Appendix I: Jeremy Head expert review comments

Greater Wellington Regional Council

Eastern Bays Shared Use Path

Review of Applicant's Landscape and Visual Assessment

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Contents

1 Introduction

1.1 Background

This report provides a peer review of the landscape and visual effects assessment (prepared by Julia Williams, (Landscape Architect, Drakeford Williams Ltd, 7 February 2019). In this review the Williams assessment is referred to as the Applicant's 'LVA', which accompanies a Resource Consent Application by Hutt City Council (HCC) to the Greater Wellington Regional Council (GWRC). This peer review also provides comment on the Eastern Bay Shared Path Alternatives Assessment (March 2018) and the Eastern Bays Shared Path Design Features Report (January 2019). Both of these reports were prepared by Stantec for the Applicant and have a direct bearing on the landscape character and visual amenity outcomes of the proposal.

It is understood through discussions during the site visit with Caroline Van Halderen (Applicant's planner, Stantec) and Shannon Watson (Environmental Regulation, GWRC), that the final detail design and outward appearance of the proposal will evolve further from what is currently demonstrated in the application. The various parts of the proposed changes are detailed in the Stantec 'Design Features Report' (January 2019). It is explicit in the wording throughout the application that the design of the proposal will be refined and improved following consultation with the various bay communities[1], GWRC, HCC and the Stantec design technical team through the planned Landscape and Urban Design Plan (LUDP) phase.

The proposal is located in the Eastern Bays part of Wellington Harbour in two sections totalling 4.2kms along the coastal edge of Marine Drive. The first stretch is from Point Howard in the north to the southern end of Sunshine Bay in the south. The second stretch is from the southern end of Days Bay to the junction of Marine Drive and Muritai Road. This is shown in Appendix 'J' of the Application.

It is understood that the proposal will essentially improve and formalise an existing pedestrian/cycle path partly located between the sea wall and the Marine Drive northbound live lane. Other parts of the proposal will be located in areas where no shared use path currently exists - such as through reserve areas and on future reclaimed land where the proposal will be built within the current marine environment. The extent of the shared use path and sea wall treatment is shown in Appendix 'N'[2]. It is also understood from the Applicant's LVA that the Eastbourne Community have identified climate change as a key issue that may affect their lives here in the future and that the proposal has the opportunity to address this.

The landscape character of the narrow linear site where the shared use path will be located, and the wider site context is described in thorough detail by Ms Williams and is not commented on further in this peer review.

This peer review considers the potential effects of the proposed development and how well these effects have been covered in the applicant's LVA. Relevant landscape matters from the New Zealand Coastal Policy Statement (NZCPS) and the Greater Wellington Proposed Natural Resources Plan (GWNRP) will also be considered. These include the potential visual and landscape effects arising from the proposal falling on users of Marine Drive, the harbour and occupants of the various bays and headlands located adjacent to the shared use path route.

[1] Point Howard/Sorrento Bay, Lowry Bay, York Bay, Mahina Bay, Sunshine Bay, Days Bay, Rona Bay, Eastbourne village and Robinson Bay.
[2] Preliminary Design Plans – Revision J, Stantec.

Matters of landscape and natural character and the effects of the proposal on these are also considered.

On May 2, 2019 a site visit was carried out. This included an appraisal of where the proposed changes will be located largely via foot, and to a lesser extent by vehicle.

1.2 Scope

As mentioned, this peer review provides comment on landscape matters pertaining to the application, specifically the LVA prepared by Ms Williams. This peer review also provides further information and advice related to the effects of the proposal on landscape and visual values.

This peer review also considers:

- The alternatives assessment and design features reports.
- the statutory considerations arising from the NZCPS and the GWNRP relating to landscape matters.
- the analysis and conclusions drawn on the landscape, visual and natural character effects of the proposal,
- recommendations as to appropriate design outcomes that may be considered and contribute to the LUDP, and;
- any gaps and shortcomings in the assessment undertaken as part of the assessment of environmental effects prepared by the applicant's landscape architect.

1.3 Summary Conclusions

This report concludes overall in agreement with Ms Williams's findings with regards to the landscape, visual and natural character effects of the proposal subject to clarification of a few points discussed below.

It is agreed that broadly speaking, the nature of the proposal (location, scale (width/footprint), alignment and general physical improvement) over what currently exists will have an acceptable degree of compatibility with its site which is located between an urban and coastal environment setting - subject to further development of the design. Initial observations include ensuring that provision is made for multiple user groups and all physical abilities, and robust consideration of detailing and surface finishes. This peer review provides some recommendations as to how the final proposal may be best conceived to maximise its compatibility with its coastal setting and range of likely user groups.

The Applicant's LVA regularly refers to the proposed LUDP. The intent of this design process is to further develop the proposal in terms of finer-grained design decisions, which will be made at the bay-scale. The Williams LVA relies heavily on the outcomes of this document providing for a more appropriate and improved design solution to the proposal - compared to what is currently proposed. This peer review strongly agrees with the process and potential benefit to the design following the LUDP. Ms Williams considers the LUDP to be a 'suggested' condition of consent. This peer review concludes that the LUDP forms a *recommended* condition of consent. Some recommendations are included later in this peer review that are intended to be tabled during the LUDP process.

The Applicant's LVA refers to the assumed improvements following the LUDP throughout and concludes that the landscape and visual effects will be reduced further when these refinements are made. However, the nature of any design refinements at this stage of the application process is aspirational rather than actual as the LUDP has yet to occur. There is no guarantee that the proposal will necessarily change following the LUDP. This peer review

considers the proposal as it is currently presented forming a 'worst case scenario'. As the purpose of this peer review is to assist the GWRC in their decision making, it is necessary that it assesses the proposal as it is currently presented, critiques it and provides additional firm recommendations to enable a better and guaranteed landscape outcome for the Eastern Bays area. There is a degree of discomfort that a proposal such as this is being submitted for Resource Consent which will include further development.

There is also agreement that on the seven-point[3] scale of effects, the biophysical effects will be 'moderate'[4] due to the amount of natural beach and rock outcropping that will be covered by the revetment works. It is agreed that any adverse effects on visual amenity and natural character arising from the current proposal will be 'low'[5]. It is assumed in this peer review that these effects will drop to 'very low' or become 'positive' with further design improvements given the natural character of part of the setting and the number of user groups located permanently in the area or as visitors to it.

The site and the changes to it will be primarily seen from the harbour and beach areas where the face of the concrete sea walling and associated concrete structures (steps and ramps) will be apparent – particularly at low tide. However, the current (in places poor) condition of the sea walling, steps and so forth is already visible from these areas and so there is a degree of acceptance now of such engineered solutions to storm surges and the attenuation of coastal erosional processes. As such any visual, landscape and natural character effects of the proposal are considered to be acceptable as long as the construction methodology is sound, and the final appearance is appropriately mitigated.

It is concluded in this peer review that on the seven-point scale of effects, any potentially adverse landscape, visual and natural character effects arising from the proposal (as it currently stands) will fall between 'low' and 'moderate'. However, this determination is subject to improvement based on some recommended provisions to the proposal which will be addressed later in this review.

This review has considered the information that has been made available to date. It is possible that any reasons and conclusions may be altered in response to new information arising that becomes available prior to or at a hearing for the application.

2 Review of Landscape and Visual Effects Assessment

With regards to the Applicant' LVA, there is agreement:

(a) On the necessity of the LUDP to determine the best final design outcome and that this process and document becomes a condition of consent.
(b) On the relevant extent of the site context, the bay by bay description and defining characteristics.

