Eastern Bays Shared Path – Statutory Assessment

This document reviews the regulatory context under which consents may be required for the Eastern Bays Shared Path (**Project**). The assessment focusses on relevant plans prepared under the Resource Management Act 1991 to determine possible consenting requirements, namely:

1. New Zealand Coastal Policy Statement (effective 3 December 2010);
2. Regional Policy Statement for the Wellington Region (operative 24 April 2013);
3. Regional Coastal Plan for the Wellington Region (operative 19 June 2000);
4. Proposed Natural Resources Plan for the Wellington Region (31 July 2015) and redlined version (19 October 2018); and
5. City of Lower Hutt District Plan (operative 18 March 2004).

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (effective 1 January 2012) and the Government Policy Statement on Land Transport 2018 are also assessed in sections 6 and 7 below.

1. New Zealand Coastal Policy Statement

Table 1: New Zealand Coastal Policy Statement Assessment of Relevant Objectives and Policies

New Zealand Coastal Policy Statement		
Reference	**Relevant objective/policy**	**Assessment**
The Coastal Environment		
Objective 1	To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by: • maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature; • protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and	The Project achieves Objective 1 and Policy 1 for the following reasons. **Policy 1 - Extent and characteristics of the coastal environment** The majority of the Project is located in the coastal environment (as defined in Policy 1). Marine Drive, where the Project is to be constructed, is the result of upgrades of the track around the coast following the 1855 earthquake that raised the shoreline. As described in the Landscape and Visual Assessment (Appendix D), this coastal environment has been heavily modified since 1855 because of settlement along the coast and the upgrade of the track around the coastal edge as a key infrastructure and transport route connecting residents and the attractions along Marine Drive with the wider region. The existing road and seawalls were constructed in the coastal environment and reclamation has occurred to support these developments.

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	• maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.	As explained in the Coastal Processes Report (Appendix E), the existing seawalls have already extensively modified the beach and coastal environment. Equally, coastal works have significantly decreased processes from the Hutt River along the Eastern Bays. The Hutt River, and stormwater discharges, discharge a large volume of sediment into the harbour. The coastal environment includes items of cultural and historic heritage, including the Skerrett Boatshed (1906) at Lowry/Whiorau Bay, which is listed as a Historic building in the City of Lower Hutt District Plan. **Objective 1 - Maintaining or enhancing biological and physical processes** The Project maintains, and where possible, enhances biological and physical processes in the CMA. The seawalls that support Marine Drive are in need of replacement to support the Project and to provide necessary base protection from coastal erosion (they will buy some time). The construction of seawalls associated with the Project will include mitigation and enhancement measures developed through future detailed design work and specific construction methodologies, as contained in the Design Features Report (Appendix J) and are subject to conditions. Due to these mitigation measures, adverse effects on intertidal areas during construction have been assessed as being less than minor (refer to Intertidal Ecology Assessment (Appendix A)). New structures will be avoided in the subtidal areas and any construction effects on these areas will be managed through robust sediment control measures contained within the CEMP. While the Project seeks to widen some sections of Marine Drive into the CMA to accommodate the shared path, the specific design and location of the areas of widening has been determined following specialist investigations, reports, alternatives assessments and extensive public consultation. The proposed foreshore form has been specifically designed to maintain, and where possible, enhance physical processes, recognising they are dynamic, complex and interdependent in nature. **Objective 1 - Protecting natural ecosystems and sites of biological importance** The Project protects representative or significant natural ecosystems and sites of biological importance, including the nesting sites of Little Penguins located along the seaward and landward sides of Marine Drive.
Policy 1	(1) Recognise that the extent and characteristics of the coastal environment vary from region to region and locality to locality; and the issues that arise may have different effects in different localities. (2) Recognise that the coastal environment includes: (a) the coastal marine area; (b) islands within the coastal marine area; (c) areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these; (d) areas at risk from coastal hazards; (e) coastal vegetation and the habitat of indigenous coastal species including migratory birds; (f) elements and features that contribute to the natural character, landscape, visual qualities or amenity values; (g) items of cultural and historic heritage in the coastal marine area or on the coast; (h) inter-related coastal marine and terrestrial systems, including the intertidal zone; and (i) physical resources and built facilities, including infrastructure, that have modified the coastal environment.	

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		To mitigate adverse effects of the Project on Little Penguins, a penguin management plan (PMP) will be prepared that forms part of the Construction and Environmental Management Plan (CEMP). It will cover the following: • Measures to manage construction phase effects on penguins in the revetment upgrade areas, to include programming, timing, monitoring and collaboration between penguin team and contractors; • Annual review of provisions for avoiding and mitigating adverse construction phase effects on penguins over the six-year period of the Shared Path Project; • Staff and contracting training; • Liaison with DoC and Eastern Bays Penguin Group; • Public education measures; • Identify and assess the feasibility of enhancement of revetment and revetment upgrade structures to provide penguin breeding habitat that has some resilience to sea-level rise, such as Clapham Rock. During the detailed design stage, the Shared Path and revetment structures will maintain penguin access at the Point Howard site and reduce the potential for ongoing disturbance to breeding. The Project design will also avoid adverse effects on seagrass at Lowry Bay. **Objective 1 - Maintaining the diversity of New Zealand's indigenous coastal flora and fauna** Despite its high degree of human modification, the Project area has a high ecological value due to the presence of Nationally Vulnerable *Hebe speciosa* two (possibly three) and At Risk - Declining species (pīngao, seagrass, *Melicytus orarius*), and for the gravel beaches (endangered naturally uncommon ecosystem) (see Appendix C). [The magnitude of effect was assessed as moderate to high. A number of mitigation measures have been proposed in the CEMP to protect these Nationally Vulnerable and endangered ecosystems. When taking into account the mitigation measures, the overall effects of the Project on vegetation are minor for seagrass and less than minor for the remaining vegetation types and gravels. In addition, the Project area has very high value for avifauna and their habitat. Potential adverse effects will be most significant for the six Threatened and At Risk species primarily utilising these habitats: reef heron, variable oystercatcher, black shag,

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		pied shag, little black shag and red-billed gull. Species relying more on the backshore habitat most affected are oystercatcher and red-billed gull. For these a shift in habitat balance could cause full local loss or displacement. Effects on the other four species from the relatively small loss of intertidal habitat are expected to be minor. The level of potential effect of habitat loss on coastal avifauna is assessed as moderate to high over decades but reducing over longer time spans with changing sea level rise. While there will be some adverse effects on New Zealand's indigenous coastal flora and fauna there will also be notable benefits, through for example, the establishment of new ecological habitat in the textured finish to the concrete seawalls and maintained and enhanced fish and penguin passage. Mitigation measures will also be implemented through detailed design to reduce potential adverse effects where possible. **Objective 1 - Maintaining coastal water quality** While there is the potential for the Project to generate localised higher than existing levels of suspended sediment concentration (SSC) during the construction stage, the reworking of beach sediments by the change to nearshore hydrodynamics will have a less than minor effect on sedimentation rates or suspended sediment concentrations within each bay and the wider Wellington Harbour. Coastal water quality will therefore be maintained.
Natural character		
Objective 2	To preserve the natural character of the coastal environment and protect natural features and landscape values through: • recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution; • identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and	The Project achieves Objective 2 and Policies 13-15 for the reasons set out below. **Existing natural character, natural features and landscape values** As identified under section 4 of the Landscape and Visual Assessment (Appendix D), the natural processes and patterns along the Eastern Bays coastline have been significantly disrupted by the construction of Marine Drive along the coastal edge. The combination of coastal uplift and progressive road improvements make it difficult to establish where the natural shoreline would lie, however the assessment notes that both the beach and foreshore have been extensively modified. The active beach, which is defined by GWRC as the area from the toe of the seawall or the edge of the

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	• encouraging restoration of the coastal environment.	road out to the limit of wave breaking, appears to be relatively unmodified and has high natural character. The assessment of natural character in the Landscape and Visual Assessment (Appendix D) notes that the natural character biotic and abiotic values of the Eastern Bays landscape are low; however, the experiential values are moderate to high. The overall coherence of the landscape derives from the wider setting including the enclosing, vegetated hillslopes, the sequence of bay and headland, the rocky outcrops and the harbour waters and the natural processes of the beach environment including the changing sea, light and weather conditions. **Objective 2, Policy 13 - Preserving the natural character of the coastal environment and protecting natural features and landscape values** *Low potential adverse effects on natural character* The potential adverse effects of the Project on natural character are identified in the Landscape and Visual Assessment (Appendix D) as being caused by the proposed changes to the road corridor, beaches and foreshore and occur within a narrow band of existing development along the coastal edge. These adverse effects have been assessed as low. At the wider Eastern Bays scale, potential adverse effects have been assessed as being very low, particularly as the narrow fringe of land between the road and the water where the shared path is proposed to be constructed has low visual prominence. At a local bay and beach scale there will be a loss of local landform, both natural and modified. While these effects may be perceived as being more pronounced, they have been assessed as being low due to proposed mitigation measures (set out below). *Natural features and landscape values* There are no outstanding natural features and outstanding natural landscapes in this coastal environment. Adverse effects of the Project on natural features and natural landscapes in the Eastern Bays coastal environment occur within a narrow band of development along the coastal edge. The design of the shared path as set out in the Design Features Report (Appendix J) incorporates mitigation measures to protect natural character, including features
Policy 13	(1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development: (a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and (b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by: (c) assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and (d) ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions. (2) Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as: (a) natural elements, processes and patterns (b) biophysical, ecological, geological and geomorphological aspects (c) natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks (d) the natural movement of water and sediment	

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	(e) the natural darkness of the night sky (f) places or areas that are wild or scenic (g) a range of natural character from pristine to modified (h) experiential attributes, including the sounds and smell of the sea; and their context or setting.	and landscapes, and mitigate potential adverse effects on the coastal environment. Mitigation measures include: • the material for beach nourishment is to be sourced legally to match existing beach material, colour, grain size (sand) and texture (gravel) • ensuring consistent path and seawall detailing to reduce the visual impact of new structures; and • the establishment of new ecological habitat in the textured finish to the concrete seawalls. These and other mitigation measures will be incorporated into the LURP and will ensure that the final detailed design responds to local landscape, history and land use and appropriately preserves and protects the existing natural character of the coastal environment. **Objective 2, Policy 14 - Restoration and rehabilitation of natural character** The resource consent application, details numerous mitigation measures that have been proposed to protect the natural features and landscapes in this coastal environment. Opportunities to restore natural character have been identified by removing redundant structures and concrete slabs used as part of the existing revetment to protect the coastline. The restoration of the intertidal areas will also be achieved through creating texture on the new concrete seawalls to enable ecological habitats to be re-established. While the overall path width and seawall locations respond to the Eastern Bays landform, the functional requirements of the Project constrain opportunities for landscape and visual rehabilitation or restoration of natural character. Rehabilitation and restoration is focussed on improving visual and physical links between the road/path and the water, detailing coastal interface of the seawall structures to facilitate eco mitigation and restoration of local landscape character through detailed design in the LUDP (see the Landscape and Visual Assessment (Appendix D)). Conditions are proposed and will be imposed on any resource consent decision. It is noted that an ecological assessment was undertaken and forms part of the resource
Policy 14	Promote restoration or rehabilitation of the natural character of the coastal environment, including by: (a) identifying areas and opportunities for restoration or rehabilitation; (b) providing policies, rules and other methods directed at restoration or rehabilitation in regional policy statements, and plans; (c) where practicable, imposing or reviewing restoration or rehabilitation conditions on resource consents and designations, including for the continuation of activities; and recognising that where degraded areas of the coastal environment require restoration or rehabilitation, possible approaches include: (i) restoring indigenous habitats and ecosystems, using local genetic stock where practicable; or (ii) encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest management; or (iii) creating or enhancing habitat for indigenous species; or	

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	(iv) rehabilitating dunes and other natural coastal features or processes, including saline wetlands and intertidal saltmarsh; or (v) restoring and protecting riparian and intertidal margins; or (vi) reducing or eliminating discharges of contaminants; or (vii) removing redundant structures and materials that have been assessed to have minimal heritage or amenity values and when the removal is authorised by required permits, including an archaeological authority under the Historic Places Act 1993; or (viii) restoring cultural landscape features; or (ix) redesign of structures that interfere with ecosystem processes; or (x) decommissioning or restoring historic landfill and other contaminated sites which are, or have the potential to, leach material into the coastal marine area.	consent application (Appendix A). The design of the shared path as set out in the Design Features Report (Appendix J), incorporates mitigation measures, as identified in the ecological assessment, including fish passage, to protect indigenous ecosystems and habitats in the coastal environment. **Objective 2, Policies 13 and 15 - Appropriate use and development** As identified above, no outstanding natural features, outstanding natural landscapes or areas with outstanding natural character have been identified in this coastal environment. Significant adverse effects have been avoided, and mitigation measures have been incorporated into the Project design to mitigate any potential adverse effects on natural character, natural features and landscapes. These measures will be expanded upon in the LURP. Marine Drive is a highly modified environment. The Project will enable Marine Drive to expand its transportation function to include a cycle and walkway, as well as build resilience into the existing road and underground infrastructure through the rebuilding and maintaining the seawalls. The Project will also significantly improve traffic safety along the existing road. Historical and cultural connections will be enhanced through the use of information boards along the Project length. Overall, the Project will promote the restoration and rehabilitation of the coastal environment and protect the relevant features from inappropriate development.
Policy 15	To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use and development: (a) avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and (b) avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment;	

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	including by: (c) identifying and assessing the natural features and natural landscapes of the coastal environment of the region or district, at minimum by land typing, soil characterisation and landscape characterisation and having regard to: (i) natural science factors, including geological, topographical, ecological and dynamic components; (ii) the presence of water including in seas, lakes, rivers and streams; (iii) legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes; (iv) aesthetic values including memorability and naturalness; (v) vegetation (native and exotic); (vi) transient values, including presence of wildlife or other values at certain times of the day or year; (vii) whether the values are shared and recognised; (viii) cultural and spiritual values for tangata whenua, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features; (ix) historical and heritage associations; and (x) wild or scenic values;	

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	(d) ensuring that regional policy statements, and plans, map or otherwise identify areas where the protection of natural features and natural landscapes requires objectives, policies and rules; and (e) including the objectives, policies and rules required by (d) in plans.	
Treaty of Waitangi		
Objective 3	To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by: • recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources; • promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act; and • incorporating mātauranga Māori into sustainable management practices; and • recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.	Objective 3 and Policy 2 emphasise the important role tangata whenua have in the management of the coastal environment. Some of the requirements of these provisions relate directly to the responsibilities of local authorities, but others are more directly applicable to this application. The Project achieves Objective 3 and Policy 2 for the reasons set out below. **Objective 3, Policy 2 – Take into account the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki, and provide for tangata whenua involvement in the management of the coastal environment** The post settlement governance entities that have an interest in and statutory acknowledgements from the Crown in relation to Wellington Harbour are the Port Nicholson Block Settlement Trust and Te Rūnanga o Ngāti Toa. The Wellington Tenths Trust and Te Atiawa ki te Upoko o te Ika a Maui Potiki Trust also have interests in the application. Mana Whenua have been consulted on an ongoing basis since the initial stages of the Project's development. As a result of this consultation, a Cultural Impact Report (CIA) was prepared by iwi to inform the resource consent application (Appendix H). The CIA documents Māori cultural values, interests and associations with an area, and the potential impacts of the Project and related activities, on these values. This has enabled prioritisation and understanding of issues of significance to Mana Whenua, such as access to the foreshore, to be translated into Project design and the development of measures to avoid, remedy or mitigate actual and potential adverse effects. This engagement will continue throughout the detailed design stage and implementation stage of the Project, as set out in the draft consent conditions.
Policy 2	In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment: (a) recognise that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations;	

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	(b) involve iwi authorities or hapū on behalf of tangata whenua in the preparation of regional policy statements, and plans, by undertaking effective consultation with tangata whenua; with such consultation to be early, meaningful, and as far as practicable in accordance with tikanga Māori; (c) with the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate mātauranga Māori1 in regional policy statements, in plans, and in the consideration of applications for resource consents, notices of requirement for designation and private plan changes; (d) provide opportunities in appropriate circumstances for Māori involvement in decision making, for example when a consent application or notice of requirement is dealing with cultural localities or issues of cultural significance, and Māori experts, including pūkenga2, may have knowledge not otherwise available; (e) take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū and lodged with the council, to the extent that its content has a bearing on resource management issues in the region or district; and (i) where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and	The Project provides opportunities for tangata whenua to exercise kaitiakitanga by involving the Port Nicholson Block Settlement Trust, Te Rūnanga o Ngāti Toa, and Te Atiawa ki te Upoko o te Ika a Maui Potiki Trust in the formulation of story boards and signage for the shared path. A draft condition has also been included to provide protocols for the accidental discovery of artefacts, taonga and kōiwi during construction. It is also noted that a number of parties have submitted applications under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA) for customary marine title and protected customary rights over the section of the Wellington Harbour within the Project area. Notifications occurred as prescribed by MACA to seek the views of the groups that have applied for recognition of customary marine title in the area about the Project. Appendix R sets out the notification documents. No Project specific feedback has been received from MACA applicants to date. The Project will have a no more than minor effect on intertidal and subtidal mahinga kai species within the Project footprint. It will have on subtidal mahinga kai species.

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	(ii) consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans; (f) provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as: (i) bringing cultural understanding to monitoring of natural resources; (ii) providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua; (iii) having regard to regulations, rules or bylaws relating to ensuring sustainability of fisheries resources such as taiāpure, mahinga mātaitai or other non-commercial Māori customary fishing; and (g) in consultation and collaboration with tangata whenua, working as far as practicable in accordance with tikanga Māori, and recognising that tangata whenua have the right to choose not to identify places or values of historic, cultural or spiritual significance or special value: (i) recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape and cultural impact assessments; and (ii) provide for the identification, assessment, protection and management of areas or sites of significance or special value to Māori, including by historic analysis and archaeological survey and the	

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	development of methods such as alert layers and predictive methodologies for identifying areas of high potential for undiscovered Māori heritage, for example coastal pā or fishing villages.	
Public access, open space and recreation		
Objective 4	To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by: • recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy; • maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and • recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland.	The Project achieves Objective 4 and Policies 18-20 for the reasons set out below. **Objective 4 and Policies 18-19 - Maintain and enhance public access, public open space qualities and public use and appreciation of the coastal environment** The Project will provide a safe and integrated walking and cycling facility to connect communities along Hutt City's Eastern Bays that will enhance public access, public open space qualities and public use and enjoyment of the coastal marine area, within and around Wellington Harbour and to the north and south of it (the Great Harbour Way/Te Aranui o Pōneke and the Remutaka Cycle Trail), and through to the Hutt Valley. *Public open space qualities* As outlined in the Transport Assessment (Appendix L), the Project is expected to enhance community cohesion, provide amenity benefits, transport choices and improve access to local facilities including public open space such as the beaches and Whiorau Reserve along the road corridor. As stated in the Landscape Report (Appendix D), the certified nature of the new seawall will have low adverse effects, with the potential for future positive effects through the development of the LUDP. *Public access and recreational benefits* The Project will enable the public to walk along the coast from Point Howard to Windy Point. This is expected to provide significant regional community recreational benefits, enhanced by the connectivity provided by ferry services at Days Bay. The key outcomes of the Project are to improve pedestrian and cyclist safety and to increase the number of users on the corridor.
Policy 18	Recognise the need for public open space within and adjacent to the coastal marine area, for public use and appreciation including active and passive recreation, and provide for such public open space, including by: (a) ensuring that the location and treatment of public open space is compatible with the natural character, natural features and	

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	landscapes, and amenity values of the coastal environment; (b) taking account of future need for public open space within and adjacent to the coastal marine area, including in and close to cities, towns and other settlements; (c) maintaining and enhancing walking access linkages between public open space areas in the coastal environment; (d) considering the likely impact of coastal processes and climate change so as not to compromise the ability of future generations to have access to public open space; and (e) recognising the important role that esplanade reserves and strips can have in contributing to meeting public open space needs.	Currently, pedestrians and cyclists connectedness and use along the Eastern Bays is low, due to few dedicated facilities and the tightly constrained nature of Marine Drive. For the most part, cyclists and pedestrians must use the road shoulder, which is very narrow or non-existent in sections. The Project will enhance public walking access along Marine Drive, and provide enhanced connections within the individual bays (for recreation and access), between different bays (to shops, schools, recreation, etc.), to and from Lower Hutt and beyond (to work, school or for recreation etc.), and to other regional walking or cycle routes. This enhanced connectivity will unlock significant social, economic and recreational benefits, including: • improved safety for pedestrians, cyclists and other road users; • recreation and tourism opportunities; and • positive benefits to health and wellbeing. An important aspect of the Project is that public walking access to the beach will be maintained, and in certain places, enhanced. Beach access accommodates beach users on foot and also boat or kayak. The connectivity between the shared path and the beach will be achieved through the careful placement and design of ramps and steps. Generally, the design provides a minimum of two access points per beach, and at some beaches there will be three access ways (i.e. Lowry Bay). Details of the design of these generic options are outlined in section 3.2 of the Design Features Report (Appendix J). Beach nourishment will mitigate effects associated with foreshore loss and maintain existing sea levels (and potentially enhance as will make more resistant to SLR in the short term). **Objective 4 and Policy 18 - Responding to coastal processes and climate change** In addition to increased connectivity, the Project will provide the first step in enabling the Marine Drive road corridor to respond to the challenges of climate change and sea level rise.
Policy 19	(1) Recognise the public expectation of and need for walking access to and along the coast that is practical, free of charge and safe for pedestrian use. (2) Maintain and enhance public walking access to, along and adjacent to the coastal marine area, including by: (a) identifying how information on where the public have walking access will be made publicly available; (b) avoiding, remedying or mitigating any loss of public walking access resulting from subdivision, use, or development; and (c) identifying opportunities to enhance or restore public walking access, for example where:	

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	(i) connections between existing public areas can be provided; or (ii) improving access would promote outdoor recreation; or (iii) physical access for people with disabilities is desirable; or (iv) the long-term availability of public access is threatened by erosion or sea level rise; or (v) access to areas or sites of historic or cultural significance is important; or (vi) subdivision, use, or development of land adjacent to the coastal marine area has reduced public access, or has the potential to do so. (3) Only impose a restriction on public walking access to, along or adjacent to the coastal marine area where such a restriction is necessary: (a) to protect threatened indigenous species; or (b) to protect dunes, estuaries and other sensitive natural areas or habitats; or` (c) to protect sites and activities of cultural value to Māori; or (d) to protect historic heritage; or (e) to protect public health or safety; or (f) to avoid or reduce conflict between public uses of the coastal marine area and its margins; or (g) for temporary activities or special events; or	The proposal includes replacement seawalls to provide improved protection from storm events for Marine Drive and other infrastructure contained within the Marine Drive road corridor. The replacement seawalls will reduce overtopping and debris on the road and develop a consistent seawall design that can be added to in the future. The shared path will sit on top of the new seawall. The new seawall and associated treatments will provide enhanced environmental outcomes compared to the existing walls. The construction and operation of the Project is expected to have negligible to minor effects on coastal physical processes, provided the detailed design is based on the principles outlined in the Design Features Report (Appendix J). The Project is not a long-term solution to the increasing level of coastal hazard exposure due to climate change. However, it includes design elements which will 'buy some time' for HCC to develop an iterative long-term management approach to for the Eastern Bays to adapt to climate change. The rebuilding of the seawall offers the opportunity to respond to the effects of climate change, and not only provides a more resilient structure to support the road, but also offers more public access to the beaches through carefully placed steps. The design of the curved walls with stepped levels also offer opportunities for easier access to beaches and rocky headlands. Sea level rise over time is also going to result in the loss of public walking access on parts of the beaches and over the headlands, meaning that Marine Drive and access along the road will be how the public will in some locations be able to walk along the coast. **Objective 4 and Policy 20 - Vehicle access** No new vehicle, boat or kayak access is proposed as part of the Project. Instead, the intent is to maintain existing boat ramps and, where practicable, improve their design to enable easier access for swimmers and the launching of paddle boards, kayaks and small boats. This will avoid the need for vehicles to use the beaches. Maximum boat ramp grades have been set at 1V:4H (instead of 1V:8H). Boat ramps are to be provided only in locations where the wall height is very low to minimise beach occupation (as a 1m high boat ramp would project 4m into the beach, further if the fall of the beach is taken into account). Boat ramps will be provided parallel to the seawall, rather than perpendicular to reduce further occupation of the

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	(h) for defence purposes in accordance with the Defence Act 1990; or (i) to ensure a level of security consistent with the purpose of a resource consent; or (j) in other exceptional circumstances sufficient to justify the restriction. (4) Before imposing any restriction under (3), consider and where practicable provide for alternative routes that are available to the public free of charge at all times.	beach. A corrugated texture will be added to the concrete surface to shed sea water and reduce slipperiness. Overall, a total of 16 beach access points are proposed, of which 3 are ramps which will be rebuilt in their existing location (Point Howard, York Bay and Mahina Bay). The existing boat ramps at Whiorau Reserve and Windy point will remain and no works are proposed.
Policy 20	(1) Control use of vehicles, apart from emergency vehicles, on beaches, foreshore, seabed and adjacent public land where: (a) damage to dune or other geological systems and processes; or (b) harm to ecological systems or to indigenous flora and fauna, for example marine mammal and bird habitats or breeding areas and shellfish beds; or (c) danger to other beach users; or (d) disturbance of the peaceful enjoyment of the beach environment; or (e) damage to historic heritage; or (f) damage to the habitats of fisheries resources of significance to customary, commercial or recreational users; or (g) damage to sites of significance to tangata whenua; might result.	

