
- *basic awareness of tsunami hazard (i.e. signs and actions)*

The Coastal Hazard Assessment provided by 4D Environmental assessment was based on both Stages 1 and 2 and as such has assessed a wider array of effects than will occur as a result of the Proposal. On that basis, it is considered that the Coastal Hazard Assessment is conservative and any adverse effects on, and from, coastal hazards with respect to the Proposal will be less than have been assessed, and in any event will be less than minor noting that an adaptive approach will need to be taken to management of the track over time in hazardous areas. The establishment of a pedestrian path within the coastal

hazard areas, which shall rely on wayfinding and very low impact design, will have less than minor effects.

### 5.1.10 Geotechnical Effects

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A Geotechnical Assessment Report has been prepared by Initia Geotechnical Specialists; a copy of this report is included within **Appendix 11**. This assessment is based upon a desktop study and a geotechnical site visit; further geotechnical mapping and investigations will be required during the detailed design phase.

The assessment states that:

*The East Cape region is prone to many geotechnical hazards due to the regions tectonic setting and exposure to coastal weather systems. These hazards are particularly relevant considering the predicted increase in frequency of significant weather events due to climate change and sea-level rise. The complex geological structures of the East Cape, together with typically weak rock types and steep topography results in landforms that are susceptible to landslips and coastal erosion. Areas of Quaternary sediment deposition in low lying valleys and coastal areas are prone to a potential liquefaction and lateral spread hazard when large seismic events occur.*

The typical hazards encountered in the East Cape region are landslips, liquefaction and lateral spread, active faults and coastal regression. All such hazards are discussed in further detail in the assessment.

The assessment was undertaken to understand present potential hazards along each day of the track. A preliminary risk rating for each day was provided. The preliminary risk rating will be refined throughout the detailed design phase and will focus on site specific risks. A description of the risk rating is provided below:

#### ***Low Risk Rating***

*Areas of the track that are considered a low risk are typically situated on flat alluvial plains or areas of gently sloping hills. These areas have not had any significant geotechnical risks identified and we do not expect to undertake geotechnical analysis at the detailed design stage. Geotechnical risks along these sections of the track will typically be able to be addressed through the construction stage and solutions are unlikely to affect the trail alignment or be costly. Although these areas will not require detailed geotechnical assessments, it would be prudent for site walkovers and/or an aerial imagery review be undertaken to confirm preliminary risk findings.*

#### ***Moderate Risk Rating***

*Areas of the track that are considered a moderate risk are typically situated on moderately sloping hillslopes or near coastal sea cliffs. These areas have potentially significant geotechnical risks; however, these risks are able to be managed where alternate route selections are available. Geotechnical mapping and assessments will be required at the detailed design stage to ensure that the track alignment is not hindered by sections of*

potential instability. It is envisaged that areas of moderate risk will not require engineered solutions and the potential risk to the track can be managed through the detailed design process.

### High Risk Rating

Areas of the track that are considered a high risk are typically situated on moderate to steeply sloping hillslopes that show evidence of significant historic instability. These areas have significant geotechnical risks and will require detailed geotechnical mapping and assessment to advise on track alignment where the geotechnical risk can be managed. High risk areas may require engineered solutions on parts of the track to increase stability of slopes where an alternative route is not practical.

There are several days where the risk rating is moderate-high or high, these days are shown in the figures below:

Trail Day	Mapped Geological Unit <sup>1</sup>	Topography of the Track Alignment	Proposed Track Types	Potential Geotechnical Hazards	Key areas of Geotechnical Hazards	Geotechnical Input Required at the Design Stage	Preliminary Risk Rating
Day 5	<ul style="list-style-type: none"> <li>- Unit 4</li> <li>- Unit 5</li> </ul>	<ul style="list-style-type: none"> <li>- Beach</li> <li>- Moderately to steeply sloping hill country</li> <li>- Alluvial Plains</li> </ul>	<ul style="list-style-type: none"> <li>- Road and Road Corridor</li> <li>- Silver Tier Track</li> <li>- Existing walking track</li> </ul>	<ul style="list-style-type: none"> <li>- Slope stability of proposed track down from Earnest Reeve Walkway</li> </ul>	<ul style="list-style-type: none"> <li>- Day 5 starts in Tolaga Bay heading up Earnest Reeve Walkway and down a steep slope before following alluvial plains. A section of the track marked Day 5 Key area on</li> </ul>	<ul style="list-style-type: none"> <li>- Geotechnical slope stability assessment and site mapping will be required for the steep slopes</li> </ul>	High
			<ul style="list-style-type: none"> <li>- Standard Tier Track</li> <li>- Beach</li> </ul>	<ul style="list-style-type: none"> <li>- Figure 1538-G06 has been identified as an area with a significant stability risk. Further geotechnical assessment will be required to determine a suitable route down from Earnest Reeve Walkway</li> </ul>	<ul style="list-style-type: none"> <li>- identified as a key risk along Day 5.</li> </ul>		
Day 7	<ul style="list-style-type: none"> <li>- Unit 4</li> <li>- Unit 5</li> </ul>	<ul style="list-style-type: none"> <li>- Beach</li> <li>- Moderately to steeply sloping hill country</li> </ul>	<ul style="list-style-type: none"> <li>- Existing Road and Road Corridor</li> <li>- Standard Tier Track</li> <li>- Beach</li> <li>- Existing Farm Track</li> </ul>	<ul style="list-style-type: none"> <li>- Slope stability risk along moderately to steeply sloping vegetated hills</li> <li>- Coastal erosion and sea cliff stability</li> </ul>	<ul style="list-style-type: none"> <li>- Day 7 starts along Anaura bay before heading along coastal cliffs and then traverses through vegetated hillslopes. 2 No. sections of the track have been identified as key areas and are marked on Figure 1538-G08. Key area 1 is the section of track that follows the coastal seacliff and key area 2 is the section of track that follows the heavily vegetated hillslope. This area will require geotechnical assessment to determine a suitable route.</li> </ul>	<ul style="list-style-type: none"> <li>- Geotechnical slope stability assessment and site mapping will be required for the coastal cliff section and the heavily vegetated hillslopes. A coastal regression assessment may be required pending the location of the track in relation to the sea cliffs</li> </ul>	Moderate to High
Day 8	<ul style="list-style-type: none"> <li>- Unit 3</li> <li>- Unit 4</li> <li>- Unit 5</li> </ul>	<ul style="list-style-type: none"> <li>- Moderately to steeply sloping hill country</li> <li>- Alluvial Plains</li> </ul>	<ul style="list-style-type: none"> <li>- Existing Road and Road Corridor</li> <li>- Standard Tier Track</li> </ul>	<ul style="list-style-type: none"> <li>- Slope stability in heavily vegetated hills after Tokomaru Bay</li> </ul>	<ul style="list-style-type: none"> <li>- Day 8 starts along the coastline of Tokomaru Bay and proceeds to traverse along moderately to steeply sloping, heavily vegetated hill country. The entire section of the vegetated hill country is considered to be a potential instability risk and is marked on Figure 1538-G09 as Day 8 Key area. This area will require further geotechnical assessment to determine as suitable route.</li> </ul>	<ul style="list-style-type: none"> <li>- Geotechnical slope stability assessment and site mapping will be required to determine the stability risk through the vegetated hillslopes. Due to the remote nature of this section of the track, aerial imagery will likely be the most efficient way to assess stability.</li> </ul>	Moderate to High
Day 23	<ul style="list-style-type: none"> <li>- Unit 1</li> <li>- Unit 5</li> </ul>	<ul style="list-style-type: none"> <li>- Moderately to steeply sloping hill country</li> <li>- River Plains</li> <li>- Beach</li> </ul>	<ul style="list-style-type: none"> <li>- Proposed Taxi Service</li> </ul>	<ul style="list-style-type: none"> <li>- Due to steep slopes, large river crossings and narrow roads this section of the track is proposed to use a taxi/shuttle service</li> </ul>	<ul style="list-style-type: none"> <li>- N/A</li> </ul>	<ul style="list-style-type: none"> <li>- If the taxi/shuttle system is to be removed and a route is to be cut along the hillslope, geotechnical investigation and mapping will be required</li> </ul>	<ul style="list-style-type: none"> <li>- Low – if implementing the taxi/shuttle service</li> <li>- High – if a track is proposed to be cut along the hill slope</li> </ul>
Day 24	<ul style="list-style-type: none"> <li>- Unit 1</li> <li>- Unit 5</li> </ul>	<ul style="list-style-type: none"> <li>- Moderately to steeply sloping hill country</li> <li>- River Plains</li> <li>- Beach</li> </ul>	<ul style="list-style-type: none"> <li>- Proposed Taxi Service</li> </ul>	<ul style="list-style-type: none"> <li>- Due to steep slopes and narrow roads this section of the track is proposed to use a taxi/shuttle service</li> </ul>	<ul style="list-style-type: none"> <li>- N/A</li> </ul>	<ul style="list-style-type: none"> <li>- If the taxi/shuttle system is to be removed and a route is to be cut along the hillslope, geotechnical investigation and mapping will be required</li> </ul>	<ul style="list-style-type: none"> <li>- Low – if implementing the taxi/shuttle service</li> <li>- High – if a track is proposed to be cut along the hill slope</li> </ul>
<b>Hikurangi Loop Track</b>							
Day 2	<ul style="list-style-type: none"> <li>- Unit 2</li> <li>- Unit 5</li> </ul>	<ul style="list-style-type: none"> <li>- Moderately to steeply sloping hill country</li> </ul>	<ul style="list-style-type: none"> <li>- Standard Tier Track</li> </ul>	<ul style="list-style-type: none"> <li>- Slope stability risk of the track along the ridgeline whilst traversing steep slopes</li> </ul>	<ul style="list-style-type: none"> <li>- Day 2 traverses steep hillslopes that have evidence of historic slopes failures. The entire section of the track is considered a stability risk and requires further geotechnical assessment.</li> </ul>	<ul style="list-style-type: none"> <li>- Geotechnical slope stability assessment and mapping will be required at the design stage to assess a suitable route through the steep terrain.</li> </ul>	Moderate to High

In these high-risk areas, there are engineering solutions (such as retaining walls, soil nail and mesh, earthworks) that may be required to improve or eliminate slope stability risks; the extent, size and type of engineering solutions will be determined after site specific investigation and analysis.

The assessment concludes the following:

1. The track is located in an area of complex geology with typically steep topography throughout the region and thus has many associated geotechnical hazards.
2. This assessment report is based on a desktop study with limited visual observation and accuracy constraints of available aerial imagery. The risk assessment advice provided should be considered preliminary in nature to inform a staged approach to the design, and to estimate the scope of future geotechnical assessments.
3. The main geotechnical hazards for the Te Ara Tipuna Trail is slope instability through moderately to steeply sloping hill country found throughout the region. Liquefaction and lateral risk will need to be considered for structures built on Quaternary sediments.
4. Based on the initial desktop study and site visit, the track is considered to be geotechnically feasible with the correct geotechnical consultation through the design stage.
5. Geotechnical site mapping and assessment will be required throughout the design stage to refine the track alignment and mitigate geotechnical risks.
6. It is not envisaged that significant engineering solutions will be required to create the Te Ara Tipuna Trail.
7. Geotechnical investigation, reporting and analysis will be required for any structure requiring a resource and building consent.