[3] Very Low - Low – Moderate to Low - Moderate - Moderate to High – High - Very High.
[4] **Moderate**: *A moderate level of effect on the character or key attributes of the receiving environment and/or the visual context within which it is seen; and/or have a moderate level of effect on the perceived amenity derived from it. (Oxford English Dictionary Definition: Moderate: adjective-average in amount, intensity or degree).*
[5] **Low**: *A low level of effect on the character or key attributes of the receiving environment and/or the visual context within which it is seen; and/or have a low level of effect on the perceived amenity derived from it. (Oxford English Dictionary Definition: Low: adjective-below average in amount, extent, or intensity).*

(c) On the defined extent of the coastal environment, and the discussion on natural character and experiential values.
(d) On the general landscape description of the Eastern Bays Area.
(e) On the methodology undertaken.
(f) That any landscape effects are confined to landform change, namely where the seawall / fill / revetment overlays the natural coastal area where these effects are concluded to be 'moderate' (at worst).
(g) That beach nourishment practices will have 'moderate - low'[6] adverse landscape effects.
(h) That within the broader Eastern Bays context, effects on landscape, levels of legibility, picturesqueness and overall experiential natural character currently enjoyed will be 'low'.
(i) That effects on legibility and visibility will be potentially 'very low' or 'positive' when the influence of the LUDP is considered in the final design.
(j) That on balance, there will be very little to no change in the effects of coherence or the experiences attributed to the proposed foreshore treatment versus the existing situation.
(k) On the identification of the key viewing audiences / their sensitivities to change and the extent and nature of these views and the likely visual impact of the proposal.
(l) On the comparison and conclusions reached regarding the current condition of the foreshore and the proposal.
(m) With the intent of the mitigation measures, although this will be discussed in greater detail in this peer review.
(n) On the statutory discussion and conclusions reached although the LVA would benefit from additional discussion around Policy[7] 6.1 (h) & (i), Policy 10.2[8] (b) and Policy 18[9] (a - e) of the NZCPS.
(o) That the specifics of the proposal following further refinement through the LUDP will generate, at worst, 'low' adverse landscape, visual and natural character effects and, at best, the proposal will have overall 'positive' effects particularly given the existing condition of the built changes along the coastal edge where the proposal is located.

Some matters identified in this peer review raise additional points that require clarification, rather than criticise or disagree with what is included. These few points are discussed below.

2.1 Construction Effects

On page 4, the LVA notes that any adverse effects arising from the construction processes will be localized and temporary and will therefore be 'very low'[10]. On the seven-point scale, 'very low' is synonymous with a 'no-change' situation. It is concluded in this peer review that construction effects, while localized will be potentially 'moderate-high'. This is due to the

[6] **Moderate-Low:** *A moderate to low level of effect on the character or key attributes of the receiving environment and/or the visual context within which it is seen; and/or have a moderate to low level of effect on the perceived amenity derived from it.*
[7] Policy 6: Activities in the coastal environment.
[8] Policy 10: Reclamation and declamation.
[9] Policy 18: Public open space.
[10] **Very Low:** *Very low or no modification to key elements/features/characteristics of the baseline or available views, i.e. approximating a 'no-change' situation.* The LVA describes 'Very Low' as "*Very slight or barely distinguishable/discernible change to key elements/ features/ characteristics of the landscape baseline or views, i.e. effectively a 'no change' situation".* Both descriptions are essentially the same.

possibility of lane and road closures,[11] disruption of views arising from machinery and personnel located near the coastal edge. The visual - albeit temporary effects of construction activities and the disruption of sea views in particular is evident to a degree in figures 4.2-4.4 of the January 2019 Design Features Report.

It is acknowledged that construction will occur bay by bay in 20m sections. This will go some way towards lessening the construction effects as the majority of the coastal seascape will be able to be enjoyed unchanged as opposed to the entirety of the proposal being implemented simultaneously.

2.2 Alternatives

The consideration of alternatives is required under Schedule 4 of the RMA. The alternatives document[12] includes a thorough precis of five options including 'do minimum', plus four other options discussing where the shared use path may best be located (landward side of Marine Drive, partial landward/seaward location, on the carriageway, and seaward of the carriageway (which was ultimately developed as 'Option 2A'). Option 2A (shared use path located on the landward side) was shown via a series of photo-simulations included at Appendix 'O' of the application. These 'before' and 'after' images are helpful and demonstrate the adverse effects of scaling back headlands.

Some other aspects of the proposal that were interrogated in the alternatives report included: cost, property acquisition and access, extent of earthworks, road user experience, continuity of shared path user experience, conflict points, traffic management issues during construction, resilience, longevity and opportunity for upgrades and sea level rise/climate change. A sixth inland route option was discounted as it would not meet the objectives of the project adequately.

Following the broad alternatives investigation described above, the preferred option was developed further. This centered around path width to best accommodate all user groups and the optimum engineered solution for the sea wall/reclamation to best support the path and address coastal processes including into the future.

The alternatives assessment allowed for some finer-grained design decisions to be made such as at more sensitive areas - notably headlands and beaches. At this time a workshop took place with participants including the Stantec technical design team, GWRC, HCC and community representatives. This holistic approach to further developing the design is commendable. Following this process and the general conclusions reached, the project team tested out several measures to avoid, remedy or mitigate any adverse effects on the environment. These design variations were then discussed with the community and following this, included in the proposal as it currently stands, outlined in the Design Features Report (DFR) (Stantec, January 2019) which is discussed next.

2.3 Design Features

The DFR articulates the broad design methodology and how the structures will appear in their basic form for Resource Consent purposes. It is acknowledged in the report that the outcome of the proposal may alter following the detailed design phase, including from input contributed by the LUDP process.

Further improvement in the design detailing of the proposal will yield significant benefit. At present the design of the proposal appears to largely be a functional one with less

[11] 4.1.2 Construction Methodology; Duration and Timing (Design Features Report January 2019).
[12] Eastern Bays Shared Path Alternatives Assessment (Stantec, March 2018).

acknowledgement of sense of place and visual aesthetics. This is clearly evident in the simulations in Appendix 'O' of the Application where an asphalt path is shown extending from the roadway separated with a series of concrete 'beam' forms. This is the current situation in part of York Bay and so the proposal currently extends this methodology (see image on cover).

At Part 3, the DFR lists and discusses several design features. This peer review comments on some of these design features where some opportunity for improvement in each has been identified, and discussed below:

Shared Path

While the shared use path is proposed to be asphalt, there is scope for some variation of this in discrete areas. Other ground surface materials could be explored such as exposed aggregate concrete – possibly in variable grades, recycled or new timber decking, artificial turf, variation in asphalt colour and so forth. Such changes in how the surface appears could be located at beach access points, bus stops, near heritage buildings and areas where there is opportunity for taking a pause. Any variation in surfacing will potentially define areas where passive activity or crossing points are located and will contribute positively to the character of the area and to the levels of amenity enjoyed. A continuous linear asphalt path as proposed has the potential to be a one-dimensional landscape feature – largely weighted towards the cycling fraternity.

Revetment structure

It is important that the rock used in the new revetment walls has a compatibility with the form, texture and colour of the existing bedrock seen in the area. The various bedrock reefs and outcrops are a distinctive feature of this part of the coast, helping to define each bay and the proposal will be seen very close to these outcrops in places. If imported rock material appears too 'different', it will stand out as foreign and draw the eye away from the natural features (**Figure 1**). In the DFR under 3.1.1 it states that "*The final selection of rock material for the revetment will be addressed by the contractor*". While this may be adequate, it is preferable that a landscape architect, possibly aided by a geologist, be engaged to select any non-local rock material. It is important that the revetment works appear as 'low key' as possible as these structures extend some way out into the coastal environment and higher than the top of the shared use path. Any adverse effects on landscape and natural character which are currently agreed as being 'moderate' will be exacerbated with poor rock choice where these effects will become unacceptable.

