

# Comment on the Te Ara Tupua – Ngauranga to Petone shared path Fast Track Application

## 1. Contact Details

Please ensure that you have authority to comment on the application on behalf of those named on this form.

<b>Organisation name (if relevant):</b>	Wellington City Council and Wellington Waterfront Limited		
<b>First name:*</b>	Barbara		
<b>Last name:*</b>	McKerrow		
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All sections of this form with an asterisk (\*) are mandatory.

## 2. We will email you draft conditions of consent/notices of requirement for your comment.\*



I can receive emails and my email address is correct



~~I cannot receive emails and my postal address is correct.~~

## 3. Please provide your comments on the Te Ara Tupua – Ngauranga to Petone shared path Application

We write to provide comment on the above application, following your letter of 20 November 2020 inviting comments on the above application. We understand that comment is sought from Wellington City Council (WCC) in its capacity as:

- A responsible authority relevant to the Notice of Requirement
- A landowner (or adjoining landowner) in relation to the proposed living sea walls at the Whairepo Lagoon and Greta Point / Evans Bay Seawall.

### NOTICE OF REQUIREMENT COMMENTS

If this application were following a standard Notice of Requirement (NoR) process, having regard to what is proposed to occur within WCC's jurisdiction, the following key matters would be considered:

- Positive effects
- Construction noise effects
- Traffic effects
- Heritage and archaeological effects

- Landscape and urban design effects
- Objectives and policies of the District Plan

Below we have considered these matters and have commented where relevant on the draft conditions.

**Positive Effects:**

We agree with the Assessment of Effects on the Environment (AEE) that the proposal will provide a range positive effects, including:

- The potential to encourage mode shift and reduce carbon emissions
- Economic benefits on the local and regional economy, including during construction and as a tourism benefit
- Recreational and health benefits
- Social benefits such as accessibility to the coast
- Urban design and landscape improvements
- Improved resilience, including the transport corridor and of the foreshore

We also note that there are a range of positive aspects associated with the proposed mitigation measures, including coastal planting, beach nourishment, and treatment of stormwater run-off.

**Construction Noise Effects**

The Council’s Senior Environmental Noise Officer, Lindsay Hannah, has reviewed and supports the noise and vibration assessment. Mr Hannah considers that assessment to be to a high level and by a professional acoustic engineer.

There appears to be an error in Table CNV.1 Construction Criteria highlighted below, which shows a noise limit of the 55dB for Saturday (6:30am to 7:30am) and this should be updated to 45dB as highlighted in the image below.

Saturday	0630h - 0730h	55 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB
Sunday and Public Holidays	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	55 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB

**Traffic Effects:**

The Council’s Senior RMA Transport Engineer, Anbu Pungiah, considers that the traffic report and information/evidence provided in support of the proposed shared path is well presented and documented from the traffic operations and safety perspective and he considers it to be acceptable.

Due to the smaller number of truck movements during construction, the traffic effects should be manageable.

The construction traffic conditions (CT.1 to CT.4) are considered appropriate. In addition, we request that the Panel consider the following matters and recommend they be included as conditions:

- Speed control of bicycles must be considered for public safety as pedestrians are sharing the same pathway with cyclists.
- Lighting of the pathway – the shared path must be well-lit to ensure Crime Prevention Through Environmental Design (CPTED) principles are being met and for general traffic safety reasons.
- Rubbish collection – Frequency and method for servicing and refuse removal (including a regular audit) to ensure that refuse does not cause a traffic/cycling safety effect.

- Trimming and maintenance of the landscape areas and vegetation – Vegetation must be well maintained to avoid obstruction of any sightlines between cyclists and pedestrians.

We also request that the following conditions be included:

- **Damage to Wellington City Council Roads:** Prior to construction commencing, an assessment and record (visual and video) of the conditions of the existing pavement, carriageway, footpath and other associated infrastructure assets on legal road administered by the Wellington City Council adjacent to the State Highway intersection with Hutt Road and Jarden Mile must be provided. The Requiring Authority must repair any damage made to the pavement, carriageway, footpath and other associated infrastructure assets during construction and after completion of the shared path to the satisfaction of the Council's Compliance Monitoring Officer.
- **Maintenance Agreement:** An agreement must be made between the NZTA, Kiwi Rail and WCC regarding the assets ownership and future maintenance and renewal responsibilities and funding arrangements.