On the basis of the Geotechnical Assessment provided by Initia and the mitigation measures proposed as part of the Proposal it is considered that any adverse geotechnical effects can be appropriately managed and will be less than minor.

## 5.2 Summary of Effects

Overall, it is considered that any adverse effects on the wider environment relating to the Proposal i.e. Stage 1 will be less than minor and can be appropriately managed through the conditions of consent.



# 6. Notification of Application

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## 6.1 Public Notification Assessment

The Applicant requests that the Application is publicly notified (s95A(3)(a)). Therefore, the Councils must notify the Application and the remaining steps of section 95A are not applicable.

The reasons for requesting public notification are not due to any actual or potential effects of the Proposal on the environment, but rather to enable and encourage public participation in this Application given it covers a large geographic area and in light of the expected public interest.

## 6.2 Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act

The Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 (Ngāti Porou Act) came into force on 29 May 2019. The Ngāti Porou Act gives effect to a legal agreement between the Crown and Ngāti Porou and is intended to contribute to the legal expression, protection and recognition of the continued mana of Ngāti Porou Hapū in relation to their rohe.

Section 16 contains specific provisions relating to the processing of resource consent applications by the Council under the RMA. These provisions are in turn linked to Schedules 2 and 4 that describe and illustrate the rohe of Ngāti Porou Hapū.

Section 16 requires the Council to notify Ngāti Oneone of any application that involves ‘an activity within, adjacent to or directly affecting’ a Hapū rohe and is being processed in a limited or non-notified manner. Alternatively, if public notification of an application is to be undertaken by the Council, notification of the application to Ngāti Oneone is required.

The Proposal involves activities within the Ngāti Oneone rohe. On this basis the Council is required to notify Ngāti Oneone, under Section 16 and related Schedule 2 and 3 provisions in the Ngāti Porou Act.

# 7. Consultation and Engagement

Despite significant challenges relating to Project scale, pandemic upheaval, and constant and devastating weather events, engagement, communication, and information sharing by and about the Project has been a priority.

Consultation and engagement began in 2021, with the first socialisation of Te Ara Tipuna with Te Rūnanganui o Ngāti Porou (TRONPnui), in August 2021, to the first introductory sessions with landowners, hapū, and communities between Gisborne and Ōpōtiki from May/June 2023. See **Figure 6** below:

**INTRODUCTION TO**  
**TE ARA TIPUNA**

A continuous trail from Turanga to Opotiki, presented by Hekia Parata.

<b>657</b> KILOMETERS	<b>26</b> DAYS
<b>22</b> COMMUNITIES	<b>64</b> MARAЕ

**COME ALONG IF YOU'RE...**

- a land owner
- a trustee
- an entrepreneur
- interested!

For more information:  
 Project Manager  
 Mihimaraea Parata Gardiner  
 ✉ gardm@tpk.govt.nz  
 📷 @tearatipuna

A project by Te Runanganui o Ngati Porou & Nga Hapu o te Whanau a Apanui with support from Te Puni Kokiri.

**NAU MAI, HAERE MAI**

- 📅 JUNE 7, 2023  
**Tolaga Bay**  
 Fire Brigade  
 5pm - 6.30pm
- 📅 JUNE 8, 2023  
**Te Araroa**  
 Hinerupe Marae  
 5pm - 6.30pm
- 📅 JUNE 12, 2023  
**Ruatoria**  
 Whakarua Park  
 5pm - 6.30pm
- 📅 JUNE 13, 2023  
**Tokomaru Bay**  
 United Sports Club  
 12 - 1.30pm
- 📅 JUNE 17, 2023  
**Whangaparaoa**  
 Te Kura Mana Maori o Whangaparaoa  
 9 - 10.30am
- 📅 JUNE 18, 2023  
**Opotiki**  
 Whakatohea Trust Board  
 11am - 12.30pm
- 📅 **Te Kaha**  
 Te Kaha Marae  
 3 - 4.30pm

Te Ara Tipuna Proposal

Figure 6 – Consultation flyer

The consultation and engagement team, led by Hekia Parata and Mihimaraea Parata- Gardiner have met with iwi and hapu representatives, community leaders and members, marae trustees, Māori freehold and general landowners and trustees, and whānau and family that live both within, and have connections to, the three territorial authorities.

They have had discussions with local government representatives at the Gisborne District Council, the Ōpōtiki District Council, and the Bay of Plenty Regional Council. We have had pre-application meetings at each territorial authority, had conversations with elected representatives and senior officials, and taken part in relevant council workshops pertaining to walking and cycling strategies.



They have presented Te Ara Tipuna to the (former) Prime Minister Jacinda Ardern, and her Ministerial colleagues, at the Ngāti Porou Crown Taumata at Parliament in September 2022. Endorsement for the Project has been received from the Minister for Māori Development, Hon Willie Jackson, support from Hon Meka Whaitiri as former Herenga a Nuku Walking Access Minister and local MP. A briefing has been provided to Hon Kiri Allan as both local MP and Minister for Regional Development.

In addition to the above, the team have created a Facebook ([Facebook Facebook](#)) and Instagram ([Te Ara Tipuna \(@tearatipuna\) • Instagram photos and videos](#)) page for the purposes of info-sharing and



engagement. The platforms are an opportunity for people to engage with the Project, and contact the Project Team through Facebook and Instagram Messenger, as well as a monitored email address.

A website ([Te Ara Tipuna](#)) provides access to the full Te Ara Tipuna Project details and previous application documents (also accessible through the QR code on the engagement poster in **Figure 6** above), images of the proposed tracks, the list of land blocks impacted, and consent documents. There is a Frequently Asked Questions section, using questions that have been asked throughout our engagement process. There is also a contact section to allow for people to get in touch directly.

Two email databases have been established; one from those who attended the public hui, and one for landowners directly impacted. The email database for those who attended the community engagement will be sent periodic updates as the Project progresses. The landowner database is steadily growing. Public access to landowner and trust details have been minimal for various reasons including outdated information, shares not succeeded to, postal addresses only. The database we have created has been obtained through mutual connections, or actively reaching out to people in person.

Consultation and engagement is ongoing and is the central focus of the Project Team.

A consultation and engagement report which provides further detail has been prepared and a copy of this included within **Appendix 17**.

# 8. Statutory and Policy Assessment

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## 8.1 Section 104 Matters

Overall, the Proposal is a Discretionary activity. The matters that require consideration in assessing this Application are set out in section 104 and section 104B of the Resource Management Act 1991. These matters include the actual and potential effects of allowing activities on the environment, the relevant objectives and policies of the planning documents, and any other matter that is relevant and necessary to determine the Application. The provisions of section 104 are subject to the matters set out in Part 2 of the Act.

The preceding sections of this report address the relevant assessment criteria and the actual and potential effects of the Proposal on the environment. An assessment of the relevant objectives and policies and the relevant provisions of Part 2 of the Resource Management Act 1991 is provided below.

## 8.2 Policy Assessment

In accordance with Section 104(1)(b) of the Resource Management Act 1991 ('RMA'), this part of the report addresses the following statutory documents which are relevant to the assessment of this Proposal:

- Reserves Act 1977
- New Zealand Coastal Policy Statement ('NZCPS')
- National Policy Statement for Indigenous Biodiversity
- National Policy Statement for Highly Productive Land
- National Policy Statement for Fresh Water Management
- Heritage New Zealand Pouhere Taonga Act 2014
- Tairāwhiti Plan Regional Policy Statement
- Tairāwhiti Resource Management Plan
- Bay of Plenty Regional Natural Resources Plan
- Ōpōtiki District Plan

### 8.2.1 Reserves Act 1977

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The Reserves Act 1977 was established to acquire, preserve and manage areas for their conservation values or public recreational and educational values.

The Reserves Act provides for the acquisition of land for reserves, and the classification and management of reserves (including leases and licences).

The Reserves Act has three main functions. These are:

- To provide for the preservation and management, for the benefit and enjoyment of the public, areas possessing some special feature or values such as recreational use, wildlife, landscape amenity or scenic value. For example, the reserve may have value for recreation, education, as wildlife habitat or as an interesting landscape.
- To ensure, as far as practicable, the preservation of representative natural ecosystems or landscapes and the survival of indigenous species of flora and fauna, both rare and commonplace.
- To ensure, as far as practicable, the preservation of access for the public to the coastline, islands, lakeshore and riverbanks and to encourage the protection and preservation of the natural character of these areas.

Reserves may be administered by the department or by other ministers, boards, trustees, local authorities, societies and other organisations appointed to control and manage the reserve, or in whom reserves are vested.

Stage 1 does extend over a number of parcels with reserve status. The track itself is consistent with the general function of the Reserves Act which is to provide for recreational use for the benefit and enjoyment of the public. Where the track extends through reserve areas Te Ara Tipuna Charitable Trust will work with the department that administers the reserve to obtain the necessary approvals to enable the track to traverse the reserve. In preparing this Application we have consulted with the Herenga ā Nuku Aotearoa, the Outdoor Access Commission, who will assist with this process.

## 8.2.2 New Zealand Coastal Policy Statement

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The purpose of the New Zealand Coastal Policy Statement (NZCPS) is to state policies in order to achieve the purpose of the RMA in relation to the coastal environment of New Zealand. The NZCPS is relevant to the parts of the Proposal that are located in the CMA (i.e. two new footbridges and two clip on bridges) and those parts of the Proposal that have the potential to affect the coastal environment.

The NZCPS sets out issues and challenges relevant to New Zealand’s coastal environment, along with seven objectives and 29 policies which seek to preserve the natural character of the coastal environment and protect natural features and landscape values (Objective 2), maintain and enhance the public open space qualities and recreation opportunities of the coastal environment (Objective 4), recognise the role of tangata whenua as kaitiaki (Objective 3), and manage coastal hazard risks (Objective 5).

The Proposal has recognised the characteristics of the coastal environment and recognised and involved mana whenua including through a partnership approach. Particular consideration has been given to the need to carefully consider the importance of safeguarding ecological, natural character and landscape values, responding to existing and future risks from coastal hazards, and involving mana whenua in the development, detailed design and operation of the Proposal.

The Proposal will enhance access to the coastal environment and enhance the communities experience and appreciation of the areas’ natural character values. It will restore connections, views and public

access to and along the coast and provide for connections to points of cultural significance for mana whenua.