Figure 1 *Reefs at Point Howard/Sorrento Bay. The foreground area is proposed to be a formed carpark with revetment extending out and overlaying part of the reef outcrops (red-brown rock). The shared use path passes to the seaward side of the pohutukawa. It is important that the revetment rock is*

compatible with the local rock colour as opposed to the contrasting grey rock used here in the rip rap. Photograph by J. Head May 2, 2019.

Curved sea walls, ramps and steps

How these structures are finished will determine their levels of visibility and acceptability in this coastal setting. It is acknowledged that the curved form of the wall is optimal in attenuating wave action and storm surges. As the proposed walls, ramps and steps are concrete which is highly 'plastic' when it is placed into the formwork, there are limitless opportunities for reducing the potentially 'utilitarian' effects of these structures. Such effects arise from the structures' potentially highly regular and horizontal forms and surface reflectivity. This mostly affects harbour and beach views, but these effects will also be observed from the road and shared use path when looking across the curve of the bay (**Figure 2**).

Figure 2 *Looking across the curve of Lowry Bay from Marine Drive/shared use path. Note visibility of existing (and proposed) sea wall, rocky reefs and historic Skerrett Boat Shed (at right, built over the water). It is important that the final design of the proposal adequately protects and enhances these features. Also note the opportunities for the shared use path to better separate itself from the road – rather than simply extend the asphalt surfacing.* Photograph by J. Head May 2, 2019.

It is recommended that the curved and vertical surfaces be textured in a way where the face of the concrete appears irregular. Such textures could be achieved by taking latex moulds of natural rockwork or rock walling and laying these inside the formwork prior to being filled. It is not considered adequate to simply apply a random 'dimpling' in the surface as this will have scant benefit to more distant views. The flat step and curved wall 'treads,' ramp surface and wall top will obviously be required to be smoother for safety which will also benefit comfort levels (when the wall treads and cap are used for sitting on).

It will be necessary to manage the concrete colour. While adding colourful oxides is not considered appropriate or necessarily effective, it will be advantageous if the concrete can be as dark, visually recessive and uniform in colour as possible. This may require the addition of charcoal oxides. When concrete is new, it appears very bright – almost white which is evident in the colour of the concrete kerb separators. As such the new concrete structures will appear as a reflective and obtrusive band between the beach/harbour waters and the vegetated backdrop.

It is suggested that the top of the sea wall that sits flush with the asphalt path is wide enough to form an obvious 'seat' or 'perch'. At York Bay, the top of the wall is approximately 300mm wide. Figures 3-3 to 3-5 of the DFR show a much smaller concrete top than this. A concrete 'cap' width of 450-500mm is preferred. This will enable an obvious strip on which people may sit without feeling encroached upon by cyclists passing by. The wider 'seat' edge will also provide for increased visual differentiation between passive and active shared path users. Further to this, a wider cap will provide for a stronger, more deliberate visual transition between the shared use path and the occasionally rugged coastal environment here.

It is understood that a raised edge was explored for this situation and that if this was included it would need contrasting colour to increase its visibility (with adverse visual implications), and that it may possibly form a trip hazard. It is recommended that the concrete wall cap be left flush with the surface of the shared use path adjacent to it.

It is acknowledged that over time, new concrete will weather to a dull grey as is currently evident in the banding in the concrete colouring at York Bay. In this example, it would have been beneficial if the concrete had been tinted grey to lessen the contrast and 'striped' effect evident in the variable weathering processes.

Where the curved sea wall 'treads' transition to single curved wall, it is recommended that the end of the tread is set into a large rock or series of rocks – possibly, in turn, set in a concrete haunching. This way the squared off end of the tread would not be visible with its contrived non-natural pattern dominating the surrounding natural rock patterns (**Figure 3**).

It is recommended that a 1:1 site sample be made that can be agreed on by the design team and community as part of the LUDP, for replication on site.

Figure 3 *Unnatural transition from sea wall to rocky beach (to be avoided). The squared off end of the tread dominates the rock. It would have improved this transition if a large rock or a few large rocks were partially cast in to the end of the tread with minimal visible grouting (as opposed to here where the rocks set in the concrete matrix appears highly unnatural.* Photograph by J. Head May 2, 2019.

Kerb separators

The kerb separators are potentially the most visible part of the proposal from the landward side of the shared use path, including Marine Drive and the shared use path itself. As such

these structures need to be adequately designed. It is noted here following a site visit that the existing concrete kerb separators (which the proposal is modelled on) in York Bay still have scope for improvement (**Figure 3**).

The primary issue with the simple rectangular forms used is their utilitarian and regular appearance. While these concrete blocks may adequately protect the shared use path from encroachment by motorised vehicles, these structures would benefit from further design thought. It is acknowledged that the DFR states that "[the] *concrete separators have the adaptability to incorporate textures and colour and can be easily mass produced once the concrete forms have been manufactured*". This peer review supports this comment. It is recommended that any visual changes to the size/height/length and surface finish be carefully explored in the LUDP. It is agreed that timber is not an appropriate material for this situation used in large quantities, but the concrete forms could take on the appearance of timber through the formwork. Timber textures would not be out of place and would have a compatibility with the variety of driftwood found washed up along the shoreline.

Another observation of the existing and proposed kerb separators is their visibility through contrast with the asphalt paved surfaces. It is recommended that this colour contrast is lessened which would be facilitated by forming a continuous concrete band flush with the road and shared use path surfaces aligned with the kerb separators. This concrete band should be exposed aggregate concrete, or even better - have a stone 'cobbled' look to the surface. This concrete/stone band with the kerb separators ranked along it will provide a stronger visual and physical delineation between the roadway and the shared use path which will improve traffic safety. This contrast or accentuation of the shared use path would be improved even further if a different asphalt colour was used for the shared use path.

2.4 Recommendations

The Applicant's LVA provides recommendations at 'Additional Mitigation Measures' (part 8 of her LVA 8.21 - 8.24). While these recommendations are brief they are agreed with in this peer review. Otherwise, mitigation of the proposal relies on appropriate outcomes through the LUDP process.

As the outcome of the proposal is heavily reliant on refinements/improvements following the LUDP, it is recommended that the LUDP process occurs in a robust timely manner with appropriate attendees present. It is also recommended that the design refinements to the proposal as it currently stands are presented to the GWRC for careful consideration and formal approval before works begin on site.

This peer review includes some additional recommendations that are intended to be tabled for discussion at the LUDP. These have been discussed in the body of this peer review at 2.3 and are not repeated here.

3 Conclusion

There is general agreement with the content and conclusions reached in the Applicant's LVA. The existing treatment of the coastal edge where the proposal is located is currently poor and in need of improvement. The proposal addresses this adequately and represents a nett improvement on the coastal edge's appearance and functionality. The extent of the changes closely aligns with the current extent of the modified coastal edge - but not everywhere and so 'moderate' landscape effects will occur in these areas. This is a reasonable conclusion. Visual effects arising from the proposal are considered to be 'low' overall. This is also a reasonable conclusion.

Therefore, the proposal and any potentially adverse landscape, visual and natural character effects arising from it on the site and its coastal context have been covered off in satisfactory detail. It is agreed that the high natural landscape values and amenity values enjoyed in the area will continue to be maintained following the proposal as it is currently presented which essentially 'tidies up' the existing situation in a generic manner.

However, there is considerable scope for further improvements in the proposal. This will ensure the shared use path becomes a destination in itself, and the design better responds to 'sense of place'. This is alluded to throughout the LVA, without the detail of any such improvements being made explicit. With a careful, considered approach to the final form and appearance of the proposal and how it may better suit more user groups, a significantly improved result over what is shown in the proposal is possible. This is intended to be facilitated through the LUDP process, followed by further review by GWRC.