### **Heritage and Archaeological Effects:**

The Council's Senior Heritage Advisor, Ms Eva Forster-Garbutt, has reviewed the Historic Heritage Assessment by Mary O'Keefe. Ms Forster-Garbutt agrees that the effects on historic heritage along the project route will be only minimal and acceptable. This is because:

- There will not be any listed, scheduled or otherwise identified historic heritage (via site visits, historical research) impacted as these are located at a sufficient distance from the area of works.
- Whilst there is the potential for archaeological features, primarily associated with Māori activity, to be impacted at the southern and northern ends of the project (where the construction yards are established), this potential has been assessed as low. This is because the area of works has been raised during the 1855 earthquakes, subsequently reclaimed, and more recent works have modified the natural landscape considerably. It is likely that most of the physical evidence of human activity is located further inland from the coast i.e. below the current road and towards the base of the hills (which formed the coastal fringe pre-1855).
- The potential impact on archaeological features at the northern and southern sites is also mitigated through the following:
  - Geotextile and aggregate will be placed on top of the ground when the construction sites are established to minimise ground disturbance
  - There will be no turning on grassed areas (exposed ground).
- As per Ms O'Keefe's recommendations, an archaeological authority and associated archaeological management plan will be in place for the entire extent and duration of works. This will ensure that if archaeological features are encountered, these will be managed accordingly.

### **Landscape and Urban Design Effects:**

We have not sought specialist advice in preparing these comments but the draft Cultural and Environmental Design Framework was reviewed for the Council by Robin Simpson, an urban design consultant, in June 2020. Ms Simpson was supportive of the proposal and the design in relation to its approach and framework. We have attached Ms Simpson's advice in Appendix A in case this is of use to the Panel. Overall, we consider that the proposal would provide a positive contribution to the landscape and is supportable from an urban design perspective.

### **Objectives and policies of the District Plan:**

We consider that the AEE provides a fair assessment against the relevant objectives and policies of the Wellington City District Plan.

## **LANDOWNER COMMENTS**

We understand that the proposed living sea walls will not require resource consent under the Wellington City District Plan because they are below the Mean High Water Springs mark. After corresponding with the Environmental Protection Agency, we are also providing comments in our capacity as:

- Owner of parcels adjacent to land on which mitigation is undertaken – Legal Road and Lot 5 DP 88742
- Occupiers of the Coastal Marine Area adjacent to the Whairepo Lagoon mitigation area

This letter provides our comments in the above capacity, and includes comment from Wellington Waterfront Limited prepared by Kelly Crandle, Waterfront & City Parks Manager. A full set of comments is provided in Appendix A to this letter. In summary, the proposed living sea walls at Whairepo Lagoon are supported by the Council and Wellington Waterfront Limited.

The following conditions (either on the NoR or recorded as conditions of landowner approval) are requested in relation to the Whairepo Lagoon sea walls:

1. The structure must be located at the edge of the lagoon in a place or places that will not interfere with swimming and watercraft, eg waka, waka ama, rowing club boats, paddle boats, stand up paddle boards or small motorised boats.
2. The applicant or their supplier will need to provide more information about how the structure is to be attached to the wall.
3. The applicant's structure (including materials) and installation method and fixings must be reviewed by a structural engineer nominated by the Waterfront Team and the review must demonstrate that the structure will not create damage to the wall at the time of installation or over time once installed.
4. Advice will be required from the Wellington Waterfront Technical Advisory Group and that advice must be incorporated into the final design and any signage.
5. Waterfront Team (within Parks, Sports and Recreation at Wellington City Council) approval is obtained before:
  - the exact location and extent of the wall is finalised;
  - and the design is implemented
6. If the structure reaches the end of its useful life or is damaged or is not successful or becomes problematic, the structure must be removed following the advice of a suitably qualified and experience structural engineer.

In addition to the above, for both proposed living sea walls, Jone Sumasafu, Acting Team Leader Structures has advised of the following landowner requirements:

1. The Council will not be responsible for the maintenance of the 'living seawall tiles' when it is in place.
2. The 'living seawall tiles' should be able to be removed if/when Council is required to carry out any maintenance/strengthening work on the seawall structure. The costs for the removal and reinstatement of the 'living seawall tiles' shall be borne by its owner (the living sea walls will not become WCC assets) .
3. If/when the 'living seawall tiles' is removed entirely by its owner, they must also ensure the seawall is made good, i.e. the drilled holes are filled up with an approved cementitious grout.

## **SUMMARY**

Both the project and the offset mitigation proposed are considered to offer considerable positive benefits to Wellington City and the Wellington Region. We ask that the Panel consider the suggestions outlined above and look forward to the opportunity to comment further on the draft conditions.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Barbara McKerron', written over a light blue horizontal line.