The Proposal design has specifically considered coastal processes and potential effects on coastal hazards. The establishment of Te Ara Tipuna will have little or no effect on existing coastal hazards, based on the following:

- the track will be marked with simple way finding posts and earthworks will be minimised in sand dunes, unless required for the purposes of dune restoration or improvement of dune stability
- the track itself does not create a barrier to natural coastal processes
- if the track is threatened or damaged by coastal erosion, management actions will prioritise avoidance and adaptation of the track alignment over the construction of protection works
- the track does not include lowering of sand dunes or significant earthworks in coastal inundation areas, and will either avoid or be designed to withstand occasional coastal inundation in low-lying coastal margins
- coastal hazard risk is minimised by locating proposed structures (toilets, shelters and boardwalks) mostly outside coastal hazard areas, and any remaining coastal hazard risk can be mitigated through an adaptive management approach.

Although the establishment of the track is unlikely to affect coastal hazard processes, users of the track could be impacted by coastal hazards, and there is a risk of physical damage to the track over time in some places. There are sections of the track located close to erosional coastlines, and in some areas the road and/or other land-based assets are already threatened by coastal erosion, with little space to align the track further landward. In most of these areas, the track follows existing roads, and its maintenance will likely be integrated with the management of the road via agreement.

Predicting each of the many components of coastal erosion hazard comes with considerable uncertainty, particularly the long-term rate and effect of future sea level rise. The likely lifespan of a section of track close to the coast cannot be accurately predicted. Coastal erosion hazard can however be managed using an adaptive management approach, with monitoring and a range of triggers and actions that relate to the coastal hazard risk profile over time. This approach would provide for coastal sections of the track to be utilised while conditions allow, while planning for future actions to adapt to an increasing hazard risk over time and ensuring the objectives of Te Ara Tipuna are met in terms of resilience.

In low lying areas (particularly Tokomaru Bay and Tolaga Bay), the track may be periodically inundated during coastal storm events, either directly by storm surge, or by wave run-up and overwash close to the coast. This is only likely during rare and extreme events but is expected to become more frequent over time with projected sea level rise.

A “passport” system has been proposed, to provide track users with information about appropriate behaviour and sensitive habitats or features (e.g. culturally significant sites, high value ecosystems etc). This system will include information about coastal hazards, including:

- avoiding damage in sand dune environments, by using defined accessways and tracks

- awareness of tides and storm surge (i.e. some portions of the track may not be safe during high stages of the tide, or during storm or high wave events)
- basic awareness of tsunami hazard (i.e. signs and actions)

Objective 6 relates to use and development of the coastal environment to enable people and communities to provide for their health and safety and social, economic, and cultural wellbeing. It recognises that there are some uses of activities and locations within the coastal environment that are appropriate. In this regard, the Proposal itself will use and develop the CMA (via footbridges and clip on bridges) and directly contribute to the social, economic and cultural wellbeing of people and communities through the provision of the walkway.

For the reasons set out above, the Proposal is considered consistent with the NZCPS.

### 8.2.3 National Policy Statement for Indigenous Biodiversity

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The overall objective of the National Policy Statement for Indigenous Biodiversity (NPSIB) is to maintain indigenous biodiversity across Aotearoa New Zealand so that there is 'at least no overall loss in indigenous biodiversity after the commencement date'. It applies to the terrestrial environment only (as policy direction for biodiversity in the coastal marine area and freshwater is provided by the NZCPS and National Policy Statement on Freshwater Management (NPS-FM), respectively).

For the purposes of the NPS-IB, a significant natural area (SNA) is defined as either:

- Going forward, an area that is notified or included in a district plan using the process and criteria in Appendix 1 of the NPS-IB.
- As an interim measure, any area that is already identified in an (operative or proposed) policy statement or plan as an area of significant indigenous vegetation or significant habitat of indigenous fauna (this status applies unless or until a qualified ecologist engaged by the council determines otherwise; councils are also required to confirm within four years that the methodology followed in the earlier identification of the SNA was consistent with the NPS-IB).

The provisions of the NPS-IB are wide-ranging, but it has a particular focus on the identification and protection of SNAs and areas outside SNAs that support specified highly mobile fauna through RMA plans – in particular Subpart 2. Note the Resource Management (Freshwater and Other Matters) Amendment Act 2024 came into force on 25 October 2024 and suspends, for three years, the requirement under the NPS-IB for Councils to identify new SNAs and include them in district plans.

Section 3.10(2) of the NPS-IB directs that the following adverse effects on SNAs must be avoided:

- loss of ecosystem representation and extent:
- disruption to sequences, mosaics, or ecosystem function:
- fragmentation of SNAs or the loss of buffers or connections within an SNA:
- a reduction in the function of the SNA as a buffer or connection to other important habitats or ecosystems:



- e. a reduction in the population size or occupancy of Threatened or At Risk (declining) species that use an SNA for any part of their life cycle

During the pre-consenting phase, in-depth desktop analyses were undertaken to determine locations where the route passed through sites with high ecological value, of which some are identified as SNAs. The track was realigned to avoid any adverse effects on those significant values in the first instance where possible. In some situations, there are no practicable alternative locations to realign the track from traversing through SNA areas. The track maps and the ecological report identify the SNA areas through which the track will traverse. An overall figure is shown below in **Figure 7** with SNA areas shown in red:



Figure 7 – Locations of Sites of Ecological Significance Potentially Affected by Te Ara Tipuna identified by TEC and Atkins, 2023

Vegetation clearance and disturbance associated with trail construction has the potential to affect areas of remnant native forest, regenerating forest, rare plant species and the habitats of protected native fauna such as birds, bats and lizards. The value of these areas of vegetation and habitat that the trail passes through, and the potential effects will be assessed in the detailed design phase of each stage. These effects will be managed by applying the effects management hierarchy. Where the potential level of effects is moderate or higher, the first step will be to consider whether the design can be modified to first avoid the effect and then to reduce the level of effect to low or negligible. Where this is not possible, an Environmental Management Plan will be developed, which will outline the mitigation or offset required to address the potential effects. This could include fauna management plans for bats, lizards or birds, implementation of arborist advice, restoration of an area, replanting, offset planting and weed control. This management will ensure that adverse effects on the SNAs will be avoided.

Given the above, the proposal is considered to be consistent with the NPS-IB.

#### 8.2.4 National Policy Statement for Highly Productive Land

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The new National Policy Statement for Highly Productive Land (NPS-HPL) is about ensuring the availability of New Zealand's most favourable soils for food and fibre production, now and for future generations. The policy provides direction to improve the way highly productive land is managed under the RMA.

The NPS-HPL requires regional councils, within three years from commencement, to notify maps of "highly productive land" in regional policy statements (which territorial authorities must then include in district plans). Highly productive land is defined as land that is:

- zoned general rural zone or rural production zone;
- predominantly identified within Land Use Class ('LUC') 1, 2, or 3; and
- forms a large and geographically cohesive area.

Councils may also categorise land that is not LUC 1, 2 or 3 but is highly productive land based on the soil type, physical characteristics, or climate of the area as 'highly productive land'. Land which is identified for future urban development at the commencement date cannot be classified as highly productive land.

While the mapping process is underway, territorial authorities must still apply the NPS-HPL to land which is both zoned general rural or rural production and LUC 1, 2 or 3 land, and is not identified for future urban development or subject to a plan change to rezone it from general rural or rural production to urban or rural lifestyle.

The Proposal will cross some areas of LUC 1, 2 or 3 land.

Inappropriate use and development (essentially, those other than land-based primary production uses) of highly productive land is to be avoided, but Section 3.9 (2) of the NPS-HPL provides a list of activities that are not deemed to be 'inappropriate' for the purposes of this restriction. These exceptions include

activities which are for a RMA section 6 purpose (i.e. one of the matters of national importance listed in s6 of the RMA). The Proposal is for a section 6 purpose namely,

*(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*

*(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*

The Proposal will enhance public access to and along the coastal marine area and rivers. It will also provide a multitude of benefits for Māori and will restore connectivity and momentum in the daily life of those who live and work in rohe, the iwi kaenga, the ahi ka, safe and independent of SH35. It will also enable local level enterprises and economic development, to save and share the stories of their wahi, to revitalise the pa kaenga as centres of activity and society, to be everyday aiteiki of the ara and the people who traverse them, locals, and manuhiri alike.

As such, the Proposal is considered consistent with the NPS-HPL.

## 8.2.5 National Policy Statement for Freshwater Management

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The objective of the National Policy Statement for Freshwater Management (NPS:FM) is *to ensure that natural and physical resources are managed in a way that prioritises:*

*(a) first, the health and well-being of water bodies and freshwater ecosystems*

*(b) second, the health needs of people (such as drinking water)*

*(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.*

Policies 1 and 2 seek to ensure that freshwater is managed in a way that gives effect to Te Mana o te Wai and that tangata whenua are actively involved in freshwater management. Policies 6 and 7 seek to ensure that there is no further loss of extent of natural inland wetlands and that the loss of river extent and values is avoided to the extent practicable. Policy 15 seeks to ensure that communities are enabled to provide for their social, economic and cultural wellbeing in a way that is consistent with this National Policy Statement.

The Proposal has been designed in a manner to avoid adverse effects on freshwater (including ensuring there is no further loss of extent of natural inland wetlands and river extent) and is therefore consistent with the relevant policies of the NPS:FW, for the following reasons:

- The track alignment avoids all wetlands and rivers identified in the relevant Council maps.
- Should any wetlands be identified during detailed design, the track will be realigned to avoid them if possible. If it is not possible to avoid said wetlands, the consenting pathway for

wetland utility structures<sup>1</sup> i.e. boardwalks as a Restricted Discretionary activity through the NES:FW will be used.

- Sediment and erosion measures will be utilised when earthworks are undertaken to minimise any water quality effects.
- The Proposal involves culverts and clip on bridges. All structures and works will be undertaken in accordance with best engineering practices. With regard to culverts, these will be sized as appropriate and will provide for fish passage.

As such, the Proposal is considered consistent with the NPS-FM.

## 8.2.6 Heritage New Zealand Pouhere Act 2014

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The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. Any work that may affect an archaeological site requires an authority from Heritage New Zealand before commencement.

A Heritage Assessment has been prepared by Insitu Archaeological Heritage – a copy of such is included in **Appendix 9**.

Where there is evidence that Stage 1 of Te Ara Tipuna passes over or through archaeological or historic heritage sites, further archaeological assessment will be required at detailed design stage in those areas to identify the specific effects of track construction on sites. This assessment will follow Heritage New Zealand Pouhere Taonga guidelines and will include archaeological field survey and fine-grained desk-based analysis.

In areas where the further assessment identifies construction of the ara will have effects on archaeological sites, an application will be made under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014 for a general authority to modify or damage archaeological sites prior to all ground disturbing works. The effect on sites will be mitigated in a variety of ways including, modification of the route to avoid visible surface features, archaeological monitoring and excavation and construction methodologies that minimise the potential for effects and limit ongoing visitor impacts.