From:	Head, Jeremy
To:	Shannon Watson; Hamilton, Catherine
Cc:	Grinlinton-Hancock, Michelle; Dan Kellow (InTouch); Jo Frances
Subject:	RE: Eastern Bays Shared Path LVA addendum to include assessment of project with safety barriers
Date:	Monday, 21 October 2019 12:18:11 PM
Attachments:	image002.png image003.png image004.png image005.png

Hi Shannon,

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

Kind regards,

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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

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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 avialable 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 cicumstances 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 cliche '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,

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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

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Memo

To	Shannon Watson, Environmental Planner, GHD
Copy	Michelle Grinlinton-Hancock
From	Jeremy Head
Office	Christchurch
Date	14 February 2020
File	3-53523.00 Eastern Bays Shared Path
Subject	Evidence summary notes

Background

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

On May 10, 2019 I prepared a peer review on behalf of GWRC regarding the applicant's landscape and visual assessment report. My peer review generally concluded in agreement with the content and conclusions reached in this report. However, a general thread that ran through my peer review was that the proposal was lacking sufficient detail to draw absolute conclusions as to the landscape character, natural character and visual effects of the proposal. It was pointed out in several places in my peer review that the proposal (and its effects) were aspirational rather than actual. Much reliance was placed on a post granting of Resource Consent landscape and urban design plan (LUDP) being carried out. This LUDP process would 'iron out' many of the details of how the proposal would be constructed and how it would appear.

Comments on the application as lodged

It was concluded in my peer review that the LUDP process may result in an improved outcome over what the proposal currently included. However, it was also discussed that an improvement cannot be necessarily guaranteed either. To alleviate these concerns, there was a realistic expectation that a revised application addressing some of the points raised in my and others' peer reviews would be presented prior to the hearing. It is understood that the applicant will not be amending the proposal prior to the hearing other than adding sections of safety barriers to parts of the proposal.

In this regard the conclusions reached in my peer review remain unchanged. These are that:

- The applicant's intent is that the LUDP process will have a positive outcome where the proposal will be further fine-tuned and improved.
- The proposal can only be assessed as it currently stands as a 'worst-case scenario' and that the proposal may not necessarily change following the LUDP. It is important to note that there is no guarantee that the proposal will improve following the LUDP either.
- The outcome of the proposal must be considered aspirational, rather than actual.
- I have a degree of discomfort that a proposal such as this, in such an important location is being submitted for Resource Consent, after which the proposal may change.
- That any adverse landscape character, visual and natural character effects arising from the proposal as it currently stands are between 'low' and 'moderate'.
- Construction effects will be 'moderate-high'.

- The current proposal is essentially a functional engineered solution with little acknowledgement of sense of place and visual aesthetics.
- The design specifics of the proposal are currently brief at best, and what is currently presented will generate a sub-optimum outcome. There are several ways to improve the final form and appearance of the proposal which need to be explored further by the applicant.
- Mitigation of the proposal is heavily reliant on the LUDP process.
- The LUDP process must include appropriate attendees.
- The LUDP must form a recommended condition of consent as a minimum.
- 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.

Further information responses

With regards to landscape matters, the applicant provided further responses. This included a supplementary report to the landscape and visual assessment with regards to the additional safety barriers. The design and extent of these safety barriers are unconfirmed to date. Height and type are not fixed. The taller of the barrier structures has varying degrees of opacity which will potentially have adverse effects on landscape character and amenity values currently held.

The conclusions reached around the barriers were that the final appearance of the barriers and their potential effects and any required mitigation will be dependent on the LUDP process. It was also stated in the supplementary report that the final locations and lengths of the barriers will be determined at detailed design stage, which is post-hearing and contributes to the LUDP process.

A conclusion is reached by the applicant where the adverse effects of the safety barriers on natural character (urbanising an otherwise natural coastal edge) will have between 'low' and 'moderate to low' effects depending on the degree of existing coastal development. Effects on visual amenity are considered by the applicant to be between 'very low' and 'moderate to low', depending on the viewers proximity to the barrier, and whether views are fixed or transient. These findings assume an acceptable solution is reached through the LUDP process, which I consider is fundamentally problematic for the decision maker to grapple with.

Changes to the earlier submitted Appendix 1: 'Attributes of Edge Protection Treatments', Appendix 2: 'Effects of Proposal on Natural Character (experiential)' and Appendix 3: Assessment against NZCPS 2010' are included. The effects of the additional barriers are described where the extent of the adverse effects are generally increased. Again, these findings are determinant on the LUDP.

The above additional elements discussed by the applicant and assessed, and the conclusions reached, are consistent with the methodology and conclusions reached in the original landscape and visual assessment regarding the rest of the proposal. That is, the LUDP is reli9ed on to provide an acceptable design outcome which also includes the mitigation of any adverse effects.

Submissions received

Of the many submissions received several included specific design opportunities that would enhance the proposal. There has been no indication from the applicant that these points have be considered and will be included in any future outcome.

Proposal's location

The proposal is located at an 'edge' in the landscape. Edges are particularly important places as they are areas where natural processes contrast with one another along a line, landforms and substrates change, landuse and cultural patterns change and so forth. Strong edges may include all of these features.

And so, edges are places where there is more scrutiny than other landscape areas. The site for the proposal is located at a strong edge. It is the place where the ephemeral, often wild harbour waters meet the stability of the land, a safe environment presses up to a potentially hazardous one, passive and active recreation is found squeezed into a narrow band between a road and the sea.

Highly constrained sites such as this are rare and valuable and need to be particularly well-considered and any modification well managed to achieve the optimum outcomes for landscape. The intent of the proposal is to increase active modes of transport and so the numbers of people using this 'edge' will grow.
It is a legitimate expectation that any changes to sites such as this maintain or enhance currently held values attributed to landscape character and amenity and natural character.

LUDP Process

There is no guarantee as to the framework of the LUDP, who will be attending and how much weighting will be given to individual disciplines. This could have a significant impact on the outcomes reached. As the LUDP is set up and wholly reliant by the applicant to capture design controls it is imperative that any refinements to the proposal be robustly audited and reviewed by an independent party. Nonetheless, it is difficult to see how much weighting can be placed by the decision-maker on the LUDP process as it will occur after the hearing of the proposal.

Recommendations

Several opportunities for design improvements were included in my earlier peer review. Points discussed were under the headings 'Shared Path', 'Revetment Structure', 'Curved sea walls, ramps and steps' and 'Kerb Separators'. The intent of these recommendations was for the benefit of the applicant to incorporate (or not) into a revised submission prior to the hearing. These points have not been acknowledged by the applicant to date. It will be difficult if not impossible for the decision-maker to re-word these recommendations into recommended conditions of consent - in my opinion. In my experience such fundamental shortcomings in a proposal would trigger a hearing adjournment where the applicant would be required to come back with a revised and more certain proposal.

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

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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.

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

From:	Shannon Watson
To:	Dan Kellow (InTouch)
Cc:	"Michelle Conland"; Jo Frances
Bcc:	12513076
Subject:	FW: Eastern Bays shared path landscape comments re safety barrier
Date:	Wednesday, 1 July 2020 12:27:00 PM
Attachments:	image002.png

From: Head, Jeremy <Jeremy.Head@wsp.com>
Sent: Wednesday, 1 July 2020 12:24 PM
To: Shannon Watson <Shannon.Watson@ghd.com>
Cc: O'Shaughnessy, Brenda <brenda.oshaughnessy@wsp.com>; Hamilton, Catherine <Catherine.Hamilton@wsp.com>
Subject: Eastern Bays shared path landscape comments re safety barrier

Hi Shannon,

A response to your request below:

Jeremy, from a landscape and visual amenity perspective we are keen to understand whether the changing of the safety barrier height from 1.1m to 1.4m would change any of your previous conclusions regarding the effects of the proposal, being that *any adverse landscape character, visual and natural character effects arising from the proposal as it currently stands are between 'low' and 'moderate'*?