Barbara McKerron  
Chief Executive  
Wellington City Council

# APPENDIX A – URBAN DESIGN AND LANDSCAPE ARCHITECTURE COMMENTS

## Review memo

Date:            June 2020

Project:        **Te Ara Tupua - Ngā Ūranga to Petone NZ Transport Agency**

Stage:         Te Ara Tupua - Ngā Ūranga to Petone Cultural & Environmental Design  
Framework (CEDF)    June 16, 2020 Draft Planning version

Prepared by:   Robin Simpson Design (RSDL)

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### 1 Scope of Review

1. I have been requested by Wellington City Council (WCC) to undertake a peer review for the landscape and urban design for Nga Uranga to Petone Cultural & Environmental Design Framework (CEDF). Project Specialist and Technical Design Reports have not been reviewed.
2. The project is for a new 4.8km long shared path connecting Nga Uranga Gorge and Hutt Road to the south and Petone to the north, filling a gap in existing infrastructure. Te Ara Tupua (the Path) will form part of a regional walkway and cycleway. The main path is 5m wide, sealed and shared by cyclists and walkers. A gateway bridge and place marking structures are included.
3. The rigour of the Framework either builds in mitigation of any likely effects or sets up a process to do so. It takes a positive approach and maximises positive benefits.

### 2 Documentation

4. The document reviewed is the Cultural and Environmental Framework, the CEDF. Its role is to inform design development and provide a benchmark to assess against.
5. This is extremely thorough particularly in ecological and cultural histories. It is exemplary in content although very detailed for this stage. Extensive information on the Port Nicholson foreshore underpins the design response and will be valuable to detail design and interpretation. This is a rigorous framework that can fulfil its intentions as long as appropriate processes for development and delivery follow.
6. It is usefully structured into two parts with an overview and background (Chapters 1,2), the bulk of the document describing Design Outcomes (Chapter 3) and spatial design with the Masterplan described in plan and cross section (Chapter 4). Illustrative views convey the intended look and feel. These are open to adjustment in design development. The Design Outcomes are robust and well-pitched. The Masterplan is well considered and achievable.
7. The Draft Masterplan upholds the principles established in NZTA guiding documents, *Bridging the Gap*, *Landscape Guidelines* etc. and guidance on shared paths. These will continue to guide development in later stages.

### 3 Project Merit

8. Te Ara Tupua would be a regional asset as a component in a proposed pathway extending from the South Coast to Cape Palliser, the Great Harbour Way /Te Aranui o Poneke. It would form a highly valued piece of both transport and ecological infrastructure regionally.
9. This is a project with a clear conceptual vision; *to recognise and restore the mana and mouri of Te Ara Tupua.* P56
10. From the vision, fall significant environmental, economic and social benefits which achieve NZTA objectives. I consider this multifunctionality gives high project merit. The benefits include; creating a connecting piece of transport infrastructure which integrates walking and cycling, restoring of highly modified coastal habitat which remedies and improves on existing, opening a little known part of the harbour coast and establishing an inclusive process for shared development.
11. The Draft Masterplan clearly identifies the overall opportunity through a framework of principles and design themes. The design is engaging, legible, achievable, yet adaptable for ease of later development and implementation. It is presented in a useful, if extensive, format.

### **Environmental benefits**

12. The CEDF focuses on cultural and environmental benefits. These abound. Thorough and rigorous information gathering identifies marine and terrestrial ecologies, species and habitats. It identifies opportunities for habitat repair (e.g. stacked rock and wood for insects and lizards) and creation (e.g. varied rock sizes for nesting habitat) opportunities. These avoid or minimise negative environmental effects and have positive impacts.
13. The coastal edge is already highly modified. To naturalise the edge, change must occur as part of the project - 3.5km of the total 4.8km will be constructed new land. The designers identify opportunities for recreating natural habitats e.g. new rocky outcrops to bring improvement and offset any change. The report gives thorough and credible justification for change. This, plus wide engagement and multiple project participants, minimises risk of objections.

### **Economic benefits**

14. Economic benefits will be assessed outside this review. However the project exhibits urban design benefits which add value through good design. In providing alternative transport to a wider range of people and integrating walking and cycling, there is the potential to reduce energy costs, and expand tourist and recreation facilities.
15. The project navigates complex statutory contexts with regional and district planning entities; GWRC, WCC, Hutt City Council (HCC), NZTA, NZR, to create a logical connection and alternative to road and rail which currently dominate this corridor. This expands transport mode options and provides equitable access to a wide range of users.
16. The constraint of the KiwiRail tracks remaining in place requires a longer bridge and extension into the marine environment. This constraint has been turned into an opportunity although could face questions. The CEDF provides reasons why the Bridge, is an investment that enables the multiple and significant project benefits as does the rebuilt coast edge.
17. Alternative transport modes to the frequently obstructed road and rail facilities improves overall transport resilience. (p74) Safety for cyclists and walkers between wellington and Hutt Valley will be significantly improved. This will encourage walkers and cyclists.