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### <sup>1</sup> **wetland utility structure—**

(a)

means a structure placed in or adjacent to a wetland whose purpose, in relation to the wetland, is recreation, education, conservation, restoration, or monitoring; and (b) for example, includes the following structures that are placed in or adjacent to a wetland for a purpose described in paragraph (a):

- (i) jetties:
- (ii) boardwalks and bridges connecting them:
- (iii) walking tracks and bridges connecting them:
- (iv) signs:
- (v) bird-watching hides:
- (vi) monitoring devices:
- (vii) maimai

Further, Te Ara Tipuna traverses a rich and unique archaeological and cultural landscape. Some places in the landscape are well-known, such as Hikurangi Maunga, but many sites remain obscure or may only be revealed by ground disturbance. Te Ara Tipuna is envisaged as a track that reconnects people (tangata whenua), the Iwi diaspora, with ancestral landscapes through the ability to visit and physically experience the place. Te Ara Tipuna also offers a unique opportunity to raise the awareness of the wider visitor population to the people, places and past of Te Tairāwhiti and Te Moana a Toi. The track offers the opportunity of access to a number of well-preserved archaeological sites, which will enhance the amenity value of many sites. The visitor experience and understanding of places will also be aided through the provision of interpretation. Careful routing of the track in combination with planting and devices to guide movement will in many cases improve the conservation of sites by enhancing site stability and condition. Mitigation of effects through the provisions of the Heritage New Zealand Pouhere Taonga Act, providing for appropriate archaeological monitoring, investigation and recording will also enhance understanding of the nature and extent of the archaeological resource of Te Tairāwhiti and eastern Te Moana a Toi.

Given the above, the Proposal is considered to be consistent with the provisions of the Heritage New Zealand Pouhere Taonga Act.

### 8.2.7 Tairāwhiti Plan Regional Policy Statement

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The Regional Policy Statement (RPS) is incorporated into the Te Papa Tipu Taunaki o Te Tairāwhiti (The TRMP) as Part B. The purpose of the RPS is to promote the sustainable management of the region's natural and physical resources by:

- setting out the significant resource management issues for the region;
- identifying the resource management issues of significance to iwi authorities in the region; and
- providing policies and methods to achieve integrated management of the region's natural and physical resources.

Part B has nine sections, All, except B2 – Air Quality, are applicable to the Proposal:

- B1 Tangata Whenua
- B3 Built Environment, Energy and Infrastructure
- B4 Coastal Environment
- B5 Environmental Risk including Natural Hazards
- B6 Freshwater
- B7 Cultural and Historic Heritage
- B8 Land Management
- B9 Natural Resources

#### **Tangata Whenua**

Section B1.1 – Involvement of Tangata Whenua in Resource Management, explains the Māori environmental resource management system, domains of the environment from the Māori perspective, the domains of atua, moana, waiora a tane, the principles of the Treaty of Waitangi, recognition of kaitiakitanga and important concepts in Māoridom.

It also sets out the Council's view on engagement with tangata whenua, with reference to some case law, and the legislative framework surrounding iwi resource management strategies and plans.

Sections B1.2 to B1.5 sets out four issue-based sets of objectives, policies and methods, directed at taking into account the principles of the Treaty of Waitangi (B1.2), recognising kaitiakitanga (B1.32) and recognising the relationships Māori have with their culture, traditions, ancestral lands and other resources (B1.4), and tangata whenua and freshwater (B1.5).

The later policy set records the Crown statutory acknowledgements in place over water bodies.

Te Ara Tipuna Charitable Trust is the applicant. The Project, of which the Proposal is Stage 1, is multi-layered and provides significant and wide-ranging benefits. The purpose of Te Ara Tipuna is to enrich and uplift the cultural, social, and economic status of the whānau, hapū, iwi and communities of Te Tairāwhiti, their resources and authority over their way of life, and wellbeing of their natural and built environment. In doing so, the Proposal for Te Ara Tipuna is informed by the principles of the partnership, protection and participation. As such, it is considered that the Proposal is consistent with the objectives and policies in this section.

### **Built Environment, Infrastructure and Energy**

Section B3.1 - Energy Management – Introduction, backgrounds the ensuing issue-based objectives and policies on 'inefficient use of energy' in B3.2 and the 'Gisborne regions dependence on non- renewable resources' in B3.3. Both sets of objectives and policies are of very limited relevance to the Proposal.

Section B3.4 – Transport and Infrastructure – Introduction acknowledges the importance of Efficient transport, communications and energy distribution networks and services for goods and people in the Gisborne district given it is geographically large with a dispersed rural population. B3.5 contains two objectives and six policies relating to 'safe, efficient and convenient; transport services and efficient development, operation and maintenance of network utilities.

The purpose of the Proposal is to provide efficient, robust and alternative transport in the region and is therefore consistent with the objective and policies in this section.

### **Coastal Management**

Section B4 – Coastal Management, has a number of issue-based sets of objectives, policies and methods, along with cross references to wider ranging provisions in other chapters that apply to a variety of different environments. The three sets of objectives policies and methods that are relevant to this Proposal are as follows:

- B4.2 – The effects of activities that straddle administrative boundaries under the RMA.
- B4.3 – The effects of some activities that may destroy or damage coastal natural character.
- B4.4 - Activities that can inhibit natural processes or degrade the ability of natural features and resources to sustain life.
- B4.5 – Maintenance and enhancement of public access to and along the coastal marine area.
- B4.6 – Avoiding or mitigating effects of natural hazards on human structures or values

The Project of which the Proposal is Stage 1 has specifically considered coastal natural character, coastal processes and potential effects on coastal hazards. The establishment of Stage 1 will have little or no effect on existing coastal hazards, based on the following:

- the track will be marked with simple way finding posts and earthworks will be minimised in sand dunes, unless for the purposes of dune restoration or improvement of dune stability
- the track itself does not create a barrier to natural coastal processes
- if the track is threatened or damaged by coastal erosion, management actions will prioritise avoidance and adaptation of the track alignment over the construction of protection works
- the track does not include lowering of sand dunes or significant earthworks in coastal inundation areas, and will either avoid or be designed to withstand occasional coastal inundation in low-lying coastal margins
- coastal hazard risk is minimised by locating proposed structures (toilets, shelters and boardwalks) mostly outside coastal hazard areas, and any remaining coastal hazard risk can be mitigated through an adaptive management approach.

The Proposal will provide significant benefits with regard to public access.

Given the above, the Proposal is considered to be consistent with the relevant objectives and policies in B4.

### **Environmental Risk, including Natural Hazards**

Section B5 contains nine issued based sets of objectives and policies on environmental risk. Only the set on natural hazards in B5.1 is relevant to the Proposal.

Section B5.1 describes the natural hazards threats to the region, including coastal erosion and tsunamis.

Although the establishment of the track is unlikely to affect coastal hazard processes, users of the pedestrian track could be impacted by coastal hazards, and there is a risk of physical damage to the track over time in some places. There are sections of the track located close to erosional coastlines, and in some areas the road and/or other land-based assets are already threatened by coastal erosion, with little space to align the track further landward. In most of these areas, the track follows existing roads, and its maintenance will likely be integrated with the management of the road.

Predicting each of the many components of coastal erosion hazard comes with considerable uncertainty, particularly the long-term rate and effect of future sea level rise. The likely lifespan of a section of track close to the coast cannot be accurately predicted. Coastal erosion hazard could be managed using an adaptive management approach, with monitoring and a range of triggers and actions that relate to the coastal hazard risk profile over time. This approach would provide for coastal sections of the track to be utilised while conditions allow, while planning for future actions to adapt to an increasing hazard risk over time and ensuring the objectives of Te Ara Tipuna are met in terms of resilience.

A “passport” system has been proposed, to provide track users with information about appropriate behaviour and sensitive habitats or features (e.g. culturally significant sites, high value ecosystems etc). This system will include information about coastal hazards, as set out in Section 5.1.9 of this report.

Given the above, the Proposal is considered to be consistent with the relevant objectives and policies in B5.

### **Freshwater**

Section B6 – Freshwater, has one issue-based set of objectives, policies and methods, directed at significant resource management issues for freshwater.

The Proposal has been designed in a manner to avoid adverse effects on freshwater. No works are proposed within wetlands. Sediment and erosion measures will be utilised when earthworks are undertaken to minimise any water quality effects. The Proposal is therefore consistent with the objectives and policies within B6.

### **Cultural and Historic Heritage**

Section B7 – Cultural and Historic Heritage, has one issue-based set of objectives, policies and methods, directed at protection of recorded sites, including historic places and waahi tapu. The InSitu Heritage report has identified actual and potential effects on cultural and historic heritage sites.

The Proposal will protect historic heritage but importantly it will also raise awareness of historic heritage through information boards and the like.

### **Land Management**

Section B8 contains three issue-based sets of objectives and policies on ‘soil erosion and erosion prone land’ ‘detrimental effects of pests’ and ‘loss of productive/versatile soils.’ The last two sets are not applicable to the Proposal and the first set is only of relevance in that the site earthworks, if improperly managed, could lead to some soil erosion and discharges. The measures proposed in conditions, including the preparation of detailed design plans which will include erosion and sediment control measures, will ensure this does not happen and the applicable objectives and policies are met.

### **Natural Resources**

Section B9 has two issue-based sets of objectives, policies and methods, relating to ‘natural values’ and ‘public access.’ Both are relevant to the Proposal.

The B9.1 ‘natural values’ policy set cover ‘natural character, outstanding natural features and landscapes’ and ‘significant indigenous vegetation/habitats.’ They provide very little additional direction over these same matters in Part 2 of the RMA and the NZCPS, which have been addressed earlier in this report.

The B9.2 policy set on public access focus on maintenance and enhancement of public access to the CMA and other water bodies. It does recognise that while public access is a matter of national importance, there can be a conflict of interest where access needs to be discouraged because areas have sensitive cultural values, natural character, ecological values or safety concerns.

The process of confirming the concept alignment has followed an iterative process with the wider Project Team of effects specialists in order to address the potential conflicts identified above. The location of the track and its formation has been specifically considered with regard to sensitive cultural



values, natural character, ecological values and/or safety concerns. The Proposal is considered consistent with these objectives and policies.

## Summary

Given the above, the Proposal is considered to be consistent with the relevant objectives and policies of the RPS.

### 8.2.8 Tairāwhiti Resource Management Plan

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The TRMP is a unitary plan that combines the regional and district provisions into a single document. These provisions are primarily contained within Parts C and D of the TRMP. The relevant objectives and policies of the TRMP are discussed and assessed in the sections below.

#### C2 Built Environment, Infrastructure and Energy

The objectives and policies recognise the importance of enhancing the wellbeing of people and communities through the provision and maintenance of core infrastructure. The Proposal will provide connectivity and resilience to the East Coast and provides infrastructure that enables people and communities to provide for and enhance their environmental, social, cultural and economic well-being while avoiding, as far as practicable, remedying or mitigating any adverse effects on the environment.