The conclusion reached in my May 10, 2019 peer review was that any landscape and visual effects arising from the proposal as it was presented would likely be between 'low' and 'moderate'. This finding was in absence of the inclusion of a safety barrier.

Later, a response was received from the applicant following a request for further information. Safety barriers were added to the proposal and assessed as a supplement to the LVA.

A conclusion on any changes to the landscape and visual effects of the proposal after adding safety barriers could not be made as there was insufficient detail regarding the location, design and appearance of the safety barrier provided by the applicant. Excerpt from my 14 January 2020 memo below:

"With regards to landscape matters, the applicant provided further responses. This included a supplementary report to the landscape and visual assessment with regards to the additional safety barriers. The design and extent of these safety barriers are unconfirmed to date. Height and type are not fixed. The taller of the barrier structures has varying degrees of opacity which will potentially have adverse effects on landscape character and amenity values currently held.
The conclusions reached around the barriers were that the final appearance of the barriers and their potential effects and any required mitigation will be dependent on the LUDP process. It was also stated in the supplementary report that the final locations and lengths of the barriers will be determined at detailed design stage, which is post-hearing and contributes to the LUDP process.

"A conclusion is reached by the applicant where the adverse effects of the safety barriers on natural character (urbanising an otherwise natural coastal edge) will have between 'low' and 'moderate to low' effects depending on the degree of existing coastal development. Effects on visual amenity are considered by the applicant to be between 'very low' and 'moderate to low', depending on the viewers proximity to the barrier, and whether views are fixed or transient. These findings assume an acceptable solution is reached through the LUDP process, which I consider is fundamentally problematic for the decision maker to grapple with."

What type of safety barrier and where it is located will be determined by and need to be compliant with the NZ Building Code obviously.

However, to provide some response (if a safety barrier is required by law or is otherwise proposed at any height following the LUDP), it is considered that the **level** of effects on landscape character and visual amenity arising from the barrier will be determinant on the barrier's design, height, location and durability. Effects on how peoples' physical movement and access in the vicinity of the barrier is critical too. This will be covered in more detail by Catherine.

None of the above aspects have been provided with any certainty by the applicant to date. For example, if the barrier was 1.4m tall it would have greater adverse effects than if the barrier was 1.1m tall. The type of materials used and the various materials' cross sections (independently and collectively) will assist in managing any adverse effects. The 'thinner' or more 'elegant' the safety barrier is, the better as the seaward views in particular will be less obstructed. Colour will assist in managing any adverse effects too. For example, if the barrier was coloured in a recessive manner, it would be less dominant and allow other aspects of the landscape and seascape to visually prevail which will assist with reducing adverse effects on visual amenity and landscape character too.

At present there is some discussion provided by the applicant regarding where the safety barrier is best located – on the seaward edge of the sea wall or between the live lane and the shared path. It is conceivable that a type of 'double fence' may even ultimately be proposed if it was determined through a safety audit that a barrier to the live lane was equally important. A double fence would have increased adverse landscape and visual effects over a single barrier.

It is also noted that during storm surges some large material can be washed ashore onto the road. This raises a question – will a vertical barrier be robust enough to withstand these forces? Will sections be deformed or destroyed

including the footings it is fixed into? To respond to this, will it need to be engineered in such a way that an elegant visually 'light' option is not possible? If so, this would have increased landscape and visual effects.

I trust that the above discussion highlights some of the issues that may come into play. As mentioned previously, the lack of a firm proposal (regarding a safety barrier as well as the overall proposal) does not assist with determining the level of effects with any certainty. A safety barrier will be a substantial element in the proposal. It will be the most visible element from the landward and often from the seaward side at low tide. It will be the single most element of the proposal most likely to affect peoples' amenity and physical enjoyment of the coast. For those reasons alone the level of landscape and visual effects of the wider proposal will be highly likely to increase from the previous conclusion reached which fell around a 'low' to 'moderate' level of landscape and visual effects.

Of course I am happy to discuss further.

Kind regards,

Jeremy Head
Senior Landscape Architect

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Memorandum

To	Shannon Watson, Environmental Planner; GHD
Copy	Brenda O'Shaughnessy, Principal Planner; WSP
From	Jeremy Head
Office	Christchurch
Date	16 November 2020
File/Ref	3-53523.00
Subject	**Position Statement** Eastern Bays Shared Path

Introduction

I have been commissioned by the Greater Wellington Regional Council (GWRC) to provide an expert review of the potential landscape[1] and visual[2] effects of the proposed Eastern Bays Shared Path.

The Hutt City Council (HCC) (the Applicant) proposes to construct a 4.4 km shared path along Marine Drive in Wellington's Eastern Bays 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) of the consent application for the shared path.

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, roller skate and such.

The proposal is intended to be compatible with the overall and bay-specific landscape character currently found throughout the coastal context of the site. The proposal is anticipated by the Applicant to not adversely affect current levels of amenity to an unacceptable degree. The Applicant also proposes that appropriate landscape and amenity design outcomes for review will be articulated through a Landscape and Urban Design Process (LUDP). This process is planned to involve multiple stake-holders including the wider and bay-specific communities

[1] **Landscape** effects relate to physical changes to the setting or landscape character. These changes may be visible or invisible but are otherwise understood to exist. Also known as 'Landscape Character' effects.
[2] **Visual** effects relate to changes in how a landscape appears from specific viewpoints. Visual effects are also known as visual amenity effects.

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where the conceptual design will be developed further - following consent of the generic proposal.

Review process

In undertaking a landscape character and visual assessment review[3], I have assessed the application including the Proposed Eastern Bays Shared Path Eastern Bays, Hutt City Landscape and Visual Assessment by Drakeford Williams Ltd for the Applicant. I subsequently provided comments to GWRC regarding responses provided by the Applicant following 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: landscape outcomes

The focus of my peer review was on the expected outcomes of the proposal – including the visual amenity benefits of the proposed shared path as well as its compatibility at the edge of two areas with differing coastal and urban landscape characteristics and values.

In considering the likely landscape character and visual amenity outcomes based on the information provided, I have taken account of the following key factors:

- Design features - generally: The Applicant's plans and drawings currently include a basic shared path route solution for the area with a largely functional bias. Sense of place and visual aesthetics are not apparent in the design to date. Detail development is left up to the LUDP which will occur following consent. It is acknowledged by myself and Ms Drakeford that there remains significant scope for design detailing following consent which in my opinion will improve the proposal compared to how it is currently presented.

- Shared path: The design for the proposed shared path needs to be developed further to provide certainty that an acceptable landscape and visual outcome will be achieved to cater for all user-groups. This may be by using a range of materials, applying different surface treatment options in different areas and the use of motif and story-telling (for example). These aspects may better define different parts of the path and different coastal character areas, create slow zones, encourage safe rest stops, provide clear cues to beach access points, facilitate crossings and nodes, all while maintaining or enhancing currently held amenity values.

- Balustrade/handrail:

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

  The proposed barriers have not been designed or confirmed, therefore I am unable to comment with certainty on the amenity effects of these barriers. However, a 1.4 m high barrier may have unintended adverse consequences on visual amenity. A horizontal rail 1.4 m above the path surface will, for some, coincide with eye level and create an impediment to harbour views from the path, and also to occupants passing by in traffic. This will diminish the connection with the seascape which will potentially have both adverse landscape and visual effects.

