

Appendix F: Catherine Hamilton expert review comments



Peer Review of:

Eastern Bays Shared Path Recreation
Assessment, prepared by Rob Greenaway
and Associates for Hutt City Council,
January 2019

For: GREATER WELLINGTON REGIONAL COUNCIL
Te Pane Matua Taiao



Contact Details

WSP OPUS

PO Box 5848, Auckland 1141
New Zealand

Telephone: +64 9 355 9500
Mobile: +64 9 355 9580

Document Details:

Date: 15 May 2019
Reference: 3-53523.00
Status: Final

Prepared By



Catherine Hamilton
Technical Principal - Landscape Architecture

Reviewed By



Simon Banks
Senior Environmental Planner

Contents

1	Brief.....	1
2	Documents Reviewed	1
3	Application Description	1
4	Recreation Assessment Summary.....	2
5	Methodology for Peer Review.....	2
6	Comments.....	4
1.1	Methodology.....	4
1.2	Maintaining Existing Dry Beach Areas.....	4
1.3	Path Width.....	4
1.4	Refuges.....	5
1.5	Increased Activity.....	5
1.6	Review of Effects per Coastal Section	5
1.7	Review of Alternatives Assessment and Design Features.....	6
7	Further Information	7
8	Suggested Conditions of Consent	7
9	Conclusions.....	7

Document History and Status

Revision	Date	Author	Reviewed by	Status
1	13/5/19	Catherine Hamilton	Simon Banks	Draft for comment
2	15/5/19	Catherine Hamilton	Simon Banks	Final

Revision Details

Revision	Details

1 Brief

WSP Opus has been briefed by Greater Wellington Regional Council to provide a peer review of the Assessment of Recreation Effects associated with the proposed Eastern Bays Shared Path.

The requested scope for the review, as outlined by Greater Wellington Regional Council in their email dated 24 April 2019 to the author of this memo, states:

*Please provide any review comments by way of **review memo**:*

1. Where you **agree** with the assessment/conclusions drawn by the applicant's experts on a relevant matter, concluding statements confirming you agree/are comfortable with the assessment are all that are required.
2. If you **disagree** with elements of an assessment, an assessment in its entirety, or require further information to complete your assessment please outline clearly in your review memo:
 - why you disagree with the expert assessment and/or the conclusions drawn by the expert
 - what further information you require and the format in which you would like this further information to be provided
 - any conditions of consent or suggestions which could further manage, remedy, or mitigate an actual or potential environmental effect
 - any other comments or concerns which you may have that you feel are relevant to consideration of the proposal

2 Documents Reviewed

This review focussed on the Eastern Bays Shared Path Recreation Assessment, prepared for Hutt City Council by Rob Greenaway and Associates, January 2019.

Additional documents considered were:

- Eastern Bays Shared Path Resource Consent Applications and Assessment of Effects on the Environment, Prepared for Hutt City Council by Stantec NZ Ltd, April 2019 (the 'AEE')
- Eastern Bays Shared Path Alternatives Assessment, Prepared for Hutt City Council by Stantec, March 2018 (Appendix G to the AEE)
- Eastern Bays Shared Path Design Features and Construction Methodology, Prepared for Hutt City Council by Stantec, January 2019 (Appendix J to the AEE)
- Eastern Bays Shared Path DBC, Preliminary Design Plans 80509137-01-001-C220 to 80509137-01-001-C242 incl, REV J: For Consent, Prepared for Hutt City Council by Stantec NZ Ltd, August 2018
- Simulated views of proposed path, Prepared for Hutt City Council by Stantec NZ Ltd and Drakeford Williams Ltd, August 2017

3 Application Description

The Eastern Bays Shared Path is a proposal by Hutt City Council to construct a 4.4 km Shared Path along Marine Drive in two sections, between Point Howard and Eastbourne. There is a current lack of dedicated cycling and walking facilities along the tightly constrained Marine Drive, which runs directly alongside the Coastal Marine Area (CMA) of Wellington Harbour.

To facilitate the shared path, the proposal also includes the widening of Marine Drive and replacement of a number of coastal structures, upon which the shared path will be constructed. Beach nourishment is proposed at Point Howard, Lowry Bay and York Bay. A range of resource consents are required to authorise the proposal under the Regional Coastal Plan for the Wellington Region, and the City of Lower Hutt District Plan.

The Assessment of Effects on the Environment (AEE) for the proposal is supported by the Recreation Assessment prepared by Rob Greenaway and Associates (January 2019), attached as Appendix K of the AEE. With proposed mitigation taken into account, the AEE concludes that the overall effects of the shared path on amenity effects and recreation range from none to less than minor. The effects of the proposal are considered in the context of the increasing impact of climate change on the shoreline and coastal resilience throughout the proposal area.

4 Recreation Assessment Summary

The Recreation Assessment (Greenaway and Associates, 2019) considers the positive and adverse effects of the proposal on local and regional recreation amenity. It gives consideration to both maximising the recreation amenity benefits of the shared path and minimising its potential adverse effects on existing recreation values, particularly those associated with beach activities and use of the rocky coastline. The Assessment's key findings are summarised below:

- **Path width** - a 3.5m wide path is the preferred minimum width, with short sections of 2.5m width to limit the loss of beach width and associated effects.
- **Recreation Setting** - the existing environment is mostly of local recreation value, used by local residents for swimming, small boat launching, walking and dog walking, shellfish gathering, snorkelling and fishing. There are small areas of regional recreation value at Point Howard Beach, Ferry Road Headland, and Lowry Bay.
- **Project Benefits** - walking and cycling activity are fundamental to social wellbeing, but activity in the project area is significantly impeded by the current condition of Marine Drive. The proposal would address this and is consistent with long-term recreation strategies.
- **Project Effects** - the proposal will result in the reduction of shoreline and beach width in some areas, which will affect existing recreational use of the beach and coastal areas. Beach nourishment is proposed as mitigation for the loss of dry sand areas at the popular recreation destinations of Point Howard, Lowry Bay and York Bay. Reduced path width is proposed in sensitive locations to minimise loss of beach width.
- **Policy Compliance** - there is clear alignment between the proposal and the requirements of the statutory planning policy framework to maintain and enhance access to and along the CMA, and recognition of the CMA as an important place for recreation.

Generally, the assessment in the Report does not rely on the benefits of the shared path as a mitigation for its effects on local beach amenity and recreational value. However, for Sorrento Bay, Mahina Bay, Sunshine Bay it is stated that loss of beach area is balanced by the benefits from the path (p9). The report makes it clear that, in the author's opinion, the likely scale of use of the shared path, and the resulting local, regional and national benefits, far outweigh the local and regional adverse effects.

5 Methodology for Peer Review

A site visit was undertaken by the writer on 2 May 2019 to familiarize herself with the location of the proposal and its surrounding context. The entire route was travelled, and observations made as to the likely recreation effects of the proposal.

A desktop examination of relevant documents was undertaken to understand the proposal and its likely recreation effects. Documents were reviewed with reference to Recreation Aotearoa (previously New Zealand Recreation Association) industry standards and relevant policy and research on active transport. Furthermore, the review draws on the authors own 25 years' experience in recreation design and planning.

Specifically, consideration was given to whether the Recreation Assessment adequately assesses the expected recreation effects of the proposal to create a shared path, taking into account the following relevant criteria;

- **User Experience - Comfort**
 - The effectiveness of the design (infrastructure, surface treatments, geometry, and alignment) in offering a comfortable, pleasant user experience
 - Refuges - the ability for people to stop at frequent intervals and be outside of the line of movement
 - Environmental comfort - shade and shelter
- **User Experience - Enjoyment**
 - The ability to connect with the natural landscape and marine environment (biophilia) through sensory experiences (sounds/views/smell/touch)
 - Provision of supporting facilities
- **Health Benefits**
 - The extent to which the proposal is predicted to contribute to health and wellbeing outcomes for users
- **Equity/Access**
 - The ability for people of all ages and abilities to easily share the path with other modes - e.g. fast cyclists, slow amblers, mobility assisted (wheelchairs, mobility scooters)
 - Meets accessibility standards
 - lack of physical barriers
 - lack of perceived barriers
 - Opportunities to experience either the full route or smaller sections within the route (requires frequent stopping points and access on and off the route)
- **Safety**
 - CPTED, (Crime Prevention through environmental design)
 - IPTED (Injury Prevention through environmental design)
 - Lighting
 - Protection from moving vehicles
 - Protection from falling
- **Connectivity**
 - Connections to adjacent recreation spaces
 - Connections to and from the route from the surrounding neighbourhoods
- **Trade Offs**
 - Benefits, losses, mitigation

6 Comments

1.1 Methodology

In my opinion, the methodology generally represents best practice for the assessment of recreation effects. It follows a clear and systematic process of field work, community engagement, desktop assessment of the relevant policy and statutory framework, evaluation of the proposal, assessment of the likely adverse impacts on recreation values, and consideration of avoidance and mitigation.

The report focuses on the recreation, health and wellbeing benefits of providing the shared path. It identifies the potential adverse effects from intrusion of the shared path into the coastal edge. Mitigation is proposed by way of beach nourishment where the more popular sandy beaches and rocky edges are impinged upon.

Concerns: The overall health and wellbeing benefits of the proposed path are well argued at a principal level, but the ability of the site-specific design to facilitate a high-quality recreation experience is not well covered. This, in my opinion, is a gap in the assessment and warrants deeper consideration.

Further assessment could be given to path widths, alignment, refuges and their frequency and locations, access on and off all or parts of the route, as well as other comfort and safety factors. Where I recommended that further information is provided by the author, these matters are collated under section 7 of this review.

1.2 Maintaining Existing Dry Beach Areas

The assessment concludes that the loss of dry beach areas can be mitigated by nourishment and that this is likely to maintain the available dry beach space for recreation use. It is not clear, however, if the proposed new infrastructure and changes to the beach profile will alter coastal morphology, potentially leading to increased erosion and loss of the dry beach area - effectively counteracting such mitigation.

The assessment also states that “the proposal is not a solution to the inevitable adjustment of beach profiles and the accessibility of shoreline rock pools and shore-based fishing spots resulting from climate change” (Part 1.1. p5)

I **agree** that the proposed locations for beach nourishment are logical in terms of retaining high-tide dry beach areas in popular locations, and therefore access to the coastal edge.

I **do not agree** that the assessment can rely upon beach nourishment to offset intrusion into the coastal environment. This is because it is not evident that beach nourishment will be sustained.

I recommend that the applicant provides **further information** to address the above.

1.3 Path Width

The report identifies that a 3.5m wide path is the preferred minimum width based on national and international best practice standards and that “short sections of 2.5m wide path are proposed to limit adverse effects on coastal ecological values and loss of beach width (lengths of 50m in Sorrento Bay, 140m in Mahina Bay, and 150m in Sunshine Bay).

International best practice - Fowler et.al (2010), consider 2.5m as the minimum width for a shared path in a relatively low use setting, and 3.0m where interactions between cyclists and walkers increase. An additional 0.5 m should be added to each edge if the path is bounded continuously or has fall hazards on either side. An additional 0.5 m should be added if during the critical design

hour the path is serving both a commuting function and has significant numbers of child cyclists, such as would occur if the path is near a school.

It is noted by this writer that best practice (Auckland Transport) recommends a maximum length of 10m for a reduction in path width to 2.5m, to stay within the tolerance of cyclists for passing. As the volumes of cyclists and pedestrians using shared paths increases the number of delayed passings for cyclists also increases. There is usually a reduction in the level of service and safety for all shared path users when this situation occurs

The benefits of the coastal path at New Plymouth are quoted. A similar coastal path at Westhaven in Auckland provides high recreation amenity. Both of these paths are wider than 2.5m, despite not being constrained on both sides in the way that the Eastern Bays Shared path will be.

I **do not agree** that 2.5m is an acceptable width in this physical setting for reasons of safety and comfort. Given the path is tightly constrained between a busy road with poor sight lines, and a drop off into the coastal marine area, the minimum width should, in my view, be 3.5m along the entire length of the path. In addition, the proposed transitions from 3.5m to 2.5m often occur abruptly and/or on tight bends, further compounding issues of safety and comfort.

Although the assessment states that 3.5m wide is the preferred width, it does not discuss the implications of going below the accepted level of service (LOS) by reducing the path to 2.5m, nor does it provide any mitigation or alternatives for this.

I also **do not agree** that ecological values are a matter for a recreation assessment.

I recommend that the applicant provides **further information** to address the above.

1.4 Refuges

The report makes no comment about the lack of refuge/pause points built into the design. Refuges/pause areas are provided only where existing widened areas are available along the route. It is considered best practice to provide regular refuges at frequent intervals to allow multi-modal users, some of whom will be slow and frail, to take regular breaks outside of the line of movement. Refuges also provide for gathering and enjoyment of the coastal setting.

I recommend that the applicant provides **further information** to address the above.

1.5 Increased Activity

The report does not comment on the potential impacts of increased activity - which a successful shared path will facilitate - on existing user experience. Part of the endearing experience of this complex coastal edge is the ability to sit quietly and take in the views, sounds and smells. The path, if it meets its own active transport objectives, will become a busy and potentially crowded route - especially in the narrower (2.5m) areas where beach intrusion is to be minimised. What are the potential adverse effects of this increased activity (potentially 200 more users per day) on the relaxed, quite enjoyment of the coastal edge spaces?

I recommend that the applicant provides **further information** to address the above.

1.6 Review of Effects per Coastal Section

1.6.1 Point Howard / Point Howard Beach

This is a popular beach area with carparking, toilets, higher recreation attraction, formalised road crossing, and change facilities. It can be anticipated that this beach will become more popular with the development of the shared path increasing access. The path itself has a high potential to become congested due to this concentration of activity. Higher potential for delayed passing and

reaching the upper limit for cyclist's tolerance for being delayed. Poor transition from 3.5m to 2.5m width at crossing point (CH700) - abrupt rather than funnelled.

Concerns: reduction to 2.5m path width is likely to reduce safety and comfort for users in this section.

1.6.2 Sorrento Bay

Concerns: Reduction of path width on safe bend - adverse effects on actual and perceived safety and user comfort. Outcrop provides important refuge/pause point for users to stop outside of the flow of movement (see sections 1.3 and 1.4 above).

I recommend that the applicant provides **further information** to address the above.

1.6.3 Lowry Bay

Boat shed (CH.1160) provide important refuge/pause point. Opportunity to configure space to create quality refuge at headland location. Opportunity to rebuild deck structure at CH. 1540 to facilitate gathering.