The Proposal is considered to be consistent with the objectives and policies in this section of the plan.

#### C3 Coastal Management

The objectives and policies seek to preserve the natural character of the coastal environment, wetlands, rivers, lakes and their margins within the Coastal Environment as well as preserving public access.

The Proposal adopts a range of measures to ensure that the key values of the coastal environment are protected, including its natural character, landscape features and significance to Iwi. The effects of Te Ara Tipuna on ONFL, landscape, visual amenity, and natural character have been assessed and will be appropriate and less than minor. The inclusion of clip on bridges and new foot bridges within and adjacent to the CMA supports the policy to enhance public access to the CMA. The Project shaping stages, including iterative review and feedback on landscape matters, have confirmed an alignment and options for path types and new structures that bring a focus on avoiding adverse effects and practicable mitigation measures, as included in the LMP. Landscape matters to resolve in the detailed design phase relate to both detailed alignment and response to site, to further reduce adverse effects and provide for greater benefits.

#### C4 Cultural and Historic Heritage

The general objectives and policies seek recognition and protection of the cultural heritage resources within the Region.

The Proposal will do both.

The Proposal traverses a rich and unique archaeological and cultural landscape. Some places in the landscape are well-known, such as Hikurangi Maunga, but many sites remain obscure or may only be

revealed by ground disturbance. The Proposal is envisaged as a track that reconnects people (tangata whenua), the Iwi diaspora, with ancestral landscapes through the ability to visit and physically experience the place. The Proposal also offers a unique opportunity to raise the awareness of the wider visitor population to the people, places and past of Te Tairāwhiti and Te Moana a Toi. The track offers the opportunity of access to a number of well-preserved archaeological sites, which will enhance the amenity value of many sites. The visitor experience and understanding of places will also be aided through the provision of interpretation. Careful routing of the track in combination with planting and devices to guide movement will in many cases improve the conservation of sites by enhancing site stability and condition. Mitigation of effects through the provisions of the Heritage New Zealand Pouhere Taonga Act, providing for appropriate archaeological monitoring, investigation and recording will also enhance understanding of the nature and extent of the archaeological resource of Te Tairāwhiti and eastern Te Moana a Toi.

The Proposal is consistent with the objectives and policies of Chapter C4, as they relate to cultural and historic heritage sites.

#### C6 – Freshwater

The objectives and policies in C6.3 – Activities in the Beds of Rivers and Lakes – are relevant to the assessment of this Application as are the objectives and policies in C6.4 – Riparian Margins, Wetlands and C6.5 – Watercourses.

The Proposal involves culverts, bridges and earthworks. All structures and works will be undertaken in accordance with best engineering practices. With regard to culverts, these will be sized as appropriate and will provide for fish passage. Earthworks will be both temporary and short term and erosion and sediment control measures will be in place. Pedestrian clip on bridges are required to traverse watercourses where the existing bridge is too narrow to safely provide for pedestrians; the clip ons will be attached to the existing bridge thus reducing any effects on natural character, they will be structurally designed and will be resilient to natural hazards. Wetlands have been avoided through placement of the track.

Given the above the Proposal is consistent with the relevant objectives and policies of Chapter C6.

#### C7 – Land Management

All the land disturbance and soil removal will be managed on site to ensure local or global instability does not arise. Appropriate silt and sediment controls will be put in place prior to the commencement of the works to ensure adverse run off effects do not arise. Vegetation clearance is limited with existing tracks (formal or informal) being used where possible and avoidance of vegetated areas being the first response. For these reasons the Proposal is considered consistent with the relevant objectives and policies of Chapter C7.

#### C8 – Natural Hazards

As set out above, although the establishment of the track is unlikely to affect coastal hazard processes, users of the track could be impacted by coastal hazards, and there is a risk of physical damage to the track over time in some places. There are sections of the track located close to erosional coastlines, and in some areas the road and/or other land-based assets are already threatened by coastal erosion, with

little space to align the track further landward. In most of these areas, the track follows existing roads, and its maintenance will likely be integrated with the management of the road.

A “passport” system has been proposed, to provide track users with information about appropriate behaviour and sensitive habitats or features (e.g. culturally significant sites, high value ecosystems etc). This system will include information about coastal hazards, as set out in Section 5.1.9 of this report. Given the above, the Proposal is considered to be consistent with the relevant objectives and policies in C8.

### C9 – Natural Heritage

This chapter considers the issues and sustainable management of the natural heritage resources of the Gisborne district, including:

- a. Natural character of wetlands, lakes and rivers and their margins
- b. Outstanding natural features and landscapes;
- c. Areas of significant indigenous vegetation and significant habitats of indigenous fauna;
- d. Ridgelines of the Gisborne urban area; and
- e. Intrinsic values of ecosystems, including indigenous biodiversity.

The Project shaping stages, including iterative review and feedback on all of the above matters by experts, have confirmed an alignment and options for path types and new structures that bring a focus on avoiding such adverse effects and including practicable mitigation measures where required. In aiming to keep with the natural environment and provide an immersive experience for users, approximately 90% of the track is proposed to remain relatively untouched with the track composition to emulate that of a farm track.

### C11 – General Controls

The provisions in C11.1 relating to signs are relevant to the assessment of the Proposal.

The track is planned to sit lightly with the land and coastlines. The vast proportion of the track (90 percent – approximately 450kms) will be following low key consistent wayfaring signage across paddocks, over hills, and along beaches in their natural state.

### DC2 General Coastal Management Area, DD4 Rural Zones and D5 Reserve Zones

The track extends through various zones. A pedestrian track is not specifically provided for in the rural zones; the most relevant objectives and policies DD4 are about protecting amenity values. The track itself is planned to sit lightly on the land and has been located away from dwellings and other activities where possible, the passport system will guide users of the track to the behaviours expected and as well as any site-specific requirements. Consultation and engagement with landowners is ongoing. From a civil perspective, landowner approval will be required to place the track over private land (i.e. the track will only be over land where landowners have provided their approval).

The Proposal is entirely consistent with the objectives and policies as they relate to reserve zones i.e. providing for public access while managing adverse effects on the environment.

### Summary

Given the above, the Proposal is considered to be consistent with the relevant objectives and policies of the TRMP.

### 8.2.9 Bay of Plenty Regional Natural Resources Plan

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The purpose of the RNRP is to promote the sustainable and integrated management of land and water resources within the Bay of Plenty.

To achieve this, the RNRP has objectives, policies and methods (which include rules) to address issues of use, development and protection of land resources, geothermal resources and freshwater resources, including the beds and margins of water bodies. The resources covered by the Regional Natural Resources Plan are:

- Rivers and streams
- Lakes
- Wetlands
- Groundwater
- Geothermal
- Natural Hazards
- Air

Chapter 5 – Land Management and Chapter 8 – Beds of Water Bodies are most relevant to the assessment of this Application.

All the land disturbance and soil removal will be managed on site to ensure local or global instability does not arise. Appropriate silt and sediment controls will be put in place prior to the commencement of the works to ensure adverse run off effects do not arise. Vegetation clearance is limited with existing tracks (formal or informal) being used where possible and avoidance of vegetated areas being the first response. For these reasons the Proposal is consistent with the relevant objectives and policies of Chapter 5.

The Proposal involves culverts, bridges and earthworks. All structures and works will be undertaken in accordance with best engineering practices. With regard to culverts, these will be sized as appropriate and will provide for fish passage. Earthworks will be both temporary and short term and erosion and sediment control measures will be in place. Pedestrian clip-on bridges are required to traverse watercourses where the existing bridge is too narrow to safely provide for pedestrians the clip ons will be attached to the existing bridge thus reducing any effects on natural character, they will be structurally designed and will be resilient to natural hazards. Wetlands have been avoided through placement of the track. Given the above, the Proposal is consistent with the relevant objectives and policies of Chapter 8.

The Proposal is considered to be consistent with the relevant objectives and policies of the RNRP.

## 8.2.10 Bay of Plenty Regional Coastal Plan

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The Regional Coastal Plan (RCP) provides policy guidance on decision making as it applies to the area landward of the CMA. The track traverses throughout the 'Coastal Environment' which is indicated on the Ōpōtiki District Plan planning maps, as well as Indigenous Biological Diversity Area A (IBDA A), Indigenous Biological diversity Area B (IBDA B) and outstanding ONFL which requires consideration of the relevant policies.

The IBDA A have been identified as areas that met the criteria contained in policy 11 (a) of the NZCPS, with the IBDA B including those areas that met the criteria contained in policy 11 (b) of the NZCPS. The application of policy 15(c) of the NZCPS is through the identification of ONFL.

The RCP outlines policies around what is considered appropriate use and development as it relates to those significant areas with the requirement to avoid adverse effects on the values and attributes afforded to those areas. The RCP includes provision for public walking to and along the CMA that will maintain or enhance those values and attributes associated to those areas.

It is considered that the proposed track, through the reiterative design process, construction and design methodology, requirement for pre-construction ecological assessments, as well as design considerations tailored by the LMP, will maintain those values attributed to areas and the development is in keeping with the policies of the RCP.

## 8.2.11 Ōpōtiki District Plan

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The most relevant objectives and policies within the Ōpōtiki District Plan (ODP) as they relate to the Proposal and the consents required under the ODP are those within Chapter 13 – Earthworks, Landscapes, Indigenous Vegetation and Habitats as well as those in Chapter 18 – Natural Hazards.

The Project shaping stages, including iterative review and feedback on all of the above matters by experts, have confirmed an alignment and options for path types and new structures that bring a focus on avoiding adverse effects on earthworks, landscapes, indigenous vegetation and habitats and including practicable mitigation measures where required. In aiming to keep with the natural environment and provide an immersive experience for users, approximately 90% of the track is proposed to remain relatively untouched with the track composition to emulate that of a farm track. For these reasons the Proposal is consistent with the relevant objectives and policies of Chapter 13.

As set out above, although the establishment of the track is unlikely to affect coastal hazard processes, users of the track could be impacted by coastal hazards, and there is a risk of physical damage to the track over time in some places which will need to be monitored. A "passport" system has been proposed, to provide track users with information about appropriate behaviour and sensitive habitats or features (e.g. culturally significant sites, high value ecosystems etc) and will include information about natural hazards. For these reasons the Proposal will be consistent with the relevant objectives and policies in Chapter 18.

## 9. Other Matters

### 9.1 Marine and Coastal Area (Takutai Moana) Act 2011

The Marine and Coastal Area (Takutai Moana) Act 2011 provides for the special status of the common marine and coastal areas as an area that is incapable of ownership.