  Further, the design of the balustrade / handrail structure needs to be carefully considered as it will be required to withstand storm events but minimise loss or distraction of sea views and be aesthetically pleasing as it will be a readily visible part of the proposal.

[3] GWRC Eastern Bays Shared Use Path Review of Applicant's Landscape and Visual Assessment, 10 May 209.

- Revetment structure: Rock used in new works needs to have a high level of compatibility with existing natural rock outcroppings such as reefs and headlands in which the proposal passes by or over. In this way the proposal will be less obvious as an 'add-on' to the coastal environment. Any non-local rock used in the proposal must be approved by a suitably qualified and experienced landscape architect, possibly with the assistance of a geologist.

- Curved sea walls, ramps and steps: The surface finish of these structures will determine their levels of visibility and acceptability in the coastal setting. As the walls are concrete, and 'plastic' while being formed there are limitless options for producing non 'engineered-looking' structures. The seawalls will be visible from the sea as well as the land. From the sea it is important that the seawall does not form an overly artificial 'line of separation' between the land and the sea. Concrete colour will be important, that is - colours which will lessen the appearance of the concrete, not enhance it.

- There is an opportunity that the top of the sea walls be used as a seating 'perch' so long as they are wide enough (450 – 500 mm). This will also enable a sense of separation from active travel and better define the seaward edge of the path. It is recommended (and standard practice) that a contract sample of a section of seawall be cast that can be agreed on.

- Kerb Separators: Like the balustrading on the seaward side, the physical separation/separators between the shared use path and the live traffic lane need will be a particularly visible part of the proposal and as such, need to be appropriately designed.

POSITION STATEMENT

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

The proposal is located at an 'edge' in the landscape. Edges are particularly important places as they are areas where natural processes contrast with one another along a line; landforms and substrates change; landuse and cultural patterns change and so forth. Particularly strong landscape edges may include all of these features. And so, edges are usually places where there is more scrutiny than other landscape areas - such as the site for the proposal. It is the place where the constantly changing states of the harbour waters meet the stability of the land, a safe environment presses up to a potentially hazardous one, passive and active recreation is found squeezed into a narrow band between the road and the sea.

Highly constrained sites such as this are rare, valuable and need to be particularly well-considered. Any modification to such sites needs to be well managed to achieve an optimum landscape outcome. The intent of the proposal is to increase active modes of transport and so the numbers of people using this 'edge' and appreciating it will inevitably grow.

It is a legitimate expectation that any changes to sites such as this maintain or enhance currently held values attributed to landscape character and visual amenity (among other values).

LUDP process

There is little detail provided as to how the LUDP will be planned and facilitated and the quality of the solutions reached. This could have a significant impact on the proposal's kick-off and potentially, the outcomes ultimately reached which will be long-lasting. The LUDP is set up by and wholly reliant on the Applicant to capture the proposal's design controls. For this reason, it is imperative that the outcomes found and any ongoing refinements to the proposal be robustly audited and reviewed by an independent and relevant, suitably qualified and experienced party. It is difficult to see how much weighting can be placed by the decision-maker on the LUDP process as it will occur after the hearing of the proposal.

Lack of design drawings to review

The proposal is currently high-level only - presented as a 'route'. There is minimal information providing evidence as to the final appearance of the proposal. This is unusual, and sub-optimal – particularly for a built intervention of this size and value and in such a popular lived-in and visited location. The lack of design detail has meant I have not been able to scrutinise a design and provide full professional peer review of the landscape and visual outcomes of the proposal to a standard that I am comfortable with.

Commentary:
The proposal needs to achieve a best-fit for place, as it is located partly within a natural coastal setting. Landscape character and visual amenity effects generated by the proposal must be acceptable. To provide certainty that this can be achieved, design drawings with enough information to satisfy any concerns should have been provided. In this case, no substantive detail has been provided for peer review. 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. Normal practice is to submit design plans to a stage of at least 'preliminary design' level (more detailed than concept design, but not detailed enough to build from). This would provide a sense of forms, materiality and colours, for example, that would provide an opportunity for meaningful and robust peer review. Instead, the Applicant relies on this level of detail being generated later through the LUDP. In my opinion, the lack of design detail provided to date is a significant flaw in the application. The Applicant has opted for the final design and design detail to be managed by GWRC imposing consent conditions. This essentially seeks consent for a series of design conditions - rather than using those suggested, and later, recommended conditions to provide certainty to how an appropriately documented and consented proposal is achieved.

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 Urban Design Plans (BSUDP) will be provided in a staged manner thereafter.

Conditions of Consent

LV.1 I have concerns about the process, time allowed and content of the LUDP and BSUDP's within the proposed Resource Consent conditions

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 and where is the mechanism for peer review?

My concern is 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 landscape character and visual amenity so long as sufficient time and peer review opportunities are provided. To alleviate these 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.

SUMMARY CONCLUSION

On 10 May 2019 I prepared a peer review on behalf of GWRC regarding the Applicant's landscape and visual assessment report. My peer review generally concluded in agreement with the content and conclusions reached in this report. However, a general thread that ran through my peer review was that the proposal was lacking sufficient detail to draw absolute conclusions as to the landscape character, and visual effects of the proposal. It was pointed out in several places in my peer review that the proposal (and its effects) were aspirational rather than actual. Much reliance was placed on a post granting of Resource Consent LUDP being successfully carried out and the solutions from this being faithfully implemented on site. This LUDP process is intended by the Applicant to 'iron out' many of the details of how the proposal would be constructed and how it would appear.

The Applicant's LVA considers any adverse effects on visual amenity to be 'Low' to 'Very Low' and 'Moderate – Low' for from some residences. Any adverse effects on landscape character will be 'Low' in the bays with no safety barrier and 'Moderate-Low' in bays where there is a safety barrier. In my opinion, any potential adverse landscape effects will be between 'Low' and 'Moderate'. However, this determination was and still is based on further design detail being provided which has not occurred to date. In this regard the finding is optimistic in that the LUDP will provide for a successful landscape outcome. Of note, it was concluded in my 2019 peer review that the LUDP process may well result in an improved outcome over what the proposal currently included. However, it was also discussed that an improvement cannot be necessarily guaranteed either. To alleviate these concerns, there was a realistic expectation that a revised application addressing some of the points raised in my and others' peer reviews would be presented prior to the hearing. I understand that the Applicant will not be developing the proposal further prior to the hearing other than providing a series of amended conditions.

These draft conditions with my own recommended changes are appended to this document. By providing these amendments to the conditions, this does not form an acceptance that conditions are an effective substitute for an adequately resolved and appropriately detailed design.

Jeremy Head
Senior 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 s 5) – 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
Enabling Works	Includes the following and similar activities: (a) geotechnical investigations (including in the CMA), including access on land for these investigations; (b) establishing site yards, site offices, site entrances and fencing; (c) establishing protection areas for Little Penguin and Shoreline Forager populations; (d) demolition or removal of buildings and structures; (e) relocation of services; and (f) establishing minimisation measures (such as erosion and sediment control measures).
HEP	Habitat Enhancement Plan.
HNZPT	Heritage New Zealand Pouhere Taonga.
Little Penguin	NZ little penguin (*Eudyptula minor*, 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~~ 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.
RMA	The Resource Management Act 1991.
Shoreline Forager	*variable oystercatcher and red-billed gull.*
SRHP	Seawall and Revetment Habitat Plan
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
General and Administration	
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: (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.
Pre-construction Administration	
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.
Management Plan Approval Process	
GC.5	(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 not 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.

Commented [HJ1]: Any amendments impacting on landscape and amenity values need to be certified. With Catherine, I also recommend 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 landscape character and how this may be perceived, not necessarily observed can easily be inadvertently overlooked if not properly assessed by a suitable qualified and experienced expert.