Concerns: Path narrows to 2.5m through tight bend, likely to reduce safety and comfort for users (see sections 1.3 and 1.4 above).

1.6.4 Whiorau Reserve

Concerns: Southern end of reserve - transition from path within reserve to shoulder creates potentially dangerous environment for path users due to road bend and proposed path alignment.

1.6.5 Mahina Bay

Concerns: Long section of 2.5m wide path. Likely recreation effects (see section 1.3 above).

1.6.6 Sunshine Bay

Concerns: Long section of 2.5m wide path. Likely recreation effects (see section 1.3 above).

1.7 Review of Alternatives Assessment and Design Features

I **agree** with the conclusions of the MCA that the seaward side option is the preferred option from a recreation values point of view.

I **agree** that the general alignment of Option D is the preferred one.

The report concludes that the path width of 2.5m is not ideal as it does not meet best practice and accepted Levels of Service for shared paths. The report states, however, that there are overseas examples and standards where 2.5m wide is acceptable.

I **do not agree** that the 2.5m wide examples are applicable where the shared path is tightly constrained on both sides (i.e. active lane almost continuously along the road side and drop off into CMA on the seaward side). I also would expect the design to conform with accepted national Levels of Service.

The Alternatives Assessment argues that 2.5m is a compromise in order to protect coastal marine values relating to resilience, protecting infrastructure, and managing coastal values in the face of climate change and sea level rise. From a recreation point of view, it is not clear that this

compromise results in an acceptable solution. Of greatest concern is the significant length of 2.5m wide sections (>150m). As noted under section 1.3 above, accepted best practice (Auckland Transport) recommends no more than 10m continuous length for a reduction to 2.5m.

I recommend that the applicant provides **further information** to address the above.

7 Further Information

To ensure proper consideration of the recreation effects of the proposal, and to address the matters raised in this review, we recommend that further information is requested as follows:

- a) **Maintaining Existing Dry Beach Areas** - the applicant provides further information on the likely alteration to coastal morphology as a result of the proposal impacts and climate change, and the effects of these predicted impacts on recreation values (see section 1.2 above).
- b) **Path Width** - the applicant provides further information with case studies and commentary on 2.5m wide pathways with similar constraints to the Eastern Bays shared path, to more accurately examine the likely impacts on user safety and comfort. The author should discount any consideration of ecological effects in drawing conclusions on recreation impacts. (see section 1.3 and 1.7 above).
- c) **Refuges** - the applicant provides further information on refuges and their distribution along the route to provide for high levels of service (see section 1.4 above).
- d) **Increased Activity** - the applicant provides more further information on the potential diminished enjoyment of the coastal landscape that may result from busyness and crowding (see section 1.5 above).
- e) **Sorrento Bay** - the applicant provides further information on the effects of the reduction in the volume of space at Sorrento Bay (see section 1.6.2 above).

8 Suggested Conditions of Consent

The following suggestions are made which could further manage, remedy, or mitigate an actual or potential environmental effect on recreation values. If Council are satisfied with the further information provided, these could form the basis of conditions of consent.

- a) Identify locations and design standards for refuges along the route to provide for the safety, comfort and enjoyment of recreation users.
- b) Route to maintain a continuous minimum width of 3.5m.
- c) Coping on top of sea wall to be widened to 350mm to create a visual signal to maintain clearance from the drop off, and to act as a seating edge.

9 Conclusions

The benefits to community and personal wellbeing, and tourism and recreation participation are clearly argued. What is not clear is whether these benefits accrue on a path that is designed to a lower LOS than is recommended best practice. That is, where the path is reduced to 2.5m, lacks adequate refuges/pause points and has potential impacts of intrusion into existing quiet enjoyment of the coastal environment.

Further information on the likely effects of the path where it does not meet accepted levels of service would assist in assessing the likely impacts of the proposal on recreation values and would provide a basis for further consideration of mitigation.



Catherine Hamilton - NZILA, NZRA
Technical Principal - Landscape Architecture

WSP Opus

WSP | OPUS

www.wsp-opus.co.nz

From: [Hamilton, Catherine](#)
To: [Shannon Watson](#)
Cc: [Head, Jeremy](#); [Grinlinton-Hancock, Michelle](#)
Subject: RE: Eastern Bays Shared Path LVA addendum to include assessment of project with safety barriers
Date: Monday, 21 October 2019 12:53:11 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hello Shannon,

- The single most important point I want to make is that providing adequate scale of space to move along the path without perceived or real constraints of being squeezed hard up against a live lane (70km at that) is, in my opinion, fundamental to a quality recreation experience. I support the evidence that 3.5m is the required clear space width for a quality recreation experience.
- The introduction of a fence in this context serves to reduce the sense of real and perceived available space, and constrain people against the live lane. Reducing the available width to 2.8 will, in my opinion, result in a reduction of recreation amenity when compared to no fence.
- For people to stop and sit on the edge, there needs to be a good width to create a sense of comfort and remove any sense of threat from people moving at speed behind the sitting persons' back (the basic principles of human comfort - 'prospect and refuge' apply here). It is not so much a matter of the size of the kerbs, but the width of the space.
- Ideally people will sit on a bull-nosed top of wall with feet hanging down in front – with sufficient passing space behind. The other optimum scenario is to have raised seats at the refuge (break-out) locations for people of all ages and abilities including more frail individuals.

Warm regards

Catherine

Catherine Hamilton
Technical Principal - Landscape Architecture



T: +64 9 353 2960
M: +64 27 244 7849
Catherine.Hamilton@wsp.com

WSP
The Westhaven Building
100 Beaumont St
Auckland 1010
New Zealand

wsp.com/nz

From: Head, Jeremy
Sent: Monday, 21 October 2019 12:18 PM
To: Shannon.Watson@ghd.com; Hamilton, Catherine <Catherine.Hamilton@wsp.com>
Cc: Grinlinton-Hancock, Michelle <Michelle.Grinlinton-Hancock@wsp.com>; dan.kellow@huttcity.govt.nz; [Jo Frances <Jo.Frances@gw.govt.nz>](mailto:Jo.Frances@gw.govt.nz)
Subject: RE: Eastern Bays Shared Path LVA addendum to include assessment of project with safety barriers

Hi Shannon,

The recreation comments are written by me following telephone discussion with Catherine. Apologies if anything got lost in translation...

Kind regards,

Jeremy Head
Senior Landscape Architect



T:+64 3365 0525 M:+64 21308 048
Jeremy.Head@wsp.com

WSP Opus
12 Moorhouse Avenue
Christchurch
8011 New Zealand

wsp-opus.co.nz

This message, including any document or file attached, is intended only for the addressee and may contain privileged and/or confidential information. Any other person is strictly prohibited from reading, using, disclosing or copying this message. If you have received this message in error, please

notify the sender and delete the message. Thank you.

From: Shannon.Watson@ghd.com <Shannon.Watson@ghd.com>
Sent: Monday, 21 October 2019 12:09 PM
To: Head, Jeremy <Jeremy.Head@wsp.com>; Hamilton, Catherine <Catherine.Hamilton@wsp.com>
Cc: Grinlinton-Hancock, Michelle <Michelle.Grinlinton-Hancock@wsp.com>; dan.kellow@huttcity.govt.nz; Jo Frances <Jo.Frances@gw.govt.nz>
Subject: RE: Eastern Bays Shared Path LVA addendum to include assessment of project with safety barriers

Thanks very much Jeremy and Catherine for your comments.

Catherine, I have some follow up questions based on your comments:

- the full barrier will only be used in sections where the path width is 3.5m and not in any areas where the path width is 2.5m – therefore the useable space of the shared path in sections where the full barrier is used will reduce to at worst 2.8m (based on your reference to a loss of 700mm below). Where this is the case do you see any major conflicts/areas for concern?
- You raise a good point about all locations where the fence is used resulting in the loss of the ability for sitting on the sea wall, which you consider part of the mitigation for effects on recreation amenity. However, I have had a look through the various reports and cannot find any reference to sitting on the side of the seawall as mitigation? Can you please confirm where you found reference to the edge of the seawall being used for sitting being discussed as a mitigation option or explain where your assessment of sitting on the seawall as mitigation has come from?
- Do you have any concerns with wheel stoppers being used or do you expect these to not be an issue and, given their small size, for people to just sit over the top of them where they are used?

Many thanks

Shannon Watson
Environmental Planner

GHD

Proudly employee owned

T: +64 04 474 7330 | V: 517330 | F: 04 472 0833 | E: shannon.watson@ghd.com
Level 2, Grant Thornton House, 215 Lambton Quay, Wellington 6011 | www.ghd.com

Connect



[WATER](#) | [ENERGY & RESOURCES](#) | [ENVIRONMENT](#) | [PROPERTY & BUILDINGS](#) | [TRANSPORTATION](#)

Please consider our environment before printing this email

From: Head, Jeremy <Jeremy.Head@wsp.com>
Sent: Friday, 18 October 2019 4:56 PM
To: Shannon Watson <Shannon.Watson@ghd.com>; Hamilton, Catherine <Catherine.Hamilton@wsp.com>
Cc: Grinlinton-Hancock, Michelle <Michelle.Grinlinton-Hancock@wsp.com>; Dan Kellow (InTouch) <dan.kellow@huttcity.govt.nz>; Jo Frances <Jo.Frances@gw.govt.nz>
Subject: RE: Eastern Bays Shared Path LVA addendum to include assessment of project with safety barriers

Hi Shannon,

Catherine and I have the following comments (Catherine is away today and asked me to include her comments in my email).

Recreational comments (from Catherine):

- The fence adds a vertical structure which effectively narrows the available psychological width. People will keep back to avoid handlebars touching the fence. People will already keep back from the 'sleepers' on the opposite side therefore a net loss of usable width of up to 700mm will occur.
- The effective cycleway width will reduce from 2.5m to 1.8m little more than a standard urban footpath.
- Being able to sit on the edge of the sea wall was considered part of the mitigation. This is no longer valid.
- Loss of feeling connected to the sea, replaced with feeling contained within the roading environment.
- The visualisations don't tell the full story. Preferable if similar situations could be cited by the applicant which could be visited (by us or the client) on a busy day to better understand how people respond to such structures.

Landscape comments:

- Typically a cycleway requires a 1400mm barrier, although in special circumstances this can be reduced to 1200mm if sightline issues come into play. The proposal is for a 1100mm high barrier which may not comply. The applicant needs to confirm this.
- If a barrier is required for compliance reasons, I question whether it is required where the fall height is less than 1m. The applicant needs to confirm this by citing the relevant rule.
- The proposed barrier will appear very urban which will be particularly at odds with the sometimes wild sea

conditions. This is regardless of whether the barrier is opposite residential development or more natural areas.

- The barrier will be a visual distraction, particularly from oblique views when travelling along the shared user path or road where the vertical elements will visually 'overlap' causing the structure to appear more solid than it actually is.
- I generally agree with Ms William's comments in Appendices 1 - 3.
- If a safety barrier is ultimately installed as shown, it should be visually 'light', and, if painted avoid the cliché 'blue' which will jar when seen against the surrounding natural sea and rock colours. A preference would be for a recessive grey/brown hue (eg 'Ironsand').
- The barrier would need to be sufficiently strong to avoid distorting if struck by cyclists, vandals etc. If the uprights for example became bent out of plumb, the unsightly effects would be highly noticeable.
- Visual impact from the sea will be less than from the land as the barrier will be backdropped by visually 'busy' colours, textures and moving elements. From the land the barrier will appear prominent particularly at times of day/year when it catches the light (even dark colours will have this effect).
- My original conclusions were that the proposal had adverse landscape, visual and natural character effects that would fall between 'low' and 'moderate'. In light of the proposal to include a barrier, my conclusion are that the effects would increase to '**moderate**' as the barrier will be a prominent feature around this highly defined landscape 'edge'.
- The design of the barrier needs to be carefully considered/selected, and appropriately coloured.

Kind regards,

Jeremy Head
Senior Landscape Architect



T:+64 3365 0525 M:+64 21 308 048
Jeremy.Head@wsp.com

WSP Opus
12 Moorhouse Avenue
Christchurch
8011 New Zealand

wsp-opus.co.nz

This message, including any document or file attached, is intended only for the addressee and may contain privileged and/or confidential information. Any other person is strictly prohibited from reading, using, disclosing or copying this message. If you have received this message in error, please notify the sender and delete the message. Thank you.

From: Shannon.Watson@ghd.com <Shannon.Watson@ghd.com>

Sent: Tuesday, 8 October 2019 3:50 PM

To: Hamilton, Catherine <Catherine.Hamilton@wsp.com>; Head, Jeremy <Jeremy.Head@wsp.com>

Cc: Grinlinton-Hancock, Michelle <Michelle.Grinlinton-Hancock@wsp.com>; dan.kellow@huttcity.govt.nz; Jo Frances <Jo.Frances@gw.govt.nz>

Subject: Eastern Bays Shared Path LVA addendum to include assessment of project with safety barriers

Importance: High

Hi Catherine and Jeremy

I hope this email finds you both well – I have now left GWRC but have been seconded back to complete the Eastern Bays Shared Path project consenting.

Following concerns from HCC's consultant Transport Engineer David Wanty about the need for the project to include safety barriers and/or wheel guards at certain locations pursuant to Building Act requirements and safety concerns, the applicant has reassessed their preliminary design to determine whether it is necessary, and if so where it will be necessary, to incorporate some form of edge protection along the seaward side of the Shared Path. As a result, Julia Williams, the applicants Landscape and Visual Amenity expert has prepared an addendum to her original Landscape and Visual Effects Assessment (LVA) to address any changes the incorporation of edge protection had on the conclusions that she reached in the original LVA.

Could you please review the attached addendum and visual simulations for the Shared Path project with the inclusion of edge protection features and let me know whether the addition of edge protection changes any of the conclusions you reached during your initial assessments in relation to significance or scale of effects. Additionally, I would be keen to understand whether either of you have any major concerns related to the addition of edge protection from an amenity (both visual and recreational) or safety perspective.

This information has come quite late in the process, with plans to notify the application immediately following Labour Weekend (29 October). It would be greatly appreciated if you could get any comments back to me by **18 October 2019**.

Please feel free to give me a call if you would like to discuss.

Kind regards

Shannon Watson
Environmental Planner

GHD

Proudly employee owned

T: +64 04 474 7330 | V: 517330 | | F: 04 472 0833 | E: shannon.watson@ghd.com

Level 2, Grant Thornton House, 215 Lambton Quay, Wellington 6011 | www.ghd.com

Connect



[WATER](#) | [ENERGY & RESOURCES](#) | [ENVIRONMENT](#) | [PROPERTY & BUILDINGS](#) | [TRANSPORTATION](#)

Please consider our environment before printing this email

CONFIDENTIALITY NOTICE: This email, including any attachments, is confidential and may be privileged. If you are not the intended recipient please notify the sender immediately, and please delete it; you should not copy it or use it for any purpose or disclose its contents to any other person. GHD and its affiliates reserve the right to monitor and modify all email communications through their networks.