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	(2) Identify the locations where vehicular access is required for boat launching, or as the only practicable means of access to private property or public facilities, or for the operation of existing commercial activities, and make appropriate provision for such access. (3) Identify any areas where and times when recreational vehicular use on beaches, foreshore and seabed may be permitted, with or without restriction as to type of vehicle, without a likelihood of any of (1)(a) to (g) occurring.	
Natural hazards		
Objective 5	To ensure that coastal hazard risks taking account of climate change, are managed by: • locating new development away from areas prone to such risks; • considering responses, including managed retreat, for existing development in this situation; and • protecting or restoring natural defences to coastal hazards.	The Project achieves Objective 5 and Policies 24-27 for the following reasons. **Objective 5, Policy 24 - Identification of coastal hazard risks** Marine Drive is inherently vulnerable to coastal hazard risks. The road is prone to closures and/or reduced operation, due in part to wave overtopping because of the current state of coastal edge. The existing seawall has a residual life of less than 5 years in places, is vulnerable to failure and does not provide consistent, nor effective, storm mitigation. Over time sea levels will rise, aggravating the situation and affecting the resilience of the road and underground infrastructure. Sections 5.9 and 5.10 of the Coastal processes report (Appendix E) suggest that climate change, particularly sea-level rise, will have an increasing impact on the wider Eastern Bays region. The primary effects are identified as being increased frequency of wave overtopping events and coastal inundation on the low-lying Marine Drive foreshore, and eventually more direct coastal-flooding events, due to rising sea levels. Under Policy 24, coastal hazards including climate change effects are to be assessed over at least 100 years – 2120 for this Project. Assessments must take into account the national guidance and the best available information on the likely effects of climate change. The relevant assessment is included at section 3.2.4 of the Coastal Processes Report (Appendix E). In summary the report found that, while the Project is not a long term solution to the effects of climate change and sea level rise, it will "buy some
Policy 24	(1) Identify areas in the coastal environment that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected. Hazard risks, over at least 100 years, are to be assessed having regard to: (a) physical drivers and processes that cause coastal change including sea level rise; (b) short-term and long-term natural dynamic fluctuations of erosion and accretion;	

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	(c) geomorphological character; (d) the potential for inundation of the coastal environment, taking into account potential sources, inundation pathways and overland extent; (e) cumulative effects of sea level rise, storm surge and wave height under storm conditions; (f) influences that humans have had or are having on the coast; (g) the extent and permanence of built development; and (h) the effects of climate change on: (i) matters (a) to (g) above; (ii) storm frequency, intensity and surges; and (iii) coastal sediment dynamics; taking into account national guidance and the best available information on the likely effects of climate change on the region or district.	time" for HCC to develop a Dynamic Adaptive Planning Principles (DAPP) plan for the Eastern Bays area to adapt to climate change, and ongoing sea-level rise (over several centuries). **Objective 5, Policies 25-27 – Managing coastal hazard risks** The Project avoids increasing the risk of social, environmental and economic harm from coastal hazards and instead provides the first step in incremental upgrades to mitigate the effects of sea level rise and reduce the rate of overtopping onto Marine Drive. Natural defences have been incorporated into the design, wherever practicable, and a range of options have been considered to protect significant existing development from coastal hazards. Beach nourishment will, in the short-medium term, enhance natural defences and reduce coastal hazard risks. In the short-medium term, replacement of the existing seawall (hard infrastructure) is the only option that protects the only transport route and lifeline connections to/from the Eastern Bays. In particular, this includes the main sewer line for Hutt City's wastewater disposal. *The first step in incremental upgrades to mitigate the effects of sea level rise* The application recognises the ongoing processes of managing coastal values in the face of climate change and the SLR and related pressures faced by Greater Wellington Regional Council and HCC.
Policy 25	In areas potentially affected by coastal hazards over at least the next 100 years: (a) avoid increasing the risk of social, environmental and economic harm from coastal hazards; (b) avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards; (c) encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards, including managed retreat by relocation or removal of	The Project includes design elements, which meet the Dynamic Adaptive Planning Principles (DAPP) in the Ministry for the Environment's coastal hazard guidance for iterative long-term management. The rebuilding (and upgrading) of existing seawalls and the construction of new seawalls as part of the Project will provide the first step in incremental seawall upgrades or alternative adaptation options to respond to sea level rise and protect Marine Drive and related underground infrastructure along this section of the coast. Essentially, the Project will 'buy some time' to allow HCC to consider a long-term suite of planning pathways to adapt to the effects of ongoing sea-level rise and climate change along Marine Drive. The new or upgraded seawalls will reduce overtopping and debris on the road, provide a consistent seawall design which can be added to in the future and enhanced environmental outcomes compared to the existing walls.

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	existing structures or their abandonment in extreme circumstances, and designing for relocatability or recoverability from hazard events; (d) encourage the location of infrastructure away from areas of hazard risk where practicable; (e) discourage hard protection structures and promote the use of alternatives to them, including natural defences; and (f) consider the potential effects of tsunami and how to avoid or mitigate them.	*Reduction in the rate of overtopping onto Marine Drive* The construction of the Project is expected (in the short-medium term) to generally reduce the rate of overtopping and wave splash onto Marine Drive. This is due to the additional width of the Shared Path reducing the number of overtopping instances reaching the vehicle carriageways and a more effective deflection, dissipation and reflection of waves. The proposed seawall replacements will reduce the overtopping hazard for small to moderate storm events along all sections of the coast. However, for less-frequent extreme events there is unlikely to be any discernible change to the overtopping hazard as the low crest elevation, which will remain unchanged, governs the overtopping discharge. Detailed design at each section of the Shared Path will consider further design improvements to mitigate overtopping where possible. *Design of hard protection structures will minimise adverse effects* The Alternatives Assessment (Appendix G) identifies likely costs and benefits of a number of options, which would provide coastal hazard risk reduction during construction of the seawalls. Of these options, in situ concrete construction has been adopted for the Project, as it will provide greater adaptability during construction. This, and the construction techniques set out in the Construction and Environmental Management Plan (CEMP) will to enable any potential adverse effects associated with the construction of hard protection structures to be minimised, wherever practicable.
Policy 26	(1) Provide where appropriate for the protection, restoration or enhancement of natural defences that protect coastal land uses, or sites of significant biodiversity, cultural or historic heritage or geological value, from coastal hazards. (2) Recognise that such natural defences include beaches, estuaries, wetlands, intertidal areas, coastal vegetation, dunes and barrier islands.	
Policy 27	(1) In areas of significant existing development likely to be affected by coastal hazards, the range of options for reducing coastal hazard risk that should be assessed includes: (a) promoting and identifying long-term sustainable risk reduction approaches including the relocation or removal of existing development or structures at risk; (b) identifying the consequences of potential strategic options relative to the option of 'do-nothing';	

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	(c) recognising that hard protection structures may be the only practical means to protect existing infrastructure of national or regional importance, to sustain the potential of built physical resources to meet the reasonably foreseeable needs of future generations; (d) recognising and considering the environmental and social costs of permitting hard protection structures to protect private property; and (e) identifying and planning for transition mechanisms and timeframes for moving to more sustainable approaches. (2) In evaluating options under (1): (a) focus on approaches to risk management that reduce the need for hard protection structures and similar engineering interventions; (b) take into account the nature of the coastal hazard risk and how it might change over at least a 100-year timeframe, including the expected effects of climate change; and (c) evaluate the likely costs and benefits of any proposed coastal hazard risk reduction options. (3) Where hard protection structures are considered to be necessary, ensure that the form and location of any structures are designed to minimise adverse effects on the coastal environment. (4) Hard protection structures, where considered necessary to protect private assets, should not be located on public land if there is no significant public or environmental benefit in doing so.	

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Use and development		
Objective 6	To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that: • the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits; • some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities; • functionally some uses and developments can only be located on the coast or in the coastal marine area; • the coastal environment contains renewable energy resources of significant value; • the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities; • the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land; • the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and	The Project achieves Objective 6 and Policy 6 for the following reasons. **Objective 6 - Enabling people to provide for their social, economic and cultural wellbeing, and health and safety** The Project is expected to enhance community cohesion, provide amenity benefits, widen transport choices and improve access to the coast and to local facilities including public open space such as the beaches and Whiorau Reserve along the road corridor, thereby enabling people to provide for their social, economic and cultural wellbeing. The Project will also have key health and safety outcomes by improving pedestrian and cyclist safety. As outlined in the Transport Assessment (Appendix L), the Project will significantly improve traffic safety along Marine Drive, and rebuilding the seawalls will increase the resilience of the road and underground services. The Project will enable people and communities to provide for their social and economic wellbeing. The needs of the community have been considered, determining public infrastructure is required in this location, which in turn aids the recreational and economic growth of the Eastern Bays. The recreational benefits of the Shared Path have been assessed (refer to Appendix K) and have shown strong advantages associated with health (physical and mental) and wellbeing, tourism and environment. The benefits include connections through to the Hutt River Cycle Trail (and other trails), the Great Harbour Way/Te Aranui o Pōneke and the Remutaka Cycle Trail. Opportunities to enhance tourism as an outcome of the Project are also recognised. Public access will be provided and enhanced along the foreshore by locating the Project on the seaward side of Marine Drive, and by placing boat ramps and access steps at regular intervals in strategic locations at beaches and headlands. The shared path promotes a sustainable transport mode that supports a renewable source of energy.

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	• historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.	**Objective 6, Policy 6 - Provision of infrastructure** Policy 6 recognises the importance of the provision of infrastructure and that the rate at which public infrastructure should be enabled is related to the reasonably foreseeable needs as the population grows. Provision for future use of the path and as a result its width has been considered as outlined in the Transport Assessment (Appendix L). **Objective 6, Policy 6 - Functional need for the Project to be located in the coastal marine area** Policy 6, among other matters, outlines that activities that do not have a functional need to be located in the CMA, generally should not be located there. It also recognises that there are activities with a functional need to be in the CMA. There has been considerable discussion over time about what 'functional need' means. Ports, some aquaculture, wharves, and jetties are accepted by most to have a 'functional need' to be in the CMA. Marine Drive is located beside the CMA. While the Shared Path could, in theory, be located on the other side of Marine Drive, this option was rejected in the Alternative Assessment (Appendix G) as it was considered that this would have significant adverse effects on natural character (amongst other adverse effects). In the absence of any other viable option, it is considered that there is a functional need for the support structures and the Shared Path to be located in the CMA. It is noted that most sections of the Great Harbour Way/Te Aranui o Pōneke are located beside the coast. The Project provides for coastal recreation and public access, whilst recognising and responding to the need to locate the necessary structures related to the Shared Path in this location. A further driver is to improve the resilience of the road by upgrading the supporting seawalls. Marine Drive is classified as a "Primary Collector" under the One Network Road Classification (ONRC) with traffic volumes up to 8,000 vehicles per day. It is the only road access to the eastern bay suburbs and is therefore a key transport route in the region. The road is subject to closure in part due to wave overtopping as a result of the current state of coastal edge. There is a functional need to locate and operate the road (and underground utilities) in the coastal area in this location.
Policy 6	(1) In relation to the coastal environment: (a) recognise that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals are activities important to the social, economic and cultural well-being of people and communities; (b) consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment; (c) encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth; (d) recognise tangata whenua needs for papakāinga, marae and associated developments and make appropriate provision for them; (e) consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area; (f) consider where development that maintains the character of the existing built environment	

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	should be encouraged, and where development resulting in a change in character would be acceptable; (g) take into account the potential of renewable resources in the coastal environment, such as energy from wind, waves, currents and tides, to meet the reasonably foreseeable needs of future generations; (h) consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects; (i) set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; and (j) where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value. (2) Additionally, in relation to the coastal marine area: (a) recognise potential contributions to the social, economic and cultural wellbeing of people and communities from use and development of the coastal marine area, including the potential for renewable marine energy to contribute to meeting the energy needs of future generations:	**Objective 6, Policy 6 - Maintain the character of the existing built environment** As provided above, the Project is in keeping with a highly modified environmental, characterised by an existing seawall along most of Marine Drive. The Project has been assessed as having less than minor effects on natural character and visual impact through the application of design features and mitigation measures adopted into the LUDP and BSUDP. **Objective 6, Policy 6 - Set back** The protection of natural character, open space, public access and the amenity values of the coastal environment has been carefully considered through the assessment of alternatives. The extent of the Project in the CMA has been reduced as much as practicable, however given the physical and social/safety constraints on the landward side of Marine Drive, widening of the shared path to meet acceptable standards means that it will need to be into the CMA in places. The Project achieves these outcomes by enabling the widening of the legal road (infrastructure), without compromising other values of the coastal environment. Integrated decision-making has involved inputs from different public agencies along with Mana Whenua and has resulted in the integrated development of a Project that is a traffic safety solution, and an integrated environmental solution, and delivers significant social and environmental benefits. The need for and the benefits of the Project are set out in the Executive Summary and sections 1 and 23 of the AEE. **Objective 6, Policy 6 - Sites of indigenous biodiversity and historic heritage** Sites of significant indigenous biological diversity, or historic heritage value will be avoided. An example of this is Lowry Bay where the shared path has been designed to by-pass Skerrett Boatshed without affecting it; the path and seawalls also avoid subtidal zones and seagrasses in Lowry Bay. Although the proposed seawall will often replace or cover existing seaside protection which has previously been constructed, there may be places where the excavation may expose cultural materials such as shell middens, burned stone and perhaps even objects. It is not possible to accurately identify such areas and, on current information, an archaeological authority is not required for the Project. The inclusion of an accidental discovery protocol is a condition of this application.

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	(b) recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area; (c) recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places; (d) recognise that activities that do not have a functional need for location in the coastal marine area generally should not be located there; and (e) promote the efficient use of occupied space, including by: (i) requiring that structures be made available for public or multiple use wherever reasonable and practicable; (ii) requiring the removal of any abandoned or redundant structure that has no heritage, amenity or reuse value; and (iii) considering whether consent conditions should be applied to ensure that space occupied for an activity is used for that purpose effectively and without unreasonable delay.	
Precautionary approach		
Policy 3	(1) Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse. (2) In particular, adopt a precautionary approach to use and management of coastal resources	The Project achieves Policy 3. Project effects are well understood. The existing seawall has already heavily modified the coastal environment. Its replacement is an opportunity to provide some enhancement. None of the potential effects of the Project are considered to be significant. **Policy 3 – Precautionary approach taken to managing climate change and the effects of sea-level rise**

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	potentially vulnerable to effects from climate change, so that: (a) avoidable social and economic loss and harm to communities does not occur; (b) natural adjustments for coastal processes, natural defences, ecosystems, habitat and species are allowed to occur; and (c) the natural character, public access, amenity and other values of the coastal environment meet the needs of future generations.	As stated above, the Project provides the first step in incremental seawall upgrades or alternative adaptation options to respond to sea-level rise and protect Marine Drive and related underground infrastructure along this section of the coast. Marine Drive provides the only road access to the Eastern Bay suburbs and is therefore a key transport route for the region. Key infrastructure services including the main outfall sewer pipeline (MOP) are located within the road corridor. The MOP is regionally significant infrastructure, and along with the road access and other services are important lifeline utilities for the wider community. The rebuilding of the seawall offers the opportunity to respond to the effects of climate change. The construction and operation of the Project will have a minor effect on coastal physical processes, provided that the detailed design is based on the principles outlined in the Design Features Report (Appendix J). Marine Drive is a highly modified environment. The Project enables Marine Drive to expand its function to include a cycle and walkway. The path is expected to enhance community cohesion, provide amenity benefits, transport choices and improve access to local facilities including public open space such as the beaches and Whiorau Reserve along the road corridor.
Integrated management		
Policy 4	Provide for the integrated management of natural and physical resources in the coastal environment, and activities that affect the coastal environment. This requires: (a) co-ordinated management or control of activities within the coastal environment, and which could cross administrative boundaries, particularly: (i) the local authority boundary between the coastal marine area and land; (ii) local authority boundaries within the coastal environment, both within the coastal marine area and on land; and	The Project achieves Policy 4 – providing for the integrated management of natural and physical resources in the coastal environment, and activities that affect the coastal environment. **Policy 4 – Co-ordinated management of the application** The Greater Wellington Regional Council (GWRC) has responsibilities within the CMA as set out in the RMA, including controlling of the use of land comprising the seabed and associated natural and physical resources including the water column and the airspace above the seabed. The Hutt City Council (HCC) has responsibilities with respect to the use and development of the land including Marine Drive and the road reserves. The application seeks consents from both of these councils. All activities proposed to be undertaken as part of the Project have been carefully considered and where practicable integrated and managed.

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	(iii) where hapū or iwi boundaries or rohe cross local authority boundaries; (b) working collaboratively with other bodies and agencies with responsibilities and functions relevant to resource management, such as where land or waters are held or managed for conservation purposes; and (c) particular consideration of situations where: (i) subdivision, use, or development and its effects above or below the line of mean high water springs will require, or is likely to result in, associated use or development that crosses the line of mean high water springs; or (ii) public use and enjoyment of public space in the coastal environment is affected, or is likely to be affected; or (iii) development or land management practices may be affected by physical changes to the coastal environment or potential inundation from coastal hazards, including as a result of climate change; or (iv) land use activities affect, or are likely to affect, water quality in the coastal environment and marine ecosystems through increasing sedimentation; or (v) significant adverse cumulative effects are occurring, or can be anticipated.	The intention is to have a join hearing to ensure that an integrated approach is taken to the consideration of issues. **Policy 4 – Working collaboratively** The Project recognises the ongoing processes of managing coastal values in the face of climate change and SLR and related pressures faced by GWRC and HCC and will provide the first step in incremental upgrades that will assist in providing protection to the road (and underground services). This will 'buy some time' to allow Councils to consider a long-term suite of planning pathways to adapt to the effects of ongoing sea-level rise and climate change along Marine Drive. Collaboration and input from GWRC, HCC, mana whenua, the community and DOC has influenced the Project design and specific consultation and workshops have been undertaken with GWRC and HCC to ensure responsibilities and functions are appropriately managed. **Policy 4(c) - Fine sediment generation** The application recognises the potential for higher than existing levels of suspended sediment concentration (SSC) to be generated by the reworking of sediments within the coastal zone by the change to nearshore hydrodynamics (waves and currents) from the replacement seawalls (i.e. higher winnowing rates and discharge of fine sediments from within existing beach deposits), and from the introduction of beach nourishment at three beaches. The sediment reworking will primarily occur during combination high tides and wave events, and is part of the development of a new equilibrium beach composition and beach profile which will occur in the medium term (months to years). The long-term scale of sediment redistribution arising from the Project negates the potential for excessive sediment discharges, with long-term suspended sediment concentrations expected to remain within natural background levels which are highest during Hutt River floods and storm wind/wave events. Additionally, suspended sediments arising from the Project (until a new equilibrium is reached) during storms will occur simultaneously with the naturally elevated levels during storm wind/wave events. Along the Eastern Bays this is a negligible effect and is proportional to the expected natural suspended sediment concentrations which evolve over the medium-term timeframe. The reworking of beach sediments by the change to nearshore hydrodynamics and by introducing beach nourishment will have a negligible effect on sedimentation

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		rates or suspended sediment concentrations within each bay and the wider Wellington Harbour. Mitigation measures are proposed as part of the application. Details on sediment control are included in section 4.2.4 of the Construction Methodology Report contained in Appendix J. **Policy 4(c) – Contamination** The greatest risk of construction is the release of cementitious products during any in situ casting of the concrete seawalls. Concrete or cementitious (mortar, grout, plaster, stucco, cement, slurry) washout wastewater is caustic and considered to be corrosive and can have detrimental effects on aquatic biota. The release of untreated cement-contaminated water into the intertidal zone of the construction sites could locally alter pH and cause detrimental effects on the local ecosystem, particularly if it is concentrated in intertidal areas (i.e. tide pools, etc) during low tide. The use of applying concrete and cementitious mixtures in situ around aquatic environments requires a dry working space and the ex-situ treatment of water contaminated with any concrete product/slurry to lower pH to a suitable pH for the receiving environment prior to discharge or disposal off site. If dewatering is carried out on or near a site which has an historic legacy of contamination then these hydraulic gradients may cause the existing contamination to move and migrate toward the dewatering system. The Sunshine Bay Garage is a potentially contaminated site. If the contaminated area is very close to the dewatering system then contaminated water may emerge in the pumped water, requiring water treatment before it can be discharged. Potential effects on human health and the environment may also occur if contaminated land is disturbed and/or used during the construction of the Project in the vicinity of the Sunshine Bay Garage. Through the design of the Project, adverse cumulative effects were identified and avoided. Mitigation measures are included in section 4.2.4 of the Construction Methodology Report (Appendix J) which helps to reduce potential adverse cumulative effects.
Land or waters managed or held under other Acts		
Policy 5	(1) Consider effects on land or waters in the coastal environment held or managed under:	The Project achieves Policy 5.

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	(a) the Conservation Act 1987 and any Act listed in the 1st Schedule to that Act; or (b) other Acts for conservation or protection purposes; and, having regard to the purposes for which the land or waters are held or managed: (c) avoid adverse effects of activities that are significant in relation to those purposes; and (d) otherwise avoid, remedy or mitigate adverse effects of activities in relation to those purposes. (2) Have regard to publicly notified proposals for statutory protection of land or waters in the coastal environment and the adverse effects of activities on the purposes of that proposed statutory protection.	**Policy 5(1) – No land held under other Acts** The Marine and Coastal Area (Takutai Moana) Act 2011 applies, which is discussed in Section 25.2 of the AEE. **Policy 5(2) – Have regard to publicly notified proposals for statutory protection** There are no proposals for statutory environmental protection. As stated above, a number of parties have submitted applications under MACA for customary marine title and protected customary rights over the section of the Wellington Harbour within the Project area. Notifications occurred as prescribed by MACA to seek the views of the groups that have applied for recognition of customary marine title in the area about the Project. Appendix R sets out the notification documents. No Project specific feedback has been received from MACA applicants to date. It is important to note that the resource consent application will be publicly notified, to ensure full public participation.
Reclamation		
Policy 10	(1) Avoid reclamation of land in the coastal marine area, unless: (a) land outside the coastal marine area is not available for the proposed activity; (b) the activity which requires reclamation can only occur in or adjacent to the coastal marine area; (c) there are no practicable alternative methods of providing the activity; and (d) the reclamation will provide significant regional or national benefit.	The Project achieves Policy 10, which sets out considerations relevant to the reclamation of land in the CMA. **Policy 10(1) – Avoid reclamation unless specific exceptions apply** Policy 10(1) sets the direction to generally avoid reclamation in the CMA, unless the specific exceptions in Policy 10(1)(a)-(d) apply. The Project meets all four of these exceptions, for the reasons set out below. *Policy 10(1)(a) – No available land outside the CMA* Throughout the development of the Project, alternatives and options associated with the design were investigated and recorded. The Alternative Assessment (Appendix G) sets out a full analysis of the various options and alternatives that have been considered and assessed throughout the development of the Project. Given the geography and terrain in the Eastern Bays area and the lack of alternative transport

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	(2) Where a reclamation is considered to be a suitable use of the coastal marine area, in considering its form and design have particular regard to: (a) the potential effects on the site of climate change, including sea level rise, over no less than 100 years; (b) the shape of the reclamation and, where appropriate, whether the materials used are visually and aesthetically compatible with the adjoining coast; (c) the use of materials in the reclamation, including avoiding the use of contaminated materials that could significantly adversely affect water quality, aquatic ecosystems and indigenous biodiversity in the coastal marine area; (d) providing public access, including providing access to and along the coastal marine area at high tide where practicable, unless a restriction on public access is appropriate as provided for in Policy 19; (e) the ability to remedy or mitigate adverse effects on the coastal environment; (f) whether the proposed activity will affect cultural landscapes and sites of significance to tangata whenua; and (g) the ability to avoid consequential erosion and accretion, and other natural hazards. (3) In considering proposed reclamations, have particular regard to the extent to which the reclamation and intended purpose would provide for the efficient operation of infrastructure, including ports, airports, coastal roads, pipelines,	and utility (lifeline) routes, the focus has been on alignments along the existing Marine Drive corridor. A key outcome of the early stages of the alternatives assessments was identifying that, due to the narrow corridor and existing development on the landward side, limited land is available along Marine Drive that is suitable for road widening to accommodate the Project. Further investigations into landward side options that would avoid reclamation in the CMA, identified the following issues: • Earthworks cuttings: Any widening on the landward side would require major earthworks and cuts (of approximately 2800m^2), especially on the headlands, which would result in significant effects to the environment. • Car and cycle/pedestrian conflicts: A shared path on the landward side of Marine Drive will both reduce visibility during egress and access of properties and connectivity to the coast while directing people to pass across all the street and property exits onto Marine Drive. Potentially the shared path could cross from inland to coastal options but this would also increase traffic and cycle/pedestrian conflicts. • Land acquisition: Much of the landward side of Marine Drive is lined with residences and any road widening inland would bring the road closer to houses resulting in increased amenity effects. It would also require considerable property purchase (over 80 property parcels). Based on these issues and constraints, full landward and partial landward/seaward options were rejected. Given that no land outside the CMA is available to accommodate the Project, the only feasible option has been to widen the road on the seaward side within the CMA. The seaward side option will have the following benefits: • Avoid major earthworks and cuts along large sections of the landward side of the road. • Avoid adverse effects to properties and dwellings on the landward side of the road. • Enhance safety by reducing car and cycle/pedestrian conflicts.