Ref	Condition
	(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. (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 of the refusal, engage a suitably qualified, experienced and mutually acceptable independent expert to resolve the matters in dispute. The expert shall resolve the matters within 10 working days of being engaged and his or her decision shall be final. The cost of such a process will be met by the Consent Holder. (i) All works and monitoring shall be carried out in general accordance with the certified management plans. *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.* *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.*
Construction and Environmental Management Plan	
GC.6	(a) The Consent Holder shall, in consultation with an experienced ecologist and landscape architect, prepare a CEMP for the relevant Project stage (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. (b) The purpose of the CEMP is to: (i) Confirm final Project details; (ii) Ensure that the Construction Works remain within the limits and standards approved under the consent; and (iii) Set out the management procedures and construction methods to be undertaken to avoid~~, remedy~~ or minimise~~tigate~~ adverse effects arising from the Construction Works. *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.*
GC.7	The CEMP shall include: (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. (b) An outline construction programme that takes into account timing constraints in these conditions and the management plans listed in Condition GC.8; (c) The final construction methodologies; (d) Contact details of the site supervisor or project manager and the Consent Holder's Project liaison person (phone, postal address, email address); (e) Methods and systems to inform and train all persons working on the site of potential environmental issues and how to avoid~~, remedy~~ or minimise~~tigate~~ potential adverse effects;

Commented [HJ2]: Like Catherine, I also 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.

Ref	Condition
	(f) The proposed hours of work; (g) Location of construction site infrastructure including site offices, site amenities, contractors' yard access, equipment unloading and storage areas and contractor car parking; (h) The clear identification and marking of the construction areas within the CMA; (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: (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;

Ref	Condition
	(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	The CEMP shall incorporate or refer to the following management plans: (a) Landscape and Urban Design Plan (including Bay Specific Urban Design Plans as appropriate) (refer to Conditions LV.1 to LV.7); (b) Beach Nourishment Plan (refer to Conditions EM.13 to EM.14); (c) Little Penguin Management Plan (refer to Conditions EM.2 to EM.5); (d) Traffic Management Plan (refer to Conditions GC.11 to GC.13); (e) A plan for works within 100m of a Shoreline Forager nest (refer to Condition EM.1C); (f) Seawall and Revetment Habitat Plan (refer to Condition EM.19 below); and (g) Habitat Enhancement Plan (refer to Conditions EM.7 to EM.9). 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.
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.10	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.
Traffic Management Plan	
GC.11	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.12	The purpose of the TMP is to manage the various traffic management, safety and efficiency effects associated with the Construction Works.
GC.13	The TMP shall include, but not be limited to, the following: (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; (b) Access and parking for contractors; and (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

<table>
<tr><th>Ref</th><th>Condition</th></tr>
<tr><td></td><td>site at Point Howard (including communication and any necessary physical management steps).</td></tr>
<tr><td colspan="2">Construction Noise</td></tr>
<tr><td>GC.14</td><td>Noise arising from Construction Works shall be measured and assessed in accordance with NZS 6803:1999 Acoustics – Construction Noise and shall comply, as far as practicable, with the noise criteria set out in the following table:
Table CNV1: Construction noise criteria
<table>
<tr><th>Day</th><th>Time</th><th>$L_{Aeq(15\ min)}$</th><th>L_{AFmax}</th></tr>
<tr><td colspan="4">Residential buildings</td></tr>
<tr><td rowspan="4">Weekdays</td><td>0630h – 0730h</td><td>55 dB</td><td>75 dB</td></tr>
<tr><td>0730h – 1800h</td><td>70 dB</td><td>85dB</td></tr>
<tr><td>1800h – 2000h</td><td>65dB</td><td>80dB</td></tr>
<tr><td>2000h – 0630h</td><td>45dB</td><td>75dB</td></tr>
<tr><td rowspan="4">Saturdays</td><td>0630h – 0730h</td><td>45 dB</td><td>75 dB</td></tr>
<tr><td>0730h – 1800h</td><td>70 dB</td><td>85 dB</td></tr>
<tr><td>1800h – 2000h</td><td>45 dB</td><td>75 dB</td></tr>
<tr><td>2000h – 0630h</td><td>45 dB</td><td>75 dB</td></tr>
<tr><td rowspan="4">Sundays and Public Holidays</td><td>0630h – 0730h</td><td>45 dB</td><td>75 dB</td></tr>
<tr><td>0730h – 1800h</td><td>55 dB</td><td>85 dB</td></tr>
<tr><td>1800h – 2000h</td><td>45 dB</td><td>75 dB</td></tr>
<tr><td>2000h – 0630h</td><td>45 dB</td><td>75 dB</td></tr>
<tr><td colspan="4">Commercial and industrial receivers</td></tr>
<tr><td rowspan="2">All</td><td>0730h – 1800h</td><td>70 dB</td><td></td></tr>
<tr><td>1800h – 0730h</td><td>75 dB</td><td></td></tr>
</table></td></tr>
<tr><td colspan="2">CentrePort access</td></tr>
<tr><td>GC.15</td><td>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.</td></tr>
<tr><td colspan="2">Completion of Construction</td></tr>
<tr><td>GC.16</td><td>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.</td></tr>
<tr><td>GC.17</td><td>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.</td></tr>
<tr><td>GC.18</td><td>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.</td></tr>
</table>

Ref	Condition
Incidents - General	
GC.19	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.20	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.21	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.22	The Consent Holder shall notify the Manager, Environmental Regulation within 1 working day of any such incident.
GC.23	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. *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.*
Complaints Management	
GC.24	The Consent Holder shall maintain a complaint register that includes: (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. *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.*
GC.25	The Consent Holder shall make the complaint register in Condition GC.24 available to the Manager, Environmental Regulation, on request.
Consent Lapse	
GC.26	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).

Ref	Condition
Review of conditions	
GC.27	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: (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.

Coastal Activities (C)

Ref	Condition
Engineering Plans and Specifications	
C.1	At least 30 working days prior to the Commencement of Construction, the Consent Holder shall submit 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) 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 :~~ ~~(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~~ ~~(b) Specifications for the works authorised by these consents.~~ 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.
C.2	The engineering plans and specifications submitted under Condition C.1 shall cover the following matters: (a) Shared path; (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; (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; (d) Access steps, ramps, bus stops; and (e) Beach nourishment.
C.3	The Consent Holder shall comply with the engineering plans and specifications certified~~approved~~ under Condition C.1.
Occupation of the CMA	
C.4	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.
C.5	The right to permanently occupy part of the CMA~~coastal marine area~~ is limited to the areas and structures identified in the plans and specifications referred to in Condition GC.1.
Erosion and sediment control	
C.6	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 *Erosion and Sediment Control Guidelines for the Wellington Region (Reprinted June 2006)* in the CMA, the measures set out below and the certified CEMP. Within the CMA measures may include, but not be limited to, the following considerations: (a) Not exposing non-native backfill material to the sea. (b) Use of weight-bearing mats on the foreshore substrate.

Commented [HJ3]: Landscape plans and specifications need to be part of the bundle.