NOTICE: This communication and any attachments ("this message") may contain information which is privileged, confidential, proprietary or otherwise subject to restricted disclosure under applicable law. This message is for the sole use of the intended recipient(s). Any unauthorized use, disclosure, viewing, copying, alteration, dissemination or distribution of, or reliance on, this message is strictly prohibited. If you have received this message in error, or you are not an authorized or intended recipient, please notify the sender immediately by replying to this message, delete this message and all copies from your e-mail system and destroy any printed copies.

-LAEmFhhHzdJz0TWFa4Hgs7pbKl

This e-mail has been scanned for viruses

CONFIDENTIALITY NOTICE: This email, including any attachments, is confidential and may be privileged. If you are not the intended recipient please notify the sender immediately, and please delete it; you should not copy it or use it for any purpose or disclose its contents to any other person. GHD and its affiliates reserve the right to monitor and modify all email communications through their networks.

This e-mail has been scanned for viruses

Memo

To Shannon Watson, Environmental Planner, GHD

Copy Michelle Grinlinton-Hancock

From Catherine Hamilton

Office Auckland

Date 19 February 2020

File 3-53523.00 Eastern Bays Shared Path

Subject Evidence summary memo: Rev1

Background

This memo sets out the key points that will be raised in my evidence to be presented on behalf of the Greater Wellington Regional Council (GWRC).

I provided a peer review dated 15 May 2019 of the Eastern Bays Shared Path Recreation Assessment by Rob Greenaway and Associates for Hutt City Council. I subsequently provided comments to GWRC regarding requests for further information under Section 92 (1). I have received The Application, a copy of the full submissions and summary of submissions. 14 highlighted submissions with themes relevant to recreation have been read in full.

Overview of my Peer Review

The emphasis of my peer review was on the environment that would be created for recreation use and enjoyment. I looked at whether, in my professional opinion, acceptable levels of service would be achieved on the shared path as well as the coastal edge spaces it passes through. The main concerns I raised were:

Path width

I agreed with the Greenaway Recreation Assessment, that a 3.5m wide path is the preferred minimum width. I was not satisfied that the report adequately addressed the effects of not meeting this minimum standard. I concluded that a 2.5m wide path width is too narrow to meet best practice standards for a shared path which is constrained on one side by a live traffic lane and on the other side by drop down into the shore environment

Refuge areas

I noted the lack of pause points/respice areas which would alleviate the pressure on the narrowed parts of the shared path and provide opportunities for resting and enjoying the coastal landscape. I recommended these be located and sized optimally to provide frequent rest points rather than opportunistically spaces that already exist.

Overcrowding

I raised concern around intrusion by the shared path and its users into areas of quiet enjoyment of the coastal landscape such as the narrow strips of rocky edge.

Beach Renourishment

I raised concerns over beach renourishment being proposed as mitigation for loss of beach space, and the possibility that coastal processes may erode the nourished areas, thus nullifying the mitigation effect.

Comments on Response to Further Information, 29 May 2019 and the application as lodged

There is an unusual lack of certainty provided in the preliminary design plans that form part of the application. This lack of detail makes it difficult to draw conclusions on the level of recreation effects of the proposal.

Path Width

In the response to further information request under S92 (1), the applicant does not agree that a path width of 2.5m is too narrow in terms of user safety and comfort. The path widths remain unchanged in the application. The response emphasises the safety aspect of 2.5m which I agree is of paramount importance. From a recreation perspective, however, 2.5m provides a low level of service (LOS) in terms of comfort and enjoyment. There is little space for clearance between two people meeting and passing. The effects of a narrow path are exacerbated by the lack of a buffer strip against the live lane - which is 70km in places, and the drop off into the shore environment.

Furthermore, there is a handrail proposed for the route where the path reduces to 2.5m and the fall is greater than 1.0m. This handrail, when combined with the barriers on the road side, will effectively reduce the useable width to approx.2m.

According to Table 1 of Vic Roads Cycle Notes 21 (August 2013) - a generally accepted guideline for New Zealand shared paths, 2m is deemed too narrow for a recreational and regional commuter shared path. This width is adequate for pedestrians, but only caters for one cyclist or pedestrian in a wheelchair at a time. If a meeting or a passing occurs between a cyclist and another user, one of the users may need to move off the path.

Rolleston Ave in Christchurch is cited by the applicant as an example; this route is mostly 3m wide and has a buffer from the live lane. Christchurch City Council Cycleway Design guide, S3.3.3, recommends 3.5m as the preferred width for an urban shared path.

Refuge Points

A condition that relief areas will be deliberately designed along the project and that these will be modelled to inform both frequency and size (Chapter 5.1-5.7) is, in my opinion, a good outcome. This condition will enable greater interaction with the natural coastal environment and will help mitigate overcrowding on the linear route.

While I consider it a good outcome to provide for deliberate design of refuges, there is no detail provided to enable review and comment on the quality of the spatial design.

A design-led process with a focus on high LOS for recreation should be included in the LUDP at a minimum. Good design, however, is not formulaic. Optimum outcomes will need to be site-specific and consider less tangible/qualitative factors that make a space feel good. Review and auditing of the design development by a qualified landscape architect and recreation planner will be important in this regard.

I note that the Section 92 response identifies 17 'respite areas' including ramps and stairs. These are not respite areas, rather they are narrow thoroughfares that are intended for movement, not stopping.

Crowding and busyness

The potential effects of overcrowding on the shared pathway and such impacts on the beach environments remains unanswered.

The S92 response states that while overcrowding is not anticipated on the shared path there is the opportunity to adapt the design over time if there is an overwhelming increase in use, and signage could be installed (retrofitted) if necessary. It is unclear what 'adapting the design' would involve and how quality outcomes would be ensured if this should occur. Retrofitting with signage is an indication of sub-optimum design which should be avoided at the outset.

The S92 response notes that the beach at Sorento Bay is not considered to be remote or peaceful. I agree that it is not remote in the sense of, say, back-country landscapes. Nonetheless, there is an expectation from kiwis and visitors that our coastline is available for respite from crowding and busyness and we should attempt to manage these environments to minimise adverse effects of crowding and busyness.

Loss of Beach and Beach Nourishment

Dr Iain Dawe GWRCs coastal processes expert has confirmed he is relatively confident that, if undertaken carefully, beach nourishment will be successful because he is confident that the eastern bays have reached equilibrium. (email from Shannon Watson 12/02/20)

I am satisfied that successful beach nourishment to maintain the same beach area as at present day is an adequate mitigation measure for the loss of beach space. I would add that the retention of the natural features of the coast edge such as rocky outcrops would further enhance the recreation experience of the coastal edge.

I recommend that each location where beach loss would occur needs to be considered based on the specific characteristics of that location. A one-size-fits-all approach is not likely to result in the best outcomes.

Comments on submissions received

Of the 200 submissions received, fourteen focused on matters relating to recreation amenity. Several submitters supported a narrower path due to the desire to protect the coastal landscape and habitat values. While I agree that the matters raised by the submitters relating to environmental and landscape values are very important, I consider the adequate sizing of the path to be a matter for expert analysis.

Key points of my evidence

1. There is a lack of design certainty on which to assess the proposal. Rather, there is a reliance on the LAUD and BSUDP's to specifically address the detailed design and capture design controls of the project. These plans cannot be fully relied upon to guarantee good outcomes for recreation amenity. It is imperative that any refinements to the proposal be robustly audited and reviewed by independent experts.
2. LUDP and the BSUDP's should be extended to cover recreation amenity. While recreation has a strong cross over with other topics such as safety and landscape, there is a need to consider recreation value in its own right - including use, enjoyment health and wellbeing.
3. The application does not adequately address my concerns about the width of the pathway which I believe to be too narrow At 2.5m wide. I do not agree with the applicant's expert that an appropriate level of service will be achieved for recreation amenity. The suggesting that if the path turns out to be too narrow, then signage and adapted design could be considered down the track is a reactionary approach rather than a proactive design-led approach, which is far from optimum.
4. The inclusion of a barrier fence will further reduce the width of the 2.5 path to an effective useable space of approximately 2m wide. This reduction is due to cyclists clearing the barrier with their handlebars, together with the live-lane barrier and the need to avoid hitting this. I consider there will not be enough space for 'a meeting and a passing' for long lengths of the route in four locations. This is below accepted (LOS) standards.
5. The provision of deliberately designed refuge points is a good outcome. Adequate design will need to address size, frequency and spatial quality for the range of users including commuters and recreation users, fast and low/mobility impaired cyclists and pedestrians, groups, mobility scooters etc. I do not agree that steps, ramps and bus stops adequately perform the function of a respite area.
6. Adverse effects from crowding and busyness at beaches due to increased activity have not been adequately addressed. There is potential to mitigate these effects through spatial design.

7. Any design refinements developed through the LUDP are presented to the GWRC for careful consideration before further consents are granted and/or works begin on site.

Conclusion

The highly constrained shared path environment at the shore edge means that there is limited ability to provide more space without cantilevering over the coastal edge. There is a need to protect the many values of the coastal landscape and marine environment including biodiversity/habitat. There is also a need to keep users safe from traffic in the live lane. Due to this negotiation between the competing values and demands at this shore edge environment, a compromise has been made to reduce the design to below acceptable levels of service. From a recreation amenity point of view, these compromises will result in a sub-optimum outcome, compromising use, comfort and enjoyment.

Recommendations

I agree that an expert workshop would be worthwhile to discuss the proposal as it stands, trade-offs and mitigation measures and alternatives. At this workshop I suggest we cover:

- Known examples of 2.5m wide shared paths and 3.5m wide shared paths
- An overview of Local Government and Agency shared path guidelines and framework plans within New Zealand to understand best practice LOS
- Reference projects demonstrating well designed respite areas
- Scope extension to include a LUDP/ BSUDP's chapter on recreation amenity, in line with recommended criteria set out in your email dated 12/02/20.
- Auditing and review of design as it progresses past the preliminary design phase, using the LUDP/ BSUDP's chapter on recreation amenity

Reference images



Reference image of a refuge point with a high level of service (well-sized, well oriented, good position, accessible, quality design)



Memorandum

To	Shannon Watson, Environmental Planner; GHD
Copy	Brenda O'Shaughnessy, Principal Planner; WSP
From	Catherine Hamilton
Office	Auckland
Date	25 June 2020
File/Ref	3-53523.00
Subject	Eastern Bays Shared Path conditions review

Dear Shannon,

Please see our response to your request for comments on the revised resource consent conditions for the Eastern Bays Shared Path Project, dated 11 June 2020, by Stantec. We have combined our feedback relating to landscape and natural character effects and recreation amenity.

The fact remains that the applicant has not provided a proposal in sufficient detail to be objectively peer reviewed. While the various wording in the Stantec 11 June Appendix R – Proposed Resource Consent Conditions and 12 June 2020 Memorandum outlines a robust design process and a potentially acceptable result, it remains aspirational.

Specific comments on Eastern Bays Shared Path Project Memorandum 5 – Response to matters raised in email dated 6 March 2020, dated 12 June 2020, and Revised resource consent conditions for the Eastern Bays Shared Path Project Dated 11 June 2020, by Stantec.

GC.5

GC.5 is problematic. This bundles the landscape and urban design plan (LUDP) with the other management plans, all of which are proposed to be submitted to the “Manager, Environmental Regulation or the Team Leader, Resource Consents (as relevant) for certification at least 30 working days prior to the Commencement of Construction.” (my emphasis). LV.2(a) states that the purpose of the LUDP is to provide a detailed design for the Project among other things. This suggests a level of detail that can be tendered and built from. Thirty working days (minimum) is too short a timeframe to adequately respond to the LUDP through robust peer review, provide findings, allow for the applicant to make changes to the details in a timely manner and not significantly inconvenience the tender process/pricing/materials procurement and build process itself.

C.1 and C.2

C1 and C2 provide for the detailed design plans to be submitted at least 30 working days prior to the Commencement of Construction. Again, this is considered insufficient time for effective peer review of design.

LV.1 to LV.4

The memorandum identifies that conditions are proposed that will address concerns relating to landscape and natural character effects, and that these are contained within conditions LV.1 to LV.4. We do not agree that conditions LV.1 to LV.4 adequately address the concerns raised. Specific concerns are:

- (a) The three months duration proposed for the LUDP process is not sufficient time for design and peer review to ensure acceptable solutions;
- (b) The submission of management plans at least 30 days prior to commencement of construction does not allow enough time for design review and revisions should they be required. The 30-day timeframe for management plans generally relates to management of construction effects during implementation, not design review.
- (c) There is no design provided to assess the likely visual and landscape effects. We acknowledge that design plans in support of the information provided in the memo have been requested of the applicant and we can respond to these upon receipt.

LV.5 to LV.7

The memorandum identifies that conditions are proposed that will address concerns relating to recreation amenity, and that these are contained within conditions LV.5 to LV.7.

We do not agree that condition LV.5 is adequate to address recreation amenity concerns for the same reasons as stated in (a) (b) and (c) above.

LV.5 states that *“The BSUDP’s may either be attached to the initial LUDP or prepared later, and added to the LUDP on a staged basis, if the Construction Works are staged bay by bay”*. This is especially concerning as the BSUDP’s will contain design detail that needs checks and balances to alleviate any possible concerns. If the BSUDP’s are prepared later in a staged manner, and not included as part of an agreed LUDP, what is the mechanism for peer review?

We are concerned that staged design could result in ad-hoc outcomes and the loss of overall cohesion and unity across the built landscape. This would be alleviated by providing full design up-front even if construction is to be staged.

LV.6 and LV.7 are comprehensive in scope and are likely to address the concerns relating to recreation amenity so long as sufficient time and peer review opportunities are provided.

We have concerns about establishing a hierarchy of importance in the LUDP’s. It appears that safety comes first while urban design outcomes appear as the lowest priority. All factors are important, and many are interrelated. For instance, safety is a factor of urban design.

Overall comments

The memo states that the design is a *“preliminary design for consenting to understand (and manage) the project’s effects. There is scope within the detailed design to make small adjustments to the detailed layout”*. This statement implies that design is resolved and that only design tweaks will be considered going forward. We have not seen design plans other than route alignment and some typical sections. This is insufficient information to assess the projects effects on the considerable and highly sensitive landscape and recreation values.