The common marine and coastal area is the area between the line of mean high water springs (the landward boundary of the part of the beach covered by the ebb and flow of the tide) and the outer limits of the territorial sea (12 nautical miles) excluding existing private titles, the bed of Te Whaanga Lagoon in the Chatham Islands and certain conservation areas.

The below maps provide an overview of the four areas identified as needing to traverse the coastal marine area (CMA), including:

- Red: Crossing over the Awatere River requires a clip-on bridge
- Green: Crossing over the Karakatuwhero River requires a clip-on bridge
- Blue: New foot bridge over Kaitawa Stream- Opoutama
- Yellow: New footbridge over the Waiomoko River at Whangara

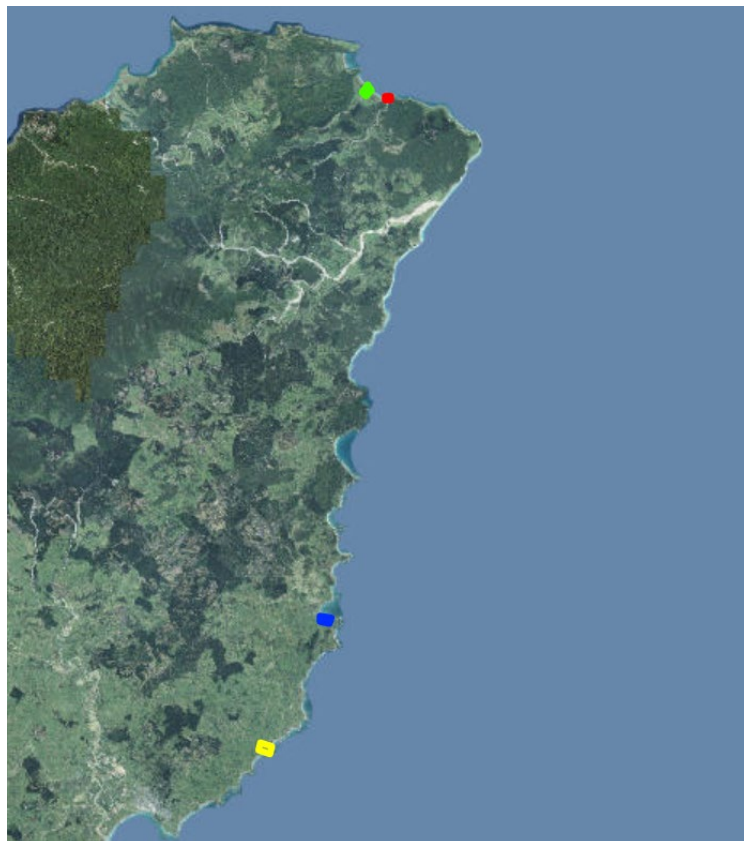


Figure 8 – Areas where project extends into CMA

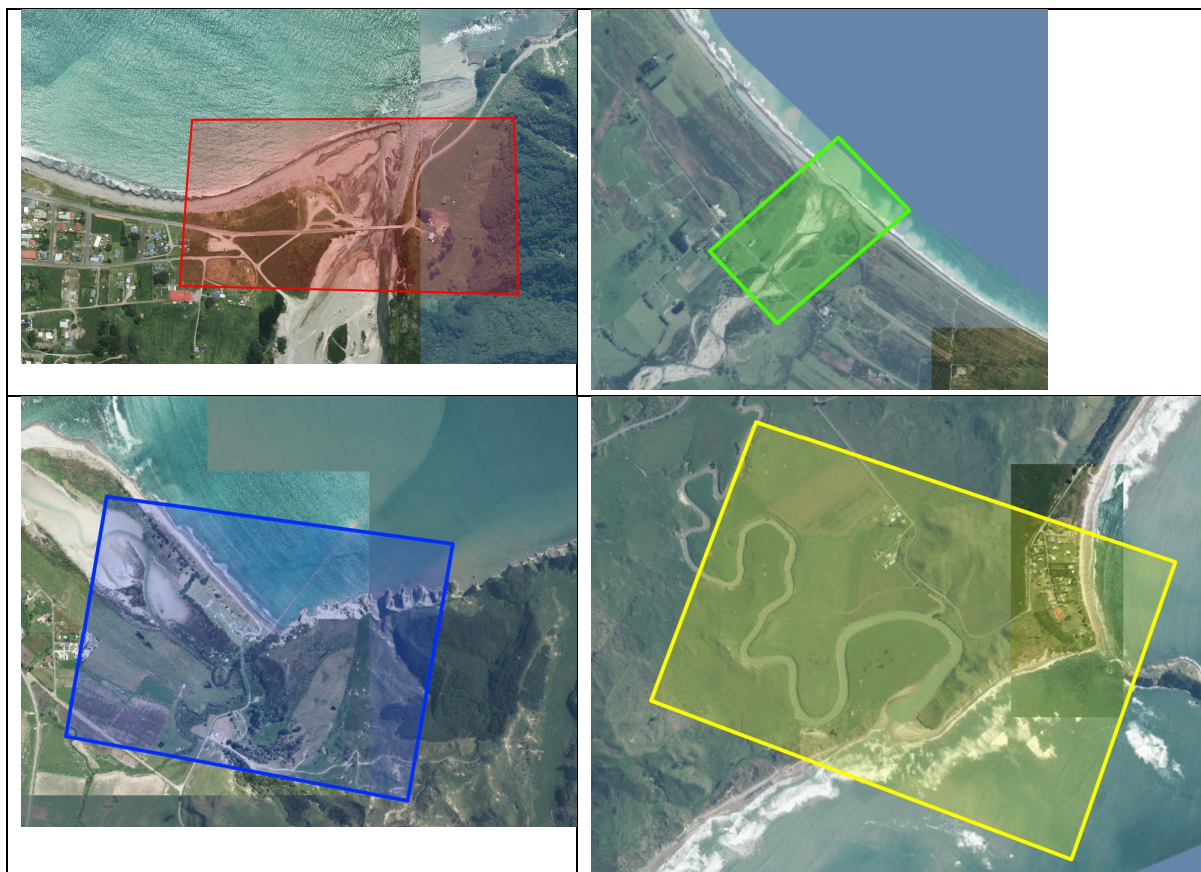


Figure 9 – Close-up of the areas where project extends into CMA






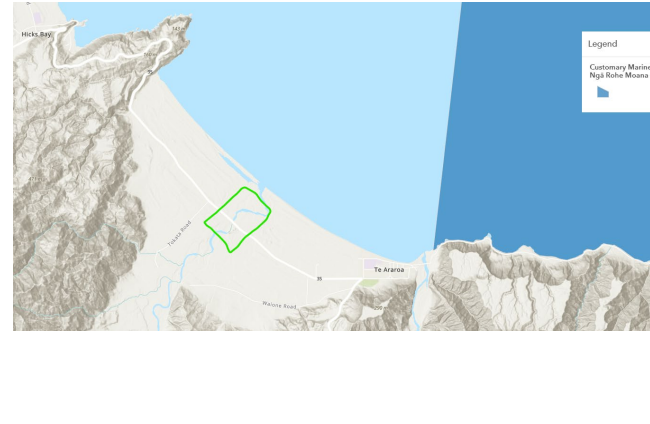
Under the Marine and Coastal Area (Takutai Moana) Act 2011, any organisation or person that has applied for customary title in the area of the CMA affected by the Proposal must be notified and their views sought on the Proposal.

**Table 2** below outlines the CMT areas recognised by the Ngā Rohe Moana o Ngā Hāpū o Ngāti Porou (Recognition of Customary Marine Title) Order 2020 and their proximity to the Project area, using this geospatial mapping tool: <https://takutai-moana-data-portal-maca-nds.hub.arcgis.com/datasets/maca-nds::customary-marine-title-areas-as-recognised-under-the-ng%C4%81-rohe-moana-o-ng%C4%81-hap%C5%AB-o-ng%C4%81ti-porou-act-2019/explore?location=-38.447544%2C178.366629%2C10.31>

Overall, there is one CMT area in close proximity to the Project, near the crossing over the Awatere River that requires a clip-on bridge (identified in red below). However, the proposed bridge does not appear to traverse the CMT area recognised by the order. For completeness, the details of the CMT area and relevant management arrangement details are:


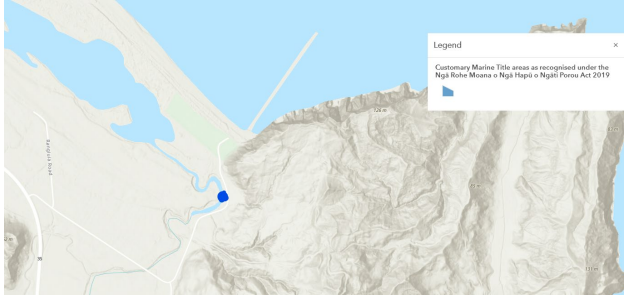

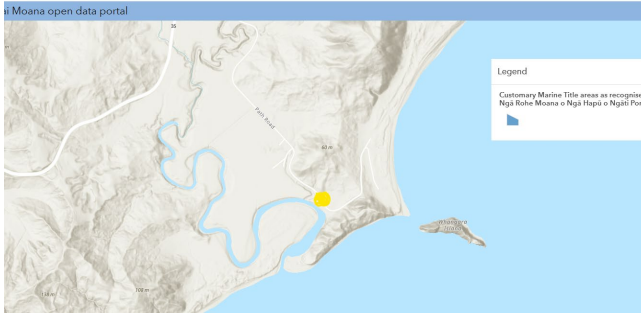
- Description: Area of Awatere River to Waipapa Stream
- Hapū: Te Whānau a Hunaara
- Management arrangement: Potikirua ki Whangaokena Takutai Kaitiaki Trust
- Schedule 1
- Area number: First Area
- Effective Date: 1 February 2021

Table 2: CMT areas recognised by the Ngā Rohe Moana o Ngā Hāpū o Ngāti Porou

NGĀ ROHE MOANA O NGĀ HĀPŪ O NGĀTI POROU			
Location	Map of areas identified as within the coastal marine area	General proximity of Project area	Customary Marine Title order areas <sup>2</sup> with Project area identified
Crossing over the Awatere River requires a clip on bridge			
Crossing over the Karakatuwhero River requires a clip-on bridge			

<sup>2</sup> This layer is a geospatial representation of the recognition of customary marine title under the Ngā Rohe Moana o Ngā Hāpū o Ngāti Porou (Recognition of Customary Marine Title) Order 2020 registered on the Marine and Coastal Area Register (LINZ). Areas are prepared in accordance with section 115 of the Nga Rohe Moana o Nga Hapu o Ngāti Porou Act 2019.