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	electricity transmission, railways and ferry terminals, and of marinas and electricity generation. (4) De-reclamation of redundant reclaimed land is encouraged where it would: (a) restore the natural character and resources of the coastal marine area; and (b) provide for more public open space.	• Enhance the connection to the coast and recreational benefits. Many areas have existing very poor access, especially at high tide. A coastal option enables public access to be enhanced. It also fits with the Great Harbour Way/Te Aranui o Pōneke which, apart from the section past the port, is designed to follow the coast. • Integrate with coastal hazard protection and climate change. A coastal location enables the efficient use of natural and physical resources by providing the shared path on an enhanced, consistent and fit-for-purpose seawall option, thereby reducing road closures and increasing the resilience of Marine Drive and the underground services. • Enhance environmental outcomes through providing a modern seawall and treatment options that respond to environmental effects such as fish passage, natural character, etc. • Be affordable, and provide significant regional and national benefits. *Policy 10(1)(b) – Activity requiring reclamation can only occur in or adjacent to the CMA* Given the physical constraints outlined above and inability to use the landward side of Marine Drive, the Project and associated activities requiring reclamation can only be undertaken in or adjacent to the CMA. *Policy 10(1)(c) – No practicable alternative methods of providing the activity* The Alternatives Assessment (Appendix G) concludes that there are no practicable alternative methods for providing the activities required for the Project, and that widening the CMA "is the only practicable option". This option has also been identified by iwi and the community to be the preferred option as it enables delivery of wider benefits associated with the shared path resulting in a safe transport corridor. *Policy 10(1)(d) – The reclamation will provide significant regional or national benefit* The Project, and the associated reclamation, will provide significant regional and national benefits. The reclamation will provide for a safe and integrated walking and cycling facility to connect communities along Hutt City's Eastern Bays, and to provide links to other parts of the network for recreation and tourism purposes.

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		The Project has been identified in Council planning documents and the National Land Transport Programme 2018-21 as a significant asset that will provide enhanced regional connections: • within the individual bays (for recreation and access); • between the different bays (to shops, schools, recreation etc.); and • to and from Lower Hutt and beyond (to work, school or for recreation etc.). In addition, the Project will connect the Eastern Bays to other regional and nationally significant cycle routes including the Great Harbour Way/Te Aranui o Pōneke walking cycling route and the Remutaka Cycle Trail (one of New Zealand's Great Rides). This is likely to have significant economic and tourism benefits, at both a regional and national scale. Overall the Project will enhance modal choices (walking and cycling), and enable greater public recreational use of and access to the Eastern Bays. Enhanced public access to and along the CMA would not be achieved effectively without using a reclamation solution. In addition, by securing the lifeline links for the Eastern Bays in the short-medium term, and in securing the Hutt sewer outfall pipeline, the Project provides significant regional resilience benefits from coastal erosion and SLR. **Policy 10(2) - have particular regard to form and design** In considering the form and design of the reclamation required for the Project, particular regard has been had to the matters outlined in Policy 10(2), as follows: *Policy 10(2)(a) – Potential effects of climate change* • The Coastal Processes Report (Appendix E) identifies that climate change will have unavoidable effects on the wider Eastern Bays area. The principal effect of climate change on the Project is that the rising sea levels will increase in the frequency of high-water events, leading to an increased frequency of wave overtopping and coastal inundation on parts of the low-lying Marine Drive foreshore. Marine Drive is currently vulnerable to closure and/or reduced operation due to wave overtopping and the vulnerability of the existing seawalls. • The reclamation has been designed to accommodate sea level rise through an iterative design process that addresses coastal erosion. The design will

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		provide the first step in incremental seawall upgrades or alternative adaptation options to respond to the potential effects of climate change and sea level rise to protect Marine Drive and related underground infrastructure along this section of the coast. Design options have been selected to allow for upgrade potential following Dynamic Adaptive Planning Principles (DAPP) of iterative long-term management of over 100 years. • The seawall options selected will reduce wave run-up onto Marine Drive and reflect energy back out to sea. Beach nourishment will also buy some time in relation to SLR reliability in beach loss, and reduce SLR effects in the short-medium term. *Policy 10(2)(b) – Shape of the reclamation and use of visually and aesthetically compatible materials* • The shape of the reclamation will be naturalised by following the existing coastal edge. The vertical structure will minimise encroachment onto the foreshore and create a consistent design. Materials used will be visually and aesthetically compatible with the adjoining coastline. This will be a benefit compared to the existing ad hoc seawall and coastal defences. *Policy 10(2)(c) – Use of materials, avoiding adverse effects* • The materials and related construction techniques used in the reclamation have been selected to provide greater adaptability. This includes the use of in situ concrete construction. Contaminated materials that could significantly affect water quality, aquatic systems and indigenous biodiversity in the CMA will be avoided. Further mitigation measures will be provided in the CEMP. *Policy 10(2)(d) – Public access* • Public access will be maintained during construction and only restricted temporarily and in accordance with Policy 19(3). Overall, the Project will enhance public access to the CMA (see above). *Policy 10(2)(e) – Ability to avoid, remedy or mitigate adverse effects* • The reclamation enables outcomes that avoid, remedy or mitigate adverse effects on the coastal environment. A suite of technical assessments have identified a series of mitigation measures to remedy or mitigate adverse effects. They include (amongst others) the introduction of beach nourishment, textured concrete seawalls, sediment controls, beach

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Reference	**Relevant objective/policy**	**Assessment**
		monitoring, many of these measure are contained in the draft conditions (Appendix R). These are all benefits compared to the existing environment. *Policy 10(2)(f) – Cultural landscapes and sites of significance to tangata whenua* • Wellington Harbour is significant to tangata whenua. The reclamation has been assessed as having minor effects on cultural landscapes and sites of significance to tangata whenua. An archaeological discovery protocol has been included in the CEMP to ensure the protection of any archaeological sites that may be discovered during construction. Mana whenua will work with the Project team to develop signage and storyboards along the shared path which will have positive effects. *Policy 10(2)(g) – Ability to avoid consequential erosion and accretion, and other natural hazards* • The existing coastal processes environment is highly modified. • The Coastal Processes Report (Appendix E) provides that there is no clear long-term trend of erosion or accretion in the embayments of the Project area, demonstrating that the sediment volume within each bay remains nearly stable in the long term and the embayments effectively function as isolated sediment compartments. However, some input of gravel and sand from southern shores is anticipated to the southern-most beach of the Project (Days Bay and south), but the future volumes are not expected to be substantial due to dwindling supply of sediment from south of Pencarrow Head and reduced wave energy within the harbour. The Project will have negligible effects on these processes. • The proximity of the Project to active faults, expanse of soft seabed sediments and geological history of large seismic events have required the fill/reclamation structures be designed carefully in order to maintain serviceability access following a seismic event, whilst avoiding, remedying or mitigating any potential effects on the receiving environment. **Policy 10(3) – Providing for the efficient operation of infrastructure** Particular regard has been given to the extent to which the reclamation and intended purpose would provide for the efficient operation of infrastructure in the development of the Project.

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Reference	**Relevant objective/policy**	**Assessment**
		In particular, the reclamation will provide for the efficient operation of council infrastructure, including a coastal road, underground services, including the sewer outfall pipe, walking and cycling facilities. The Project will also provide access to the ferry terminal at Days Bay, unlocking wider infrastructure connections. **Policy 10(4) – De-reclamation of redundant and reclaimed land encouraged** Redundant concrete blocks previously used along the coastline to protect the road against coastal erosion will be removed as part of the Project. Existing seawalls will be de-reclaimed as part of the Project and replaced with new structures. There will be a small increase in the CMA at some locations.
Biodiversity		
Policy 11	To protect indigenous biological diversity in the coastal environment: (a) avoid adverse effects of activities on: (i) indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists; (ii) taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened; (iii) indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare; (iv) habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare; (v) areas containing nationally significant examples of indigenous community types; (vi) areas set aside for full or partial protection of indigenous biological diversity under other legislation; and	Policy 11 provides direction on protecting indigenous biological diversity and in particular, seeks to identify and avoid adverse effects on rare and threatened species. The Project achieves Policy 11, for the reasons set out below. The Intertidal Ecology (Appendix A) and Avifauna and Vegetation Assessment (Appendix C) were commissioned to address the policy direction in Policy 11. The assessments identify, firstly, whether there is, or is likely to be, rare or threatened species present within the Project area, and then, methods to avoid or where avoidance is not possible, mitigate adverse effects on indigenous biological diversity. **Policy 11 – Protection of indigenous biological diversity (intertidal ecology)** The Project avoids all subtidal areas identified as scheduled areas in the PNRP. By working through a number of bay specific options, the Project will be located above the low tide level. The Intertidal Ecology Assessment (Appendix A) found that much of the shoreline in the intertidal zone did not support a high diversity or density of biota within the scope of Policy 11(a) or (b). In addition, the Project will have positive effects including the enhancement of intertidal habitat by creating a textured concrete surface on the new seawalls. The proposed curved seawalls provide an improved habitat compared to the existing smooth angled concrete seawalls. **Policy 11 – Protection of indigenous biological diversity (avifauna and vegetation)** *Indigenous vegetation*

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Reference	**Relevant objective/policy**	**Assessment**
	(b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on: (i) areas of predominantly indigenous vegetation in the coastal environment; (ii) habitats in the coastal environment that are important during the vulnerable life stages of indigenous species; (iii) indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh; (iv) habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes; (v) habitats, including areas and routes, important to migratory species; and (vi) ecological corridors, and areas important for linking or maintaining biological values identified under this policy.	The Avifauna and Vegetation Assessment (Appendix C) identified the presence of three At Risk – Declining plant species (seagrass, pīngo – planted, and Veronica speciose – planted) and possibly a fourth (Melicytus orarius), and with the gravel beaches (endangered naturally uncommon ecosystem). Some of these ecosystems and species are located in the Project footprint or margin. To protect and mitigate the effects on these indigenous ecosystems and habitats, the assessment recommends translocating the patches and their gravel and sand habitat immediately seaward of the Project footprint, or to existing dune restoration sites at Days Bay or Muritai Beach that that will be more durable to sea-level rise. In addition, the Project design avoids seagrass at Lowry Bay. *Indigenous bird species* The Project area has been assessed in the Avifauna and Vegetation Assessment (Appendix C) as having very high value for avifauna and their habitat. The Project area and zone of influence provide seasonal or core habitat for one Nationally Endangered indigenous bird species (reef heron, in low and declining numbers) and one Nationally Vulnerable species (Caspian tern in low numbers). Nine At Risk species are present: fluttering shearwater (Relict); giant petrel, pied shag and variable oystercatcher (Recovering); black shag and little black shag (Naturally Uncommon); and red-billed gull, NZ Little penguin and white-fronted tern (Declining). The assessment recommends design solutions to mitigate effects on birds and identifies specific recommendations for protecting avifauna species, including the scheduling of certain activities outside bird breeding season and setting distance limits for construction activities close to nesting birds such as penguins where there are known nesting sites. The assessment also recommends that a LPMP be prepared as part of the CEMP. Although the level of potential adverse effect of habitat loss on coastal avifauna is assessed as moderate to high over decades. It is noted that effects will reduce over longer time spans due to increasing sea-level rise.]

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Reference	**Relevant objective/policy**	**Assessment**
		Little penguins There are parts of the Project area that are used by Little penguins for access, nesting and molting and are of high ecological value as stated in the Avifauna and Vegetation Assessment (Appendix C). Construction effects on the penguin include noise, disturbance or destruction of nests, molting of other occupational sites, and blocking penguins access. These effects cannot be avoided but can be mitigated through stormwater drains, access steps and ramps, and revetment design for penguin access. Timing of works is also important to avoid breeding season, unless surveyed and non-present. Methods to avoid effects on rare and threatened species have included design refinements to avoid and reduce any impact on sensitive areas such as feeding, breeding or nesting areas, and mitigation measures where areas could not be avoided to manage the temporary construction effects on natural habitats. Measures include penguin management plans and sediment controls. The overall effects of the Project on avifauna, taking into account the mitigation measures, are less than minor for coastal birds and less than minor for Little Penguins. There are opportunities to enhance penguin habitat by establishing a local population recovery site at Claphams Rock, within the project area. **Policy 11 – Avoiding adverse effects on indigenous biological diversity (avifauna and vegetation)** Significant adverse effects will be avoided. The Avifauna and Vegetation Assessment (Appendix C) found that there will be some adverse effects on rare and threatened species (within the scope of Policy 11(a)) that cannot be completely avoided (including disruption to some bird species, loss of intertidal foraging habitat due to the reclamation and possible loss of sensitive off shore marine habitats). Despite this, the assessment found that there will only be a negligible impact on total bird populations and on species as a whole. Similarly, given the location and limited nature of the works the majority of off-shore marine habitats in the Wellington Harbour will be unaffected by the construction of the Project. Measures have been put in place to avoid, remedy or mitigate other adverse effects. These measures are detailed above, as well as in the draft conditions, CEMP, LURP and PMP.

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Reference	**Relevant objective/policy**	**Assessment**
Historic heritage		
Policy 17	Protect historic heritage in the coastal environment from inappropriate subdivision, use, and development by: (a) identification, assessment and recording of historic heritage, including archaeological sites; (b) providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki; (c) initiating assessment and management of historic heritage in the context of historic landscapes; (d) recognising that heritage to be protected may need conservation; (e) facilitating and integrating management of historic heritage that spans the line of mean high water springs; (f) including policies, rules and other methods relating to (a) to (e) above in regional policy statements, and plans; (g) imposing or reviewing conditions on resource consents and designations, including for the continuation of activities; (h) requiring, where practicable, conservation conditions; and (i) considering provision for methods that would enhance owners' opportunities for conservation of listed heritage structures, such as relief grants or rates relief.	The Project achieves Policy 17 for the reasons set out below. **Protecting recorded historic heritage from inappropriate use or development** The Skerrett Boatshed (1906) at Lowry/Whiorau Bay is a listed Historic building in the HCC District Plan. All works undertaken in close proximity to the boatshed will be undertaken so as to avoid any potential adverse effects on the boatshed. The Shared Path itself has been narrowed to avoid the building and no works will be undertaken on the boatshed itself. **Providing for the integrated management and protection of archaeological sites** As provided above, Mana Whenua have been consulted on an ongoing basis since the initial stages of the Project's development and have prepared a CIA (Appendix H) which documents Māori cultural values, interests and associations with an area, and the potential impacts of the Project and related activities, on these values. This involvement has enabled the prioritisation and understanding of issues of significance to Mana Whenua, such as access to the foreshore, to be translated into Project design and the development of measures to avoid, remedy or mitigate actual and potential adverse effects. Although the proposed seawall will often replace or cover existing seaside protection which has previously been constructed, there will be places where the excavation may expose cultural materials such as shell middens, burned stone and perhaps even objects which have arisen in this coastline from time to time. However, as it is not possible to accurately identify such areas as they are unknown, archaeological authorities are not required at this stage. In order to provide for the protection of any archaeological sites uncovered during construction, a draft condition has been included at Appendix L that sets out protocols for the accidental discovery of artefacts, taonga and kōiwi.

New Zealand Coastal Policy Statement		
Reference	**Relevant objective/policy**	**Assessment**
Water quality		
Policy 21	Where the quality of water in the coastal environment has deteriorated so that it is having a significant adverse effect on ecosystems, natural habitats, or water based recreational activities, or is restricting existing uses, such as aquaculture, shellfish gathering, and cultural activities, give priority to improving that quality by: (a) identifying such areas of coastal water and water bodies and including them in plans; (b) including provisions in plans to address improving water quality in the areas identified above; (c) where practicable, restoring water quality to at least a state that can support such activities and ecosystems and natural habitats; (d) requiring that stock are excluded from the coastal marine area, adjoining intertidal areas and other water bodies and riparian margins in the coastal environment, within a prescribed time frame; and (e) engaging with tangata whenua to identify areas of coastal waters where they have particular interest, for example in cultural sites, wāhi tapu, other taonga, and values such as mauri, and remedying, or, where remediation is not practicable, mitigating adverse effects on these areas and values.	Policy 21 is not relevant to the Project. The quality of water in the coastal environment has not been assessed as having deteriorated such that it us having a significant adverse effect on ecosystems, natural habitats, or water based recreational activities, or is restricting existing uses.
Policy 22	(1) Assess and monitor sedimentation levels and impacts on the coastal environment.	The Project achieves Policy 22 for the reasons set out below.

New Zealand Coastal Policy Statement		
Reference	**Relevant objective/policy**	**Assessment**
	(2) Require that subdivision, use, or development will not result in a significant increase in sedimentation in the coastal marine area, or other coastal water. (3) Control the impacts of vegetation removal on sedimentation including the impacts of harvesting plantation forestry. (4) Reduce sediment loadings in runoff and in stormwater systems through controls on land use activities.	Policy 22 requires that use and development will not result in a significant increase in sedimentation levels and impacts in the CMA. Sedimentation has been addressed in the AEE, Coastal Processes Report (Appendix E) and the Design Features and Construction Methodology Report (Appendix J). Sedimentation levels and any resulting impacts on the coastal environment will be assessed and monitored throughout the construction of the Project in accordance with the conditions of consent. Although the construction of the seawall is likely to result in increased sedimentation, this will be temporary and limited. The resulting turbidity is expected to be no more than that occurring during storm conditions when wave action creates natural sediment and sediment movement. The reworking of beach sediments is expected to have a negligible effect on sedimentation rates or suspended sediment concentrations within each bay and the wider Wellington Harbour. Any potential effects of sedimentation will be mitigated through detailed design and construction methodology, which is contained within the Design Features Report (Appendix J) and the sediment control measures included as conditions of consent, including the use of silt fences, curtains and bunds.
Policy 23	(1) In managing discharges to water in the coastal environment, have particular regard to: (a) the sensitivity of the receiving environment; (b) the nature of the contaminants to be discharged, the particular concentration of contaminants needed to achieve the required water quality in the receiving environment, and the risks if that concentration of contaminants is exceeded; (c) the capacity of the receiving environment to assimilate the contaminants, and: (d) avoid significant adverse effects on ecosystems and habitats after reasonable mixing;	The Project achieves Policy 23(1) for the reasons set out below. Policy 23(2)-(5) are not relevant to the application. **Policy 23(1) – Managing discharges to water in the coastal environment** Policy 23(1) requires that, in managing discharges to water in the coastal environment, particular regard be had to the sensitivity of the receiving environment and the capacity of the receiving environment to assimilate the contaminants. These factors have been assessed in the Coastal Processes Report (Appendix E). *Cement in situ* The pouring of cement in situ to construct the seawalls has the potential to discharge contaminants and associated fine materials into the CMA. In order to avoid significant adverse effects on ecosystems and habitats after reasonable mixing, cement will be poured during low tide in dry conditions and a fast drying additive will be used to ensure that the cement can harden in time. If it is not possible to undertake the works in dry conditions, then the work site will be shored, and the contaminated water contained and pumped to a treatment structure

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	(e) use the smallest mixing zone necessary to achieve the required water quality in the receiving environment, and (f) minimise adverse effects on the life-supporting capacity of water within a mixing zone.	(container) where the water can be treated to get the pH to a level suitable for the local receiving environment. Alternatively, if quantities are limited, untreated water will be pumped into the wastewater network. These measures, contained in the Design Features Report (Appendix J), will ensure that the smallest mixing zone necessary is used and that any adverse effects on the life-supporting capacity of water are minimised. These measures were used in the rebuild of part of the York Bay seawall and were proven to be effective. *Sediment discharge* As set out above, the long-term suspended sediment concentrations arising from the Project are expected to remain within natural background levels, which are highest during Hutt River floods and storm wind/wave events. This will result in negligible effects on sedimentation rates or suspended sediment concentrations within each bay and the wider Wellington Harbour. Again, sediment controls were effective during the rebuild of part of the York Bay seawall. *Beach nourishment* Section 6.2 of the Beach Nourishment Report (Appendix F) discusses the anticipated movement of placed sediment. The potential risk of the generation of suspended sediments clouds that might add to the existing turbidity within the nearshore area can be mitigated through the measures proposed within the Report, resulting in the risk of turbidity in excess of the ambient turbidity that may be experienced during wave conditions to be considered low. The Report identifies that the main area potentially at risk is within Lowry Bay, where seagrass beds are in close proximity to the toe of the existing beach. The measures described above should be sufficient to limit the risk to these beds during placement of the nourishment. Additional measures to reduce the likelihood of turbidity include silt curtains on the landward side of areas of value (such as the sea grass). However, we do not recommend due to the likely disturbance during the installation and ongoing maintenance of these structures.