If a suitably resolved proposal is not submitted prior to the hearing, then there must be time provided in the process afterwards for the Regional Council to respond appropriately to the LUDP through robust peer review. It is suggested that two review hold points are provided. The first hold point and review would be at developed design stage. The second hold point would be at detail design stage. A 30 working day timeframe would not be adequate for this.

It is assumed there will be goodwill on both sides (applicant and Regional Council) to enable an appropriate design outcome. There needs to be adequate timeframes allowed to review the proposal and for Regional Council to engage experts and to respond with any fair and reasonable changes in a timely manner. If agreements cannot be reached between the applicant and Regional Council an independent mediator should be used.



Jeremy Head
Senior Landscape Architect



Catherine Hamilton
Principal Landscape Architect

Memorandum

<i>To</i>	Shannon Watson, Environmental Planner; GHD
<i>Copy</i>	Brenda O'Shaughnessy, Principal Planner; WSP
<i>From</i>	Catherine Hamilton
<i>Office</i>	Auckland
<i>Date</i>	1 July 2020
<i>File/Ref</i>	3-53523.00
<i>Subject</i>	Eastern Bays Shared Path conditions review_ further comments on balustrade

Your question relates to the relative effects on recreation amenity of various balustrade heights (1.1m vs 1.2m vs 1.4m) at locations along the shared path. The sketch provided shows the balustrade positioned at the edge of the path to minimise intrusion into the useable space.

I continue to have concerns about the lack of design. While resource consent conditions go a long way to alleviating concerns, it is simply not possible to respond to design questions without seeing and reviewing design. Fundamentally, the recreation success of the project will come down to good spatial and infrastructure design that is considered, context sensitive and consistent.

To assist you in preparing your response, I provide the following comments:

- Overall, a key recreation objective for the Eastern Bays Shared Path is to provide a safe and enjoyable experience for multiple user types including micro-mobility, and a range of speeds from fast E-bikes to slow and frail walkers;
- A safe and enjoyable recreation experience involves a journey that connects people with place and allows for a shared experience¹.
- The quality and consistency of the designed infrastructure makes a very important contribution to the overall recreation experience of the shared path, and to the positive amenity impact, able to be enjoyed by multiple users.
- At best, good design will encourage more cycling and walking along the shared path, supporting community outcomes and visitor experiences by becoming one of the regions most recognised and desirable recreation assets.
- At worse, if the design parameters do not achieve safety, comfort and relaxation – then the path will not be enjoyable, and people will be discouraged from using it – potentially becoming a bit of a white elephant
- A 1.4m barrier may have unintended adverse consequences on safety, comfort and recreation enjoyment. At 1.4m, the horizontal rail will be at eye level and create an impediment in the sightline, thus diminishing connection with the seascape and overall recreation enjoyment. I also have concerns that a barrier at eye level may have the psychological effect of causing people to shift closer to the live lane.

- A lower barrier of 1.1m or 1.2m would potentially alleviate these concerns but needs to be balanced against the effectiveness of preventing falls.
- The impact of the balustrade on safety and enjoyment would be affected by the width of the shared path and the live lane separation treatment. If it is sufficiently wide, the balustrade height may matter less.

In summary, I cannot draw firm conclusions without reviewing design. I think it would be worth simulating the design parameters to better understand behaviour associated with the proposed design and to alleviate any unintended consequences.

¹Hauraki Rail Trail enhancement strategy: June 2020



Catherine Hamilton

Principal Landscape Architect



Memorandum

To	Shannon Watson, Environmental Planner; GHD
Copy	Brenda O'Shaughnessy, Principal Planner; WSP
From	Catherine Hamilton
Office	Auckland
Date	18 November 2020
File/Ref	3-53523.00
Subject	Eastern Bays Shared Path Position Statement

Introduction

I have been commissioned by the Greater Wellington Regional Council (GWRC) to provide an expert review of the recreation amenity values of the proposed Eastern Bays Shared Path.

The Hutt City Council (HCC) proposes to construct a 4.4 km Eastern Bays Shared Path along Marine Drive in two sections: between Point Howard and the northern end of Days Bay, and the southern end of Days Bay (Windy Point) to Eastbourne (Muritai Road / Marine Parade intersection).

No new path is required in Days Bay. A description of the proposal is provided in the Assessment of Environmental Effects (AEE) for the consent application for the shared path.

To facilitate the shared path, the proposal also includes the widening of Marine Drive and replacement of a number of coastal structures, upon which the shared path will be constructed. Beach nourishment is proposed at Point Howard, Lowry Bay and York Bay.

The stated purpose of the shared path is to develop a safe and integrated walking and cycling facility on Marine Drive to connect communities along Hutt City's Eastern Bays. It also aims to provide links to other parts of the network (current and future) for recreation and tourism purposes - in particular, the Remutaka Cycle Trail and the Great Harbour Way (Te Aranui o Pōneke).

It is the intent of the bi-directional shared path to greatly increase use of the coastal edge by multiple modes of commuting (transport), recreation and tourism users. These users will cover all physical abilities, some will move fast on bikes, some will run others will dawdle and look at the view, some will be learning to walk, etc.

Review process

In undertaking a recreation review, I have assessed the application including the Eastern Bays Shared Path Recreation Assessment by Rob Greenaway and Associates for HCC (the applicant). I subsequently provided comments to GWRC regarding requests for further information under Section 92 (1). Further review and advice has been provided on the proposed conditions of consent, including the amended conditions submitted by the applicant.

Focus of my review: recreation outcomes

The focus of my recreation review is on the expected recreation outcomes of the proposal – including recreation amenity benefits of the proposed shared path as well as the existing recreation values, particularly those associated with beach activities and use of the rocky coastline including boating, fishing and shellfish collecting.

In considering the likely recreation outcomes based on the information provided, I have taken account of the following key factors:

- **Tangible and intangible factors are relevant:** Recreation amenity and, in the context of this project, tourism use, rely upon many conditions coming together to offer a safe and enjoyable user experience. These conditions can be both tangible – such as adequate resting facilities; and less tangible – such as perceptions of safety
- **Design standards need to be met:** The shared path needs to be designed to approved standards to cater for multiple modes of bi-directional movement including electric bikes, mobility scooters, wheelchairs, frail walkers and fast cyclists, dog walkers with extended leashes, in an environment that feels comfortable and enjoyable. I rely on a comprehensive review of standards and best practice levels of service which have been adopted in New Zealand. This review leads me to focus on the following elements of the path:
 - Adequate width,
 - free of perceived and real danger,
 - provide frequent, adequately-sized respite spaces separated from the line of movement,
 - connect people with the wider coastal setting,
 - provide comfort, shade and shelter;
 - offer safe and frequent access points on to and off the route
- **Access to the coast and wider area:** The beaches and rocky coastline environment are an amenity that will attract use of the path, both to view from the path and to access the coast. The path should be designed to allow people to move off the path and enjoy recreation activities including community gatherings, fossicking, fishing and scrambling along the shore. The path also needs to form a safe and attractive element of the wider recreation opportunity provided by the road / parks network.

POSITION STATEMENT

(Read in conjunction with proposed amendments to conditions of consent)

Recreation use generally

The proposed investment is to sit in a highly constrained road environment and the CMA.

Current community uses of the CMA, such as fishing, boating and shell fish collecting, support a sense of place and wellbeing for the local community. It is important to maintain these recreation activities.

The proposal will result in the reduction of shoreline and beach width in some areas where these recreation activities take place, including the loss of dry sand areas at the popular recreation destinations of Point Howard, Lowry Bay and York Bay. To mitigate the loss of dry sand beach in these areas, it is proposed to implement beach nourishment.

Advice provided by coastal dynamics specialist, Dr Dawe, is that the beach nourishment will be sustained and therefore the loss of dry beach areas offset. In this case, it is my opinion that any effects of the shared path on the dry beach recreation destinations would be alleviated by the proposed mitigation.

The proposal is consistent with long-term recreation strategies. It provides improved access to and along the CMA which is an important place for recreation.

Recreation benefits of the shared path include health and wellbeing from physical activity, connection to, and enjoyment of, the coastal setting and social benefits from connecting with community.

The path will be used by a wide range of users, including walkers, cyclists and runners of all abilities, and could give rise to conflict amongst users if not designed appropriately. It is a goal of the investment to greatly increase the volume of use over time.

The route is mostly made up of linear sections situated in-between the live lane of the road and the coastal edge. If these sections are designed to best-practice design standards including adequate width of generally 3.5m wide, with regular respite spaces, then it is my opinion that the path will contribute significant recreation benefits and will encourage increased use of the facility.

Lack of Design plans to review

There are no design plans accompanying the resource consent application, which means I have not been able to scrutinise the design to provide full professional peer review of the recreation outcomes of the proposal.

Commentary:

To achieve the stated purpose of the proposal, which is to provide a dedicated shared path for transport, recreation and tourism purposes, the infrastructure needs to be designed to appropriate standards and Levels of Service (LoS) as demonstrated by national and international best practice.

The best way to evaluate whether these standards are being met or exceeded is to review design plans that provide enough information to satisfy any concerns relating to recreation use and enjoyment. In the case of this application for the Eastern Bays Shared Path, no design plans have been provided for review which is highly unusual and, in my opinion, sub-optimal. Instead, the proposal is described by way of alignment plans with some dimensions, a small number of typical sections and details and a design features report (Appendix J) which sets out design principles.

The applicant intends to prepare design plans once consent is granted. My position is that there is no reason not to submit design plans with the application as that is the normal practice; and the lack of design plans is a significant flaw. The applicant has taken the view that the design outcome can be managed by GWRC imposing consent conditions and thus is essentially seeking consent for consent conditions rather than an actual project.

Conditions of Consent

I have concerns about the process, time allowed and content of the LUDP and BSDP's within the proposed Resource Consent conditions

Commentary:

Rather than providing design plans, the application relies upon extensive and detailed resource consent conditions to control and certify design outcomes. These conditions provide for the applicant to furnish design within three months of the design commencing, through the development of Landscape and Urban Design plans (LUDP). Bay Specific Design Plans (BSDSP) will be provided in a staged manner thereafter.

LV.5 states that "The BSUDP's may either be attached to the initial LUDP or prepared later, and added to the LUDP on a staged basis, if the Construction Works are staged bay by bay". The BSUDP's that are prepared later must follow the certification process established by condition GC.5 so there is now mechanism for peer review. It is my opinion that this process will allow for adequate design standards and levels of service to be met and can avoid ad-hoc outcomes.

LV.6 and LV.7 are comprehensive in scope and are likely to address the concerns relating to recreation amenity so long as sufficient time and peer review opportunities are provided. To alleviate concerns, I recommend that conditions explicitly identify minimum standards.

Conditions should allow for Hold Points at preliminary, developed and detailed design stages for review by suitably qualified and experienced specialists.

Design standards

Based on the limited design information reviewed, my professional opinion is that design standards for recreation amenity outcomes are being unacceptably compromised as a trade-off to protect coastal marine ecology especially.

Commentary:

This project is especially vulnerable to recreation design standards being eroded because of the trade-offs being negotiated to minimise intrusion into the coastal marine area. Compromising the design is sub-optimal and antithetical to the purpose of the investment which is to get as many people as possible using the shared path, for commuting, recreation and tourism purposes. These people will have a wide range of abilities and the width of the path will be critical to cater safely for this range and volume of users. Specific areas of concern are:

Path width undersized

Three sections are proposed to be narrowed to 2.5m wide. These sections are for lengths of 50m in Sorrento Bay, 140m in Mahina Bay and 150m in Sunshine Bay.

The literature reviewed relating to acceptable standards, as stated in the Rob Greenaway report, and best practice reference project in New Zealand, indicate 3.5m widths for recreational shared paths are preferred minimums.

According to Greenaway, "Fowler et al (2010) recommend that an additional 0.5 m be added to each edge if the path is, "bounded continuously or has fall hazards on either side", and an additional 0.5 m should be added, "if during the critical design hour the path is serving both a commuting function and has significant numbers of child cyclists, such as would occur if the path is near a school."

The NZTA (2009) notes, "it is important to leave a lateral clearance distance of one metre on both sides of the path to allow for recovery by cyclists after a loss of control or swerving [and] ideally, keep a 1.5 m separation between the path and any adjacent roadway."

The Auckland Transport width standard is a minimum width of 3 metres. In some rare instances, a reduction of the minimum 3m width may be required due to topography, land use or other location based specific reasons. Any reduction in the minimum width will be reviewed on a case by case basis. Any such reductions should be to no less than 2.5m except in exceptional circumstances and for a short distance (e.g. 10m only).

I think it would be worth simulating the design parameters to better understand behaviour associated with the proposed design and to alleviate any unintended consequences on recreation use and enjoyment and safety in areas where the path is proposed to be narrower than 3.5m

Handrail positions and heights

Safety from falling barriers are proposed for sections of the shared path that have more than a 1 metre fall. These areas generally relate to non-beach environments, and are higher risk from falling. Barriers are not proposed for areas that are 2.5metres in width.

The proposed barriers have not been designed therefore I am unable to comment with certainty on the recreation effects of these barriers. I do, however have concerns should barriers be higher than 1.1meters and intrude into the available width of 3.5metres.

A 1.4 high, the barrier may have unintended adverse consequences on recreation amenity. The horizontal rail will be at eye level and create an impediment in the sightline, thus diminishing connection with the seascape and overall recreation enjoyment. I also have concerns that a barrier at eye level may have the psychological effect of causing people to shift closer to the live lane, with consequents for real or perceived safety.



Catherine Hamilton
Principal Landscape Architect

Appendix R - Proposed Resource Consent Conditions

Index of Resource Consents

The following table sets out the condition references for each of the resource consents.

Ref	Consent	General conditions	Specific conditions
1	Coastal Permit (s12, s14 and s15) – Reclamation of the foreshore and seabed	[TBC]	[TBC]
2	Coastal Permit (s12, s14 and s15) – Removal and demolition of seawalls		
3	Coastal Permit (s12, s14 and s15) – Occupation of the seawalls in the CMA		
4	Coastal Permit (s12, s14 and s15) – Structures parallel to MHWS in an area outside of an Area of Significant Conservation Value		
5	Coastal Permit (s12, s14 and s15) – Activities involving the use and development of structures outside an Area of Significant Conservation Value which cannot meet permitted or controlled activity Standards		
6	Coastal Permit (s12, s14 and s15) – Construction of new seawalls, revetment, boat ramps and steps		
7	Coastal Permit (s12, s14 and s15) – Deposition of sand, shingle, shell or other natural material directly onto the foreshore for the purpose of combating beach or shoreline erosion and improving the amenity of value of the foreshore		
8	Coastal Permit (s12, s14 and s15) – Discharges to the CMA		
9	Land use (s9) – Construction, alteration and diversion of Marine Drive		
10	Land use (s9) – Construction works within the Significant Natural Resource site identified as SNR 44		
11	Land use (s9) – Earthworks within the Special Recreation and Passive Recreation Zoning		

Definitions

The table below defines the acronyms and terms used in the conditions below.