<p>New foot bridge over Kaitawa Stream- Opoutama</p>			
<p>New footbridge over the Waiomoko River at Whangara</p>			

## CUSTOMARY MARINE TITLE ORDER AREAS



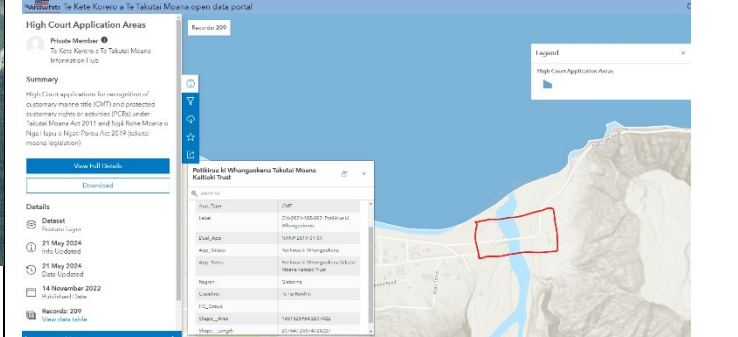


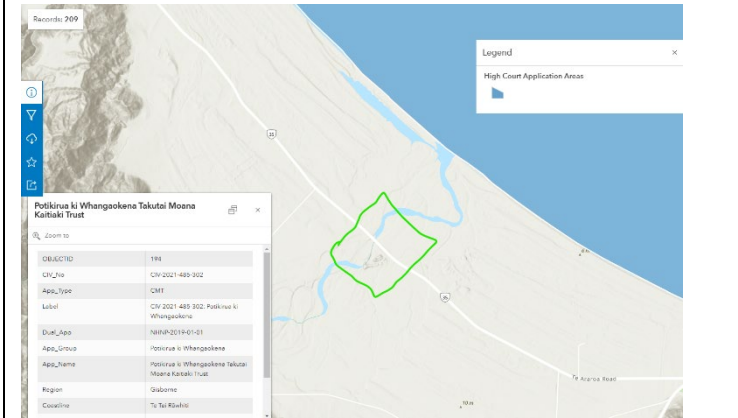
Under MACA ([subpart 3 of part 4](#)), Land Information New Zealand is responsible for maintaining a marine and coastal area register as a permanent record of documents relating to customary marine interests. The following website identifies 19 areas where CMT orders have been recognised. 18 of these fall within the NHNP areas identified above, and there's one additional area [Customary Marine Title Order: Tamaitemioka and Pohowaitai Islands](#) which is located near Stewart Island and is therefore not relevant.

## CUSTOMARY MARINE TITLE ORDER AND PROTECTED CUSTOMARY RIGHTS APPLICATION AREAS UNDER MACA

The Courts of New Zealand website identifies the scheduled and completed MACA hearings. Reviewing this website, there are 10 completed hearings (with 6 decisions that have been made) and 5 scheduled hearings as at 31 October 2024. However, there are a number of other areas where applications have been made. The below maps identify the High Court applications for recognition of CMT and protected customary rights or activities (PCRs) under MACA and Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, using this geospatial mapping tool: [https://takutai-moana-data-portal-macands.hub.arcgis.com/datasets/c8eb6daf011548d3941b265f8cb5ca07\\_0/explore?location=-38.090630%2C-0.963625%2C8.97](https://takutai-moana-data-portal-macands.hub.arcgis.com/datasets/c8eb6daf011548d3941b265f8cb5ca07_0/explore?location=-38.090630%2C-0.963625%2C8.97)

The Te Arawhiti website also outlines a list of applications that have been made for recognition of customary interest from the Crown. The following maps also identify the applications for CMT and PCRs under MACA and NHNP: [https://takutai-moana-data-portal-macands.hub.arcgis.com/datasets/54f7f207afae41019897f1360cdae0b8\\_0/explore?location=-38.439275%2C178.341530%2C10.99](https://takutai-moana-data-portal-macands.hub.arcgis.com/datasets/54f7f207afae41019897f1360cdae0b8_0/explore?location=-38.439275%2C178.341530%2C10.99)

## HIGH COURT APPLICATION AREA

Location	Map of areas identified as within the coastal marine area	General proximity of Project area	Customary Marine Title / PCR application areas
Crossing over the Awarere River requires a clip on bridge			
Crossing over the Karakatuwhero River requires a clip on bridge			

New foot bridge over Kaitawa Stream- Opoutama



Records: 209

Legend

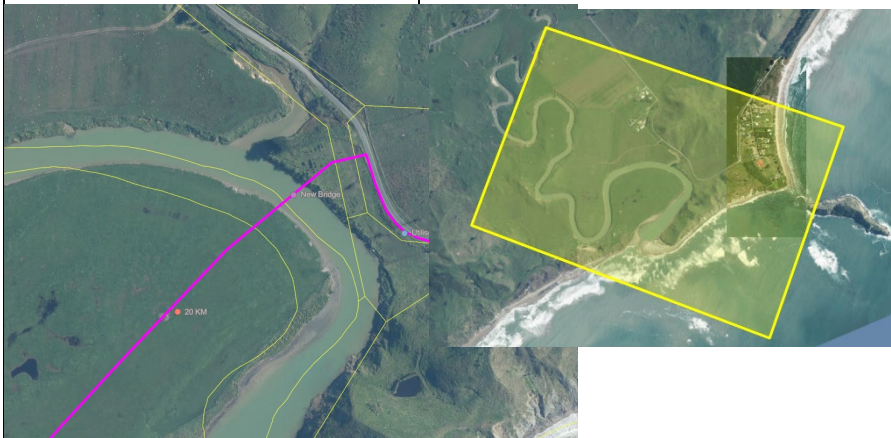
- High Court Application Areas

Marise Marcia Lent

Zoom to

OBJECTID	157
CIV_No	CIV-2017-489-255
App_Type	
Label	CIV-2017-489-255: Te Kaitiaki o Ngā Whānau Māori o Hauāi Takurua Moana Trust
Dual_App	MAC-01-08-002
App_Group	Te Kaitiaki o Ngā Whānau Māori o Hauāi Takurua Moana Trust
App_Name	Marise Marcia Lent
Region	Gisborne
Coastline	Te Tai Raukū

New footbridge over the Waiomoko River at Whangara



Te Tai Moana open data portal

Records: 209

Legend



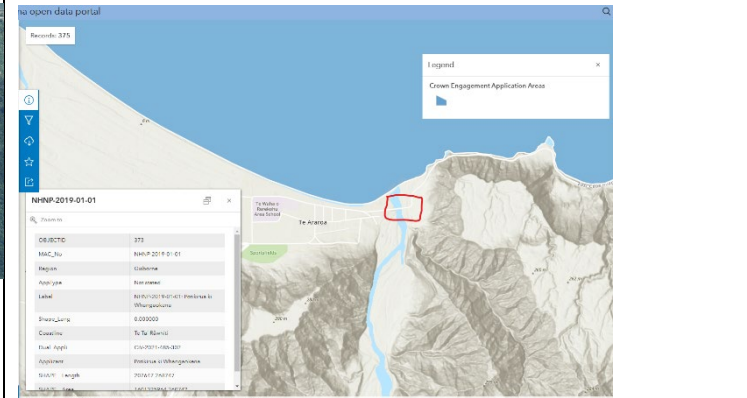
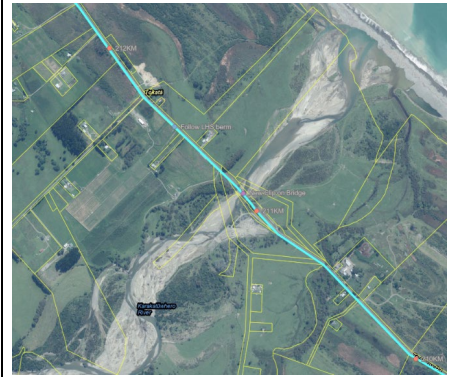

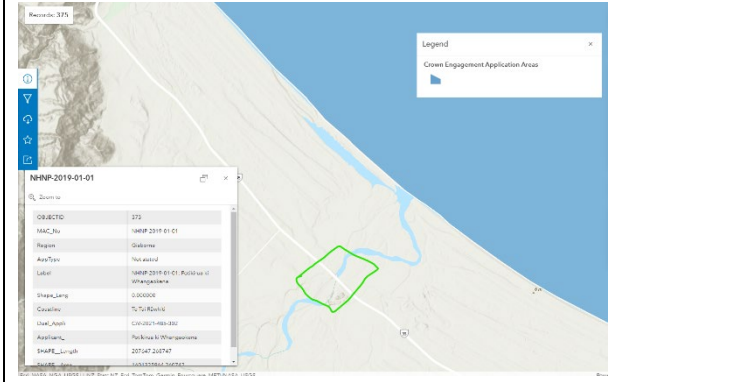
- High Court Application Areas

Marise Marcia Lent

Zoom to

OBJECTID	157
CIV_No	CIV-2017-489-255
App_Type	
Label	CIV-2017-489-255: Te Kaitiaki o Ngā Whānau Māori o Hauāi Takurua Moana Trust
Dual_App	MAC-01-08-002
App_Group	Te Kaitiaki o Ngā Whānau Māori o Hauāi Takurua Moana Trust
App_Name	Marise Marcia Lent
Region	Gisborne
Coastline	Te Tai Raukū

CROWN ENGAGEMENT AREA

Location	Map of areas identified as within the coastal marine area	General proximity of Project area	Customary Marine Title / PCR application areas (Crown Engagement layer)																				
Crossing over the Awatere River requires a clip on bridge			 <table border="1" data-bbox="1328 627 1541 834"> <tr><td>OBJECTID</td><td>373</td></tr> <tr><td>MARC_No</td><td>NANP 2019 01 01</td></tr> <tr><td>Region</td><td>Gabones</td></tr> <tr><td>AreaType</td><td>Water Area</td></tr> <tr><td>Label</td><td>WATER 2019 01 01: Public Use of Whangape</td></tr> <tr><td>Shape_Leng</td><td>0.00000</td></tr> <tr><td>Coverage</td><td>T, T, R, B, D, H, I</td></tr> <tr><td>Line_Apph</td><td>C:\GIS\1483182</td></tr> <tr><td>Assitant_</td><td>Public Use Whangape</td></tr> <tr><td>SHAPE_Length</td><td>207347.20870</td></tr> </table>	OBJECTID	373	MARC_No	NANP 2019 01 01	Region	Gabones	AreaType	Water Area	Label	WATER 2019 01 01: Public Use of Whangape	Shape_Leng	0.00000	Coverage	T, T, R, B, D, H, I	Line_Apph	C:\GIS\1483182	Assitant_	Public Use Whangape	SHAPE_Length	207347.20870
OBJECTID	373																						
MARC_No	NANP 2019 01 01																						
Region	Gabones																						
AreaType	Water Area																						
Label	WATER 2019 01 01: Public Use of Whangape																						
Shape_Leng	0.00000																						
Coverage	T, T, R, B, D, H, I																						
Line_Apph	C:\GIS\1483182																						
Assitant_	Public Use Whangape																						
SHAPE_Length	207347.20870																						
Crossing over the Waiomoko River requires a clip on bridge			 <table border="1" data-bbox="1328 1098 1541 1310"> <tr><td>OBJECTID</td><td>373</td></tr> <tr><td>MARC_No</td><td>NANP 2019 01 01</td></tr> <tr><td>Region</td><td>Gabones</td></tr> <tr><td>AreaType</td><td>Water Area</td></tr> <tr><td>Label</td><td>WATER 2019 01 01: Public Use of Whangape</td></tr> <tr><td>Shape_Leng</td><td>0.00000</td></tr> <tr><td>Coverage</td><td>T, T, R, B, D, H, I</td></tr> <tr><td>Line_Apph</td><td>C:\GIS\1483182</td></tr> <tr><td>Assitant_</td><td>Public Use Whangape</td></tr> <tr><td>SHAPE_Length</td><td>207347.20870</td></tr> </table>	OBJECTID	373	MARC_No	NANP 2019 01 01	Region	Gabones	AreaType	Water Area	Label	WATER 2019 01 01: Public Use of Whangape	Shape_Leng	0.00000	Coverage	T, T, R, B, D, H, I	Line_Apph	C:\GIS\1483182	Assitant_	Public Use Whangape	SHAPE_Length	207347.20870
OBJECTID	373																						
MARC_No	NANP 2019 01 01																						
Region	Gabones																						
AreaType	Water Area																						
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Shape_Leng	0.00000																						
Coverage	T, T, R, B, D, H, I																						
Line_Apph	C:\GIS\1483182																						
Assitant_	Public Use Whangape																						
SHAPE_Length	207347.20870																						