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## Social Benefits

18. The project reflects a robust and respectful process in the NZTA partnership with Mana Whenua. It celebrates and expresses cultural stories through the project iwi artist, Len Hetet.
19. The design team has undertaken a valid process of engagement with diverse stakeholders and multiple Mana Whenua Steering Group diminishing risk and maximising support. It premiates a Kaitiaki Strategy to embed iwi values, an innovative yet fitting approach resulting in a shared natural environment (p66). Cultural advisers will continue to advise.
20. Providing access to a previously isolated part of the Port Nicholson Coast extends the range of waterfront amenities regionally and locally. Inherently this extends opportunities for recreation, play and education. It improves quality of life by creating new opportunities for interaction e.g. at the lookouts and for direct experience of the environment. These are high value benefits with a high level of accessibility.

## 4 Process

21. Whilst there has been a long incubation to this point, the report contains, gives confidence in a framework to continue to address any issues arising in further stages.
22. The breadth of engagement and the demonstrated responsiveness to diverse legislative bodies gives the project a robustness that other pathway projects, which have been mired by conflict between stakeholders, have not had. Adoption by relevant parties and utilising the CEDF as a guiding and testing Masterplan, as intended is critical to success.
23. The CEDF proposes a process where the design outcomes and adherence to the CEDF are embedded as conditions of consent in an RMA process. This would give strength to the Framework and minimise risk in later phases. While the RMA is intended to enable input by different parties to ensure good use of resources, the process already undertaken has widely consulted and engaged different parties.

## 5 Stakeholder Engagement

24. The project has evolved with input from NZTA, WCC, HCC, Greater Wellington Regional Council (GWRC), KiwiRail and Taranaki Whanui. This is evidence that effort has been made to identify the diverse stakeholders. It indicates engagement at the big picture as well as in design outcomes. This is likely to have lowered risk compared to other cycleway projects.
25. The project is responsive to the interests of different stakeholder groups. The document provides ample material for a good understanding of how areas of interest are addressed.

## 6 Masterplan Design

26. The Path connects to Hutt Road cycle path, crosses SH1 and rail lines by bridge, lies on the harbour edge side of the rail tracks and links to Petone.
27. The concept is of recreational and commuter transport infrastructure. It offers low carbon alternatives that can make a significant contribution to national, regional and local goals for increasing sustainable transport. The recreation possibilities are also significant.
28. Parallel with these other functions, the path opens up high merit opportunities for re-creating and protecting ecological systems. The design thus contributes to species diversity, ecological

sustainability and ecological resilience. Consideration of climate change is responded to with robust construction, and ecological diversity which could adapt to species movement.

29. The path weaves many stories into its design and interpretive materials acknowledging the bicultural stories that are behind the harbour edge.
30. A consistent language of design and materials provides an identifiable look and feel. The design themes are applied with variation and sensitivity to the changing locations along the route. Points of special character are emphasised and in some cases re-created from remnants of the coast which have been lost to transport infrastructure.
31. CPTED is well considered. It is anticipated that there is ongoing involvement and review by CPTED experts. Safety issues such as the boundary fence to KiwiRail and provision for vehicular access can I continue to be addressed in future stages. A strategy is identified and route to successful outcomes suggested. (p111)
32. Bridges and Gateways are incorporated. These are designed as highly visible expressions of place which are vital connection points as well as serving as a gateway for Wellington City. The bridges are consistent with guidance in NZTA's *Bridging the Gap* by being direct, expressive and having potential to develop as safe, memorable and accessible elements.