Acronym/Term	Definition
BSUDPs	Bay Specific Urban Design Plans.
BNP	The Beach Nourishment Plan.
CEMP	The Construction Environmental Management Plan.
Certify, certification and certified	In relation to a management plan, means assessed by Council staff acting in a technical certification capacity, and in particular as to whether the document or matter is technically consistent with the requirements contained within the conditions of this consent.
CMA	Has the same meaning as 'coastal marine area' in section 2 of the RMA.

Acronym/Term	Definition
Commencement of Construction	The time when Construction Works (excluding site investigations and Enabling Works) for the Project (or a part of the Project) commence.
Completion of Construction	When construction of the Project (or part of the Project) is complete.
Construction Works	One or more of the various activities (excluding site investigations and Enabling Works) undertaken under these resource consents.
Consent Holder	Hutt City Council
<u>Enabling Works</u>	<u>Includes the following and similar activities:</u> (a) <u>geotechnical investigations (including in the CMA), including access on land for these investigations;</u> (b) <u>establishing site yards, site offices, site entrances and fencing;</u> (c) <u>establishing protection areas for Little Penguin and Shoreline Forager populations;</u> (d) <u>demolition or removal of buildings and structures;</u> (e) <u>relocation of services; and</u> (f) <u>establishing minimisation measures (such as erosion and sediment control measures).</u>
HEP	Habitat Enhancement Plan.
HNZPT	Heritage New Zealand Pouhere Taonga.
Little Penguin	NZ little penguin (<i>Eudyptula minor</i> , kororā).
Little Penguin Interest Group	Department of Conservation, Mike Rumble, Eastbourne Pest Control and Forest & Bird.
LPMP	The Little Penguin Management Plan.
LUDP	The Landscape and Urban Design Plan.
Manager, Environmental Regulation	The Manager, for the time being, of the Environmental Regulation Department, Wellington Regional Council.
MHWS	Mean High Water Springs.
Project	The design, construction, operation and management of the Eastern Bays Shared Path Project and associated works.
Reclamation	Areas permanently reclaimed from the CMA based on the definition in the <u>Has the meaning given to that term in section 2.2 of the Proposed Natural Resources Plan for the Wellington Region Decision Version (dated 31 July 2019) as it relates to the CMA.</u>
RMA	The Resource Management Act 1991.
<u>Shoreline Forager</u>	<u>variable oystercatcher and red-billed gull.</u>
<u>SRHP</u>	<u>Seawall and Revetment Habitat Plan</u>
Team Leader, Resource Consents	The Team Leader for the time being of the Resource Consent Department, Hutt City Council.
TMP	The Traffic Management Plan.
Working day	Has the same meaning as in section 2 of the RMA.

General Conditions

These general conditions apply to all resource consents unless specified otherwise. Additional conditions which apply to specific resource consents are set out in the following pages.

Ref	Condition
<i>General and Administration</i>	
GC.1	Except as modified by the conditions below (including certified management plans), the Project shall be undertaken in general accordance with the information provided by the Consent Holder in the consent application and associated plans and documents lodged with the Wellington Regional Council on 12 April 2019.
GC.2	Where there is inconsistency between: <ul style="list-style-type: none"> (a) The application, plans and documents referenced in Condition GC.1 and further information provided by the Consent Holder post lodgment, including during the hearing, the most recent information and plans shall prevail; and (b) The application, plans and documents referenced in Conditions GC.1 and GC.2(a) and the conditions of consent, the conditions shall prevail.
<i>Pre-construction Administration</i>	
GC.3	The Consent Holder shall notify the Manager, Environmental Regulation in writing of the proposed date of Commencement of Construction at least 20 working days prior to that date.
GC.4	The Consent Holder shall provide a copy of this consent and any documents and plans referred to in this consent to each operator or contractor undertaking works authorised by this consent at least 10 working days prior to the Commencement of Construction.
<i>Management Plan Approval Process</i>	
GC.5	<ul style="list-style-type: none"> (a) Conditions (b) to (i) below apply to all management plans required by these conditions. (b) All management plans shall be submitted to the Manager, Environmental Regulation and/or the Team Leader, Resource Consents (as relevant) for certification at least 30 working days prior to the Commencement of Construction. (c) All management plans shall provide the overarching principles, methodologies and procedures for managing the effects of the construction of the Project to achieve the environmental objectives, outcomes and performance standards required by these conditions. (d) All management plans may be submitted for certification in parts or in stages to address particular activities or to reflect the staged implementation of the Project and shall clearly show the linkages with plans for adjacent stages and interrelated activities. (e) Any certified management plan may be amended, if necessary, to reflect any minor changes in design, construction methods or management of effects. Any amendments are to be discussed with and submitted to the Manager, Environmental Regulation and/or the Team Leader, Resource Consents (as relevant) to inform them of the change, and allow for their review/s unless those amendments would result in a materially different outcome to that described in the original plan. Those minor amendments do <u>not</u> require certification, but the updated plan must be provided to the Manager, Environmental Regulation and/or the Team Manager, Resource Consents (as relevant). (f) Any material amendments to a certified management plan shall be submitted to the Manager, Environmental Regulation and/or the Team Leader, Resource Consents (as relevant) for certification. Any material amendment must be consistent with the purpose of the relevant management plan and the requirements of the relevant conditions of these consents. (g) If no comments are received on a management plan submitted under (b), or an amended management plan in (f) within 15 working days, then the management plan is deemed to have been certified and the Consent Holder may implement the plan or the changes.

Formatted Table

Formatted Table

Formatted Table

Formatted Table

Commented [HC1]: I agree with Jeremy's review regarding Landscape Architecture, that any amendments impacting on recreation values need to be certified. I recommend the removal of the term 'minor' as this is a subjective measure and depends on the level of expert evaluation. Any effects on less tangible values such as recreation can easily be inadvertently overlooked if not properly assessed by a suitable qualified and experienced expert.

Commented [HC2R1]:

Ref	Condition
	<p>(h) Should the Manager, Environmental Regulation and/or the Team Leader, Resource Consents (as relevant) refuse to certify a management plan, or a part or stage of a management plan, the Consent Holder shall submit a revised management plan (or part or stage) for certification as soon as practicable. Should certification of the revised plan (or part or stage) be refused then the Consent Holder must, within 10 working days <u>of the refusal</u>, engage a suitably qualified, mutually acceptable independent expert to resolve the matters in dispute. <u>The expert shall resolve the matters within 10 working days of being engaged</u> and his or her decision shall be final. The cost of such a process will be met by the Consent Holder.</p> <p>(i) All works and monitoring shall be carried out in general accordance with the certified management plans.</p> <p><i>Advice note: Management plans must be emailed to notifications@gw.govt.nz or [HCC email address] and include the reference WGN190301 or RM190124 (as relevant), and the name and phone number of a contact person responsible for the proposed works.</i></p> <p><i>Advice note: Any preliminary works, which do not require resource consent or are permitted activities, can be undertaken prior to the certification of any management plans.</i></p>
Construction and Environmental Management Plan	
GC.6	<p>(a) The Consent Holder shall, in consultation with an experienced <u>ecologist</u>, prepare a CEMP for the relevant Project <u>stage</u> (excluding site investigations and Enabling Works) and submit this to the Manager, Environmental Regulation in accordance with the requirements of Condition GC.5. Commencement of Construction shall not occur until certification is obtained.</p> <p>(b) The purpose of the CEMP is to:</p> <p>(i) Confirm final Project details;</p> <p>(ii) Ensure that the Construction Works remain within the limits and standards approved under the consent; and</p> <p>(iii) Set out the management procedures and construction methods to be undertaken to avoid, <u>remedy</u> or <u>minimise/mitigate</u> adverse effects arising from the Construction Works.</p> <p><i>Advice note: Any investigations works, outside of those consented, which penetrate groundwater and/or any contaminated land investigations that do not comply with permitted standards will require separate consents.</i></p>
GC.7	<p>The CEMP shall include:</p> <p>(a) Confirmation of the proposed staging and sequencing of construction, including staging of the Construction Works by bay. Continuous areas of seawall being constructed shall be limited to a stipulated length as set out in the CEMP and determined on a bay by bay basis. Works in the subtidal areas shall reflect Condition C.6(d) in that there is flexibility in terms of maximum length of seawall construction for works in these areas, but not for works outside of the subtidal areas.</p> <p>(b) An outline construction programme that takes into account timing constraints in these conditions and the management plans listed in Condition GC.8;</p> <p>(c) The final construction methodologies;</p> <p>(d) Contact details of the site supervisor or project manager and the Consent Holder's Project liaison person (phone, postal address, email address);</p> <p>(e) Methods and systems to inform and train all persons working on the site of potential environmental issues and how to avoid, <u>remedy</u> or <u>minimise/mitigate</u> potential adverse effects;</p> <p>(f) The proposed hours of work;</p> <p>(g) Location of construction site infrastructure including site offices, site amenities, contractors' yard access, equipment unloading and storage areas and contractor car parking;</p> <p>(h) The clear identification and marking of the construction areas within the CMA;</p>

Formatted Table

Commented [HC3]: I don't believe this is sufficient time to find and engage a suitably qualified and experienced expert, for them to resolve the matter, including peer review.

Commented [HC4]: Provide for landscape and recreation specialists to confirm final construction details

Formatted Table

Commented [HC5]: Refer to GC7 (a) below. Is the staging for the overall project to be covered in the CEMP at commencement, or at each respective stage? This is ambiguous.

Ref	Condition
	<ul style="list-style-type: none"> (i) Where machinery is to be within the CMA, a list of that machinery and a protocol, developed in consultation with an experienced ecologist, for the management of that machinery to reasonably reduce ecological impacts and the footprint of the operations; (j) The measures to be adopted to maintain the construction area and adjacent parts of the CMA in a tidy condition in terms of disposal/storage of rubbish (so as to avoid attracting mammalian predators and undesirable species to the construction area), storage and unloading of construction materials and similar construction activities; (k) Procedures for managing and controlling erosion and sediment run-off into the CMA to achieve Condition C.6; (l) Procedures to reduce contaminants from Constructions Works on land or in the CMA into the CMA. Such procedures and measures shall include, but are not limited to: <ul style="list-style-type: none"> (i) Refuelling and carrying out machinery maintenance, including being at least 5m inland from MHWS, away from watercourses and not on the foreshore area, the use of biodegradable hydraulic fluids in machinery working within the foreshore and CMA where practicable, a spill kit on hand and staff trained in its deployment; (ii) Ensuring that wash water from tools, equipment or machinery is not discharged into the CMA; (iii) Keeping the area of disturbance in the foreshore and CMA to the minimum reasonably necessary to complete the works; (iv) Minimising the use of machinery within the CMA and ensuring that machinery is used in compliance with the CEMP; (v) Providing appropriate wash-down facilities for all concreting equipment to prevent wash water from entering the CMA; (vi) Storing any hazardous substances so that they will not enter the CMA; (vii) Ensuring, except for (viii), that during piling or seawall construction and ancillary work, no wet concrete, or any water or liquid that has come into contact with wet concrete or with any other cementitious products without appropriate treatment as set out in (ix), is able to enter the CMA; (viii) Ensuring that piling or seawall construction and ancillary work within the CMA complies with Condition C.6; (ix) Ensuring that the pH of water discharged from any work site that has used wet cementitious products has a pH level similar to the local receiving environment; and (x) Removal of any temporary construction materials and debris associated with the Construction Works from the CMA; (m) Procedures for ensuring that residents, network utility operators, road users and businesses in the immediate vicinity of construction areas are given prior notice of the Commencement of Construction, the location of the work and are informed about the expected duration and effects of the work; (n) Means for maintaining public pedestrian access along Marine Drive during construction; (o) Procedures for incident management, including contingency procedures to address emergency spill response(s) and clean up; (p) Measures for protecting the site from tidal intrusion and storm events, and protocols to address any overtopping event that may occur during construction; (q) Consideration of fish passage in locations as outlined in Condition EM.12; and (r) Type of imported fill material to be used within the CMA to minimise contamination of the CMA as outlined in Condition C.9.
GC.8	<p>The CEMP shall incorporate or refer to the following management plans:</p> <ul style="list-style-type: none"> (a) Landscape and Urban Design Plan (including Bay Specific Urban Design Plans as appropriate) (refer to Conditions LV.1 to LV.7);