2. Regional Policy Statement for the Wellington Region

Table 2: Regional Policy Statement for the Wellington Region Assessment of Relevant Objectives and Policies

Regional Policy Statement for the Wellington Region		
Reference	**Relevant objective/policy**	**Assessment**
Coastal environment / natural character		
Objective 3	Habitats and features in the coastal environment that have significant indigenous biodiversity values are protected; and Habitats and features in the coastal environment that have recreational, cultural, historical or landscape values that are significant are protected from inappropriate subdivision, use and development.	The Project achieves Objectives 3 and 4 and Policies 35 and 36 for the reasons set out below. This objective also relates to Policies 38 and 64. Policy 38 ceases to have effect because Policy 5 has been given effect through the City of Lower Hutt District Plan. Policy 64 is assessed under Objective 5 below. **Objective 3 - Protecting habitats and features with significant indigenous biodiversity values** The Project will protect habitats and features with significant indigenous biological diversity values. For example, the Project avoids all subtidal areas identified as scheduled areas in the PNRP and will avoid At Risk – Declining seagrasses in Lowry Bay. Appendix C recommends design solutions to mitigate effects on indigenous bird species and identifies specific recommendations for protecting avifauna species, including the scheduling of certain activities outside bird breeding season and setting distance limits for construction activities close to nesting birds such as penguins where there are known nesting sites. Although the level of potential adverse effect of habitat loss on coastal avifauna is assessed as moderate to high over decades, it is noted that this habitat loss reduce over longer time spans with increasing sea-level rise.
Objective 4	The natural character of the coastal environment is protected from the adverse effects of inappropriate subdivision, use and development.	
Policy 35	Preserving the natural character of the coastal environment – consideration When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, particular regard shall be given to preserving the natural character of the coastal environment by: (a) minimising any adverse effects from point source and non-point source discharges, so that aquatic ecosystem health is safeguarded; (b) protecting the values associated with estuaries and bays, beaches and dune systems, including the unique physical processes that occur within and between them from inappropriate subdivision, use and development, so that healthy ecosystems are maintained;	

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Reference	**Relevant objective/policy**	**Assessment**
	(c) maintaining or enhancing amenity – such as, open space and scenic values – and opportunities for recreation and the enjoyment of the coast by the public; (d) minimising any significant adverse effects from use and enjoyment of the coast by the public; (e) safeguarding the life supporting capacity of coastal and marine ecosystems; (f) maintaining or enhancing biodiversity and the functioning of ecosystems; and (g) protecting scientific and geological features from inappropriate subdivision, use and development.	Methods have also been incorporated into the Project design to avoid effects on little penguins. These measures include design refinements to avoid and reduce any impact on sensitive areas such as feeding, breeding or nesting areas, and mitigation measures where areas could not be avoided to manage the temporary construction effects on natural habitats. Mitigation measures include penguin management plans and sediment controls. See the biodiversity and natural character assessments at section 1 above for further examples of methods to avoid or where avoidance is not possible, mitigate adverse effects on indigenous biological diversity values. **Objective 3 – Protect habitats and features with significant values from inappropriate use and development** As identified in section 1 above, no outstanding natural features, outstanding natural landscapes or areas with outstanding natural character have been identified in this coastal environment. Significant adverse effects have been avoided, and mitigation measures have been incorporated into the Project design to mitigate any potential adverse effects on recreational, cultural, historical or landscape. These measures will be expanded upon through detailed design and will be set out in the LURP. Overall, the Project protects habitats with significant values. Marine Drive is a highly modified environment. The Project will enable Marine Drive to expand its transportation function to include a cycle and walkway, as well as build resilience into the existing road and underground infrastructure through the rebuilding and maintaining the seawalls. The Project will also significantly improve traffic safety along the existing road. The Project will enable people and communities to provide for their social and economic wellbeing and will aid the recreational and economic growth of the Eastern Bays. As such, the proposed development is considered to be appropriate in the environment it is located and its values.
Policy 36	Managing effects on natural character in the coastal environment – consideration When considering an application for a resource consent, notice of requirement or a change, variation or review of a district or regional plan, a determination shall be made as to whether an activity may affect natural character in the coastal environment, and in determining whether an activity is inappropriate particular regard shall be given to: (a) the nature and intensity of the proposed activity including: (i) the functional need or operational requirement to locate within the coastal environment; (ii) the opportunity to mitigate anticipated adverse effects of the activity; and (b) the degree to which the natural character will be modified, damaged or destroyed including: (i) the duration and frequency of any effect, and/or (ii) the magnitude or scale of any effect;	

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	(iii) the irreversibility of adverse effects on natural character values; (iv) whether the activity will lead to cumulative adverse effects on the natural character of the site/area. (c) the resilience of the site or area to change; (d) the opportunities to remedy or mitigate previous damage to the natural character; and (e) the existing land uses on the site. Managing effects on natural character in the coastal environment – consideration When considering an application for a resource consent, notice of requirement or a change, variation or review of a district or regional plan, a determination shall be made as to whether an activity may affect natural character in the coastal environment, and in determining whether an activity is inappropriate particular regard shall be given to: (f) the degree to which the natural character will be modified, damaged or destroyed including: (v) the duration and frequency of any effect, and/or (vi) the magnitude or scale of any effect; (vii) the irreversibility of adverse effects on natural character values; (viii) whether the activity will lead to cumulative adverse effects on the natural character of the site/area. (g) the resilience of the site or area to change; (h) the opportunities to remedy or mitigate previous damage to the natural character; and the existing land uses on the site.	**Policy 35 – Preserving natural character** Particular regard has been given to preserving the natural character of the coastal environment by: • minimising the potential adverse effects of discharges and sediment release during the construction of the seawalls by incorporating methodologies into Appendix J and the draft consent conditions to mitigate adverse effects. Some of these methods include: o bunding off the construction area from the incoming tide and separating native and non-native material and redepositing the native material on the beach or adjacent rock platforms; o pouring cement in situ during low tide in dry conditions. If it is not possible, then the work site will be shored and the contaminated water will be contained and pumped to a treatment structure (container) where the water can be treated to get the pH to a level suitable for the local receiving environment; or o alternatively, pumping untreated water into the wastewater network; and • protecting values associated with the Eastern Bays. The Project design as set out in the Design Features Report (Appendix J) incorporates mitigation measures to protect the natural character, including features and landscapes, mitigating the effects on the coastal environment; • enhancing amenity, access and recreation opportunities. The construction of the Project will enhance amenity, access and recreational opportunities as people will be able to walk and cycle around the Eastern Bays coast. • enhancing the long-term use and enjoyment of the public and minimise adverse effects on these values, particularly during construction of the Project;

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Reference	**Relevant objective/policy**	**Assessment**
		• safeguarding the life supporting capacity of coastal ecosystems and maintaining biodiversity and ecosystem function. The Avifauna and Vegetation Assessment (Appendix C) has assessed the construction and operational effects on coastal ecosystems and biodiversity. A number of vegetation and bird species as well as the little penguin have been identified as being affected by the works. However, these effects will be mitigated through the methods outlined in the assessment; • protecting scientific and geological features from inappropriate use and development. The coastal edge option ensures the protection of the steep hill slopes and headlands on the landward side of the road. Major earthworks and cuts would otherwise have had significant adverse effects on these geological features; and • ensuring the existing natural character is maintained and enhanced where possible. For example, through a consistent seawall type (see the Landscape and Visual Assessment (Appendix D)). **Policy 36 – Managing effects on natural character** In determining whether the Project will affect natural character in the coastal environment, and is appropriate, particular regard has been given to the following factors: • the Project's nature and intensity: The Project has a locational and functional need to be within the Eastern Bays coastline as it will provide an important walking and cycling link along the coast (and provide some SLR resilience). The adverse effects and the mitigation measures have been discussed in Section 8 of the AEE and throughout the appendices; • the degree to which natural character will be modified damaged or destroyed: The potential adverse effects of the Project on natural character are identified in the Landscape and Visual Assessment (Appendix D),as being caused by the proposed changes to the road corridor, beaches and foreshore and occur within a narrow band of existing development along

Regional Policy Statement for the Wellington Region		
Reference	**Relevant objective/policy**	**Assessment**
		the coastal edge. These adverse effects have been assessed as low due to mitigation measures set out in Appendix J which will be incorporated into the LURP. These include: o the use of natural rock for revetments and imported sand for beach nourishment to match the existing materials; o ensuring consistent path and seawall detailing to reduce the visual impact of new structures; and o the establishment of new ecological habitat in the textured finish to the concrete seawalls; and • the resilience of the area to change: The Eastern Bays coastline is a highly modified environment. The area is also vulnerable to climate change and sea level rise, which will result in significant change to the coastal environment over the next 100+ years. Although the Project does not provide a long-term solution to the effects of climate change and sea level rise, it will 'buy some time' to enable HCC to develop an iterative long-term management approach (as explained in the Coastal Processes Report (Appendix E)); • opportunities to remedy or mitigate previous damage to natural character: The existing seawalls will be replaced with uniform, fit for purpose structures resulting in some natural character benefits and a small area of existing seawall not required will revert to the CMA; and • existing land uses: The Project will enable Marine Drive to continue, and expand its transportation function to include a cycle and walkway, as well as build resilience into the existing road and underground infrastructure through the rebuilding and maintaining the seawalls. The Project will also significantly improve traffic safety along the existing road.

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Reference	**Relevant objective/policy**	**Assessment**
Natural character - restore and rehabilitate		
Objective 5	Areas of the coastal environment where natural character has been degraded are restored or rehabilitated.	The Project has been assessed as achieving Objective 5 and Policy 64 for the reasons set out below. **Objective 5 – Restoration and rehabilitation of natural character** The resource consent application, details numerous mitigation measures that have been proposed to protect the natural features and landscapes in this coastal environment. Opportunities to restore natural character have been identified by removing redundant structures and concrete slabs used as part of the existing revetment to protect the coastline. Some (small) areas will be returned to the CMA. The restoration of the intertidal areas will also be achieved through creating texture on the new concrete seawalls to enable ecological habitats to be re-established. While the overall path width and seawall locations respond to the Eastern Bays landform, the functional requirements of the Project constrain opportunities for landscape and visual rehabilitation or restoration of natural character. Rehabilitation and restoration is focussed on improving visual and physical links between the road/path and the water, detailing coastal interface of the seawall structures to facilitate eco mitigation and restoration of local landscape character through detailed design in the LURP (see the Landscape and Visual Assessment (Appendix D)). Fish passage will also be nurtured or enhanced. Conditions will be imposed on any resource consent decision. It is noted that an ecological assessment was undertaken and forms part of the resource consent application. The design of the shared path as set out in the Design Features Report, incorporates mitigation measures, as identified in the ecological assessment, to protect indigenous ecosystems and habitats in the this coastal environment. Although the construction and occupation of the shared path and sea walls will have an impact on ecosystems and habitats the shared path and sea walls have been designed to minimise these effects. For
Policy 64	Supporting a whole of catchment approach – non-regulatory Take a whole of catchment approach that recognises the inter-relationship between land and water, and support environmental enhancement initiatives to restore and enhance: (a) coastal features, ecosystems and habitats; (b) aquatic ecosystems and habitats; and (c) indigenous ecosystems and habitats.	

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Reference	**Relevant objective/policy**	**Assessment**
		example, the proposed seawalls offer opportunities to include a number of features within their design to enhance intertidal ecology values. **Policy 64 – A whole of catchment approach** The application recognises the inter-relationship between land and water within the Project area and, in particular, supports environmental enhancement initiatives to restore and enhance coastal features, ecosystems and habitats, and aquatic and indigenous ecosystems and habitats. The assessments appended to the AEE recognise this interrelationship and recommend various environmental enhancement initiatives, many of which have been incorporated into proposed mitigation or enhancement measures in the draft consent conditions. For example, fish passage will be nurtured and where possible enhanced from that which is existing.
Water quality		
Objective 6	The quality of coastal waters is maintained or enhanced to a level that is suitable for the health and vitality of coastal and marine ecosystems.	The Project achieves Objective 6 and Policy 40 for the reasons set out below. Coastal water quality will be maintained to a level that is suitable for the health and vitality of coastal and marine ecosystems. While there is the potential for the Project to generate localised higher than existing levels of suspended sediment concentration (SSC) during the construction stage, the reworking of beach sediments by the change to nearshore hydrodynamics will have a negligible effect on sedimentation rates or suspended sediment concentrations within each bay and the wider Wellington Harbour. The intertidal ecology assessment (Appendix A) incorporates mitigation measures to protect the quality of the coastal waters and coastal and marine ecosystems, and safeguard aquatic ecosystem health. Particular regard was given to Policy 40(a)-(c) in the development of these mitigation measures (see section 6 of Appendix A). In addition, the pouring of cement in situ to construct the seawalls has the potential to discharge contaminants and associated fine materials
Policy 40	Safeguarding aquatic ecosystem health in water bodies – consideration When considering an application for a resource consent, notice of requirement, or a change, variation or review of a regional or district plan, particular regard shall be given to: (a) requiring that water quality, flows and water levels and aquatic habitats of surface water bodies are managed for the purpose of safeguarding aquatic ecosystem health; (b) requiring, as a minimum, water quality in the coastal marine area to be managed for the purpose of maintaining or enhancing aquatic ecosystem health; and	

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	(c) managing water bodies and the water quality of coastal water for other purposes identified in regional plans.	into the CMA. Mitigation measures contained in the Design Features Report (Appendix J) will ensure that the smallest mixing zone necessary is used and that any adverse effects on the life-supporting capacity of water are minimised.
Use and development		
Objective 7	The integrity, functioning and resilience of physical and ecological processes in the coastal environment are protected from the adverse effects of inappropriate subdivision, use and development.	The Project achieves Objective 7, and Policy 37 for the reasons set out below. The Project has been assessed as enabling appropriate use and development within the coastal environment. The ecological assessment (Appendix A) and Coastal Processes Report (Appendix E) incorporate mitigation measures to protect the integrity, functioning and resilience of physical and ecological processes in this coastal environment and the Avifauna and Vegetation Assessment (Appendix C) contains mitigation measures for effects on indigenous vegetation, birds and little penguins. Particular regard has been given to safeguarding the life-supporting capacity of coastal and marine ecosystems by: • avoiding all subtidal areas that contain unique, rare, distinctive or representative marine life or habitats (being all scheduled areas in the PNRP); • maintaining, and wherever possible, enhancing areas used by penguins as breeding, feeding or haul out sites and habitats that are important during vulnerable life stages. This will be achieved through the provision of stormwater drains, access steps and ramps and revetment design for penguin access. The timing of works will avoid, as relevant, breeding season and further mitigation and enhancement will be provided through the penguin management plans included in the CEMP; • translocating the gravel and sand habitat of at risk plant species to areas that will be more durable to sea level rise and incorporating robust sediment control measures to preserve the range, abundance and diversity of these species; and • ensuring that, through the provision of mitigation measures in Appendix A, adverse effects on intertidal areas will be no more
Policy 37	Safeguarding life supporting capacity of coastal ecosystems – consideration When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, particular regard shall be given to safeguarding the life-supporting capacity of coastal and marine ecosystems by maintaining or enhancing: (a) any area within the intertidal or subtidal zone that contains unique, rare, distinctive or representative marine life or habitats; (b) areas used by marine mammals as breeding, feeding or haul out sites; (c) habitats in the coastal environment that are important during the vulnerable life stages of indigenous species; (d) habitats, corridors and routes important for preserving the range, abundance, and diversity of indigenous and migratory species; (e) any area that contain indigenous coastal ecosystems and habitats that are particularly vulnerable to modification – such as, estuaries, lagoons, coastal wetlands, dunelands, rocky reef systems and salt marshes; and	

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Reference	**Relevant objective/policy**	**Assessment**
	(f) the integrity, functioning and resilience of physical and ecological processes.	than minor and the integrity, functioning and resilience of physical and ecological processes in the CMA will be safeguarded.
Public access		
Objective 8	Public access to and along the coastal marine area, lakes and rivers is enhanced (objective 8 is shared for the coastal environment and fresh water).	The Project achieves Objective 8, and Policy 53 for the reasons set out below. The Project will provide a safe and integrated walking and cycle facility to connect communities along Hutt City's Eastern Bays that will significantly enhance public access to and along the CMA. Currently, pedestrians and cyclists connectedness and use along the Eastern Bays is low, due to few dedicated facilities and the tightly constrained nature of Marine Drive. For the most part, cyclists and pedestrians must use the road shoulder, which is very narrow or non-existent in sections. The Project will enhance public pedestrian and cycling access along Marine Drive, and provide enhanced connections within the individual bays (for recreation and access), between different bays (to shops, schools, recreation, etc.), to and from Lower Hutt and beyond (to work, school or for recreation etc.), and to other regional walking or cycle routes. This enhanced connectivity will unlock significant social, economic and recreational benefits, including: • improved safety for pedestrians, cyclists and other road users; • recreation and tourism opportunities; and • positive benefits to health and wellbeing.
Policy 53	Public access to and along the coastal marine area, lakes and rivers – consideration When considering an application for a subdivision consent, or a coastal or land use consent on public land, or a change, variation or review of a district plan to address subdivision or rezoning, particular regard shall be given to enhancing public access to, and along: (a) areas of the coastal marine area, and lakes and rivers with: (ix) places, sites and areas with significant historic heritage values identified in accordance with policy 21; (x) areas of indigenous ecosystems and habitats, and areas with significant indigenous biodiversity values identified in accordance with policy 23; (xi) outstanding natural features and landscapes identified in accordance with policy 25; (xii) special amenity landscapes identified in accordance with policy 27; (xiii) places, sites and areas with high natural character identified in accordance with policy 36; and (xiv) the rivers and lakes identified in Table 15 of Appendix 1;	

Regional Policy Statement for the Wellington Region		
Reference	**Relevant objective/policy**	**Assessment**
	(b) Wellington Harbour and Porirua (Onepoto Arm and Pauatahanui Inlet) Harbour; Except where there is a need to protect: (c) sensitive indigenous habitats of species; (d) the health or safety of people; (e) sensitive cultural and historic heritage values; and/or (f) the integrity and security of regionally significant infrastructure.	An important aspect of the Project is that public walking access to the beach will be maintained, and in certain places, enhanced. Beach access accommodates beach users on foot and also boat or kayak. The connectivity between the shared path and the beach will be achieved through the careful placement and design of ramps and steps. Generally, the design provides a minimum of two access points per beach, and at some beaches there will be three access ways (i.e. Lowry Bay). Details of the design of these generic options are outlined in section 3.2 of the Design Features Report (Appendix J). In addition, public access will be enhanced to and along Skerretts Boat Shed (a place with significant historic heritage values). Indigenous biological diversity will be protected in the manner addressed above.
Regionally significant infrastructure		
Objective 10	The social, economic, cultural and environmental, benefits of regionally significant infrastructure are recognised and protected.	The Project achieves Objective 10 for the reasons set out below. Policy 39, which is also relevant, ceased to have effect when policies 8 and 9 were put in place in the district and regional plans (assessed below). Marine Drive provides the only road access to the Eastern Bay suburbs and is therefore a key transport route for the region. Key infrastructure services including the main outfall sewer pipeline (MOP) are located within the road corridor. The MOP is regionally significant infrastructure, and along with the road access and other services are important lifeline utilities for the wider community. The social, economic, cultural and environmental benefits of this regionally significant infrastructure are recognised and protected by the Project. The road is currently vulnerable to closure and/or reduced operation due to wave overtopping and the current state of the coastal edge. The existing seawall in places has a residual life of less than 5 years, is vulnerable to failure and does not provide consistent, nor effective, storm mitigation. Over time sea-level rise will aggravate the situation and reduce the resilience of the road and its underground services. The Project will improve and provide a basis for future opportunities for protecting the resilience of the road and underground services by

Regional Policy Statement for the Wellington Region		
Reference	**Relevant objective/policy**	**Assessment**
		upgrading and replacing the supporting seawalls. In addition, the Project will provide the first step in incremental upgrades to enable to respond to the effects of climate change and sea level rise. Without the Project, or similar works, Marine Drive, and the associated infrastructure, will be lost due to climate change and storm vulnerability. While the Project does not provide medium-long term protection, it buys time for the community to decide how it wants to respond to SLR. Full protection would require significantly greater works than proposed. The Project also promotes sustainable transport modes (walking and cycling) that provide a source of renewable energy.
Historic heritage		
Objective 15	Historic heritage is protected from inappropriate modification, use and development.	The Project achieves Objective 15 for the reasons set out below. Policy 46, which is also relevant, ceased to have effect when policies 21 and 22 were put in place in the district and regional plans (assessed below). **Historic heritage** The Project, which has been assessed as an appropriate use and development of the CMA, will protect historic heritage. The Skerrett Boatshed (1906) at Lowry/Whiorau Bay is a listed Historic building in the HCC District Plan (and the only historic heritage site in the Project area). All works undertaken in close proximity to the boatshed will be undertaken so as to avoid any potential adverse effects on it. The Shared Path itself has been narrowed to avoid the building and no works will be undertaken on the boatshed itself. Because of these measures, historic heritage values in respect of the site will not be lost, damaged or destroyed and there will not be any adverse effects on heritage values. **Archaeological/historical sites** As provided above, Mana Whenua have been consulted on an ongoing basis since the initial stages of the Project's development and have prepared a CIA (Appendix H) which documents Māori cultural values,

Regional Policy Statement for the Wellington Region		
Reference	**Relevant objective/policy**	**Assessment**
		interests and associations with an area, and the potential impacts of the Project and related activities, on these values. This involvement has enabled the prioritisation and understanding of issues of significance to Mana Whenua, such as access to the foreshore, to be translated into Project design and the development of measures to avoid, remedy or mitigate actual and potential adverse effects. Although the proposed seawall will often replace or cover existing seaside protection which has previously been constructed, there will be places where the excavation may expose cultural materials such as shell middens, burned stone and perhaps even objects which have arisen in this coastline from time to time. However, as it is not possible to accurately identify such areas, as they are unknown, archaeological authorities are not required at this stage. In order to provide for the protection of any archaeological sites uncovered during construction, a draft condition has been included at Appendix L that sets out protocols for the accidental discovery of artefacts, taonga and kōiwi.
Indigenous ecosystems		
Objective 16	Indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state.	The Project has been assessed as achieving Objective 16 for the reasons set out below. Policy 47, which is also relevant, ceased to have effect when policies 23 and 24 were put in place in the district and regional plans (assessed below). Objective 16 also relates to Policy 64, which is assessed under Objective 5 above. The Project will maintain, and where possible, restore indigenous ecosystems and habitats with significant biodiversity values to a healthy functioning state. The Project avoids all subtidal areas identified as scheduled areas in the PNRP and will be located above the low tide level. The Intertidal Ecology Assessment (Appendix A) found that much of the shoreline in the intertidal zone did not support a high diversity or density of biota. In addition, the Project will have positive effects including the enhancement of intertidal habitat by creating a textured concrete

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Reference	**Relevant objective/policy**	**Assessment**
		surface on the new seawalls. The proposed curved seawalls provide an improved habitat compared to the existing smooth angled concrete seawalls. The ecological assessment (Appendix A) incorporates mitigation measures to protect indigenous biodiversity in this coastal environment. The assessment identified that the most abundant and widespread epifauna taxa (populations of organisms) is found in the intertidal zone of the Project area (Sorrento Bay to Sunshine Bay). The community composition along the surveyed area was as would be expected for this general location (lower North Island) and rocky shore intertidal habitat. No taxa that are indicative of significant nutrient enrichment or fine sediment input were present in any great abundance, with tidal zone and substrate seeming to be the main factors influencing the communities of this area. No invertebrate taxa of conservation concern (as listed in the threatened species list of Freeman et al. (2014)) were recorded from the Project area. A number of shellfish of potential value as mahinga kai were recorded during the epifauna surveys, including blue mussel, black mussel, greenshell mussel, pipi and tuangi cockle. The design of the shared path as set out in the Design Features Report (Appendix J) incorporates mitigation measures to protect indigenous ecosystems and habitats in the area. An Avifauna and Vegetation Assessment has also been prepared and is contained in Appendix C. It includes mitigations on indigenous vegetation by translocating plants. A number of indigenous birds were found within the area and design mitigations of the path were recommended in this assessment. Further it was commented that the loss of bird habitat would occur in the future anyway due to sea level rise. In response to the effects on little penguin's mitigation measures were mitigated for the effects on access, nesting and moulting.

Regional Policy Statement for the Wellington Region		
Reference	**Relevant objective/policy**	**Assessment**
Landscape		
Objective 17	The region's outstanding natural features and landscapes are identified and their landscape values protected from inappropriate subdivision, use and development.	The Landscape and Visual Assessment (Appendix D) did not identify any outstanding features and landscapes or special amenity landscapes within the Project area or will be affected by the Project. Objectives 17 and 18 and Policy 50 are not relevant to the application.
Objective 18	The region's special amenity landscapes are identified and those landscape values that contribute to amenity and the quality of the environment are maintained or enhanced.	
Policy 50	Managing effects on outstanding natural features and landscapes – consideration When considering an application for a resource consent, notice of requirement or a change, variation or review of a district or regional plan, a determination shall be made as to first, whether an activity may affect an outstanding natural feature and/or landscape, and second, whether or not an activity is inappropriate, having particular regard to the following: (a) the degree to which the natural feature or landscape values will be modified, damaged or destroyed including: (i) the duration and frequency of any effect, and/or (ii) the magnitude or scale of any effect; (b) the irreversibility of adverse effects on landscape values; (c) the resilience of the natural feature, place or area to change; (d) the opportunities to remedy or mitigate previous damage to natural feature or landscape values; and (e) whether the activity will lead to cumulative adverse effects on the natural feature or landscape values.	

Regional Policy Statement for the Wellington Region		
Reference	**Relevant objective/policy**	**Assessment**
Natural hazards		
Objective 19	The risks and consequences to people, communities, their businesses, property and infrastructure from natural hazards and climate change effects are reduced.	The Project achieves Objective 19, 20 and 21 and Policy 52 for the reasons set out below. Policy 51, which is also relevant, ceased to have effect when policy 29 was given effect in the relevant district plan (assessed below). The Project will reduce the risks and consequences to people, communities, their businesses, property and infrastructure from natural hazards and climate change effects. Marine Drive is inherently vulnerable to coastal hazard risks. The road is prone to closures and/or reduced operation, due in part to wave overtopping because of the current state of coastal edge. The existing seawall has a residual life of less than 5 years in places, is vulnerable to failure and does not provide consistent, nor effective, storm mitigation. Over time sea levels will rise, aggravating the situation and affecting the resilience of the road and underground infrastructure. Sections 5.9 and 5.10 of the Coastal processes report (Appendix E) suggest that climate change, particularly sea-level rise, will have an increasing impact on the wider Eastern Bays region. The primary effects are identified as being increased frequency of wave overtopping events and coastal inundation on the low-lying Marine Drive foreshore, and eventually more direct coastal-flooding events, due to rising sea levels. *The first step in incremental upgrades to mitigate the effects of sea-level rise* The application recognises the ongoing processes of managing coastal values in the face of climate change, sea level rise and related pressures faced by Greater Wellington Regional Council, HCC and their communities. The Project includes design elements which meet the Dynamic Adaptive Planning Principles (DAPP) in the Ministry for the Environment's coastal hazard guidance for iterative long-term management. The rebuilding (and upgrading) of existing seawalls and the construction of new seawalls as part of the Project will provide the first step in incremental seawall upgrades or alternative adaptation options to respond to sea
Objective 20	Hazard mitigation measures, structural works and other activities do not increase the risk and consequences of natural hazard events.	
Objective 21	Communities are more resilient to natural hazards, including the impacts of climate change, and people are better prepared for the consequences of natural hazard events.	
Policy 52	Minimising adverse effects of hazard mitigation measures – consideration When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, for hazard mitigation measures, particular regard shall be given to: (a) the need for structural protection works or hard engineering methods; (b) whether non-structural or soft engineering methods are a more appropriate option; (c) avoiding structural protection works or hard engineering methods unless it is necessary to protect existing development or property from unacceptable risk and the works form part of a long-term hazard management strategy that represents the best practicable option for the future; (d) the cumulative effects of isolated structural protection works; and	

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Reference	**Relevant objective/policy**	**Assessment**
	(e) residual risk remaining after mitigation works are in place, so that they reduce and do not increase the risks of natural hazards.	level rise and protect Marine Drive and related underground infrastructure along this section of the coast. Essentially, the Project will 'buy some time' to allow HCC to consider a long-term suite of planning pathways to adapt to the effects of ongoing sea-level rise and climate change along Marine Drive. The new or upgraded seawalls will reduce overtopping and debris on the road, provide a consistent seawall design which can be added to in the future and enhanced environmental outcomes compared to the existing walls. *Reduction in the rate of overtopping onto Marine Drive* The construction of the Project is expected to generally reduce the rate of overtopping and wave splash onto Marine Drive. This is due to the additional width of the Shared Path reducing the number of overtopping instances reaching the vehicle carriageways and a more effective deflection, dissipation and reflection of waves. The proposed seawall replacements will reduce the overtopping hazard for small to moderate storm events along all sections of the coast. However, for less-frequent extreme events there is unlikely to be any discernible change to the overtopping hazard as the low crest elevation, which will remain unchanged, governs the overtopping discharge. Detailed design at each section of the Shared Path will consider further design improvements to mitigate overtopping where possible. *Design of hard protection structures will minimise adverse effects* The Alternatives Assessment (Appendix G) identifies likely costs and benefits of a number of options which would provide coastal hazard risk reduction during construction of the seawalls. Of these options, in situ concrete construction has been adopted for the Project, as it will provide greater adaptability during construction. This, and the construction techniques set out in the Construction and Environmental Management Plan (CEMP) will to enable any potential adverse effects associated with the construction of hard protection structures to be minimised, wherever practicable.