<p>New foot bridge over Kaitawa Stream- Opoutama</p>			
<p>New footbridge over the Waiomoko River at Whangara</p>			

As detailed above, there are no direct overlaps between the project works and confirmed CMT order areas. Consequently, there is no prior approval needed to enable the application to be considered by Councils.

While there are no specific overlaps identified in the attached maps, there are four areas that have been identified within the project area that are the subject of CMT applications which are in relatively close proximity to the CMT applications that are yet to be determined. Namely, those shown in **Table 3** below:

**Table 3: Areas identified in the project area that are the subject of CMT applications**

Type	Description / Application label	Project area	Relevant management arrangement / applicant
Application	CIV-2021-485-302: Potikirua ki Whangaokena	Crossings over the Awatere River	Potikirua ki Whangaokena Takutai Moana Kaitiaki Trust
		Crossing over Karakatuwhero River	
Application (not available, but note the Te Arawhiti online mapping software notes this is a dual application with CIV-2021-485-302 above)	NHNP-2019-01-01: Potikirua ki Whangaokena	Crossings over the Awatere River	Potikirua ki Whangaokena
		Crossing over Karakatuwhero River	
Application	CIV-2017-485-255: Te Kotahitanga o Ngā Whānau/Hapū o Hauiti Takutai Moana Trust	New foot bridge over Kaitawa Stream- Opoutama	Te Kotahitanga o Ngā Whānau/Hapū o Hauiti Takutai Moana Trust
		New footbridge over the Waiomoko River at Whangara	
Application (noting the Te Arawhiti online mapping software identifies this is a dual application with CIV-2017-485-255 above)	MAC-01-08-002: Te Kotahitanga o Ngā Whānau/Hapū o Hauiti Takutai Moana Trust (Nga Hapu o Kokoronui ki Te Toka a Taiau Takutai Kaitiaki Trust) (dual application with	New foot bridge over Kaitawa Stream- Opoutama	Ngā hapū o Ngāti Ira, Ngāti Patuwhare, Te Whānau a Te Rangipureora, Ngāti Kuranui, Ngāti Kahukuranui, and Ngāti Konohi

As the specific application areas have not yet been confirmed (and as such, unlike the order areas don't have defined boundaries) we have taken a conservative approach and notified each of the parties who have a CMT application in these areas. Refer to **Appendix 21**.

Any responses received will be considered and will be shared with the Councils.

## Part 2 of the RMA

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We consider that those aspects of the TRMP, ODP and RNRP relevant to this Application have been ‘competently prepared under the RMA, in the sense referred to by the Court of Appeal’.<sup>3</sup> The Councils are therefore not obliged to conduct an evaluation under Part 2 of the RMA, and Part 2 considerations should not be used to override the plan provisions. However, for the sake of completeness, and to remove any doubt, the following assessment against Part 2 has also been undertaken.

Part 2 of the RMA sets out the Purpose and Principles. Section 5 of the RMA sets out the overriding purpose, which is the sustainable management of natural and physical resources.

The RMA states that sustainable management 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”.*

It is considered that the Proposal is not contrary with the RMA’s purpose to *“promote the sustainable management of natural and physical resources”*. The Proposal has been designed and located in a manner that mitigates adverse effects on the environment and will enable people and communities to provide for their social and cultural well-being. Notably as it will enrich the cultural, social, and economic status of the East Coast while ensuring any adverse effects are appropriately avoided or mitigated. As stated above any adverse environmental effects arising from the Proposal are considered to be less than minor.

Section 6 of the RMA sets out the Matters of National Importance. Matters relevant to this Application include:

- (a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetland, lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development:*

The track has been located and designed to ensure that it preserves the natural character of the coastal environment and rivers and their margins. The location of the track avoids wetlands.

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<sup>3</sup> *R J Davidson Family Trust v Marlborough District Council* [2018] NZCA 316, paras 74 and 75



(b) *The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development:*

The track has been located and designed to protect outstanding natural features and landscapes.

(c) *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*

The track has been located to avoid significant indigenous vegetation and significant habitats of indigenous fauna. Where significant indigenous vegetation could not be avoided, effects have been minimised as far as practicable and mitigation measures are proposed.

(d) *The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers:*

The Proposal is to develop a landscape sensitive pedestrian track which will connect the communities of Ngāti Porou and Te Whānau a Apanui and provide for greater immersive experience of the coastal and river environments, for whānau and visitors alike. The Proposal will significantly enhance public access to and along the CMA and rivers.

(e) *The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*

Te Ara Tipuna is the working title of this multi-layered project, literally meaning the way of our forebears. This Proposal (Stage 1) seeks to build and maintain pedestrian tracks for local commuters, visitors and whole of journey hikers. As with all Kaupapa, it has layers of meaning. And it anticipates further layers of growth and development.

- Firstly, Te Ara Tipuna is an evolution of the ways of our ancestors. The way they practiced life and community; the way they interacted with the physical and metaphysical environment; the ways they used to move between whānau and hapu, undertake activities, connect with each other; the way they were in the world, in their time, and the cultural legacy they have left.
- Secondly, Te Ara Tipuna is intended to restore connectivity and momentum in the daily life of those who live and work in-rihe, the iwi kaenga, the ahi ka, safe and independent of SH35. To be able to create local level enterprises and economic development, to save and share the stories of their wahi, to revitalise the pa kaenga as centres of activity and society, to be everyday kaitiaki of the area and the people who transverse them, locals and manuhiri alike.
- Thirdly, Te Ara Tipuna is the overall description of the proposed network of ara/accessways, connecting existing tracks, old and new, reviving unused tracks, defunct paper roads, encroachments, along with new mapping to create a continuous journey from one end of Te Tairāwhiti to the other, through Ngāti Porou and Te Whānau-ā-Apanui.
- Fourthly, Te Ara Tipuna provides opportunity for distinct tourism experience into the heart of Te Tairāwhiti. It opens a part of Aotearoa New Zealand

where through terrain, beautiful beaches and bays are home to richly carved and decorated wharenui and wharekai, and people who know how to hunt, dive, fish, cook, haka, sing, tell long stories, sly jokes, and deliver fast and furious one-liners.

- Fifthly, Te Ara Tipuna can offer a warm welcome and unique manaaki experience – iwi to kiwi – to fellow New Zealanders to walk into a marae, prepare kai in te kauta, eat and wash dishes, yarn by the fire, sleep in the wharenui, and head off into the day and to the next equally proud hapu along the ara.

Given the above, the Proposal will significantly enhance the relationship of Māori and their culture and traditions.

*(f) The protection of historic heritage from inappropriate subdivision, use and development.*

The Proposal will protect historic heritage but importantly it will also raise awareness of historic heritage through information boards and the like.

*(g) The protection of recognised customary activities*

For the reasons set out under sub section (e) above the Proposal provides for the protection, and enhancement, of recognised customary activities.

The Proposal is therefore consistent with Section 6 of the RMA.

Section 7 of the RMA defines 'Other Matters' to which particular regard shall be had in decision making under the RMA. Sub sections (a), (b), (c) and (f) are relevant. They relate to kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values and the maintenance and enhancement of the quality of the environment.

For the reasons set out in the preceding assessment, the Proposal has been designed in a manner that strengthens kaitiakitanga, promotes opportunities for learning, enhances opportunities for public enjoyment and the amenity values of the East Coast and integrates into the environment in which it is located. Construction works will be managed to minimise the impact on amenity values and the environment. The Proposal is therefore consistent with Section 7 of the RMA.

Te Ara Tipuna Charitable Trust is the applicant. The Proposal is multi-layered and provides significant and wide-ranging benefits. The purpose of Te Ara Tipuna is to enrich and uplift the cultural, social, and economic status of the whanau, hapu iwi and communities of Te Tairāwhiti, their resources and authority over their way of life, and wellbeing of their natural and built environment. In doing so, the proposal for Te Ara Tipuna is informed by the principles of the partnership, protection and participation. As such, it is considered that the Proposal is consistent with the principles of the Treaty of Waitangi.

It is considered that this Proposal satisfies the Purpose and the Principles of the RMA.

# 10. Conclusion

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In terms of section 104(1)(a) of the RMA, the actual and potential adverse effects on the environment of the Proposal will be acceptable, and less than minor, as discussed in Section 5 of this report. Effects associated with landscape and visual effects, heritage and archaeological effects, cultural effects, social effects, recreational effects, traffic effects, ecological effects, coastal hazard effects, geotechnical effects, effects of earthworks and servicing effects, have been assessed to be less than minor and will be mitigated, where necessary, through a range of measures proposed, including implementation of the CMP, EMP and LMP.

The Proposal is multi-layer and provides significant and wide-ranging positive effects; it is designed to enrich the cultural, social, and economic status of the east coast while providing incentive for activity upon completion and employment during and after construction.

In terms of section 104(1)(b) of the RMA, the Proposal is consistent with the objectives and policies of the relevant statutory documents for the reasons set out in Section 8 of this report.

Te Ara Tipuna Charitable Trust, the Applicant, has requested public notification.

The Proposal is consistent with Part 2 of the RMA as Te Ara Tipuna has been designed and located in a manner that mitigates adverse effects on the environment and will enable people and communities to provide for their social and cultural well-being.

It is therefore considered appropriate for the Application to be granted after public notification, subject to the conditions proposed in **Appendix 19**.