

ERRATA MEMO

24 NOVEMBER 2022

Subject: Addendum to Submissions Received on Designations section 42A Report - Designations

Following the release of my s42A Report – Designations on 23 November 2022, it was noted that there were four submissions that were not addressed in that report. These submissions are detailed below in relation to the Requiring Authority that they relate to and my recommendations are provided.

CNZ- Chorus New Zealand Limited

Royal Forest and Bird Protection Society of New Zealand Incorporated provided a further submission to the submission from Chorus New Zealand Limited. This further submission was not included in the published s42A – Designations Report. The submission is as below:

Submission point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Summary Recommendation
S117.068	Chorus New Zealand Limited	CNZ- Chorus New Zealand Limited	Support	Retain 'CNZ – Chorus New Zealand Limited' designations [CNZ-1 to CNZ-11] as notified	Awaiting recommendation
FS9.496	Royal Forest and Bird Protection Society of New Zealand Incorporated		Oppose	The amendments and decisions sought would result in continued loss of indigenous biodiversity in Hawkes Bay, would not give effect to the RPS, NZCPS and NPSFM or would not achieve the purpose of the RMA	Awaiting recommendation

No recommendation has been provided for the Chorus NZ Limited submission as I have asked Chorus New Zealand to attend the hearing and discuss their NOR's to rollover the Chorus NZ Ltd designations. There are some matters that are outstanding and require clarification before a recommendation can be made on these designations, these are:

- An assessment of the effects of the removal of the conditions from the designation, including a comparison between the conditions and the performance standards required by the PDP and NES-TF.

Until the further information has been provided by Chorus NZ to the hearings panel, I am unable to make a recommendation, therefore, I am not able to make a recommendation on either the Chorus NZ Ltd submission (S117.068) or the Royal Forest and Bird Protection Society of New Zealand Incorporated submission (FS9.496). Having said that, I am unaware of how the modifications sought would result in the loss of biodiversity, or how the named documents would be affected. As such, in the absence of evidence from the further submitter, my recommendation is likely to be to reject the further submission.

MEDU – Minister of Education

The Heretaunga Tamatea Settlement Trust (HTST) submitted in support of the retention of designation 'MEDU-13 – Te Aute College'. Omitted from the s42A – Designation Report was the further submission from the Minister of Education on this submission. Both submissions are detailed below:

Submission point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Summary Recommendation
S120.027	Heretaunga Tamatea Settlement Trust	MEDU-Minister of Education	Support	Heretaunga Tamatea Settlement Trust (HTST) support the Minister of Education's Designation of Te Aute College. As outlined above Te Aute College is of a great significance to tangata whenua and the hapū of Central Hawke's Bay. The Minister of Education's designation enables the continued growth and development of Te Aute College that has cultural, traditional, heritage and educational value to tangata whenua. HTST see this College as a big part of the future for its people.	Accept
FS11.016	The Ministry of Education		Support		Accept

As I have recommended that submission point S120.027 from HTST should be accepted, I consider that the further submission from the Ministry of Education (FS11.016) be accepted as well. No change to the PDP is required.

SPK – Spark New Zealand Trading Limited

Spark NZ Trading Limited submitted an NOR for two sites, both as the secondary requiring authority, with Chorus NZ Limited as the primary requiring authority. As no recommendation on the Chorus NORs has been made subject to further information to be provided to the hearings panel, the same recommendation stands for the two Spark NZ Trading Ltd NORs.

Royal Forest and Bird Protection Society of New Zealand Incorporated have made a further submission against the submission by Chorus NZ Limited, as shown below:

Submission point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Summary Recommendation
S117.069	Chorus New Zealand Limited	SPK – Spark New Zealand Trading Ltd	Support	Retain 'SPK – Spark New Zealand Trading Ltd' Designations [SPK – 1 and SPK -2] as notified.	Awaiting recommendation

FS9.496	Royal Forest and Bird Protection Society of New Zealand Incorporated		Oppose	The amendments and decisions sought would result in continued loss of indigenous biodiversity in Hawkes Bay, would not give effect to the RPS, NZCPS and NPSFM or would not achieve the purpose of the RMA	Awaiting recommendation
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I await further information provided by Chorus NZ/Spark NZ to the hearings panel before I make a recommendation on the above submissions. Having said that, I am unaware of how the modifications sought would result in the loss of biodiversity, or how the named documents would be affected. As such, in the absence of evidence from the further submitter, my recommendation is likely to be to reject the further submission.

Waka Kotahi NZ Transport Agency

Waka Kotahi NZ Transport Agency made two submissions relating to the maps released. These submissions directly refer to the mapping of the designations for State Highway 2 and State Highway 50. The submissions are as follows:

Submission point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Summary Recommendation
S78.042	Waka Kotahi NZ Transport Agency	MAPS	Amend	Amend designation shapefile of 'NZTA-1' to match local authority boundaries and actual road parcels, as identified [refer full submission for detail]	Awaiting recommendation
S78.043	Waka Kotahi NZ Transport Agency	MAPS	Amend	Amend designation shapefile for 'NZTA-2' to provide 5m offset from edge of bridge and to match actual road parcel, as identified [refer full submission for detail].	Awaiting recommendation

I agree that the modifications sought by Waka Kotahi should be made. Prior to the Hearing, Council officers will confirm that the detail required by these two submissions were incorporated into the PDP Maps or whether there are further changes needing to be made.

As a result of these omissions, section 3.0 of the s42A - Designations report has been amended as follows:

3.0 Consideration of Submissions Received

3.1 Overview of Submissions

3.1.1 **Fifteen** submissions and **three further submissions** were received on designations and notices of requirement included in the PDP. These included requests to amend designations and to support proposed designations.

3.1.2 No submissions were received that opposed the inclusion of the designations outright. My analysis and recommendations on the submissions are set out below in relation to the designation to which the submission relates.

Recommendations

For the reasons outlined above:

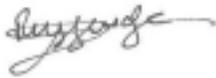
- I cannot provide a recommendation on submission FS9.496 by Royal Forest and Bird Protection Society of New Zealand Incorporated at this time until Chorus NZ Ltd provide further information at the hearing on Designations.
- I recommend that the hearings panel accept the submission from the Ministry of Education (FS11.016)
- I recommend that the hearings panel accept the submission S78.042 and S78.043 by Waka Kotahi NZ Transport Agency upon confirmation that the modifications sought have been incorporated into the Maps.

Prepared by:



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