Formatted Table

Commented [HC6]: Covering recreation amenity

Ref	Condition																																		
	<p>(b) Beach Nourishment Plan (refer to Conditions EM.13 to EM.14);</p> <p>(c) Little Penguin Management Plan (refer to Conditions EM.2 to EM.5);</p> <p>(d) Traffic Management Plan (refer to Conditions GC.11 to GC.13);</p> <p>(e) A plan for works within 100m of a Shoreline Forager nest (refer to Condition EM.1C);</p> <p>(f) Seawall and Revetment Habitat Plan (refer to Condition EM.19 below); and</p> <p>(g) Habitat Enhancement Plan (refer to Conditions EM.7 to EM.9).</p> <p>If a CEMP is submitted in part or for a Project stage, it shall only incorporate or refer to the management plans relevant to that part or stage.</p>																																		
GC.9	All personnel working on the site shall be made aware of the requirements contained in the certified CEMP. The certified CEMP shall be implemented and maintained (and amended in accordance with GC.5(e) and (f) as necessary) throughout the entire period of the Construction Works.																																		
GC.1	The Consent Holder shall ensure that a copy of this consent and all certified plans and documents referred to in this consent, are kept on site at all times and available for inspection on request by the Wellington Regional Council.																																		
<i>Traffic Management Plan</i>																																			
GC.1	The Consent Holder shall prepare a TMP to append to the CEMP, and submit this to the Team Leader, Resource Consent for certification in accordance with the requirements of Condition GC.5.																																		
GC.1	The purpose of the TMP is to manage the various traffic management, safety and efficiency effects associated with the Construction Works.																																		
GC.1	<p>The TMP shall include, but not be limited to, the following:</p> <p>(a) Management of traffic along Marine Drive adjoining the construction areas to protect public safety, manage^{minimise} delays to road users (especially during peak times), minimise disruption to property access and methods to keep the public informed about potential impacts on Marine Drive;</p> <p>(b) Access and parking for contractors; and</p> <p>(c) Specification of any additional measures necessary during periods of activities which involve high levels of construction traffic on nearby properties, such as the CentrePort site at Point Howard (including communication and any necessary physical management steps).</p>																																		
<i>Construction Noise</i>																																			
GC.1	Noise arising from Construction Works shall be measured and assessed in accordance with NZS 6803:1999 <i>Acoustics – Construction Noise</i> and shall comply, as far as practicable, with the noise criteria set out in the following table:																																		
<p>Table CNV1: Construction noise criteria</p> <table border="1"> <thead> <tr> <th>Day</th> <th>Time</th> <th>L_{Aeq}(15 min)</th> <th>L_AF_{max}</th> </tr> </thead> <tbody> <tr> <td colspan="4"><i>Residential buildings</i></td> </tr> <tr> <td rowspan="4"><u>Weekdays</u></td> <td><u>0630h – 0730h</u></td> <td><u>55 dB</u></td> <td><u>75 dB</u></td> </tr> <tr> <td><u>0730h – 1800h</u></td> <td><u>70 dB</u></td> <td><u>85dB</u></td> </tr> <tr> <td><u>1800h – 2000h</u></td> <td><u>65dB</u></td> <td><u>80dB</u></td> </tr> <tr> <td><u>2000h – 0630h</u></td> <td><u>45dB</u></td> <td><u>75dB</u></td> </tr> <tr> <td rowspan="4"><u>Saturdays</u></td> <td><u>0630h – 0730h</u></td> <td><u>45 dB</u></td> <td><u>75 dB</u></td> </tr> <tr> <td><u>0730h – 1800h</u></td> <td><u>70 dB</u></td> <td><u>85 dB</u></td> </tr> <tr> <td><u>1800h – 2000h</u></td> <td><u>45 dB</u></td> <td><u>75 dB</u></td> </tr> <tr> <td><u>2000h – 0630h</u></td> <td><u>45 dB</u></td> <td><u>75 dB</u></td> </tr> </tbody> </table>		Day	Time	L _{Aeq} (15 min)	L _A F _{max}	<i>Residential buildings</i>				<u>Weekdays</u>	<u>0630h – 0730h</u>	<u>55 dB</u>	<u>75 dB</u>	<u>0730h – 1800h</u>	<u>70 dB</u>	<u>85dB</u>	<u>1800h – 2000h</u>	<u>65dB</u>	<u>80dB</u>	<u>2000h – 0630h</u>	<u>45dB</u>	<u>75dB</u>	<u>Saturdays</u>	<u>0630h – 0730h</u>	<u>45 dB</u>	<u>75 dB</u>	<u>0730h – 1800h</u>	<u>70 dB</u>	<u>85 dB</u>	<u>1800h – 2000h</u>	<u>45 dB</u>	<u>75 dB</u>	<u>2000h – 0630h</u>	<u>45 dB</u>	<u>75 dB</u>
Day	Time	L _{Aeq} (15 min)	L _A F _{max}																																
<i>Residential buildings</i>																																			
<u>Weekdays</u>	<u>0630h – 0730h</u>	<u>55 dB</u>	<u>75 dB</u>																																
	<u>0730h – 1800h</u>	<u>70 dB</u>	<u>85dB</u>																																
	<u>1800h – 2000h</u>	<u>65dB</u>	<u>80dB</u>																																
	<u>2000h – 0630h</u>	<u>45dB</u>	<u>75dB</u>																																
<u>Saturdays</u>	<u>0630h – 0730h</u>	<u>45 dB</u>	<u>75 dB</u>																																
	<u>0730h – 1800h</u>	<u>70 dB</u>	<u>85 dB</u>																																
	<u>1800h – 2000h</u>	<u>45 dB</u>	<u>75 dB</u>																																
	<u>2000h – 0630h</u>	<u>45 dB</u>	<u>75 dB</u>																																

Formatted Table

Formatted Table

Formatted Table

Ref	Condition			
	<u>Sundays and Public Holidays</u>	<u>0630h – 0730h</u>	<u>45 dB</u>	<u>75 dB</u>
		<u>0730h – 1800h</u>	<u>55 dB</u>	<u>85 dB</u>
		<u>1800h – 2000h</u>	<u>45 dB</u>	<u>75 dB</u>
		<u>2000h – 0630h</u>	<u>45 dB</u>	<u>75 dB</u>
	<u>Commercial and industrial receivers</u>			
	<u>All</u>	<u>0730h – 1800h</u>	<u>70 dB</u>	
		<u>1800h – 0730h</u>	<u>75 dB</u>	
<i>CentrePort access</i>				
GC.1	The Consent Holder shall enter into an agreement with CentrePort prior to any Construction Works being undertaken within the road reserve and land owned by CentrePort (being Section 1 Survey Office Plan 31984, Reference WN37D/408; and Part Lot 1 DP 10694 & Section 70-72 Block XIV Belmont Survey District and Part Lot 1 DP 10694, Reference WN479/105), adjacent to the CentrePort wharf (Point Howard), to ensure that access arrangements are maintained in accordance with CentrePort's proposed upgrade works.			
<i>Completion of Construction</i>				
GC.1	After Completion of Construction in each bay, the Consent Holder shall notify the Manager, Environmental Regulation in writing within 2 working days (48 hours) that the works have been completed.			
GC.1	The Consent Holder shall ensure that on Completion of Construction the site is left in a tidy manner, including all litter associated with the works being removed.			
GC.1	The Consent Holder shall, as far as reasonably practicable, remedy all damage and disturbance caused by vehicle traffic, plant and equipment to the foreshore during Construction Works, in consultation with a suitably qualified ecologist.			
<i>Incidents - General</i>				
GC.1	The Consent Holder shall maintain a permanent record of any incidents (such as, but not limited to, the spill of hydraulic fluid or other discharge not authorised by this consent) that occur at individual work stages that result, or could result, in an adverse effect on the environment.			
GC.2	The record shall include: (a) The type and nature of the incident; (b) Date and time of the incident; (c) Weather conditions at the time of the incident (as far as practicable); (d) Measures taken to remedy the effects of the incident; and (e) Measures put in place to prevent the incident from reoccurring.			
GC.2	The record in Condition GC.20 shall be maintained at the work site and shall be made available to the Manager, Environmental Regulation upon request.			
GC.2	The Consent Holder shall notify the Manager, Environmental Regulation within 1 working day of any such incident.			
GC.2	The Consent Holder shall forward an incident report to the Manager, Environmental Regulation within 7 working days of the incident occurring. This report shall include the matters listed in Condition GC.20. <i>Advice Note: Wellington Regional Council may investigate any incidents to determine if a breach of this consent or the RMA has occurred and may also undertake enforcement action depending on the circumstances.</i>			

Formatted Table

Formatted Table

Formatted Table

Formatted Table

Ref	Condition
<i>Complaints Management</i>	
GC.2	<p>The Consent Holder shall maintain a complaint register that includes:</p> <ul style="list-style-type: none"> (a) The details of each complaint; (b) Actions taken to investigate the complaint (if any); (c) The outcome of such investigations if undertaken and the likely cause of the matter that led to the complaint; (d) The nature and timing of any measures implemented by the Consent Holder to respond to the complaint; and (e) Actions (if any) to be taken in the future to prevent to occurrences of similar events and complaints. <p><i>Advice note: Should there be a series of complaints related to a single incident then only one investigation needs to be completed by the Consent Holder.</i></p>
GC.2	The Consent Holder shall make the complaint register in Condition GC.24 available to the Manager, Environmental Regulation, on request.
<i>Consent Lapse</i>	
GC.2	Pursuant to section 125(1) of the RMA, the consents shall lapse 10 years from the date of the commencement of these consents (in accordance with section 116 of the RMA).
<i>Review of conditions</i>	
GC.2	<p>Pursuant to section 128 of the RMA, the conditions of consent may be reviewed by the Hutt City Council or Wellington Regional Council by the giving of notice pursuant to section 129 of the RMA, in [month, year] and every year thereafter in order to deal with:</p> <ul style="list-style-type: none"> (a) any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or (b) any other adverse effect on the environment on which the exercise of the consent may have an influence.

Formatted Table

Formatted Table

Formatted Table

Formatted Table

Coastal Activities (C)

Ref	Condition
<i>Engineering Plans and Specifications</i>	
C.1	<p>At least 30 working days prior to the Commencement of Construction, the Consent Holder shall submit <u>detailed engineering plans and specifications (including tidal levels, dimensioned cross sections, elevations, site plans of all areas of proposed reclamation and de-reclamation, permanent and temporary structures, outfalls structures, associated permanent and temporary coastal zone occupations and areas where the construction area will extend into the subtidal zone), prepared in general accordance with the documents listed in Conditions GC.1 and GC.2(a),</u> to the Manager, Environmental Regulation for certification using the process in Condition GC.5. the following documentation prepared in general accordance with the documents listed in Conditions and:</p> <p>(a) Detailed engineering plans and specifications (including tidal levels, dimensioned cross sections, elevations, site plans of all areas of proposed reclamation and de-reclamation, permanent and temporary structures, outfalls structures, associated permanent and temporary coastal zone occupations and areas where the construction area will extend into the subtidal zone); and</p> <p>(b) Specifications for the works authorised by these consents.</p> <p>The requirements for certification set out in Condition GC.5 apply equally to the certification of the detailed engineering plans and specifications under this condition.</p>
C.2	<p>The engineering plans and specifications submitted under Condition C.1 shall cover the following matters:</p> <p>(a) Shared path;</p> <p>(b) Seawalls, including drainage and texture to be applied to the curved surface and depressions to be applied to the flat platforms of the curved seawall;</p> <p>(c) Revetment, including the reuse of in situ natural rock/cobble material and minimising the excavation of in situ rock where possible, without compromising structural integrity, along with the drilling of rock pools into the hard revetment rock of intertidal areas. The design of the revetments should look at all options to reduce the revetment footprint without compromising on structural integrity of the seawall, overtopping protection, or coastal processes;</p> <p>(d) Access steps, ramps, bus stops; and</p> <p>(e) Beach nourishment.</p>
C.3	<p>The Consent Holder shall comply with the engineering plans and specifications certifiedapproved under Condition C.1.</p>
<i>Occupation of the CMA</i>	
C.4	<p>The right to temporarily occupy part of the CMA during Construction Works is limited to the areas and structures identified in the plans and specifications referred to in Condition GC.1.</p>
C.5	<p>The right to permanently occupy part of the CMAcoastal marine area is limited to the areas and structures identified in the plans and specifications referred to in Condition GC.1.</p>
<i>Erosion and sediment control</i>	
C.6	<p>Erosion and sediment control measures shall be implemented throughout the Construction Works. They shall be constructed and maintained so as to operate and perform in accordance with the <i>Erosion and Sediment Control Guidelines for the Wellington Region (Reprinted June 2006)</i> in the CMA, the measures set out below and the certified CEMP.</p> <p>Within the CMA measures may include, but not be limited to, the following considerations:</p> <p>(a) Not exposing non-native backfill material to the sea.</p> <p>(b) Use of weight-bearing mats on the foreshore substrate.</p>

Commented [HC7]: Do these engineering plans include landscape plans? Given the need to achieve recreation and landscape amenity, it would be helpful to be explicit about furnishing the set of landscape plans.

Ref	Condition
	<p>(c) Methods for isolating and containing the construction area including:</p> <ul style="list-style-type: none"> (i) Bunding/shuttering in a predominantly gravel/sand beach zone; and (ii) Alternative sediment control devices, such as geotextile containers or tubes filled with locally sourced sand, in rocky shore habitats or where the seawall works occur close to the mid tide mark. <p>(d) Limiting the length of any continuous section of seawall under construction at one time as appropriate, for example if the construction footprint extends into subtidal zone and a longer length allows for a single subtidal area to be contained in the one site then a longer length would be preferable.</p> <p>(e) Earthworks and construction activities to be planned to respond to tide timing, tidal height and forecasts of wind and wave conditions so that these matters can be factored into necessary erosion and sediment controls.</p>
<i>Contaminant Release</i>	
C.7	The Consent Holder shall take all reasonably practicable measures to limit the amount of contaminants from the Construction Works released on land or in the CMA. Such measures shall be included in the CEMP.
<i>Reclamation</i>	
C.8	The total reclamation area for the Project is limited to the areas and structures identified in the plans and specifications referred to in Condition GC.1, but shall not exceed 3000m ² . <i>Advice note: Statutory processes in respect of reclaimed land must be complied with, including under the Marine and Coastal Area (Takutai Moana) Act 2011.</i>
C.9	Imported fill material to be used in the reclamations shall be restricted to clean natural sand, gravels and rock.
C.10	The Consent Holder shall maintain a log recording the source of the materials imported onto each reclamation on the site. This log shall be made available to the Manager, Environmental Regulation for inspection on request.
<i>As-Built Certification</i>	
C.11	The Consent Holder shall supply to Wellington Regional Council and the LINZ Hydrographic Services Office and LINZ Topographic Services Office (Chief Hydrographer, National Topo/Hydro Authority, Land Information New Zealand, Private Box PO Box 5501, Wellington 6145), a set of 'as built' plans, final topographic and, if relevant, bathymetric data covering the finished works, and appropriate certification confirming that the new structures and structures have been built in accordance with sound engineering practice, within 60 working days of the completion of the works.
<i>Maintenance of Structures</i>	
C.12	The structures permitted to occupy part of the CMA by this consent shall be maintained in a good and sound condition, and any repairs that are necessary shall be made, subject to obtaining any necessary resource consents.