Regional Policy Statement for the Wellington Region		
Reference	**Relevant objective/policy**	**Assessment**
		Objective 21 – Community resilience and preparation for natural hazard events As stated above, the improvements to the seawalls and the seaward extension for the Project will only "buy some time" in terms of impacts on Marine Drive. In the time gained, HCC, GWRC and the community will need to consider long-term options for managing the road access to Eastbourne along the Eastern Bays.
Regional form, design and function		
Objective 22	A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network and: (a) a viable and vibrant regional central business district in Wellington city; (b) an increased range and diversity of activities in and around the regionally significant centres to maintain vibrancy and vitality; (c) sufficient industrial-based employment locations or capacity to meet the region's needs; (d) development and/or management of the Regional Focus Areas identified in the Wellington Regional Strategy; (e) urban development in existing urban areas, or when beyond urban areas, development that reinforces the region's existing urban form; (f) strategically planned rural development; (g) a range of housing (including affordable housing); (h) integrated public open spaces; (i) integrated land use and transportation; (j) improved east-west transport linkages; (k) efficiently use existing infrastructure (including transport network infrastructure); and	The Project achieves Objective 22 and Policy 57 for the reasons set out below. The Project will enable Marine Drive to expand its transportation function to include a cycle and walkway, as well as build resilience into the existing road and underground infrastructure through the rebuilding and maintaining the seawalls. The Project will also significantly improve traffic safety along the existing road and effectively expand existing transport network infrastructure. The Project will become part of a wider network that connects communities and provides links to the natural, cultural and historical values of Wellington Harbour. It fits well with the New Zealand Cycleway project and creates better connections between Eastbourne and the Wellington CBD and provides an alternative mode of transport into the city centre. It has therefore been assessed as having significant regional and national benefits.

Regional Policy Statement for the Wellington Region		
Reference	**Relevant objective/policy**	**Assessment**
	(l) essential social services to meet the region's needs.	
Policy 57	Integrating land use and transportation – consideration When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district plan, for subdivision, use or development, particular regard shall be given to the following matters, in making progress towards achieving the key outcomes of the Wellington Regional Land Transport Strategy: (a) whether traffic generated by the proposed development can be accommodated within the existing transport network and the impacts on the efficiency, reliability or safety of the network; (b) connectivity with, or provision of access to, public services or activities, key centres of employment activity or retail activity, open spaces or recreational areas; (c) whether there is good access to the strategic public transport network; (d) provision of safe and attractive environments for walking and cycling; and (e) whether new, or upgrades to existing, transport network infrastructure have been appropriately recognised and provided for.	
Resource management with tangata whenua		
Objective 23	The region's iwi authorities and local authorities work together under Treaty partner principles for the sustainable management of the region's environment for the benefit and wellbeing of the regional community, both now and in the future.	The Project achieves Objectives 23-28 and Policies 48, 49 and 66 for the reasons set out below. The Project has taken into account the principles of the Treaty of Waitangi through early and on-going consultation, and engagement with tangata whenua, including the request for tangata whenua to prepare a cultural impact assessment of the Project (refer to Appendix H).
Objective 24	The principles of the Treaty of Waitangi are taken into account in a systematic way when resource management decisions are made.	

Regional Policy Statement for the Wellington Region		
Reference	**Relevant objective/policy**	**Assessment**
Objective 25	The concept of kaitiakitanga is integrated into the sustainable management of the Wellington region's natural and physical resources.	To identify the tangata whenua in Wellington the Cultural Impact Assessment relied, in part, on the expert knowledge of the Waitangi Tribunal. The Cultural Impact Assessment (Appendix H) documents Māori cultural values, interests and associations with an area, and the potential impacts of the Project and related activities, on these values. This has enabled prioritisation and understanding of issues of significance to Mana Whenua, such as access to the foreshore, to be translated into Project design and the development of measures to avoid, remedy or mitigate actual and potential adverse effects. This engagement will continue throughout the detailed design stage and implementation stage of the Project, as set out in the draft consent conditions. The Project provides opportunities for tangata whenua to exercise kaitiakitanga by involving the Port Nicholson Block Settlement Trust, Te Rūnanga o Ngāti Toa, and Te Atiawa ki te Upoko o te Ika a Maui Potiki Trust in the formulation of story boards and signage for the shared path. A draft condition has also been included to provide protocols for the accidental discovery of artefacts, taonga and kōiwi during construction. The CIA states that from a historical Māori perspective the shorelines along the Eastern Bays were used to provided mahinga kai or a place to gather shellfish like pipi and various species collectively now known as surf clams. The Māori sites of significance along this coastline listed in the City of Lower Hutt District Plan include Whiorau/Lowry Bay which was an old Pā site and well as being a place known as mahinga kai or a place to gather seafood. The Cultural Impact Assessment concludes that if carefully managed, the Project should have few if any adverse effects on marine environment. This is despite it extending along a significant length of the shoreline and to the low tide level. It is also noted that a number of parties have submitted applications under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA) for customary marine title and protected customary rights over the
Objective 26	Mauri is sustained, particularly in relation to coastal and fresh waters.	
Objective 27	Mahinga kai and natural resources used for customary purposes, are maintained and enhanced, and these resources are healthy and accessible to tangata whenua.	
Objective 28	The cultural relationship of Māori with their ancestral lands, water, sites, wāhi tapu and other taonga is maintained.	
Policy 66	Enhancing involvement of tangata whenua in resource management decision-making – non-regulatory To enhance involvement of tangata whenua in resource management decision-making by improving opportunities for iwi authority representatives to participate in local authority decision-making.	
Policy 48	Principles of the Treaty of Waitangi – consideration When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, particular regard shall be given to: (a) the principles of the Treaty of Waitangi; and (b) Waitangi Tribunal reports and settlement decisions relating to the Wellington region.	
Policy 49	Recognising and providing for matters of significance to tangata whenua – consideration	

Regional Policy Statement for the Wellington Region		
Reference	**Relevant objective/policy**	**Assessment**
	When preparing a change, variation or review of a district or regional plan, the following matters shall be recognised and provided for: (a) the exercise of kaitiakitanga; (b) mauri, particularly in relation to fresh and coastal waters; (c) mahinga kai and areas of natural resources used for customary purposes; and (d) places, sites and areas with significant spiritual or cultural historic heritage value to tangata whenua.	section of the Wellington Harbour within the Project area. Notifications occurred as prescribed by MACA to seek the views of the groups that have applied for recognition of customary marine title in the area about the Project. Appendix R sets out the notification documents. No Project specific feedback has been received from MACA applicants to date.

3. Regional Coastal Plan for the Wellington Region

The objectives and policies of the Regional Coastal Plan for the Wellington Region (RCP) relating to reclamation raise similar issues to the provisions in the NZCPS (please refer to section 1 of this report).

Table 3: Regional Coastal Plan for the Wellington Region Assessment of Relevant Objectives and Policies

Regional Coastal Plan for the Wellington Region (operative)		
Relevant objective	**Relevant policy**	**Assessment**
General - Environmental		
Objective 4.1.1 The intrinsic values of the coastal marine area and its components are preserved and protected from inappropriate use and development.	**Policy 4.2.1** To recognise that the intrinsic values of the coastal marine area and its components are the heritage of future generations and are worthy of protection in their own right, while allowing for appropriate use and development.	The Eastern Bays coast has been heavily modified through seawalls, road, housing, and vegetation clearance. However, it retains intrinsic values of cultural, environmental and social importance. These values are preserved and protected by the Project. The Project will provide a walking and cycling path and to ensure access to and along the Eastern Bays coast for future generations. The Project will enable people and communities to provide for their social and economic wellbeing and will aid the recreational and economic growth of the area.
Objective 4.1.2 People and communities are able to undertake appropriate uses and developments in the coastal marine area which satisfy the environmental protection policies in the plan, including activities which: • rely on natural and physical resources of the coastal marine area; or • require a coastal marine area location; or • provide essential public services; or • avoid adverse effects on the environment; or	**Policy 4.2.3** When considering the significance of adverse effects of activities on the coastal marine area, to recognise and distinguish between: • those activities which require occupancy on a "permanent" basis, and those which can effectively relinquish coastal space at a future date; • those activities which have irreversible adverse effects and those for which adverse effects are reversible; and	As stated above, the Project will enable people to and communities to provide for their social and economic wellbeing and has been assessed as being an appropriate use and development within the CMA. The Project requires a CMA location due to the nature of the physical landscape and the safe provision of the shared path for users. The Project also requires a coastal location for coastal hazard mitigation, tourism and connectivity purposes and will provide the first step in incremental measures to address the effects of climate change and SLR. Adverse effects will be avoided, where possible, and mitigation measures have been

Regional Coastal Plan for the Wellington Region (operative)		
Relevant objective	**Relevant policy**	**Assessment**
• have minor adverse effects on the environment, either singly or in combination with other users; or • remedy or mitigate adverse effects on the environment and provide a net benefit to the environment.	• those activities which have short term adverse effects and those which have on-going or long term adverse effects.	incorporated into the Project design to mitigate any potential adverse effects, including on the natural character of the CMA. Although the shared path and revetment will permanently occupy the CMA, this will be minimised where possible through the use of the existing road corridor and rebuilding over the existing seawall. Further, there will be temporary occupation of the CMA associated with the Project's construction and the effects of construction will also be temporary. The design of the revetment and shared path has taken into account the effects and mitigated them where possible. Through the proposal, there will be enhancements to the environment, for example to intertidal ecology, penguins, vegetation and recreational activities, as well as coastal resilience.

Regional Coastal Plan for the Wellington Region (operative)		
Relevant objective	**Relevant policy**	**Assessment**
Objective 4.1.5 The natural character of the coastal marine area is preserved and protected from inappropriate use and development.	**Policy 4.2.2** To recognise and distinguish between those parts of the coastal marine area which retain natural character, and those areas where natural character has already been compromised, and to encourage appropriate new developments only in the latter areas.	As identified in the assessments above, no outstanding natural features, outstanding natural landscapes or areas with outstanding natural character have been identified in this coastal environment. Significant adverse effects have been avoided, and mitigation measures have been incorporated into the Project design to mitigate any potential adverse effects on natural character, natural features and landscapes. These measures will be expanded upon in the LURP. Marine Drive is a highly modified environment. As identified in section 4 of the Landscape and Visual Assessment (Appendix D), the natural processes and patterns along the Eastern Bays coastline have significantly disrupted by the construction of Marine Drive along the coastal edge and associated housing developments. The Coastal Processes Report (Appendix E) explains the effects of the existing seawalls and also human intervention that have, and continue to, affect natural coastal processes. The Project will enable Marine Drive to expand its transportation function to include a cycle and walkway, as well as build resilience into the existing road and underground infrastructure through the rebuilding and maintaining the seawalls. The Project is therefore considered to be an appropriate use and development of an area where natural character has already been compromised.
Objective 4.1.6 Important ecosystems and other natural and physical resources in and adjacent to the coastal marine area are protected from inappropriate use and development.	**Policy 4.2.10** To protect sensitive, rare, or unusual: • habitats; • natural and physical resources; and • ecosystems from the adverse effects of use and development.	The Project includes measures to protect ecosystems and other natural and physical resources in and adjacent to the CMA. For example, the Project will protect the nesting sites of Little Penguins located along the seaward and landward sides of Marine Drive. A penguin management plan (PMP) will be prepared as part of the CEMP that will include an

Regional Coastal Plan for the Wellington Region (operative)		
Relevant objective	**Relevant policy**	**Assessment**
	In particular, the values of the areas identified by this Plan either as an Area of Significant Conservation Value or an Area of Important Conservation Value shall be protected.	action plan to manage construction phase effects on penguins, details for undertaking works and an annual review of avoidance and mitigation measures over the 6 year duration of the Project. The Assessment of Environmental Effects for Intertidal Ecology (Appendix A), Freshwater Fish Passage Requirements (Appendix B), and Avifauna and Vegetation Assessment (Appendix C) set out further potential adverse effects on habitats and ecosystems and provides recommendations to minimise any adverse effects and protect these values. The Project will avoid subtidal areas identified as scheduled areas in the PNRP and all Areas of Significant or Important Conservation Value in the operative plan and has been assessed as being an appropriate use and development within the coastal environment (see above).
Objective 4.1.8 Public access along and within the coastal marine area is maintained and enhanced.	**Policy 4.2.15** Subject to Policy 4.2.17, to ensure that the adverse effects of new use and development on existing lawful access along and within the coastal marine area are avoided where practicable; where avoidance is not practicable, to ensure that the adverse effects are mitigated or remedied so that there is no net reduction in the quality of public access in the area.	Currently, pedestrians and cyclists connectedness and use along the Eastern Bays is low, due to few dedicated facilities and the tightly constrained nature of Marine Drive. For the most part, cyclists and pedestrians must use the road shoulder, which is very narrow or non-existent in sections. The Project will enhance public access along Marine Drive, and provide enhanced connections within the individual bays (for recreation and access), between different bays (to shops, schools, recreation, etc.), to and from Lower Hutt and beyond (to work, school or for recreation etc.), and to other regional walking or cycle routes (including the Great Harbour Way/Te Aranui o Pōneke and the Remutaka Cycle Trail).
	Policy 4.2.16 Subject to Policy 4.2.17, to support any initiatives which might arise to improve public access along and within the coastal marine area, and to take appropriate opportunities arising from new use and development to improve public access, particularly in those places where it has been	

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Relevant objective	**Relevant policy**	**Assessment**
	identified as desirable to enhance public access.	This enhanced connectivity will unlock significant social, economic and recreational benefits, including: • improved safety for pedestrians, cyclists and other road users; • recreation and tourism activities and opportunities; and • positive benefits to health and wellbeing. An important aspect of the Project is that public walking access to the beach will be made significantly safer, access will be maintained, and in certain places, enhanced. Beach access accommodates beach users on foot and also boat or kayak. The connectivity between the shared path and the beach will be achieved through the careful placement and design of ramps and steps. Generally, the design provides a minimum of two access points per beach, and at some beaches, there will be three access ways (i.e. Lowry Bay). Details of the design of these generic options are outlined in section 3.2 of the Design Features Report (Appendix J). Any adverse effects to public access during the construction stage will be mitigated, where practicable, through measures included in the Design Features Report (Appendix J), and incorporated into the draft conditions and the CEMP.
	Policy 4.2.20 To recognise the importance of the coastal environment to recreation activities, and to avoid, where practicable, any adverse effects on these values; where avoidance is not practicable, to remedy, or mitigate the adverse effects.	
Objective 4.1.9 Amenity values in the coastal marine area are maintained and enhanced.	**Policy 4.2.19** To recognise the importance of amenity values in the coastal marine area, and to avoid, where practicable, any adverse effects on these values; where avoidance is not practicable, to remedy, or mitigate the adverse effects.	The Project will enhance community cohesion, provide amenity benefits, transport choices and improve access to local facilities including public open space such as the beaches and Whiorau Reserve along the road corridor (see Appendix L). Adverse effects on amenity during construction will be avoided where possible. Mitigation measures will be developed through future detailed design work and specific construction methodologies, as

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Relevant objective	**Relevant policy**	**Assessment**
		contained in the Design Features Report (Appendix J) to mitigate any potential adverse effects on amenity values.
Objective 4.1.11 Any adverse effects from natural hazards are reduced to an acceptable level.	**Policy 4.2.21** Use and development of the coastal marine area must take appropriate account of natural hazards, and any adverse effects arising from the storage, use, disposal, or transportation of hazardous substances.	The Project avoids increasing the risk of social, environmental and economic harm from coastal hazards and instead provides the first step in potential incremental upgrades to mitigate the effects of sea level rise and reduce the rate of overtopping onto Marine Drive. Natural defences have been incorporated into the design, wherever practicable, and a range of options have been considered to protect significant existing development from coastal hazards. Detailed design at each section will consider design improvements to mitigate the hazard of wave overtopping where possible. The new seawalls will not increase the risk from natural hazards. Although the Project is not a long-term solution to the increasing level of coastal hazard exposure due to climate change, it incorporates design elements which will 'buy some time' for HCC to develop an iterative long-term management approach for the Eastern Bays to adapt to climate change.
Objective 4.1.12 That the location of structures and/or activities in the coastal marine area does not increase the risk from natural hazards beyond an acceptable level.		
General - Tangata Whenua		
Objective 4.1.13 Characteristics of special spiritual, historical or cultural significance to tangata whenua, including waahi tapu, tauranga waka, mahinga maataitai and taonga raranga, are protected.	**Policy 4.2.11** To protect, where practicable, habitats which are important for traditional or cultural purposes from the adverse effects of use and development.	Mana Whenua have been consulted on an ongoing basis throughout the development of the Project. The Cultural Impact Assessment (Appendix H) documents Māori cultural values, interests and associations with the area, and the potential impacts of the Project and related activities, on these values.
Objective 4.1.14 The values of the tangata whenua, as well as their traditional uses, are, where practicable, recognised and provided for.	**Policy 4.2.12** To protect significant cultural and historic features in the coastal marine area from the adverse effects of use and development. In particular, the values of the features and	

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Relevant objective	**Relevant policy**	**Assessment**
	buildings identified in Appendix 4 will be protected.	This has enabled prioritisation and understanding of issues of significance to Mana Whenua, such as access to the foreshore, to be translated into Project design and the development of measures to avoid, remedy or mitigate actual and potential adverse effects. This engagement with Mana Whenua will continue throughout the detailed design stage and implementation stage of the Project, as set out in the draft consent conditions. The Project provides opportunities for tangata whenua to exercise kaitiakitanga by involving the Port Nicholson Block Settlement Trust, Te Rūnanga o Ngāti Toa, and Te Atiawa ki te Upoko o te Ika a Maui Potiki Trust in the formulation of story boards and signage for the shared path. A draft condition has also been included to provide protocols for the accidental discovery of artefacts, taonga and kōiwi during construction. The CIA states that from a historical Māori perspective the shorelines along the Eastern Bays were used to provided mahinga kai or a place to gather shellfish like pipi and various species collectively now known as surf clams. The Māori sites of significance along this coastline listed in the City of Lower Hutt District Plan include Whiorau/Lowry Bay, which was an old pā site and well as being a place known as mahinga kai or a place to gather seafood. The Cultural Impact Assessment concludes that if carefully managed, the Project should have few if any adverse effects on marine environment. This is despite it extending along a significant length of the shoreline and to the low tide level. It is also noted that a number of parties have submitted applications under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA) for customary marine title and protected customary rights over the section of the
Objective 4.1.15 Opportunities for iwi and hapū to exercise kaitiakitanga in the coastal marine area are increased.	**Policy 4.2.25** Where a resource consent application is for an activity in or immediately adjacent to a site of significance to tangata whenua, to require the applicant to notify and consult directly with the tangata whenua group in order to ascertain: • whether the granting of the resource consent would have any adverse effects on the values that cause the site to be significant to the tangata whenua; and • how any actual or potential adverse effects which might result from the activity could, from the tangata whenua viewpoint, be avoided, remedied or mitigated.	
Objective 4.1.16 Tangata whenua are consulted on resource consent applications which may affect their interests and values.		

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		Wellington Harbour within the Project area. Notifications occurred as prescribed by MACA to seek the views of the groups that have applied for recognition of customary marine title in the area about the Project. Appendix R sets out the notification documents. No Project specific feedback has been received from MACA applicants to date. In addition, the Skerrett Boatshed (1906) at Lowry/Whiorau Bay is a listed Historic building in the HCC District Plan. All works undertaken in close proximity to the boatshed will be undertaken to avoid any potential adverse effects on the boatshed. The Shared Path itself has been narrowed to avoid the building and no works will be undertaken on the boatshed itself.
Reclamation and Draining of Foreshore and Seabed		
Objective 5.1.1 The area of foreshore and seabed reclaimed from the coastal marine area is minimised.	**Policy 5.2.6** To ensure that all reclamations are no larger than the minimum necessary to provide for the activity for which the reclamation is to be used.	The Project design utilises the existing road corridor along Marine Drive, wherever possible. As assessed in Appendix G, for some of the route there is sufficient width in the existing road shoulder or the headland areas to provide for the shared path without extensive widening, but in places this drops to virtually nothing beyond the seaward side white edge line (for example in part of Lowry Bay). In these places, a new seawall will be constructed that extends out towards the tidal area to provide sufficient width for the path. Following extensive investigation, assessments and community consultation, a 3.5m shared path that widens the road on the seaward side has been preferred. At some locations, this width has been reduced to 2.5m to minimise the encroachment of beaches, accommodate obstacles and ensure reclamations are no larger than the minimum necessary to provide for a safe and resilient shared pathway. It is noted in the Coastal Processes Report (Appendix E) that there will be a gain of 0.03ha of

Regional Coastal Plan for the Wellington Region (operative)		
Relevant objective	**Relevant policy**	**Assessment**
		coastal zone area as a result of the proposed works as new seawall will be constructed behind the existing seawall toe.
	Policy 5.2.10 Subject to Policy 4.2.17, to ensure that esplanade reserves are created on all new reclamations; and to provide for esplanade strips where these are necessary to enhance or maintain access to the coastal marine area.	Reclamations are required as part of the Project to enable the development of a shared path for pedestrians and cyclists to access the coast. The safety of beach access will be significantly improved. Access will be maintained, and where practicable, enhanced along the route. No esplanade reserves will be created as part of the project, as the shared path will become part of the road.
Objective 5.1.2 All reclamations are fully justified having regard to available alternatives, properly designed, use appropriate material, and are constructed only for activities consistent with the sustainable management of natural and physical resources.	**Policy 5.2.4** Subject to Policy 5.2.3, to allow reclamation of the foreshore or seabed only if the reclamation is required for one or more of the following purposes: • an activity which must be located immediately adjacent to the coastal marine area; • airport or seaport purposes; • river management; • enhancement of public access to or along the coastal marine area; • restoration or enhancement of amenity values; • the provision of a road or rail transport link; and • an activity carried out on land in the coastal marine area where the title is not held by the Crown provided that the net beneficial effects to the environment can be demonstrated;	Throughout the development of the Project, alternatives and options associated with the design were investigated and recorded. The options development process undertaken during the Indicative Business case (IBC) identified two factors that principally dictated the form of the Project along the Eastern Bays foreshore. The first factor was the path width that safely accommodates pedestrians and cyclists along the route with the least amount of widening onto the coastal marine area (CMA). The second factor was the types of seawalls and methods that could be used to gain path width where there is currently insufficient width. A multi-criteria analysis (MCA) process was used to assess options, where options were scored against a number of factors including safety, resilience, upgrade potential, consentability and beach impact. Two options for widening the road (2.5m and 3.5m path widths) were favoured through this process. Feedback through community consultation and alignment to the investment objectives also reinforced the two preferred options. Through the Detailed Business Case (DBC), both options were considered. Constructing a path of consistent width along the corridor was generally preferred. However, it was recognised that it was appropriate to narrow the path

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Relevant objective	**Relevant policy**	**Assessment**
	unless the circumstances are exceptional.	at environmentally sensitive locations, and to retain the fuller width where there are expected to be higher number of pedestrians. This flexibility in design also enabled the Shared Path to respond to the constraints unique to the various bay environments and avoid or mitigate environmental effects on the environment. The assessment under Policy 10 of the NZCPS (above) is also relevant. Given physical constraints and the inability to use the landward side of Marine Drive, the widening of the road and associated activities requiring reclamations can only be undertaken in or adjacent to the CMA. As addressed above, public access will be enhanced and the shared path itself will provide a key pedestrian and cycle transport link enhancing connectivity throughout the region. The materials and related constructions techniques proposed for the reclamation have been selected to provide greater adaptability and will be visually and aesthetically compatible with the adjoining coastline. In summary: • The Project must be located immediately adjacent to the CMA due to the physical constraints and lack of viable alternatives (it is also the only location that provides resilience benefits); • The Project will enhance public access to and along the CMA (and significantly improve the safety of access); • The Project will restore and enhance amenity values; and • The Project will enhance and protect Marine Drive (as the only transport and infrastructure corridor along the Eastern bays).