## 7 Recommendations

33. The project of Te Ara Tupua would be a multifaceted regional asset with high merit locally. The CEDF is recommended for adoption as a key step in realisation of a long imagined project.
34. This is a high quality document outlining innovative and responsive design outcomes and processes. It has cleverly navigated a very complex range of stakeholders, stories, issues and diverse processes. Its momentum should be upheld if possible.
35. The CEDF and the Masterplan are intended to guide development of the Cultural and Environmental Design Sector Plans (CEDSP) and provide a benchmark for evaluation. This is key to successful implementation of such a complex process and needs to be undertaken as intended by all disciplines in design development.
36. Ongoing engagement with iwi advisers, ecological advisers and CPTED advisers is critical beyond this concept stage. Ideally, progress in all these areas should be built on rather than revisited. CPTED principles should be applied from big picture planning down to detail.
37. The process of having masterplanning and detail design in separate work packages is common in urban and infrastructure design. However it is not ideal that a wide number of design teams undertake different sectors unless particular diversity is sought. In this case the danger is that outcomes differ considerably from the intentions of the masterplan, creating risk to the project. Bundling sector plans may contain this risk and allow continuity.
38. Management of the path will be key. Responsibilities for management across the multiple parties need to be identified. Provenance of materials will be important given this is a significant construction
39. Minor changes to the document should include; developing a summary document to convey the vision and key principles given the size of this document and adding information to drawings; existing MHWS lines, any structures to be moved and existing coast edge profile.

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**APPENDIX B – WELLINGTON WATERFRONT LTD  
COMMENTS**

Thanks for seeking comments about establishing a living sea wall on a wall at the edge of Whairepo Lagoon (Frank Kitts Lagoon) from the Waterfront Team.

We understand that the proposed cycleway will adversely reduce marine habitat around Te Whanganuio-a-Tara and that some of the adverse effects could be offset with a new, artificial coastal structure in Whairepo Lagoon. The structure would provide habitat for marine life.

We think the proposal offers an exciting and interesting opportunity to demonstrate marine ecological restoration in a location where the public can easily view it. This section of the coastline is already heavily modified and already contains many artificial features.

The Waterfront Team is generally supportive of the proposal to offset some of the cycleway effects by installing an artificial coastal structure in the intertidal zone of Whairepo Lagoon. The Waterfront Framework objectives do not provide guidance for decisions about items that might include a living sea wall. However the Framework does emphasise:

- the importance of a high quality of design and implementation
- the need to present attractive spaces
- landscape should reflect that the Waterfront is an urban rather than a natural landscape
- the choice of planting and material should be chosen in awareness of the different ecologies of Wellington's coastline
- low level access to and from the water's edge for people and small craft is important
- It is important to provide a diversity of experience

The Framework states that "Ecological values of the waterfront will be maintained – bearing in mind that this is a highly modified environment". Pg18

The structure will sit lower than nearby Tanya Ashken Albatross Fountain. At high tide all or most of the structure will be below the water and views onto the fountain will be almost unaffected.

I am not aware of any special heritage features of values on the lagoon edge.

We understand that establishing and maintaining a living sea wall has not been done locally before and that some experimentation and trial and error is likely. If the structure fails we would like to reserve the ability to have it removed quickly. We are willing to look at similar alternative products. We have treated the examples provided in the September 2020 AEE as a sample of what is available commercially and we understand that another product may be more suitable.



At this stage the Waterfront Team assumes that the applicant's preferred location for the living seawall structure is a portion of the lagoon edge coloured blue on the plan below.

It is critical that the installation method and fixings are appropriate for the structure and the existing constructed wall of the lagoon. We need to know that the structure will cope with local conditions. It seems unlikely that the structure can be isolated practically from the public.

Ownership of the structure will need to be agreed.

The ongoing inspection and maintenance requirements will need to be set out and the structure's owner will need to follow them.

The applicant may wish to install interpretational signage to provide information about the living seawall structure. Signage is carefully controlled on the Waterfront and TAG advice is often required before a decision about installing new signage is made by the Waterfront Team.



I suggest that Consent Conditions could cover the following items:

1. The structure needs to be located at the edge of the lagoon in a place or places that will not interfere with swimming and watercraft, eg waka, waka ama, rowing club boats, paddle boats, Stand Up Paddle Boards, small motorised boats
2. The applicant or their supplier will need to provide more information about how the structure is attached to the wall
3. The applicant's structure (including materials) and installation method and fixings must be reviewed by a structural engineer nominated by the Waterfront Team and the review

must demonstrate that the structure will not create damage to the wall at the time of installation or over time once installed.

4. TAG comment advice is obtained and incorporated into the final design and any signage

5. Waterfront Team approval is obtained before:

a. the exact location and extent of the wall is finalised;

b. and the design is implemented

6. If the structure reaches the end of its useful life or is damaged or is not successful or becomes problematic, the structure can be removed following the advice of a suitably qualified and experience structural engineer.

Thanks again for seeking our views. Please give me a call if you need more comment or information.

**Kelly Crandle**

Waterfront & City Parks Manager | Parks, Sport & Recreation | Wellington City Council

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