Ecological Management (EM)

Ref	Condition
<i>Little Penguins and Shoreline Foragers</i>	
EM.1	<p>In order to avoid, or minimise, mitigate, offset and compensate adverse effects of the Project on Little Penguins and Shoreline Foragers, the Consent Holder shall:</p> <ul style="list-style-type: none"> (a) cComply with Condition EM.1A; (b) undertake the habitat enhancement measures set out in Conditions EM.7 to EM.9; (c) aAs set out in Condition LV.4(c), incorporate relevant detailed design elements within the LUDP as recommended in the LPMP in Condition EM.5; (d) uUndertake design and construction in accordance with the LPMP in Condition EM.5; (e) mManage rubbish and waste in accordance with the CEMP in Condition GC.7; (f) provide pest management in accordance with Condition EM.1B; and (g) pProvide <u>Little Penguin and Shoreline Forager protection areas as set out in funding through Conditions EM.1B and EM.7 to EM.9, that is available from the commencement of consent for pest management along the Eastern Bays coastal margin from Seaview to Pencarrow Head, including in any Little Penguin breeding areas in (f), up to a maximum of \$40,000 including GST over 10 years; and Provide funding through Condition EM.1B of up to \$60,000 including GST towards establishing on the Eastern Bays between Seaview and Pencarrow Head, within 36 months of the commencement of the consents, Little Penguin breeding area(s) to be identified by the Consent Holder in consultation with the Little Penguin Interest Group.</u>
EM.1A	Construction Works between 1 July and 31 January (the Little Penguin breeding period) shall not occur within 10m of any active burrows or nests identified in Condition EM.5(a)(i).
EM.1B	<p><u>The Consent Holder must:</u></p> <ul style="list-style-type: none"> (a) <u>provide up to a maximum of \$4,000 (including GST) per year, spread over 10 years, for pest management within the protection areas specified in (b) below and the adjacent Eastern Bays coastal environment;</u> (b) <u>establish protection areas (refer to Appendix 1) at the following locations, in accordance with Conditions EM.7 to EM.9:</u> <ul style="list-style-type: none"> (i) <u>Bishops Park;</u> (ii) <u>HW Short Park; and</u> (iii) <u>Whiorau Reserve.</u> (a) The Consent Holder must, within 20 working days of the commencement of consent, allocate a one-off payment of \$400,000 including GST to establish a Little Penguin and Shoreline Forager Enhancement Fund to be managed by Hutt City Council, and inform the Manager, Environmental Regulation; (b) The Fund applies throughout the Eastern Bays coastal margin from Seaview to Pencarrow Head (Fund area) for the purpose of enhancing the natural habitat of Little Penguins and Shoreline Foragers; (c) The Fund must be allocated as follows: <ul style="list-style-type: none"> (i) a maximum of \$40,000 including GST shall be available over 10 years for pest management throughout the Fund area, and any areas established in (ii); (ii) a maximum of \$60,000 including GST shall be put towards establishing, within 36 months of the commencement of consent, Little Penguin breeding area(s) within the Fund area, in consultation with the Little Penguin Interest Group. The Little Penguin breeding area(s) must be fenced to exclude dogs and the public, contain vegetative cover as appropriate to the setting, and be signposted; and

Ref	Condition
	<p>(iii) any money up to the maximum not spent under (i) or (ii) shall be used to enhance Little Penguin and Shoreline Forager habitat opportunities through detailed design in the LUDP as set out in Condition LV.4(c);</p> <p>(d) The following parties may apply to the Consent Holder for funding under (c)(i) or (ii):</p> <p>(i) members of the Little Penguin Interest Group;</p> <p>(ii) mana whenua;</p> <p>(iii) the Consent Holder;</p> <p>(iv) community groups;</p> <p>(v) landowners; and</p> <p>(vi) individuals;</p> <p>(e) Each application in (d) must set out the amount of money applied for and how the proposed activities will meet the purpose of the Fund; and</p> <p>The consent holder must, within 20 working days of receipt under (d), provide the applicant with notice as to whether funding has been approved or declined, including reasons, and provide a copy to the Manager, Environmental Regulation. Similar applications may be grouped and responded to at the Consent Holder's discretion.</p>
EM.1C	<p>(a) <u>During the nesting season of any Shoreline Forager, no more than 10 working days prior to the Commencement of Construction, the Consent Holder shall engage a suitably qualified ecologist to undertake a Shoreline Forager nesting survey within the relevant construction area.</u></p> <p>(b) <u>If any Shoreline Forager nest in the relevant construction area is identified, the Consent Holder shall engage a suitably qualified ecologist to:</u></p> <p>(i) <u>GIS locate and mark on the ground the nest location;</u></p> <p>(ii) <u>advise on whether or not the nest of the Shoreline Forager contains eggs or chicks;</u></p> <p>(iii) <u>if it does contain eggs or chicks, advise on the management of Construction Works within 100m of the nest, including:</u></p> <p>A. <u>the use of specific machinery; and</u></p> <p>B. <u>the use of specific minimisation measures and/or working practices; and</u></p> <p>(iv) <u>prepare a plan for works incorporating the matters in (iii) which the Consent Holder shall include in the CEMP under Condition GC.7.</u></p>
<i>Little Penguin Management Plan</i>	
EM.2	The Consent Holder shall prepare a LPMP and submit this to the Manager, Environmental Regulation for certification in accordance with the requirements of Condition GC.5.
EM.3	The purpose of the LPMP shall be to as far as reasonably practicable avoid, but otherwise mitigate, remedy, offset or compensate <u>minimise</u> , adverse effects on the Little Penguin population established in and adjacent to the existing revetment, during design and Construction Works.
EM.4	The LPMP shall be prepared by a suitably qualified person in consultation with the Little Penguin Interest Group.
EM.5	<p>The LPMP shall address the following matters:</p> <p>(a) Measures to minimise adverse effects on the Little Penguin population during construction, including that:</p> <p>(i) Two Little Penguin detection dog surveys, or a detection method approved by a Little Penguin expert appointed by the Consent Holder, must be undertaken in January prior to the Commencement of Construction in each bay. The purpose is to identify active Little Penguin burrows and nests within the construction area of</p>

Ref	Condition
	<p>each bay. No Construction Works shall occur in an area not surveyed in accordance with this provision; and</p> <p>(ii) The GPS coordinates for all active burrows and nests identified in (i) must be recorded;</p> <p>(b) A protocol for enabling Little Penguins active burrows and nests identified under (a) within the construction area of each bay to be relocated to a site outside of the construction area between 1 February and 30 June. The protocol will include measures to ensure that the formerly active burrows and nests will not be reoccupied so that Construction Works can proceed. The protocol will be prepared by a Little Penguin expert appointed by the Consent Holder;</p> <p>(c) A programme for monitoring Little Penguins within or adjacent to the construction area during the Construction Works proportionate to the scale of the works in that area and the number of burrows and nests to determine whether any reasonably practicable steps can be undertaken by the Consent Holder to further reduce adverse effects, <u>including steps provided for in the HEP (refer Conditions EM.7 to EM.9)</u>;</p> <p>(d) Staff and contractor training;</p> <p>(e) Identification of specific areas where Little Penguin and dog control signage would be beneficial to reduce the risks of adverse effects on Little Penguins; and</p> <p>(f) Opportunities to enhance Little Penguin habitat through detailed design, including:</p> <p>(i) Potential seawall design opportunities to restrict road access for Little Penguins through penguin passage elements; and</p> <p>(ii) Potential rock rip rap design opportunities to include key holes for Little Penguin nests.</p> <p><i>Advice note: The handling of protected wildlife will require permits to be obtained from the Department of Conservation under the Wildlife Act 1953.</i></p>
EM.6	<p>Any outcomes from monitoring under Condition EM.5(c) shall be applied, as appropriate, to future Construction Works by revising the LPMP so that over time processes and responses to minimise effects on Little Penguins are refined and improved. The results of the monitoring shall be provided to the Little Penguin Interest Group and the Manager, Environmental Regulation, Wellington Regional Council within 1 month of completion.</p>
<p><u>Shoreline Foragers Habitat Enhancement Plan</u></p>	
EM.7	<p><u>The Consent Holder shall prepare a HEP and submit this to the Manager, Environmental Regulation for certification in accordance with the requirements of Condition GC.5 prior to Commencement of Construction. Prior to the Commencement of Construction, the Consent Holder shall engage a suitably qualified and experienced person to undertake a shoreline forager nesting survey within the relevant construction area.</u></p>
EM.7A	<p><u>The HEP shall be prepared by a suitably qualified ecologist in consultation with the Little Penguin Interest Group and the Eastbourne Dunes Restoration Group.</u></p>
EM.8	<p><u>The purpose of the HEP shall be to provide protection areas (as specified in Condition EM.1B and shown in Appendix 1) for the Little Penguin and Shoreline Forager populations.</u></p>
EM.9	<p><u>The HEP must address and/or include the following within the protection areas:</u></p> <p>(a) <u>fencing of the boundaries as shown in the plans in Appendix 1 with a minimum standard to keep dogs out;</u></p> <p>(b) <u>pest management measures, using funding provided in Condition EM.1B;</u></p> <p>(c) <u>a Planting Plan for revegetation as appropriate, including details of species to be planted and areas planting will take place in;</u></p> <p>(d) <u>signage identifying the relevant habitat area to reduce the risks of adverse effects on Little Penguins and Shoreline Foragers;</u></p>

Ref	Condition
	<p>(e) <u>opportunities to enhance Little Penguin habitat within the protection areas including provision of a minimum of 20 nesting boxes in each of the protection areas;</u></p> <p>(f) <u>opportunities to enhance Shoreline Forager habitat in the protection areas, including wooden poles providing further safe roosting habitats;</u></p> <p>(g) <u>provisions as appropriate to provide ecological resilience to sea level rise; and</u></p> <p>(h) <u>timeframes for completing (as appropriate) the measures outlined in the HEP, including:</u></p> <p>(i) <u>for the Whiorau Reserve protection area:</u></p> <p>A. <u>fencing must be completed prior to Commencement of Construction (see (a) above);</u></p> <p>B. <u>detailed design of habitat enhancement for the Little Penguin and Shoreline Foragers must be finalised, and nesting boxes and roosting measures must be installed, prior to Commencement of Construction (see (e) and (f) above);</u></p> <p>C. <u>pest management measures must be installed and operational prior to Commencement of Construction (see (b) above);</u></p> <p>D. <u>signage must be installed prior to Commencement of Construction (see (d) above);</u></p> <p>E. <u>planting shall be undertaken in accordance with the timeframes specified in the Planting Plan (see (c) above); and</u></p> <p>(ii) <u>for the Bishops Park and HW Short Park protection areas, the establishment process (ie the measures specified in A to E above) must commence prior to Commencement of Construction, and measures A to D above must be completed within six months following Commencement of Construction (and the planting in accordance with the specified timeframes in the Planting Plan).The Consent Holder shall provide the management responses recommended under Condition and an explanation of how these have been implemented (or if not why not) to the Manager, Environmental Regulation, Wellington Regional Council and the local ranger of the Department of Conservation.</u></p>
<i>Intertidal and subtidal ecology</i>	
EM.10	For any construction areas where there are intertidal rock pools or loose rocky material in the intertidal zone, prior to the Commencement of Construction the Consent Holder shall check any rock pools and under loose rocks within the construction area for fish (such as rock fish) and relocate them outside of the construction area. Initial training and guidance by a qualified ecologist will be required.
EM.11	<p>For any construction areas that may extend into the subtidal zone, the Consent Holder shall:</p> <p>(a) Undertake all measures possible to reduce the construction area in the subtidal zone to the minimum required to complete the works in a safe and efficient manner, and avoid operating heavy machinery in the subtidal zone unless there is no reasonably practicable alternative. If works must occur in the subtidal zone, then the Consent Holder shall undertake appropriate measures to isolate the construction site from the subtidal zone to protect the site and prevent contamination release into the CMA, in accordance with the requirements of the certified CEMP;</p> <p>(b) During Construction Works within the subtidal zone the Consent Holder shall, where reasonably practicable, remove large rocks (greater than 0.4m diameter that are not part of the bedrock material and can be safely moved) that have been colonised with biota. They shall be placed in a nearby subtidal zone until the Completion of Works in that area. On completion of works, the rocks shall either be returned to the area from which they were removed, left at their new location or relocated to another appropriate subtidal location; and</p> <p>(c) Avoid adverse effects on the seagrass beds at south Lowry Bay (as identified in Figure 3 of Appendix C2 of the AEE) from Construction Works and beach nourishment. Measures shall include, but not be limited to:</p>

Ref	Condition
	<ul style="list-style-type: none"> (i) Monitoring of seagrass beds in south Lowry Bay before and after Construction Works and beach nourishment to confirm that the beach nourishment works have not resulted in any net loss of seagrass extent and cover through unforeseen physical encroachment into the seagrass beds, increased turbidity or altered hydrodynamics; (ii) The monitoring in (i) shall include mapping the perimeter of each seagrass bed and assessing the average plant cover within each bed immediately before works commence, immediately after works have been completed and 1 year after the completion of the beach nourishment works; (iii) The results of the monitoring in (i) shall be provided to the Manager, Environmental Regulation, Wellington Regional Council within 1 month of completion; and (iv) Ensuring that the seagrass beds are appropriately marked during Construction Works and beach nourishment to avoid any potential adverse effects.
<i>Fish Passage</i>	
EM.12	<p>At the key outlets listed in Table 7 of Appendix B of the AEE, the Consent Holder shall:</p> <ul style="list-style-type: none"> (a) Ensure that fish passage is improved or maintained at the existing level; and (b) Involve a qualified freshwater ecologist in the design of culvert extensions, alterations, and any specific fish passage features.
<i>Beach Nourishment Plan</i>	
EM.13	<p>The Consent Holder shall prepare a BNP and submit this to the Manager, Environmental Regulation for certification in accordance with the requirements of Condition GC.5.</p> <p>Beach nourishment shall only occur in Point Howard beach, York Bay and south Lowry Bay and be deposited in general accordance with the Plans in Appendix 1 to these conditions. The maximum volume of material that may be deposited is 6,000m³, to be distributed between the three bays as outlined in Table 5-1 of Appendix F of the AEE.</p>
EM.14	<p>The BNP shall include, but not be limited to:</p> <ul style="list-style-type: none"> (a) The design conditions at the time of the beach nourishment and for the beach nourishment to achieve after 2 years; (b) The name and location of the sediment source; (c) Evidence of approvals and consents for taking the material and ensuring imported materials do not exceed allowable maximum contaminant levels under the relevant ADAWR (2019) Default Guideline Values; (d) A specification of the borrow material including: <ul style="list-style-type: none"> (i) Ensuring no more than 2% of sediment is of a size smaller than 62 microns; (ii) The grading envelope; (iii) Colours; and (iv) Extent of placement; (e) A construction methodology to limit potential adverse effects that includes, but is not limited to, the following measures: <ul style="list-style-type: none"> (i) Separation and disposal offsite of silts and clays in beach excavation sediments; (ii) Use of beach nourishment sediments that are similar or slightly coarser than in situ sediments, that will maintain the existing profile without spreading onto seagrass beds; (iii) Excluding fine sediments from beach nourishment sediments; (iv) Only undertaking beach nourishment in the winter months between June and August;