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Relevant objective	**Relevant policy**	**Assessment**
	Policy 5.2.8 To ensure that adequate allowance is made for the following factors when designing any reclamation which is to be used for major public works: • rising sea levels as a result of climate change, using the best current estimate scenario of the International Panel on Climate Change (IPCC); • waves and currents; • storm surge; and • major earthquake events.	The factors set out in Policy 5.2.8 have been considered in the development of the Project as associated reclamations. In particular, the reclamation has been designed to accommodate sea level rise through an iterative design process that addresses coastal erosion and reduces wave overtopping. The design will provide the first step in potential incremental seawall upgrades or alternative adaptation options to respond to the potential effects of climate change and sea level rise to protect Marine Drive and related underground infrastructure along this section of the coast. Design options have been selected to allow for upgrade potential following Dynamic Adaptive Planning Principles (DAPP) of iterative long-term management of over 100 years. The design also includes resilience to earthquakes.
	Policy 5.2.1 To recognise that all reclamation and draining of the coastal marine area will, by removing foreshore, seabed, and water from the coastal marine area, have adverse effects. These effects, and the extent to which they can be mitigated or remedied, must be balanced against any possible positive effects from the reclamation.	As assessed under Policy 10 of the NZCPS (above), the reclamation enables outcomes that avoid, remedy or mitigate adverse effects on the coastal environment. A suite of technical assessments included with the application identify a series of mitigation measures to remedy or mitigate adverse effects. They include (amongst others) the introduction of beach nourishment, textured concrete seawalls, sediment controls, beach monitoring, many of these measure are contained in the suggested conditions (refer to Appendix R). Overall, the adverse effects are all minor or less than minor after mitigation and the Project will have positive effects. These effects, and the extent to which they can be avoided, mitigated or remedied must be balanced against the positive effects of the reclamations.

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Relevant objective	**Relevant policy**	**Assessment**
		The Project, and the associated reclamation, will provide significant regional and national benefits as well as enhanced connectivity and resilience against natural hazards. The reclamation will provide for a safe and integrated walking and cycling facility to connect communities along Hutt City's Eastern Bays, and to provide links to other parts of the network for recreation and tourism purposes. The Project has been identified in Council planning documents and the National Land Transport Programme 2018-21 as a significant asset that will provide enhanced regional connections: • within the individual bays (for recreation and access); • between the different bays (to shops, schools, recreation etc.); and • to and from Lower Hutt and beyond (to work, school or for recreation etc.). In addition, the Project will connect the Eastern Bays to other regional and nationally significant cycle routes including the Great Harbour Way/Te Aranui o Pōneke walking cycling route and the Remutaka Cycle Trail (one of New Zealand's Great Rides). This is likely to have significant economic and tourism benefits, at both a regional and national scale. Overall the Project will enhance modal choices (walking and cycling), and enable greater public recreational use of and access to the Eastern Bays. Enhanced public access to and along the CMA would not be achieved effectively without using a reclamation solution.
Objective 5.1.3 Areas of foreshore or seabed with particularly high conservation values are	**Policy 5.2.5** To not allow reclamations which will have significant adverse effects on the values	As assessed above, the Project will avoid all subtidal areas identified as scheduled areas in the PNRP, all Areas of

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Relevant objective	**Relevant policy**	**Assessment**
not reclaimed. These include but are not limited to: • areas containing sensitive, rare, or unusual habitats, natural and physical resources, and ecosystems; • areas possessing particularly high cultural, or spiritual or historic values or features; and • all those areas identified by this Plan as an Area of Significant Conservation Value or an Area of Important Conservation Value.	of any Area of Significant Conservation Value, Area of Important Conservation Value, reef or significant habitats or ecosystems.	Significant or Important Conservation Value in the operative plan and all areas possessing particularly high cultural, spiritual or historic values or features. Any potential adverse effects on areas containing high value habitats, ecosystems and natural and physical resources will be mitigated through measures set out in Appendix J and the draft conditions.
	Policy 5.2.7 To ensure that the external appearance of a proposed reclamation has regard to the existing character of an area, and is designed to minimise adverse effects on ecological and physical processes.	As assessed above, Marine Drive is a highly modified environment. The design of the Project and associated reclamation as set out in the Design Features Report (Appendix J) incorporates mitigation measures to protect natural character, including features and landscapes, and mitigate potential adverse effects on the coastal environment. Mitigation measures include: • the use of natural rock for revetments and imported sand for beach nourishment to match the existing materials; • ensuring consistent path and seawall detailing to reduce the visual impact of new structures; and • the establishment of new ecological habitat in the textured finish to the concrete seawalls. These and other mitigation measures will be incorporated into the LURP and will ensure that the final detailed design minimises potential adverse effects on ecological and physical processes.
Structures		
Objective 6.1.1 Appropriate structures which enable people and communities to provide for their economic and social well-being are allowed.	**Policy 6.2.1** To consider the following as appropriate in the coastal marine area: • the use and development of structures in the coastal marine area for;	Given the physical constraints there is no practicable alternative to a location in the CMA for the shared path. Such a location also enables the resilience benefits of the Project to be realised.

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Relevant objective	**Relevant policy**	**Assessment**
	(1) activities which are functionally dependent upon a location in the coastal marine area; or (2) activities which support and service those which must locate in the coastal marine area, and which, because of a lack of a suitable space or operational constraints, cannot be located outside of the coastal marine area; • the use and development of structures in the Lambton Harbour Development Area; • the use and development of structures for defense purposes; or • the development of structures for network utility operations.	The construction of the shared path along Marine Drive will provide for the social and economic wellbeing of the community as it will provide a walking a cycling route along the coast and access to the CBD. The design will predominantly be located within the existing road corridor and only extend into the coastal environment when necessary. Further, the installations of revetment will reduce the effects of wave overtopping. The Project is expected to enhance community cohesion, provide amenity benefits, widen transport choices and improve access to the coast and to local facilities including public open space such as the beaches and Whiorau Reserve along the road corridor, thereby enabling people to provide for their social, economic and cultural wellbeing. It will also link to existing Hutt City cycleways, as well as the Great Harbour Way/Te Aranui o Pōneke and the Remutaka Cycle Trail The Project will enable people and communities to provide for their social and economic wellbeing. The needs of the community have been considered in determining the public infrastructure required in this location, which in turn aids the recreational and economic growth of the Eastern Bays. Marine Drive is located beside the CMA. While the Shared Path could, in theory, be located on the other side of Marine Drive, this option was rejected in the Alternative Assessment (Appendix G) as it was considered that this would have significant adverse effects on natural character (amongst other adverse effects). In the absence of any other viable option, there is a functional need for the support structures and the shared path to be located in the CMA. The Project provides for coastal recreation and public access, whilst recognising and responding to the need to locate the necessary structures related to the shared path in this location.

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Relevant objective	**Relevant policy**	**Assessment**
		A further driver is to improve the resilience of the road by upgrading the supporting seawalls. Marine Drive is classified as a "Primary Collector" under the One Network Road Classification (ONRC) with traffic volumes up to 8,000 vehicles per day. It is the only road access to the Eastern Bay suburbs and is therefore a key transport route in the region. The road is subject to closure in part due to wave overtopping as a result of the current state of coastal edge. There is a functional need to locate and operate the road (and underground utilities) in the coastal area in this location.
Objective 6.1.2 There is no inappropriate use or development of structures in the coastal marine area.	**Policy 6.2.2** To not allow the use or development of structures in the coastal marine area where there will be: adverse effects on: • any Area of Significant Conservation Value, or Area of Important Conservation Value; • characteristics of special spiritual, historical or cultural significance to Maori identified in accordance with tikanga Maori; • significant places or areas of historic or cultural significance; or • significant ecosystems; or significant adverse effects on: • the risk from natural hazards; • navigation channels; • coastal processes, including waves, tidal currents and sediment transport; • amenity values; • existing lawful public access;	There are no adverse effects on conservation areas or significant sites of cultural or historical value. As explained in the Coastal Vegetation and Avifauna Report (Appendix C), there are effects of seawalls on the: • intertidal benthic community = less than minor. • Resultant loss of intertidal habitat = minimal. • Intertidal ecology = minor and less than minor. • Fish passage = negligible. • Gravel beach ecosystem = low. • Six at risk species. Overall effects on vegetation, taking into account mitigation measures will be minor for seagrass and less than minor the remaining vegetation types and gravels. Overall effects on avifauna, taking into account mitigation measures are minor for coastal birds, and less than minor for Little Penguins. Opporituniti4es to enhance penguin habitat by establishing a local population recover site at Claphams Rock. As assessed above, the Project is an appropriate use and development of the coastal marine area. Other potential adverse effects listed in the Policy are not significant and will be satisfactorily mitigated or remedied through the measures provided in Appendix J, the draft conditions and

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Relevant objective	**Relevant policy**	**Assessment**
	• natural character; • views to and from the coastal marine area; • recreational uses; or • structures of architectural or historic merit; unless such adverse effects can be satisfactorily mitigated, or remedied.	any subsequent mitigation developed as part of detailed design.
	Policy 6.2.3 To discourage the development of ad hoc shore protection structures; and to not allow the development of seawalls, groynes, or other "hard" shore protection structures unless all feasible alternatives have been evaluated and found to be impracticable or to have greater adverse effects on the environment.	One significant benefit of the Project is that it replaces and existing ad hoc seawall and coastal defences that are largely no longer fit for purpose with a coherent and modern seawall. As set out in the Alternatives Assessment (Appendix G) and the Design Features Report (Appendix J), following significant investigations hard shore protection structures have been preferred. All other alternatives were found to be impracticable and would not provide the same level of protection from coastal hazards.
	Policy 6.2.4 To ensure that all new structures in the coastal marine area to which the public are admitted provide reasonable and adequate access and facilities for disabled persons in accordance with section 25 of the Disabled Persons Community Welfare Act 1975.	The Project has been designed to provide reasonable and adequate access and facilities for disabled persons in accordance with section 25 of the Disabled Persons Community Welfare Act 1975.
	Policy 6.2.5 To ensure that adequate allowance is made for the following factors when designing any structure: • rising sea levels as a result of climate change, using the best current estimate scenario of the International Panel on Climate Change (IPCC); • waves and currents;	This has been assessed under Policy 5.2.8 above.

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	• storm surge; and • major earthquake events.	
	Policy 6.2.7 To ensure that all structures in the coastal marine area which are visible and/or accessible are adequately maintained so that: • the structure remains safe; and • any adverse effects on the visual amenity of the area are minimised.	The Project will replace existing seawalls to ensure the safety and resilience of the walls. All new or replaced structures have been designed to enable easy maintenance, avoid visual clutter, and reduce potential adverse effects on the visual amenity (the Project will enhance existing amenity) of the surrounding environment.
Destruction, damage or disturbance of foreshore or seabed		
Objective 7.1.1 The area of bedrock destroyed is minimised. **Objective 7.1.2** The adverse effects from activities which destroy, damage, or disturb foreshore or seabed are avoided, remedied or mitigated.	**Policy 7.2.1** To allow activities involving damage or disturbance to any foreshore or seabed, where the adverse effects are short term, reversible, or minor; and to allow other activities where adverse effects can be satisfactorily avoided, remedied or mitigated. As a guide, the following criteria will need to be met for the activity to be deemed to have minor adverse effects: • the activity will not require exclusive use of the foreshore or seabed, and will not preclude public access to and along the foreshore past the site of the disturbance or damage; • any adverse effects on plants and animals or their habitat will be short term, and the area will be naturally recolonised by a similar community type; • the activity will not result in any significant increase in water turbidity or elevated levels of contaminants;	The effects of the Project are minor for all matters listed in the Policy. As such, the limited damage or disturbance of the foreshore associated with the Project is allowed. Potential adverse effects of the Project on the coastal marine area have been avoided, where possible, and remedied or mitigated through the measures set out in Appendix J, the draft conditions and further measures to be included in the LURP and CEMP following detailed design. In addition the Project will have significant connectivity and resilience benefits (as detailed above). The Project design utilises the existing road corridor along Marine Drive, wherever possible. Following extensive investigation, assessments and community consultation, a 3.5m shared path that widens the road on the seaward side has been preferred. At some locations, this width has been reduced to 2.5m to minimise the encroachment of beaches, accommodate obstacles and ensure reclamations and areas of bedrock affected are minimised.

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	• the activity will not have any off-site adverse effects; • the activity will not adversely affect shoreline stability; • the activity will not have any permanent adverse effects on the amenity values of the foreshore or seabed; • the activity will not have any adverse effect on natural character; • the activity will not destroy or damage historic sites; • the activity will not have any adverse effects on the Hutt Valley aquifer; and • the activity will not have any adverse effects on mahinga maataitai, waahi tapu or any other sites of significance to iwi.	
	Policy 7.2.4 To not allow any activity which results in the destruction of any foreshore or seabed unless: • no practicable alternative is available; and • any adverse effects are mitigated or remedied to the extent practicable, including reinstatement of the foreshore or seabed.	The Alternatives Assessment (Appendix G) concludes that there are no practicable alternative methods for providing the activities required for the Project, and that widening the CMA "is the only practicable option". This option has also been identified by iwi and the community to be the preferred option as it enables delivery of wider benefits associated with the shared path resulting in a safe transport corridor. Any adverse effects will be remedied or mitigated in the manner set out in Appendix J and the draft conditions.

Table 4: Regional Coastal Plan for the Wellington Region Assessment of Relevant Rules

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Rule No.	**Rule**	**Assessment**
5. RECLAMATION AND DRAINING OF FORESHORE AND SEABED **Widening of the shared path and seawall**		
Rule 4 Other activities reclaiming or draining foreshore or seabed outside Areas of Significant Conservation Value (Discretionary Activity)	***Rule*** Any activity reclaiming or draining foreshore or seabed: • that is not specifically provided for in Rules 1, 2, 3, or 5 or • which cannot meet the requirements of those Rules; is a Discretionary Activity and shall comply with the terms below. Terms The Hydrographer of the Royal New Zealand Navy shall be notified of the reclamation at the time consent is granted, at commencement of the work, and when the reclamation is completed. ***Definition*** **Reclamation** and **Reclaiming** mean the permanent infilling of the foreshore or seabed with sand, rock, quarry material, concrete, or other similar material, where such infilling results in a surface (usable for any purpose) which is greater than 2 metres in width above the level of MHWS, and includes any embankment, but does not include any structure above water where that structure is supported by piles, or any infilling where the purpose of that infilling is to provide beach nourishment.	Sections of the Shared Path will extend into the CMA outside the toe of the existing seawall which is greater than 2 metres in width above the level of MHWS. The reclamation is not specifically provided for in Rule 1. 2. 3 or 5 or cannot meet the requirements of those rules. Refer to the assessment of reclamation areas at the end of this section of the Regional Coastal Plan (p88-91) which determines the total area calculated as "reclamation" under the RCP definition.
6. STRUCTURES **Seawall Structure; Rock revetment** Rock rip-rap means rock material placed on earth surfaces such as the shoreline for protection against the action of water		
Rule 6 Maintenance, repair, replacement,	Any maintenance, repair, replacement extension, addition or alteration to or of any existing lawful structure or any part of an existing lawful structure that is fixed in, on, under, or over any foreshore or seabed, including any associated disturbance of foreshore or seabed, which:	Rule 6(1)(b) cannot be complied with given that the proposed seawall in parts will exceed the existing seawall structure:

Regional Coastal Plan for the Wellington Region (operative)		
Rule No.	**Rule**	**Assessment**
extensions, additions, and alterations to structures (Permitted Activity)	(1) is contained within the form of the existing structure, or, provided that the structure is not listed in Appendix 4 (for which no extension, addition or external alteration is allowed by this Rule), adds no more than: (a) within the Commercial Port Area, whichever is the smaller of: • 30% to the plan or cross-sectional area of the structure; or • 30 metres in horizontal projection and 10 metres in vertical projection; measured from the structure existing at 29 June 1994 (the date of public notification of this Plan as a proposed plan); or (b) within the remaining coastal marine area, whichever is the smaller of: • 5% to the plan or cross-sectional area of the structure; or • 5 metres in horizontal projection and 1 metre in vertical projection; measured from the structure existing at 29 June 1994 (the date of public notification of this Plan as a proposed plan); and (2) does not substantially change the external appearance of the structure. For the avoidance of doubt, repainting shall not be deemed to substantially alter the appearance of a structure; and (3) (a) within any Area of Significant Conservation Value disturbs sand, shingle, shell, or other natural foreshore or seabed material in a quantity of less than either; • a rate of 1 cubic metre per 5 metres of structure measured along the length or breadth of the structure, with a maximum disturbance of 20 cubic metres per structure; or • 3 cubic metres for placement or replacement of a pile; or (b) outside any Area of Significant Conservation Value does not require any blasting or other destruction of bedrock on the foreshore or seabed; and (4) if the structure is in the Hutt Valley Aquifer Zone, does not disturb foreshore or seabed to a depth greater than 0.5 metres below the bed; [and] [(5) if the structure is within a Commercial Port Area or the Lambton Harbour Development Area, shown on Planning Maps 4A and 4B, and the	• 5% to the plan or cross-sectional area of the structure; or • 5 metres in horizontal projection and 1 metre in vertical projection. Rule 6(4) cannot be complied with, as the structure is in the Hutt Valley Aquifer Zone and will disturb the seabed at a depth of greater than 0.5 metres. The seawall will comply with the limits to disturbance described in condition (3); however, the rock rip rap structure will not comply with this structure.

Regional Coastal Plan for the Wellington Region (operative)		
Rule No.	**Rule**	**Assessment**
	replacement, extension, addition or alteration is for a use that includes a noise sensitive activity;] is a Permitted Activity provided it complies with the conditions below. Conditions (1) The activity shall comply with the general standards listed in section 14.1. (2) The Hydrographer of the Royal New Zealand Navy shall be notified of any extension, addition or alteration of any structure which intrudes into or over any water used for navigation.	
Rule 7 Removal or demolition of structures (Permitted Activity)	Any removal or demolition of any structure or any part of a structure that is fixed in, on, under, or over any foreshore or seabed, including any associated disturbance of foreshore or seabed, which: (1) (a) within any Area of Significant Conservation Value disturbs sand, shingle, shell, or other natural foreshore or seabed material in a quantity less than either: • a rate of 1 cubic metre per 5 metres of structure measured along the length or breadth of the structure, with a maximum disturbance of 20 cubic metres for a single structure; or • 3 cubic metres for removal of a pile; or (b) outside any Area of Significant Conservation Value does not require any blasting or other destruction of bedrock on the foreshore or seabed; and (2) if the structure is in the Hutt Valley Aquifer Zone, does not disturb foreshore or seabed to a depth greater than 0.5 metres below the bed; and (3) results in the complete removal of the structure or the part of the structure from the coastal marine area; and (4) is not a structure listed in Appendix 4; is a Permitted Activity provided it complies with the conditions below. Conditions	Rule 7(2) cannot be complied with, as the structures are in the Hutt Valley Aquifer Zone and disturbance of the seabed for any required piles or excavation will be at a depth greater than 0.5 metres.

Regional Coastal Plan for the Wellington Region (operative)		
Rule No.	**Rule**	**Assessment**
	(1) The removal or demolition complies with the general standards listed in section 14.1. (2) The Hydrographer of the Royal New Zealand Navy shall be notified of any removal or demolition of any structure which intrudes into or over any water used for navigation.	
Rule 8 Temporary Structures (Permitted Activity)	Any erection or placement of any temporary structure or any part of a temporary structure that is fixed in, on, under, or over any foreshore or seabed, including any associated disturbance of foreshore or seabed, which: (1) does not require any blasting or other destruction of bedrock on the foreshore or seabed; and (2) if the structure is in the Hutt Valley Aquifer Zone, does not disturb foreshore or seabed to a depth greater than 0.5 metres below the bed; and (3) is to be used for an activity allowed by this Plan or by a coastal permit; and (4) will not be in place for a period exceeding 31 days or part days during any 12 month period, inclusive of erection or placement and removal; and (5) if the structure is fixed directly in, on, under or over foreshore, will not prevent lawful public access to and along the foreshore past the structure; and (6) if the structure if fixed directly in, on, under or over seabed, will not block any navigation channel; and (7) is not within any Area of Significant Conservation Value; is a Permitted Activity provided it complies with the conditions below. Conditions (1) The erection or placement complies with the general standards listed in section 14.1. (2) The Hydrographer of the Royal New Zealand Navy shall be notified of any erection or placement of the structure where the structure intrudes into or over any water used for navigation.	Rule 8 (2), (3), (4) and (5) cannot be complied with, as the structures are in the Hutt Valley Aquifer Zone and disturbance of the seabed for any required piles or excavation will be at a depth greater than 0.5 metres. The temporary structures used with the construction of the seawalls will be in place for more than 31 days and may in certain locations prevent lawful public access to and along the foreshore past the structure

Regional Coastal Plan for the Wellington Region (operative)		
Rule No.	**Rule**	**Assessment**
Rule 13 Maintenance, repair, replacement, extensions, additions and alterations to structures (Controlled Activity)	Any maintenance, repair, replacement, addition or alteration to or of any existing lawful structure or any part of an existing lawful structure that is fixed in, on, under, or over any foreshore or seabed, including any associated disturbance of foreshore or seabed, which: (1) is not a permitted activity described in Rules 6 to 12; and (2) is contained within the form of the existing structure, or adds no more than: (a) within the Commercial Port Area, whichever is the smaller of: • 50 % to the plan or cross-sectional area of the structure; or • 50 metres in horizontal projection and 20 metres in vertical projection; measured from the structure existing at 29 June 1994 (the date of public notification of this Plan as a proposed plan); or (b) within the remaining coastal marine area, whichever is the smaller of: • 20% to the plan or cross-sectional area of the structure; or • 10 metres in horizontal projection and 3 metres in vertical projection; measured from the structure existing at 29 June 1994 (the date of public notification of this Plan as a proposed plan); and (3) (a) within any Area of Significant Conservation Value disturbs sand, shingle, shell, or other natural foreshore or seabed material in a quantity of less that either: • a rate of 1 cubic metre per 5 metres of structure measured along the length or breadth of the structure, with a maximum disturbance of 20 cubic metres per structure or; • 3 cubic metres for placement or replacement of a pile; or (b) outside any Area of Significant Conservation value, does not require any blasting or other destruction of bedrock on the foreshore or seabed; [and] [(4) if the structure is within a Commercial Port Area or the Lambton Harbour Development Area, shown on Planning Maps 4A and 4B, and the	Rule 13 is applicable provided conditions can be met. As the conditions cannot be met, resource consent must be applied for (under Ruel 25 below).

Regional Coastal Plan for the Wellington Region (operative)		
Rule No.	**Rule**	**Assessment**
	replacement, extension, addition or alteration is for a use that includes a noise sensitive activity;] is a Controlled Activity provided it complies with the standards and terms specified below. Standards (1) The activity shall comply with the general standards listed in section 14.1.	
Rule 14 Removal or demolition of structures (Controlled Activity)	Any removal or demolition of any structure or any part of a structure that is fixed in, on, under, or over any foreshore or seabed, including any associated disturbance of foreshore or seabed, which: (1) is not a permitted activity; and (2) (a) within any Area of Significant Conservation Value disturbs sand, shingle, shell, or other natural foreshore or seabed material in a quantity less than either: • a rate of 1 cubic metre per 5 metres of structure measured along the length or breadth of the structure, with a maximum disturbance of 20 cubic metres for a single structure; or • 3 cubic metres for removal of a pile; or (b) outside any Area of Significant Conservation Value does not require any blasting or other destruction of bedrock on the foreshore or seabed; and (3) is not a structure listed in Appendix 4; is a Controlled Activity provided it complies with the standards and terms specified below. Standards (1) The activity shall comply with the general standards listed in section 14.1.	The proposal will comply with the general standards and terms.