Ref	Condition
	(c) Methods for isolating and containing the construction area including: (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. (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. (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.
Contaminant Release	
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.
Reclamation	
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. *Advice note: Statutory processes in respect of reclaimed land must be complied with, including under the Marine and Coastal Area (Takutai Moana) Act 2011.*
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.
As-Built Certification	
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.
Maintenance of Structures	
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
Little Penguins and Shoreline Foragers	
EM.1	In order to avoid~~,~~ or mi~~nimise~~~~tigate, offset and compensate~~ adverse effects of the Project on Little Penguins and Shoreline Foragers, the Consent Holder shall: (a) c~~C~~omply with Condition EM.1A; (b) undertake the habitat enhancement measures set out in Conditions EM.7 to EM.9; (c) a~~A~~s 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) u~~U~~ndertake design and construction in accordance with the LPMP in Condition EM.5; (e) m~~M~~anage rubbish and waste in accordance with the CEMP in Condition GC.7; (f) provide pest management in accordance with Condition EM.1B; and (g) p~~P~~rovide Little Penguin and Shoreline Forager protection areas as set out in ~~funding through~~ Condition~~s~~ 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; andProvide 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.~~
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	The Consent Holder must: (a) 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; (b) establish protection areas (refer to **Appendix 1**) at the following locations, in accordance with Conditions EM.7 to EM.9: (i) Bishops Park; (ii) HW Short Park; and (iii) Whiorau Reserve. ~~(a) The Consent Holder must, within 20 working days of the commencement of consent, allocate a one-off payment of $100,000 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:~~ ~~(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
	~~(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);~~ ~~(d) The following parties may apply to the Consent Holder for funding under (c)(i) or (ii):~~ ~~(i) members of the Little Penguin Interest Group;~~ ~~(ii) mana whenua;~~ ~~(iii) the Consent Holder;~~ ~~(iv) community groups;~~ ~~(v) landowners; and~~ ~~(vi) individuals;~~ ~~(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~~ ~~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.~~
EM.1C	(a) 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. (b) If any Shoreline Forager nest in the relevant construction area is identified, the Consent Holder shall engage a suitably qualified ecologist to: (i) GIS locate and mark on the ground the nest location; (ii) advise on whether or not the nest of the Shoreline Forager contains eggs or chicks; (iii) if it does contain eggs or chicks, advise on the management of Construction Works within 100m of the nest, including: A. the use of specific machinery; and B. the use of specific minimisation measures and/or working practices; and (iv) prepare a plan for works incorporating the matters in (iii) which the Consent Holder shall include in the CEMP under Condition GC.7.
Little Penguin Management Plan	
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~~minimise, 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	The LPMP shall address the following matters: (a) Measures to minimise adverse effects on the Little Penguin population during construction, including that: (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

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	each bay. No Construction Works shall occur in an area not surveyed in accordance with this provision; and (ii) The GPS coordinates for all active burrows and nests identified in (i) must be recorded; (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 Constructions Works can proceed. The protocol will be prepared by a Little Penguin expert appointed by the Consent Holder; (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, including steps provided for in the HEP (refer Conditions EM.7 to EM.9); (d) Staff and contractor training; (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 (f) Opportunities to enhance Little Penguin habitat through detailed design, including: (i) Potential seawall design opportunities to restrict road access for Little Penguins through penguin passage elements; and (ii) Potential rock rip rap design opportunities to include key holes for Little Penguin nests. *Advice note: The handling of protected wildlife will require permits to be obtained from the Department of Conservation under the Wildlife Act 1953.*
EM.6	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.
~~*Shoreline Foragers*~~*Habitat Enhancement Plan*	
EM.7	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.~~
EM.7A	The HEP shall be prepared by a suitably qualified ecologist in consultation with the Little Penguin Interest Group and the Eastbourne Dunes Restoration Group.
EM.8	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.
EM.9	The HEP must address and/or include the following within the protection areas: (a) fencing of the boundaries as shown in the plans in **Appendix 1** with a minimum standard to keep dogs out; (b) pest management measures, using funding provided in Condition EM.1B; (c) a Planting Plan for revegetation as appropriate, including details of species to be planted and areas planting will take place in; (d) signage identifying the relevant habitat area to reduce the risks of adverse effects on Little Penguins and Shoreline Foragers;

Ref	Condition
	(e) 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; (f) opportunities to enhance Shoreline Forager habitat in the protection areas, including wooden poles providing further safe roosting habitats; (g) provisions as appropriate to provide ecological resilience to sea level rise; and (h) timeframes for completing (as appropriate) the measures outlined in the HEP, including: (i) for the Whiorau Reserve protection area: A. fencing must be completed prior to Commencement of Construction (see (a) above); B. 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); C. pest management measures must be installed and operational prior to Commencement of Construction (see (b) above); D. signage must be installed prior to Commencement of Construction (see (d) above); E. planting shall be undertaken in accordance with the timeframes specified in the Planting Plan (see (c) above); and (ii) 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.~~
Intertidal and subtidal ecology	
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	For any construction areas that may extend into the subtidal zone, the Consent Holder shall: (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; (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 (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:

Ref	Condition
	(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.
Fish Passage	
EM.12	At the key outlets listed in Table 7 of Appendix B of the AEE, the Consent Holder shall: (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.
Beach Nourishment Plan	
EM.13	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. 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 6,000m^3, to be distributed between the three bays as outlined in Table 5-1 of Appendix F of the AEE.
EM.14	The BNP shall include, but not be limited to: (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: (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: (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
	(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: (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. *Advice note: Clearance of any accumulated material at the outlets may require a separate consent if not able to comply with permitted activity standards.*
Beach monitoring and management– beach nourishment	
EM.15	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. 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. 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.
EM.16	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.
EM.17	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.. 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.

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	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. 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~~tigate, offset or compensate~~ those significant adverse effects on benthic intertidal and subtidal biota.
Seawall and revetment habitat	
EM.19	The Consent Holder shall engage a suitably qualified ecologist to prepare a Seawall and Revetment Habitat Plan (SRHP) that provides for intertidal biota, including: (a) incorporating textures to the curved surfaces and depressions to the flat platforms of the curved seawalls including: (i) within the 'low encroachment zone' to help offset the existing intertidal area lost to the 'high' and 'medium' encroachments; and (ii) in areas where the seawall is wholly above the existing high tide mark to provide ecological resilience to sea level rise; (b) drilling rock pools into the hard revetment rock of the mid-low tide zone; (c) reuse of larger colonised rock material; (d) purpose-made rock pool features (to be used where appropriate, and without compromising structural integrity); (e) where appropriate and/or feasible, pre-cast 'pot plant/window box structures that can be added to the surface of the curved seawall; and (f) a map of appropriate scale, showing where each method of enhancement will occur.

Landscape, Urban Design and Visual (LV)

Ref	Condition
Landscape and Urban Design Plan	
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: (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 minimise~~tigate~~ 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 a suitably qualified and experienced~~n~~ ecologist, engineer, landscape architect, recreation specialist, traffic engineer and urban designer, and in consultation with: (a) Wellington Tenths 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: (a) Achieves design outcomes based on the following general hierarchy of environmental effects: (i) Safety; (ii) Ecology; (iii) Natural and landscape 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 and the HEP in Condition EM.9 while applying the same approach as in (a) and (b); and (d) Responds to: (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 Standards.

Commented [HJ4]: Remove wording 'hierarchy of'. All are inter-linked.

Ref	Condition
Bay Specific Urban Design Plans	
LV.5	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. 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.
LV.6	The BSUDPs shall be prepared by the Consent Holder in two stages for each bay: (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 (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.
LV.7	The BSUDPs shall, include specific landscape and urban design details for: (a) Seawall structures, including transition zones between seawall types; (b) Beach access including steps, ramps and associated handrails where required; (c) Safety barriers and railing; (d) The treatment of stormwater structures at the coastal interface; (e) Little Penguin and Shoreline Forager related structures including penguin passage elements, ramps, ~~and~~ nests, boxes and wooden poles for roosting; (f) Planting treatment; (g) The treatment of existing trees and existing landscape and natural features; (h) The design and area of space available for recreational amenity activities; (i) The design and orientation of features, spaces and access points; (j) Refuge and seating opportunities; and (k) Signage and storyboards.

Commented [HJ5]: Include hold points for review at preliminary, developed and detailed design gateways.