Ref	Condition
	<ul style="list-style-type: none"> (v) Forming the high tide construction beach with a slightly over-steepened profile; (vi) Only depositing as much sediment on the beach as can be transferred along the placement area in the day of placement; (vii) Only transferring and shaping the beach profile during lower tide levels in calm conditions, and such that the formed toe does not extend much beyond mean low water springs; (viii) Minimising the working area and mobilization of sediment; (ix) Stockpiling woody debris and then replacing woody debris in the wrack line following beach nourishment; (x) Avoiding the placement of beach nourishment materials no further south than the centerline of Gill Road at the southern end of Lowry Bay; (xi) Forming and shaping a steeper profile within the existing beach footprint; and (f) Placing imported beach sediment along the entire designated placement area rather than in one discrete location; (g) Minimising the potential to block stream outlets with fish passage during beach nourishment by: <ul style="list-style-type: none"> (i) Identifying pipe outlets that are identified as important for fish passage as identified in Table 7 of Appendix B of the AEE; (ii) Avoiding initial placement of sediment from within 20 m of existing outlets; and (iii) Monitoring of stream outlets indicated in Table 6 of Appendix B of the AEE during beach nourishment and then fortnightly for the first 6 months after nourishment and monthly for another 6 months thereafter to check they remain clear. If blocked, the Consent Holder shall clear gravels and sand block the outlets. <p><i>Advice note: Clearance of any accumulated material at the outlets may require a separate consent if not able to comply with permitted activity standards.</i></p>
<i>Beach monitoring and management – beach nourishment</i>	
EM.15	<p>The Consent Holder shall undertake monitoring of beach volume via 6 monthly beach profiles (or equivalent elevation surveying techniques) to ensure the actual effect on beach sediment processes is in line with the expectations for generally minor redistribution of beach material.</p> <p>The monitoring shall commence prior to the Commencement of Construction in each bay in Condition EM.13, and continue for 2 years after Completion of Construction in that bay. If nourishment occurs in more than one bay, the monitoring timing shall be aligned so that the monitoring of each bay occurs at the same time.</p> <p>This monitoring information shall be interpreted at the end of the 2 year period in that bay by an experienced coastal scientist and that interpretation shall be provided to the Manager, Environmental Regulation within 1 month of its completion.</p>
EM.16	<p>The monitoring should include the nourished area and the foreshore at the base of the seawall extending at least 60 metres along the seawall at both edges of the nourished area at York Bay and Point Howard beach, and 60 metres to the south and 240 metres to the north of the nourishment at Lowry Bay.</p>
EM.17	<p>If beach nourishment monitoring results in Condition EM.15 show that design conditions in the BNP have not been met, then the Consent Holder shall, if deemed to be required by an experienced coastal scientist or engineer, 'top up' the beach nourishment and/or undertake beach maintenance as recommended.</p> <p>Only one 'top up' event may occur at each location. If a 'top up' is required it shall occur within 2 years of the completion of the monitoring. If a 'top up' is required at more than one bay then the nourishment and/or maintenance shall, if possible, be undertaken at the same time.</p>

Ref	Condition
	The design conditions of such 'top ups' shall be prepared by an experienced coastal scientist or engineer and certified as meeting the design conditions of the beach nourishment in the BNP by the Manager, Environmental Regulation in accordance with the requirements of Condition GC.5. To avoid doubt, Condition EM.14(e) applies to any beach nourishment 'top up'.
EM.18	<p>An intertidal and subtidal benthic invertebrate monitoring programme designed by a qualified ecologist will be undertaken at least 12 months after the completion of beach nourishment in that bay to assess whether the redistributed beach nourishment material is having any significant adverse effect on the benthic intertidal and subtidal biota.</p> <p>If monitoring results show that redistributed beach nourishment material has had significant adverse effects on the benthic intertidal and subtidal biota, any 'top ups' under EM.17 will be designed by the Consent Holder to appropriately minimise, mitigate, offset or compensate those significant adverse effects on benthic intertidal and subtidal biota.</p>
<u>Seawall and revetment habitat</u>	
EM.19	<p><u>The Consent Holder shall engage a suitably qualified ecologist to prepare a Seawall and Revetment Habitat Plan (SRHP) that provides for intertidal biota, including:</u></p> <ul style="list-style-type: none"> (a) <u>incorporating textures to the curved surfaces and depressions to the flat platforms of the curved seawalls including:</u> <ul style="list-style-type: none"> (i) <u>within the 'low encroachment zone' to help offset the existing intertidal area lost to the 'high' and 'medium' encroachments; and</u> (ii) <u>in areas where the seawall is wholly above the existing high tide mark to provide ecological resilience to sea level rise;</u> (b) <u>drilling rock pools into the hard revetment rock of the mid-low tide zone;</u> (c) <u>reuse of larger colonised rock material;</u> (d) <u>purpose-made rock pool features (to be used where appropriate, and without compromising structural integrity);</u> (e) <u>where appropriate and/or feasible, pre-cast 'pot plant/window box structures that can be added to the surface of the curved seawall; and</u> (f) <u>a map of appropriate scale, showing where each method of enhancement will occur.</u>

Landscape, Urban Design and Visual (LV)

Ref	Condition
<i>Landscape and Urban Design Plan</i>	
LV.1	The Consent Holder shall prepare a LUDP for the Project and submit this to the Manager, Environmental Regulation for certification in accordance with the requirements of Condition GC.5. The Consent Holder shall provide the LUDP for certification within 3 months of the commencement of the consents. The process to prepare the LUDP, including as set out in Condition LV.3, must be completed within this timeframe.
LV.2	The purposes of the LUDP are to: <ul style="list-style-type: none"> (a) Provide a detailed design for the Project that responds to local landscape character, identity and land use and is in general accordance with the Design Features Report (dated January 2019), and other relevant plans and documents referred to in Conditions GC.1 and GC.2(a); (b) Integrate the Project's permanent works into the surrounding landscape and urban context and to illustrate the urban and landscape design elements of the Project; and (c) Outline methods and measures to avoid, remedy and or <i>minimise</i> mitigate adverse effects on natural character, landscape and recreational amenity during the construction of the Project.
LV.3	The LUDP shall be prepared by the Consent Holder, with input from an ecologist, engineer, landscape architect, recreation specialist, traffic engineer and urban designer, and in consultation with: <ul style="list-style-type: none"> (a) Wellington Tenth's Trust; (b) Port Nicholson Block Settlement Trust; (c) Relevant Resident Associations; (d) Hutt City Council (Parks and Reserves); and (e) Eastbourne Community Board.
LV.4	The LUDP shall reflect and/or incorporate the plan in Condition EM.19 as appropriate and, as a minimum, shall address how the detailed design of the Project: <ul style="list-style-type: none"> (a) Achieves design outcomes based on the following general hierarchy of environmental effects: <ul style="list-style-type: none"> (i) Safety; (ii) Ecology; (iii) Natural character; (iv) Public access; and (v) Urban design, recreational and visual amenity; (b) Responds to conflicts between any of the matters listed above, including in relation to the significance (if any) of their values relevant to the specific design matters being considered, and the significance of the matters in the context of each individual bay; (c) Responds to any relevant design elements recommended in the LPMP in Condition EM.5 <u>and the HEP in Condition EM.9</u> while applying the same approach as in (a) and (b); and (d) Responds to: <ul style="list-style-type: none"> (i) The design principles set out in Appendix J: Design Features Report (dated January 2019), and other relevant plans and documents referred to in Conditions GC.1 and GC.2(a); and (ii) Relevant Industry <u>Standards</u>.

Commented [HC8]: Remove hierarchy, it doesn't make sense that urban design, recreational and visual amenity is lowest in the hierarchy for an LUDP plan. Safety, recreation and Landscape are all interlinked and there are strong interdependencies in design.

Formatted: Highlight

Commented [HC9]: Refer to **industry design standards and best practice exemplars for shared paths at a minimum of 3.5m wide**. Explanation: the submitted plans are sub-standard, as sections of the path are only 2.5m wide. By contrast, other shared paths considered best practice are in the range of 3.5m to 5m wide. The 2.5 is a trade-off to minimise intrusion into the coastal marine area. This trade off risks unintended consequences for recreation amenity and safety.

Ref	Condition
<i>Bay Specific Urban Design Plans</i>	
LV.5	<p>The LUDP shall include the final BSUDPs for each bay within the Project area, which shall address the detailed design, within the particular bay, for the benefit of pedestrians, cyclists and others using the local road network as well as the specific urban design, landscape, ecology and recreational amenity matters, including those listed in Condition LV.7, as relevant to the particular bay.</p> <p>The final BSUDPs may either be attached to, and certified as part of, the initial LUDP or prepared later, and added to the LUDP on a staged basis, if the Construction Works are staged bay by bay and individually certified under Condition LV.6.</p>
LV.6	<p>The BSUDPs shall be prepared by the Consent Holder in two stages for each bay:</p> <p>(a) Stage 1: A draft design protocol that sets out the priorities for the bay design in terms of engineering and safety requirements as well as ecology, natural character, landscape, urban design and recreational amenity elements and issues. The protocol shall be provided to the Relevant Resident Association for the affected bay (if any) and the Eastbourne Community Board for comments, if any, within 15 working days from receipt. Any comments received, and the Consents Holder's response and reasons if they are not accepted, are to be provided to the Manager, Environmental Regulation within 20 working days from receipt of the comments; and</p> <p>(b) Stage 2: The final BSUDPs, which are to be certified either on their own (in accordance with Condition GC.5) or (if included in the initial LUDP) when the LUDP is certified under Condition LV.1.</p>
LV.7	<p>The BSUDPs shall, include specific landscape and urban design details for:</p> <p>(a) Seawall structures, including transition zones between seawall types;</p> <p>(b) Beach access including steps, ramps and associated handrails where required;</p> <p>(c) Safety barriers and railing; at no more than 1.1metres high</p> <p>(d) The treatment of stormwater structures at the coastal interface;</p> <p>(e) <u>Little Penguin and Shoreline Forager</u> related structures including penguin passage elements, ramps, and nests, <u>boxes and wooden poles for roosting</u>;</p> <p>(f) Planting treatment;</p> <p>(g) The treatment of existing trees and existing landscape and natural features;</p> <p>(h) The design and area of space available for recreational amenity activities;</p> <p>(i) The design and orientation of features, spaces and access points;</p> <p>(j) Refuge and seating opportunities: including size and arrangement of space to allow for stopping and gathering at frequent intervals distributed along the route</p> <p>(k) Signage and storyboards.</p> <p>(l) Minimum path width of 3.5metres</p>

Commented [HC10]: Add: The draft design protocol shall provide annotated photographic exemplars of best practice coastal shared path projects, to demonstrate the level of design to be achieved.

Commented [HC11]: Include hold points for review at preliminary, developed and detailed design gateways.

Commented [HC12]: If conditions are to take the place of design plans, then the standards need to be explicitly specified. Add details of standards and best practice levels of service to be met. For instance, minimum path width of 3.5 metres, frequency and size of respite areas, height of hand rails to be no more than 1.1metres.

From: [Hamilton, Catherine](#)
To: [Shannon Watson](#)
Cc: [O'Shaughnessy, Brenda](#); [Head, Jeremy](#); [Dan Kellow \(InTouch\)](#)
Subject: RE: disability provision
Date: Thursday, 19 November 2020 10:36:15 AM
Attachments: [image006.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)

Hi Shannon, further to our conversation yesterday about universal accessibility for the shared path.

The current wording is:

To ensure that all new structures in the coastal marine area to which the public are admitted provide reasonable and adequate access and facilities for disabled persons in accordance with section 25 of the Disabled Persons Community Welfare Act 1975.

I have spoken with our accessibility specialist and I believe S.25 has been repealed.

I would recommend that you instead refer to NZS4121 <https://www.standards.govt.nz/assets/Publication-files/BSP/NZS4121-2001.pdf>. This standard has a really good intro section which highlights the legal framework including the following (Page 8)

The design requirements in the concepts of approachability, accessibility and usability are meant to ensure that accessible facilities are melded into the design of a building as a whole (including landscaping) so that the occupants of the building happily use these facilities without being conscious of their underlying purpose.

It will be recognized that 'accessible' routes for people with disabilities extend far past those on the building sites and within buildings, see definition of the accessible route, 1.5.1. Local and central government are required, through the Local Government Act 1974, the Resource Management Act 1991 and the Human Rights Act 1993 to provide clear access along pavements and to provide road crossings etc. for people with disabilities to use. This consideration automatically extends to the siting of street furniture, bollards and the like and the siting and design of public transport bus or train stops etc.

Further, I think it is important to establish an assessment and auditing process as part of the conditions of consent, to ensure that the shared path is designed to provide a barrier-free destination and journey that works for everyone.

Wording could be...

"Provision shall be made for a disability auditor to prepare an accessibility statement to guide design, and undertake accessibility audits at preliminary, developed and detailed design hold-points"

Regards

Catherine

Catherine Hamilton
Technical Principal - Landscape Architecture



T: +64 9 353 2960
M: +64 27 244 7849
Catherine.Hamilton@wsp.com

WSP
Lvl 3, The Westhaven
100 Beaumont St
Auckland 1010
New Zealand

wsp.com/nz



From: Shannon Watson [<mailto:Shannon.Watson@ghd.com>]
Sent: Wednesday, 18 November 2020 5:50 PM
To: Hamilton, Catherine <Catherine.Hamilton@wsp.com>
Subject: disability provision

To ensure that all new structures in the coastal marine area to which the public are admitted provide reasonable and adequate access and facilities for disabled persons in accordance with section 25 of the Disabled Persons Community Welfare Act 1975.

SHANNON WATSON
Environmental Planner

GHD

Proudly employee-owned | ghd.com

Level 2, Grant Thornton House, 215 Lambton Quay, Wellington 6011

T +64 04 474 7330 E shannon.watson@ghd.com

→ **The Power of Commitment**

Connect



Please consider the environment before printing this email

CONFIDENTIALITY NOTICE: This email, including any attachments, is confidential and may be privileged. If you are not the intended recipient please notify the sender immediately, and please delete it; you should not copy it or use it for any purpose or disclose its contents to any other person. GHD and its affiliates reserve the right to monitor and modify all email communications through their networks.

NOTICE: This communication and any attachments ("this message") may contain information which is privileged, confidential, proprietary or otherwise subject to restricted disclosure under applicable law. This message is for the sole use of the intended recipient(s). Any unauthorized use, disclosure, viewing, copying, alteration, dissemination or distribution of, or reliance on, this message is strictly prohibited. If you have received this message in error, or you are not an authorized or intended recipient, please notify the sender immediately by replying to this message, delete this message and all copies from your e-mail system and destroy any printed copies.

-LAEmHhHzdJzBTWfa4Hgs7pbKI

This e-mail has been scanned for viruses