Regional Coastal Plan for the Wellington Region (operative)		
Rule No.	**Rule**	**Assessment**
Rule 16 Occupation by structures of land in the CMA (Controlled Activity)	The occupation by any lawful structure of any land of the Crown or any related part of the coastal marine area, is a Controlled Activity provided that activity complies with the terms listed below. Terms (1) The person responsible for the structure shall at all times throughout the period when the structure occupies land of the Crown or any related part of the coastal marine area, pay to the consent authority, on behalf of the Crown, any sum of money required to be paid by regulations made under section 360(1)(c) of the Act; (2) The activity shall comply with the general terms listed in section 14.2.	The occupation of the seawalls in the CMA is a controlled activity under Rule 16, as Rule 11 does not enable occupation of the structures in the CMA as a permitted activity.
Rule 18 Structures more or less parallel to mean high water springs (Discretionary Activity)	Any activity involving the erection of a structure or structures, other than a submarine or subaqueous cable: (1) which is solid (or presents a significant barrier to water or sediment movement); and (2) when established on the foreshore or seabed would extend more than 1000 metres in length, more or less parallel to the line of mean high water springs (including separate structures which incrementally total 1000 metres, or more contiguously); and (3) is proposed for an area of the coastal marine area outside any Area of Significant Conservation Value; is a Discretionary Activity.	As the proposed structures are solid, will extend more than 1000 metres in length and are proposed for an area outside of an Area of Significant Conservation Value, Rule 18 applies.
Rule 25 All remaining activities involving the use and development of structures outside any Area of Significant Conservation value	Any activity involving the use or development of any structure or any part of a structure fixed in, on, under or over foreshore or seabed outside an Area of Significant Conservation Value: • that is not specifically provided for in rules 6 to 24 or rules 26 or 27; or • which cannot meet the requirements of those rules, is a discretionary activity.	As the proposed works cannot meet all the requirements under Rules 6, 7, 8 and 13 the proposal must be assessed under Rule 25 as a discretionary activity.

Regional Coastal Plan for the Wellington Region (operative)		
Rule No.	**Rule**	**Assessment**
(Discretionary Activity)		
7. DESTRUCTION, DAMAGE OR DISTURBANCE OF FORESHORE OR SEABED **Construction of new seawall, revetment, boat ramps and steps**		
Rule 40 Other activities involving the destruction, damage, or disturbance of foreshore or seabed outside Areas of Significant Conservation Value (Discretionary Activity)	Any activity involving the destruction, damage, or disturbance of any foreshore or seabed: (1) that is not specifically provided for in Rules 28 – 39 or Rule 43 or any other rules in this Plan; or (2) which cannot meet the requirements of those rules; is a Discretionary Activity	The construction of the rock revetment and foundations for the proposed seawalls will involve the disturbance of the foreshore and seabed must be assessed as a discretionary activity under Rule 40, as they not provided for in Rules 28-39 or Rule 43.
8. DEPOSITION OF SUBSTANCES ON FORESHORE OR SEABED		
Rule 45 Beach nourishment (Controlled Activity)	The deposition of any sand, shingle, shell, or other natural material directly onto any foreshore which: (1) is for the purpose of combating beach or shoreline erosion or improving the amenity of value of the foreshore; is a Controlled Activity provided it complies with the standards and terms specified below. Standards (1) The material to be deposited is clean. (2) The deposition will not cause any significant adverse effects on marine fauna or flora, or human values or uses of the area.	The 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 is a Controlled Activity as the proposal will comply with the standards and terms.

Regional Coastal Plan for the Wellington Region (operative)		
Rule No.	**Rule**	**Assessment**
	(3) The activity shall comply with the general standards listed in section 14.1.	
10. DISCHARGES TO LAND AND WATER		
Rule 53 Stormwater (Permitted Activity)	Any discharge of stormwater onto land or into water in the coastal marine area from any motorway, road, street, railway line, roof, yard, paved surface, breakwater, jetty, wharf, boat shed, or any other structure is a Permitted Activity, provided it complies with the conditions specified below. Conditions (1) The discharger shall adopt the best practicable option to ensure that after reasonable mixing the stormwater discharged will not give rise to all or any of the following effects: • the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; • any conspicuous change in the colour or visual clarity; • any emission of objectionable odour; • the rendering of fresh water unsuitable for consumption by farm animals; • any significant effects on aquatic life. (2) The stormwater collection systems and pipelines will be constructed and maintained in an efficient operating condition. (3) The stormwater shall be discharged at a rate that does not cause significant erosion.	Discharge of stormwater from Marine Drive will not change as a result of the proposed Project and therefore continues to be a permitted activity.
Rule 56 Other discharges of water (Permitted Activity)	The discharge of • fresh water (other than stormwater covered by Rule 53); or • coastal water, which is discharged at a location immediately adjacent from where it was taken; into water in the coastal marine area is a Permitted Activity, provided it complies with the conditions below: Conditions	All discharges will not meet the conditions set out under this Rule, as such consent is required under Rule 61.

Regional Coastal Plan for the Wellington Region (operative)		
Rule No.	**Rule**	**Assessment**
	(1) The discharge (either by itself or when combined with the same, similar or other discharges) will not give rise, after reasonable mixing, to all or any of the following effects: • the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; • any conspicuous change in the colour or visual clarity; • any emission of objectionable odour; • any rendering of fresh water unsuitable for consumption by farm animals; • any significant effects on aquatic life; • any discernible change in temperature. (2) The discharge shall not contain any antibiotics, fungicides, algacides, or synthetic growth stimulants.	
Rule 61 Discharge to the coastal marine area (Discretionary Activity)	Any discharge of a contaminant or water onto land or into water in the coastal marine area, outside any Area of Significant Conservation Value: • not provided for in Rules 53-60 or 62 or any other rules in this Plan; or • which cannot meet the requirements of those rules; is a Discretionary Activity.	Discharges to the CMA require consent under Rule 61. The construction methodology(Design Features Report contained in Appendix J) sets out details on measures that will be implemented to manage potential effects of discharge during the construction phase.

Reclamation Assessment

Coastal Plan:
Reclamation and Reclaiming mean the permanent infilling of the foreshore or seabed with sand, rock, quarry material, concrete, or other similar material, where such infilling results in a surface (usable for any purpose) which is greater than 2 metres in width above the level of MHWS, and includes any embankment, but does not include any structure above water where that structure is supported by piles, or any infilling where the purpose of that infilling is to provide beach nourishment.

Total area (m2) of new seawall above MHWS

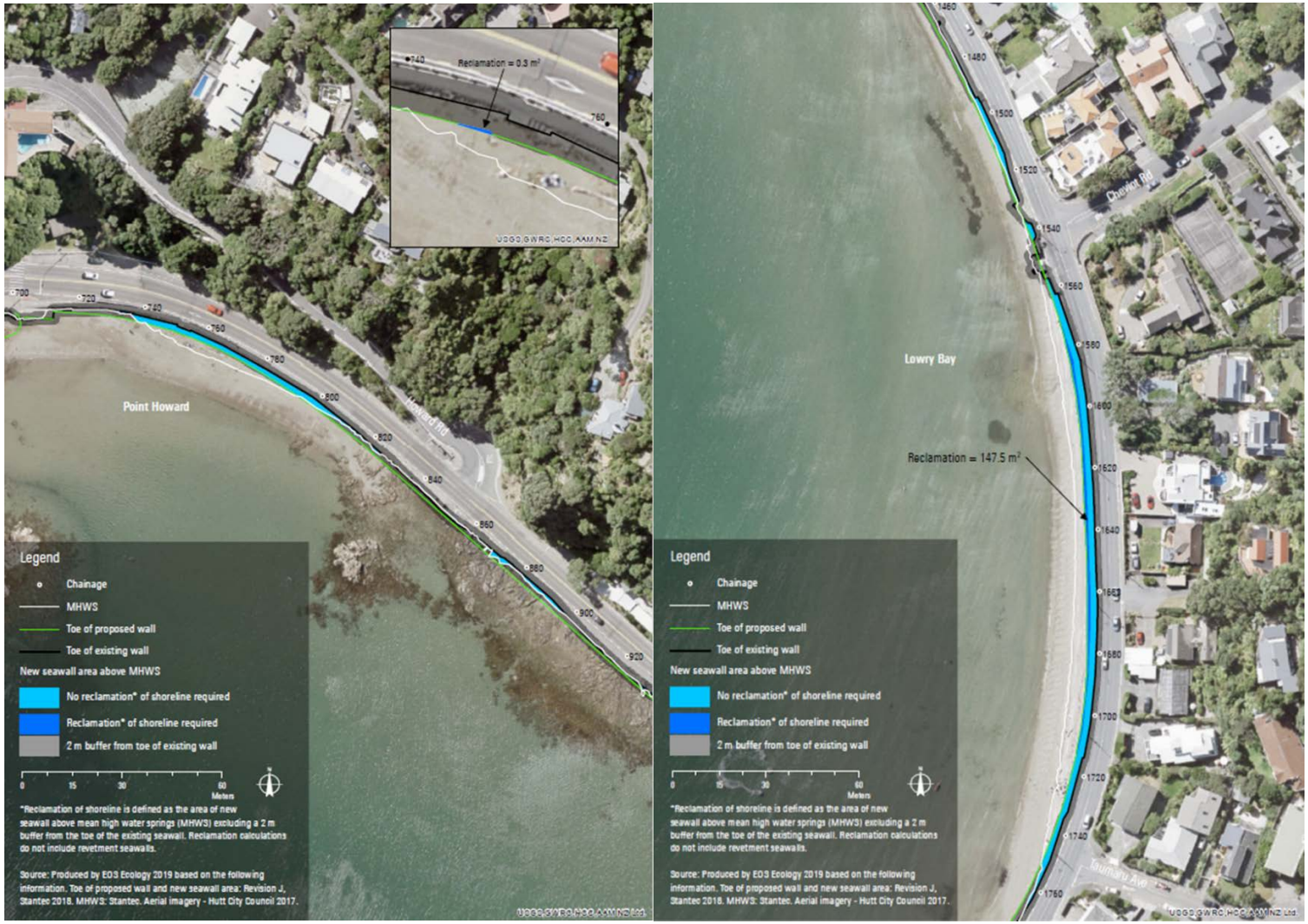
	Lowry Bay	Mahina Bay	Point Howard	Sorrento Bay	Sunshine Bay	Windy Point	York Bay	Grand Total
Access	0.2	9.0		2.8	21.9	1.7	8.3	**43.8**
Curved	617.4	290.5	167.1	25.8	238.8	446.3	190.2	**1976.1**
Grand Total	**617.6**	**299.5**	**167.1**	**28.6**	**260.7**	**448.0**	**198.4**	**2019.9**

RECLAMATION Area (m2) of land beyond 2m from toe of existing wall

	Point Howard	Sorrento Bay	Lowry Bay	York Bay	Mahina Bay	Sunshine Bay	Windy Point	Grand Total
Access				5.4	0.1	5.0	0.1	**10.7**
Curved	0.3		147.5	2.1	42.0	4.9	42.4	**239.2**
Grand Total	**0.3**		**147.5**	**7.4**	**42.2**	**9.9**	**42.5**	**249.8**

Area (m2) of land within 2m of toe of existing wall

	Point Howard	Sorrento Bay	Lowry Bay	York Bay	Mahina Bay	Sunshine Bay	Windy Point	Grand Total
Access		2.8	0.2	2.9	8.8	16.8	1.6	**33.1**
Curved	166.8	25.8	469.9	188.1	248.5	233.9	403.9	**1736.9**
Grand Total	**166.8**	**28.6**	**470.1**	**191.0**	**257.3**	**250.8**	**405.5**	**1770.1**


Reclamation = 0.3 m²
Point Howard
Lowry Bay
Reclamation = 147.5 m²
Legend
Chainage
MHWS
Toe of proposed wall
Toe of existing wall
New seawall area above MHWS
No reclamation* of shoreline required
Reclamation* of shoreline required
2 m buffer from toe of existing wall
0 15 30 60 Meters
*Reclamation of shoreline is defined as the area of new seawall above mean high water springs (MHWS) excluding a 2 m buffer from the toe of the existing seawall. Reclamation calculations do not include revetment seawalls.
Source: Produced by EOS Ecology 2019 based on the following information. Toe of proposed wall and new seawall area: Revision J, Stantec 2018. MHWS: Stantec. Aerial imagery - Hutt City Council 2017.
Legend
Chainage
MHWS
Toe of proposed wall
Toe of existing wall
New seawall area above MHWS
No reclamation* of shoreline required
Reclamation* of shoreline required
2 m buffer from toe of existing wall
0 15 30 60 Meters
*Reclamation of shoreline is defined as the area of new seawall above mean high water springs (MHWS) excluding a 2 m buffer from the toe of the existing seawall. Reclamation calculations do not include revetment seawalls.
Source: Produced by EOS Ecology 2019 based on the following information. Toe of proposed wall and new seawall area: Revision J, Stantec 2018. MHWS: Stantec. Aerial imagery - Hutt City Council 2017.


Legend
Chainage
MHWS
Toe of proposed wall
Toe of existing wall
New seawall area above MHWS
No reclamation* of shoreline required
Reclamation* of shoreline required
2 m buffer from toe of existing wall
0 15 30 60 Meters
*Reclamation of shoreline is defined as the area of new seawall above mean high water springs (MHWS) excluding a 2 m buffer from the toe of the existing seawall. Reclamation calculations do not include revetment seawalls.
Source: Produced by EOS Ecology 2019 based on the following information. Toe of proposed wall and new seawall area: Revision J, Stantec 2018. MHWS: Stantec. Aerial imagery - Hutt City Council 2017.
Reclamation = 1.2 m²
Reclamation = 6.2 m²
Reclamation = 14.5 m²
Reclamation = 27.7 m²
York Bay
Taungata Rd
Mahina Bay
Mahina Rd


Legend
Chainage
MHWS
Toe of proposed wall
Toe of existing wall
New seawall area above MHWS
No reclamation* of shoreline required
Reclamation* of shoreline required
2 m buffer from toe of existing wall
0
25
50
100
Meters
*Reclamation of shoreline is defined as the area of new seawall above mean high water springs (MHWS) excluding a 2 m buffer from the toe of the existing seawall. Reclamation calculations do not include revetment seawalls.
Source: Produced by EOS Ecology 2019 based on the following information. Toe of proposed wall and new seawall area: Revision J, Stantec 2018. MHWS: Stantec. Aerial imagery - Hutt City Council 2017.
Sunshine Bay
Windy Point
Reclamation = 4.9 m²
Reclamation = 5.0 m²
Reclamation = 1.2 m²
Reclamation = 41.3 m²

4. Proposed Natural Resources Plan for the Wellington Region

Table 5 assesses the Project against the relevant objectives and policies of the Proposed Natural Resources Plan for the Wellington Region (31 July 2015) and relevant amendments included in the redlined version of the proposed plan dated 19 October 2018. Amendments to the relevant objectives and policies are shown underlined or ~~struck-out~~ in the first two columns of the table.

Table 5: Proposed Natural Resources Plan for the Wellington Region Assessment of Relevant Objectives and Policies

Proposed Natural Resources Plan for the Wellington Region (31 July 2015) and redlined amended version (19 October 2018)		
Relevant objective	**Relevant policy**	**Assessment**
Ki uta ki tai: mountains to the sea		
Objective O1 Air, land, fresh water bodies and the coastal environment are managed as integrated and connected resources; ki uta ki tai – mountains to the sea.	**Policy P1:** Ki uta ki tai and integrated catchment management ~~Land and water resources~~ Air, land, freshwater bodies and the coastal environment will be managed recognising ki uta ki tai by using the principles of integrated catchment management. These principles include: (a) decision-making using the catchment as the spatial unit, and (b) applying an adaptive management approach to take into account the dynamic nature and processes of catchments, and (c) coordinated management, with decisions based on best available information, and (d) taking into account the connected nature of resources and natural processes within a catchment, and (e) recognising links between environmental, social, cultural and economic sustainability of the catchment.	The Project provides for the integrated management of natural and physical resources in the coastal environment. The Project recognises the ongoing processes of managing coastal values in the face of climate change and SLR and related pressures faced by GWRC and HCC and will provide the first step in incremental upgrades that will assist in providing protection to the road (and underground services). This will 'buy some time' to allow Councils to consider an adaptive response to climate change. Collaboration and input from GWRC, HCC, mana whenua, the community and DOC has influenced the Project design and specific consultation and workshops have been undertaken with GWRC and HCC to ensure responsibilities and functions are appropriately managed. The intention is to have a joint hearing to ensure that an integrated approach is taken to the consideration of issues.

Proposed Natural Resources Plan for the Wellington Region (31 July 2015) and redlined amended version (19 October 2018)		
Relevant objective	**Relevant policy**	**Assessment**
	Policy P3: Precautionary approach Use and development shall be managed with a precautionary approach where there is limited information regarding the effects and any adverse effects are potentially significant ~~receiving environment and the adverse effects the activity may have on this environment~~.	There is significant information on the receiving environment and adverse effects (which are not potentially significant) of the Project and that a precautionary approach is not required. However, the Project adopts a staged, adaptive management approach through its inclusion of design elements to respond to climate change and the effects of sea-level rise (as addressed above).
	Policy P4: Minimising adverse effects Where minimisation of adverse effects is required by policies in the Plan, minimisation means reducing adverse effects of the activity to the smallest amount practicable and shall include: (a) consideration of alternative locations and methods for undertaking the activity that would have less adverse effects, and (b) locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and (c) timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and (d) using good management practices for reducing the adverse effects of the activity, and (e) designing the activity so that the scale or footprint of the activity is as small as practicable.	Potential adverse effects of the Project will be minimised to the smallest amount practicable through: • the consideration of alternatives locations and methods (Appendix G); • locating the Project outside of scheduled areas, wherever practicable. If unavoidable, mitigation measures have been included in Appendix J and the draft conditions. These include measures to avoid breeding times for indigenous birds; and • developing a Construction and Environmental Management Plan (CEMP) as a condition of consent, to ensure potential adverse effects on the receiving environment are minimised. As explained in the Coastal Vegetation and Avifauna Report (Appendix C), there are effects of seawalls on the: • intertidal benthic community = less than minor. • Resultant loss of intertidal habitat = minimal. • Intertidal ecology = minor and less than minor. • Fish passage = negligible. • Gravel beach ecosystem = less than minor • Six at risk species.

Proposed Natural Resources Plan for the Wellington Region (31 July 2015) and redlined amended version (19 October 2018)		
Relevant objective	**Relevant policy**	**Assessment**
		Overall effects on vegetation, taking into account mitigation measures will be less than minor for seagrass and less than minor the remaining vegetation types and gravels. Overall effects on avifauna, taking into account mitigation measures are minor for coastal birds, and less than minor for Little Penguins. Opportunities to enhance penguin habitat by establishing a local population recover site at Claphams Rock. As assessed above, the Project is an appropriate use and development of the coastal marine area. Other potential adverse effects listed in the Policy are not significant and will be satisfactorily mitigated or remedied through the measures provided in Appendix J, the draft conditions and any subsequent mitigation developed as part of detailed design.
Objective O3 Mauri is sustained and enhanced, particularly the mauri of fresh and coastal waters.		The Cultural Impact Report (Appendix H) and Intertidal Ecological AEE (Appendix A) incorporate mitigation measures to ensure mauri is maintained protect the quality of the coastal waters and coastal and marine ecosystems.
Objective O4 The intrinsic values of ~~aquatic~~ fresh water and marine ecosystems <u>are recognised</u> and the life supporting capacity of water <u>and ecosystems are safeguarded</u> ~~are recognised~~.		The Cultural Impact Report (Appendix H) and Intertidal Ecological AEE (Appendix A) incorporate mitigation measures to ensure intrinsic values of aquatic freshwater and marine ecosystems and the life supporting capacity of water is recognised and maintained.
Objective O5 Fresh water bodies and the coastal marine area, as a minimum, are managed to: (a) safeguard aquatic ecosystem health and mahinga kai, and		The Cultural Impact Report (Appendix H) and Intertidal Ecological AEE (Appendix A) incorporate mitigation measures to ensure the fresh water bodies and the coastal marine area is appropriately managed to safeguard aquatic ecosystem health

Proposed Natural Resources Plan for the Wellington Region (31 July 2015) and redlined amended version (19 October 2018)		
Relevant objective	**Relevant policy**	**Assessment**
(b) provide for contact recreation and Māori customary use, and in the case of fresh water, provide for the health needs of people.		and mahinga kai and contact recreation and Māori customary use.
Beneficial use and development		
Objective O9 The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and enhanced.	**Policy P7** Uses of land and water - The cultural, social and economic benefits of using land and water for... (j) contact recreation and Māori customary use, and (k) transport along, and access to, water bodies shall be recognised.	The design significantly improves safety and maintains existing access to the beaches and enhances access along the coast for people walking and cycling. The Project will provide enhanced transport connections within the individual bays (for recreation and access), between different bays (to shops, schools, recreation, etc.), to and from Lower Hutt and beyond (to work, school or for recreation etc.), and to other regional walking or cycle routes within Hutt City and further afield (including the Great Harbour Way/Te Aranui o Pōneke and the Remutaka Cycle Trail). This enhanced connectivity will unlock significant social, economic and recreational benefits, including: • improved safety for pedestrians, cyclists and other road users; • recreation and tourism opportunities; and • positive benefits to health and wellbeing. The recreational benefits of the Shared Path have been assessed (refer to Appendix K) and have shown strong advantages associated with health (physical and mental) and wellbeing, tourism and environment.
	Policy P8 Beneficial activities	The beneficial activities of the Project include:

Proposed Natural Resources Plan for the Wellington Region (31 July 2015) and redlined amended version (19 October 2018)		
Relevant objective	**Relevant policy**	**Assessment**
	The following activities are recognised as beneficial and generally appropriate: (a) activities for the purpose of restoring natural character, aquatic ecosystem health, mahinga kai, outstanding water bodies, sites with significant mana whenua values, and sites with significant indigenous biodiversity values, and (b) activities that restore natural features such as beaches, dunes or wetlands that can buffer development from natural hazards, and … (h) maintenance and use of existing structures in the coastal marine area, natural wetlands and the beds of rivers and lakes, and (i) removal of dangerous or derelict structures in the coastal marine area, natural wetlands and beds of lakes and rivers.	• activities for the purpose of restoring natural character etc through the continuity of seawall design • beach nourishment to restore beaches at Point Howard, Lowry Bay and York Bay locations; • the maintenance and upgrade of existing seawalls in the CMA to protect against coastal hazards (as well as the development of the shared path); and • the removal of derelict sea walls and installation of new ones (or revetment) will protect the road and shared path from wave overtopping and provide the first step in incremental upgrades to respond to the adverse effects of climate change and sea level rise.
Objective O10 Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced.	**Policy P9** Public access to and along the coastal marine area and the beds of lakes and rivers ~~Reduction in~~ Maintain and enhance the extent or quality of public access to and along the coastal marine area and the beds of lakes and rivers ~~shall be avoided~~ except where it is necessary to: (a) protect the values of estuaries, sites with significant mana whenua values identified in Schedule C (mana whenua), sites with significant historic heritage value identified in Schedule E (historic heritage) and sites with significant indigenous biodiversity value identified in Schedule F (indigenous biodiversity), or (b) protect public health and safety, or	Public access will be made significantly safer and maintained and enhanced along the foreshore by locating the Project on the seaward side of Marine Drive, and by placing boat ramps and access steps at regular intervals in strategic locations at beaches and headlands. Although the construction of the Project may restrict or inhibit access to the coast at some areas, this will be temporary in nature and will be for the purposes of protecting public health and safety.

Proposed Natural Resources Plan for the Wellington Region (31 July 2015) and redlined amended version (19 October 2018)		
Relevant objective	**Relevant policy**	**Assessment**
	(c) provide for a temporary activity such as construction, a recreation or cultural event or stock movement, and where the temporary restrictions shall be for no longer than reasonably necessary before access is fully reinstated, and with respect to (a), and (b) ~~and (c)~~, where it is necessary to permanently restrict or remove existing public access, the loss of public access shall be mitigated or offset by providing enhanced public access at a similar or nearby location.	
Objective O11 ~~Opportunities for Māori customary use of the coastal marine area, rivers and lakes and their margins and natural wetlands for cultural purposes are recognised, maintained and improved.~~ NB: This objective was deleted in the redlined version of the proposed plan (19 October 2018).	**Policy P10** Contact recreation and Māori customary use Use and development ~~The management of natural resources~~ shall ~~have particular regard to the actual and potential~~ avoid, remedy or mitigate any adverse effects on contact recreation and Māori customary use in fresh and coastal water, including by: (a) providing water quality and, in rivers, flows suitable ~~for the community's objectives~~ for contact recreation and Māori customary use, and (b) managing activities to maintain or enhance contact recreation values in the beds of lakes and rivers, including by retaining existing swimming holes and maintaining access to existing contact recreation locations, and (c) encouraging improved access to suitable swimming locations, and (d) providing for the passive recreation and amenity values of fresh water bodies and the coastal marine area.	The Cultural Impact Report (Appendix H) identifies the contact recreation and Māori customary use in the receiving environment and considers the actual and potential adverse effects of the Project on these values. Overall, the assessment finds that the Project should only have minor adverse effects on cultural values. These effects have been mitigated in part by the addition of an accidental discovery protocol in the draft consent conditions and by maintaining and enhancing public access to and along the CMA. Engagement with Mana Whenua will continue throughout the detailed design and implementation stages of the Project in the manner set out in the draft consent conditions (including Project signage). The Project will enhance safe access to swimming locations and enhance the recreation and amenity values of the Eastern Bays.
	Policy P15 Flood protection activities The use, maintenance and ongoing operation of existing catchment based flood and erosion risk management	The design of the revetment structures will decrease the risk of wave overtopping and flooding and provide the first step in incremental upgrades to

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	activities which manage the risk of flooding to people, property, infrastructure and communities are beneficial and generally appropriate. **Policy P16** New flood protection and erosion control The social, cultural, economic and environmental benefits of new catchment based flood and erosion risk management activities are recognised.	protect Marine Drive from coastal hazards, including flooding.
Objective O12 The social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised.	**Policy P12** Benefits of regionally significant infrastructure and renewable electricity generation facilities The benefits of regionally significant infrastructure and renewable energy generation activities are recognised by having regard to: (a) the strategic integration of infrastructure and land use, and (b) the location of existing infrastructure and structures, and ... (d) the functional need for port activities to be located within the coastal marine area, and (e) operational requirements associated with developing, operating, maintaining and upgrading regionally significant infrastructure and renewable energy generation activities.	The shared pathway is a regionally significant piece of infrastructure, by not only providing a cycleway, but also offering pedestrians a safe environment to walk along this section of the coast. It utilises, and will protect from climate change in the short term existing regionally significant infrastructure including the road and sewer outfall pipe. Given that the pathway will be situated on the seaward side of Marine Drive, it is considered to be compatible with surrounding land uses. The social, economic, cultural and environmental benefits of the Project and the renewable energy generation activities it enables have been recognised throughout the development of the Project. The Project will also build resilience into the existing infrastructure through rebuilding and maintaining the seawalls. As the use and ongoing operation of the shared pathway in this coastal marine area is regionally significant, it is considered that it will be protected from future incompatible uses and development. It will provide the first step in incremental upgrades to protect the Project and the surrounding environment from the effects of climate change and sea level rise. These future activities will be
Objective O13 The use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.	**Policy P13** Existing regionally significant infrastructure and renewable electricity generation facilities The use, operation, maintenance, and upgrade of existing regionally significant infrastructure and renewable energy generation activities are beneficial and generally appropriate.	

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	Policy P14 Incompatible activities adjacent to regionally significant infrastructure and renewable electricity generation activities Regionally significant infrastructure and renewable energy generation activities shall be protected from new incompatible use and development occurring under, over or adjacent to it, by locating and designing any new use and development to avoid, remedy or mitigate any reverse sensitivity effects.	highly compatible with the ongoing use and operation of the pathway. The mitigation measures included in Appendix J will ensure that any potential adverse effects on the surrounding environment are avoided, remedied or mitigated throughout the construction period.
Maori relationships		
Objective O14 ~~Māori relationships with air, land and water are recognised, maintained and improved.~~ The relationships of Māori and their culture and traditions with air, land and water, in particular with areas and sites with significant values for mana whenua are maintained and improved, including: (a) opportunities for Māori customary use of the coastal marine area, rivers, lakes and their margins and natural wetlands are maintained and improved, and (b) kaitiakitanga is recognised and mana whenua actively participate in planning and decision making, in relation to the use, development and protection of natural and physical resources, and (c) the availability of mahinga kai species to support Māori customary harvest is	**Policy P17** Mauri The mauri of fresh and coastal waters shall be recognised as being important to Māori by: (a) managing the individual and cumulative adverse effects of activities that may impact on mauri in the manner set out in the rest of the Plan, and (b) providing for activities that sustain and enhance mauri, and (c) recognising the role of kaitiaki in sustaining mauri. **Policy P18** Mana whenua relationships with Ngā Taonga Nui a Kiwa The relationships between mana whenua and Nga Huanga o Ngā Taonga Nui a Kiwa identified in Schedule B (Ngā Taonga Nui a Kiwa) will be recognised and provided for by: (a) having particular regard to the values and Ngā Taonga Nui a Kiwa huanga identified in Schedule B (Ngā Taonga Nui a Kiwa) when applying for, and	The post settlement governance entities that have an interest in and statutory acknowledgements from the Crown in relation to Wellington Harbour relevant to the application are the Port Nicholson Block Settlement Trust and Te Rūnanga o Ngāti Toa. The relevant statutory acknowledgements are set out in the Cultural Impact Report (Appendix H). The Wellington Tenths Trust and Te Atiawa ki te Upoko o te Ika a Maui Potiki Trust also have interests in the application. Mana Whenua have been consulted on an ongoing basis since the initial stages of the Project's development. As a result of this consultation, a Cultural Impact Report (CIA) was prepared by iwi to support the resource consent application (Appendix H). The Cultural Impact Report documents Māori cultural values, interests and associations with an area, and the potential impacts of the Project and related activities, on these values. The report also recognises and provides for the exercise of kaitiakitanga over the Project area through the formulation of story boards and signage for the

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increased in quantity, quality and diversity, and (d) the relationship of mana whenua with Ngā Taonga Nui a Kiwa is recognised and provided for, and (e) sites with significant mana whenua values are protected from use and development that will adversely affect their values and restored to a state where the characteristics and qualities of those sites sustain the identified values.	making decisions on resource consent applications and developing Whaitua Implementation Programmes, and (b) informing iwi authorities of relevant resource consents relating to Ngā Taonga Nui a Kiwa, and and (c) recognising the relevant iwi authority/ies as an affected party under RMA s95E where activities risk having a more than minor adverse effect on ngā huanga o Ngā Taonga Nui a Kiwa or on the significant values of a Schedule C site which is located downstream, and (d) working with mana whenua, landowners, and other interested parties as appropriate, to develop and implement ~~supporting iwi-led,~~ restoration initiatives within Ngā Taonga Nui a Kiwa, and (e) the Wellington Regional Council and iwi authorities implementing kaupapa Māori monitoring of Ngā Taonga Nui a Kiwa.	shared path. A draft condition has also been included to provide protocols for the accidental discovery of artefacts, taonga and kōiwi during construction. The consultation process has enabled prioritisation and understanding of issues of significance to Mana Whenua, such as access to the foreshore, to be translated into Project design and the development of measures to avoid, remedy or mitigate actual and potential adverse effects. Both the Cultural Impact Report and Intertidal Ecological Assessment (Appendix A) incorporate mitigation measures to ensure Maori relationships with air, land and water in this environment are recognised, and where appropriate, adverse effects on those relationships are minimised. It is also noted that a number of parties have submitted applications under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA) for customary marine title and protected customary rights over the section of the Wellington Harbour within the Project area. Notifications occurred as prescribed by MACA to seek the views of the groups that have applied for recognition of customary marine title in the area about the Project. Appendix R sets out the notification documents. No Project specific feedback has been received from MACA applicants to date.
Objective O15 ~~Kaitiakitanga is recognised and mana whenua actively participate in planning and decision-making.~~ **Objective O16** ~~The relationship of mana whenua with Ngā Taonga Nui a Kiwa is recognised and provided for.~~ NB: These objectives were deleted in the redlined version of the proposed plan (19 October 2018).	**Policy P19** Māori values The cultural relationship of Māori with air, land and water shall be recognised and the adverse effects on this relationship and their values shall be minimised.	
	Policy P20 Exercise of kaitiakitanga Kaitiakitanga shall be recognised and provided for by: (a) managing activities ~~natural and physical resources~~ in sites with significant mana whenua values listed in Schedule C (mana whenua) in accordance with tikanga and kaupapa Māori as exercised by mana whenua, and (b) the identification and inclusion of mana whenua attributes and values in the kaitiaki information and	

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	monitoring strategy in accordance with Method M2, and (c) identification of mana whenua values and attributes and their application through tikanga and kaupapa Māori in the maintenance and enhancement of mana whenua relationships with Ngā Taonga Nui a Kiwa.	
	Policy P21 Statutory acknowledgements Wellington Regional Council will have regard to any relevant statutory acknowledgment in Schedule D (statutory acknowledgements) when processing resource consent applications.	
Natural character, form and function		
Objective O17 The natural character of the coastal marine area, rivers, lakes and their margins and natural wetlands is preserved and protected from inappropriate use and development.	4.4.1 Estuaries and harbours **Policy P23** ~~Restoring Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Lake Wairarapa.~~ ~~The ecological health and significant values of Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Lake Wairarapa will be restored overtime by:~~ ~~(a) managing activities to reduce sedimentation rates and pollutant inputs, and~~ ~~(b) managing erosion-prone land and riparian margins in their catchments, and~~ ~~(c) undertaking planting and pest management programmes in harbour and lake habitats and ecosystems.~~ NB: This objective was deleted in the redlined version of the proposed plan (19 October 2018).	The Landscape and Visual Assessment (Appendix D) and Ecological Assessment (Appendix A) incorporate mitigation measures to protect natural features and natural landscapes. The ecological assessment (Appendix A) identifies the ecological health and significant values of Te Awarua-o-Porirua, and how the proposed construction of the shared pathway and seawalls will avoid, remedy or mitigate any potential adverse effects it. While there is the potential for the Project to generate localised higher than existing levels of suspended sediment concentration (SSC) during the construction stage, the reworking of beach sediments by the change to nearshore hydrodynamics will have a negligible effect on sedimentation rates or suspended sediment concentrations within each bay and the wider Wellington Harbour. Coastal water quality will therefore be maintained.

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	4.4.2 Natural character **Policy P24** Outstanding natural character Areas of outstanding natural character in the coastal marine area will be preserved by: (a) avoiding adverse effects of activities on natural character in areas of the coastal marine area with outstanding natural character, and (b) requiring use and development to be of a type, scale and intensity that will maintain the natural character values of the area, and (c) requiring built elements to be subservient to the dominance of the characteristics and qualities that make up the natural character values of the area, and (d) maintaining the high levels of naturalness of these areas, and (e) avoiding the adverse effects of activities, including those located outside the area, that individually or cumulatively detract from the natural character values of the outstanding natural character area.	No outstanding natural features, outstanding natural landscapes or areas with outstanding natural character have been identified in this coastal environment. Significant adverse effects have been avoided, and mitigation measures have been incorporated into the Project design to mitigate any potential adverse effects on natural character, natural features and landscapes. The Landscape and Visual assessment incorporates mitigation measures to protect the outstanding natural character of the area (Appendix D). These measures will be expanded upon in the LURP. The Project maintains and enhances the natural character values of the Eastern Bays.
	Policy P25 Natural character Use and development shall avoid significant adverse effects on natural character in the coastal marine area (including high natural character in the coastal marine area) and in the beds of lakes and rivers, and avoid, remedy or mitigate other adverse effects of activities, taking into account: (a) the extent of human-made changes to landforms, vegetation, biophysical elements, natural processes and patterns, and the movement of water, and	As stated above, significant adverse effects on natural character have been avoided through route selection and Project design, and mitigation measures have been incorporated into the Project design to mitigate any potential adverse effects on natural character, natural features and landscapes. The Landscape and Visual assessment incorporates mitigation measures to protect the outstanding natural character of the area (Appendix D). These measures will be expanded upon in the LURP. The proposed shared path provides safe, pedestrian and cyclist access around the Eastern Bays. At the

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	(b) the presence or absence of structures and buildings, and (c) the particular elements, features and experiential values that contribute significantly to the natural character value of the area, and the extent to which they are affected, and ~~(d) whether it is practicable to protect natural character from inappropriate use and development through:~~ ~~(i) using an alternative location, or form of development that would be more appropriate to that location, and~~ ~~(ii) considering the extent to which functional need or existing use limits location and development options.~~ ~~(e)~~ alternative locations, design or form of development that have less adverse effects.	same time, it creates wider benefits by maintaining the integrity of the Marine Drive road for residents and visitors, and access to East Harbour Regional Park. Within the wider Eastern Bays landscape, the particular elements, features and experiential values that contribute to the natural character value of the area remain unchanged. At a local scale, the proposal will modify the existing landform, encroaching onto the foreshore. While this is not insignificant, the consequent impact on experiential natural character is less pronounced, due largely to the presence of the road and its existing modifications to the coastal edge. Overall, the Project only reclaims a small amount of the CMA in Eastern Bays and an insignificant amount within Wellington Harbour as a whole.
Objective O19 ~~The interference from use and development on natural processes is minimised.~~ Natural processes, including natural elements, patterns and ecological processes continue to occur, and the integrity and functioning of natural processes and forms is retained.	4.4.3 Natural processes **Policy P26** Natural processes Use and development will be managed to minimise effects on the integrity and functioning of natural processes by: (a) considering alternative locations and methods for undertaking the activity that would have less adverse effects, and (b) locating away from areas identified in Schedule A, C, E and F, and (c) timing the activity, or the adverse effects of the activity, to avoid times when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and (d) using good management practices, and	The seawalls constructed and replaced as part of the Project will protect the modified coastline around the Eastern Bays from natural depositional and erosional processes. The seawall will have a negligible potential to affect natural processes that influence sediment supply and transport.

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	(e) designing the activity so that the effects of the scale or footprint of the activity is as small as practicable.	
Objective O21 Inappropriate use and development in high hazard areas is avoided.	4.4.4 Natural hazards **Policy P27** High hazard areas Use and development, including hazard mitigation methods, in high hazard areas shall be avoided except where: (a) they have a functional need or operational requirement or there is no practicable alternative to be so located, and (b) the risk to the development and/or residual risk after hazard mitigation measures, assessed using a risk-based approach, is acceptable ~~low~~, and (c) the development does not cause or exacerbate natural hazards in other areas, and (d) adverse effects on natural processes (coastal, riverine and lake) is avoided, remedied or mitigated ~~interference with natural processes (coastal, fluvial and lacustrine processes) is minimised~~, and (e) natural cycles of erosion and accretion and the potential for natural features to fluctuate in position over time, including movements due to climate change and sea level rise over at least the next 100 years, are taken into account.	The PNRP defines high hazard area as including all areas of the CMA. Objective O21 and Policy P27 are therefore relevant to the application. The Project has been assessed as enabling appropriate use and development within the coastal environment (see above). As assessed above, due to locational constraints and the inability to use the landward side, there is no practicable alternative location for the Project. The coastal hazard mitigation measures provided as part of the Project have a functional need to be located in the CMA and will provide the first step in incremental upgrades to mitigate the adverse effects of climate change along the coastline. Detailed design at each section will consider design improvements to mitigate coastal hazards, including wave overtopping where possible. The seawall will also be built to be resilient to earthquakes.
Objective O22 ~~Hard engineering mitigation and protection methods are only used as a last practicable option.~~ NB: This objective was deleted in the redlined version of the proposed plan (19 October 2018).	**Policy P28** Hazard mitigation measures Hard engineering mitigation and protection methods shall be avoided except where it is necessary to protect existing development from unacceptable risk, assessed using the risk-based approach, and the works either form part of a hazard management strategy or the	The Project will replace the existing, ad hoc seawalls and structures along the Eastern Bays with new, fit for purpose structures. If nothing is done, in the medium-term critical road and infrastructure access to and along the Eastern Bays will be lost.

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	environmental effects are considered to be no more than minor.	As set out in the Alternatives Assessment (Appendix G) and the Design Features Report (Appendix J), following significant investigations hard shore protection structures (sea walls and revetment) have been preferred for the Project. All other alternatives were found to be impracticable and would not provide the same level of protection from coastal hazards, including wave overtopping. The works form part of a broader hazard management strategy and provide the first step in incremental upgrades along the coastline to protect against the increasing level of coastal hazard exposure due to climate change. In particular, the Project will 'buy some time' for HCC to develop an iterative long-term management approach to for the Eastern Bays to adapt to climate change.
Objective O20 The risk, residual risk, and adverse effects from natural hazards and climate change on people, the community and infrastructure are acceptable.	**Policy P29**: Climate change Particular regard shall be given to the potential for climate change to <u>threaten biodiversity, aquatic ecosystem health and mahinga kai, or to</u> cause or exacerbate natural hazard events that could adversely affect use and development including: (a) coastal erosion and inundation (storm surge), and (b) river and lake flooding and erosion<u>,</u> ~~or~~ aggradation<u>, decreased minimum flows</u>, and (c) stormwater ponding and impeded drainage, and (d) sea level rise, using <u>reliable scientific data</u> ~~the best available guidance~~ for the Wellington Region.	
Water quality		
Objective O23 The quality of <u>groundwater, water in surface water bodies</u> ~~in the region's rivers, lakes, natural wetlands, groundwater~~ and the coastal marine area is maintained or improved.		Coastal water quality will be maintained to a level that is suitable for the health and vitality of coastal and marine ecosystems, contact recreation and Māori customary use. While there is the potential for the Project to generate localised higher than existing levels of suspended sediment concentration (SSC) during the construction stage, the reworking of beach sediments by the change to nearshore hydrodynamics will have a negligible effect on sedimentation rates or suspended sediment concentrations within each bay and the wider Wellington Harbour. To mitigate these effects, pouring of concrete in situ will be done in the dry and if not the contaminated water will be pumped away and treated. Details on
Objective O24 Rivers, lakes, natural wetlands and coastal water are suitable for contact recreation and Māori customary use, including by: (a) maintaining water quality, or (b) improving water quality in: (i) significant contact recreation fresh water bodies to meet, as a minimum, the		

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primary contact recreation objectives in Table 3.1, and (ii) coastal water to meet, as a minimum, the primary contact recreation objectives in Table 3.3, and (iii) sites with significant mana whenua values and Ngā Taonga Nui a Kiwi meet, as a minimum, the primary contact recreation objectives in Table 3.1 or 3.3		sediment control are included in Construction Methodology in section 4.2.4 of Appendix J.
Biodiversity, aquatic ecosystem health and mahinga kai		
Objective O25 ~~To safeguard aquatic ecosystem health and mahinga kai in fresh water bodies and coastal marine area:~~ ~~(a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain aquatic ecosystem health and mahinga kai, and~~ ~~(b) restoration of aquatic ecosystem health and mahinga kai is encouraged, and~~ ~~(c) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is improved over time to meet that objective.~~ Aquatic ecosystem health and mahinga kai in freshwater bodies and the coastal marine area are safeguarded.	**Policy P31** Aquatic ecosystem health and mahinga kai Biodiversity, aquatic ecosystem health and mahinga kai shall be maintained or restored by managing the effects of use and development on physical, chemical and biological processes to: *Hydrology* (a) ~~minimise adverse effects on~~ maintain or restore natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in rivers, lakes and natural wetlands, and *Water quality* (b) maintain or improve water quality to meet the objectives in Tables 3.4, 3.5, 3.6, 3.7, and 3.8 of Objective 025, and *Aquatic habitat diversity and quality* (c) ~~minimise adverse effects on~~ maintain or restore aquatic habitat diversity and quality, including the form, frequency and pattern of pools, runs, and riffles in rivers, and the natural form of rivers, lakes, natural wetlands and the coastal marine area ~~habitats~~, and	The Project, which replaces existing seawall/structures will maintain existing hydrodynamic processes and coastal water quality. While there is the potential for the Project to generate localised higher than existing levels of suspended sediment concentration (SSC) during the construction stage, the reworking of beach sediments by the change to nearshore hydrodynamics will have a negligible effect on sedimentation rates or suspended sediment concentrations within each bay and the wider Wellington Harbour. The Project will also maintain and enhance fish passage along the Eastern Bays and will enable additional fish habitat along the seawalls through the use of textured surfaces. As explained in the Coastal Vegetation and Avifauna Report (Appendix C), the effects of the seawalls on the: • intertidal benthic community = less than minor. • Resultant loss of intertidal habitat = minimal. • Intertidal ecology = minor and less than minor. • Fish passage = negligible.

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	Critical habitat for indigenous aquatic species and indigenous birds (d) ~~minimise adverse effects on~~ maintain and restore habitats that are important to the life cycle and survival of aquatic species and the habitats of indigenous birds in the coastal marine area..., and *Critical life cycle periods* (e) avoid, minimise, or remedy adverse effects on aquatic species at times which will most affect the breeding, spawning, and dispersal or migration of those species, including timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more severe ~~minimise adverse effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species~~, and ~~(e) avoid creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate, and~~ ~~*Riparian habitats*~~ (f) ~~minimise adverse effects on~~ maintain or restore riparian habitats ~~and restore them where practicable~~, and *Pests* (g) avoid the introduction, and restrict the spread, of aquatic pest plants and animals.	• Gravel beach ecosystem = less than minor. • Six at risk species. Overall effects on vegetation, taking into account mitigation measures will be less than minor for seagrass and less than minor the remaining vegetation types and gravels. Overall effects on avifauna, taking into account mitigation measures are less than minor for coastal birds, and less than minor for Little Penguins. Opporituniti4es to enhance penguin habitat by establishing a local population recover site at Claphams Rock. As assessed above, the Project is an appropriate use and development of the coastal marine area. Other potential adverse effects listed in the Policy are not significant and will be satisfactorily mitigated or remedied through the measures provided in Appendix J, the draft conditions and any subsequent mitigation developed as part of detailed design.
Objective O26 ~~The availability of mahinga kai species to support Māori customary harvest is increased, in quantity, quality and diversity.~~	**Policy P32** Adverse effects on aquatic ecosystem health and mahinga kai ~~Significant~~ Adverse effects on aquatic ecosystem health, biodiversity and mahinga kai shall be managed by:	The Project will not have significant adverse effects on aquatic ecosystem health, biodiversity and mahinga kai. Where not possible to avoid, potential adverse effects have been minimised, mitigated or

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NB: This objective was deleted in the redlined version of the proposed plan (19 October 2018).	(a) avoiding significant adverse effects, and (b) where significant adverse effects cannot be avoided, ~~remedying~~ minimising them, and (c) where significant adverse effects cannot be avoided and/or minimised they are remedied on-site ~~remedied, mitigating them~~, and (d) where significant residual adverse effects remain, it is appropriate to consider the use of biodiversity offsets. Proposals for mitigation and biodiversity offsetting will be assessed against the principles listed in Schedules G1 and G2 (biodiversity offsetting).	remedied through the measures provided in the Design Features Report (Appendix J), the draft conditions (Appendix R) and any subsequent mitigation developed as part of detailed design, including through the CEMP.
Objective O27 ~~Vegetated riparian margins are established and maintained.~~ NB: This objective was deleted in the redlined version of the proposed plan (19 October 2018).	**Policy P33** ~~Protecting indigenous fish habitat~~ ~~The more than minor adverse effects of activities on the species known to be present in any water body identified in Schedule F1 (rivers/lakes) as habitat for indigenous fish species, and Schedule F1b (inanga spawning habitats), particularly at the relevant spawning and migration times identified in Schedule F1a (fish spawning/migration) for those species, shall be avoided. These activities include the following:~~ ~~(a) discharges of contaminants, including sediment, and~~ ~~(b) disturbance of the bed or banks that would significantly affect spawning habitat at peak times of the year, and~~ ~~(c) damming, diversion or taking of water which leads to significant loss of flow or which makes the river impassable to migrating indigenous fish.~~ NB: This policy was deleted in the redlined version of the proposed plan (19 October 2018).	Policy P33 is not relevant to the application as the Project avoids the relevant scheduled areas and habitats. There are a number of outfalls were fish passage is required. The fish species present or likely to be present in the affected streams have exceptional climbing abilities to negotiate instream barriers, however they cannot get beyond perched outlets with an overhang. Solutions will be site-specific as it will depend on the relative level of the outlet and seawall design at each location, and may include constructing a short concrete ramp or use of mussel spat rope. A freshwater ecologist with fish passage experience will need to be involved in the detailed design of these outlets. Underground storm water pipes will require extensions where seawall treatments are proposed to create additional corridor width. The locations of the storm water pipes have been identified as part of the topographical survey and assessed as part of the Freshwater Fish Passage Requirements (Appendix B). During detailed design cross sections
	Policy P34 Fish passage	

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Objective O29 ~~Use and development provides for the passage of fish and koura, and the passage of indigenous fish and koura is restored.~~ The passage of fish and koura is maintained and the passage of indigenous fish and koura is restored.	~~The construction or creation of new barriers to the passage of fish and koura species shall be avoided.~~ The construction or creation of new barriers to the passage of fish and koura species shall be avoided, except where this is required for the protection of indigenous fish and koura populations.	will be developed to accommodate the pipe extension within the seawall treatment and where necessary fish passage will be provided. Nine stormwater pipes under Marine Drive in the project area were identified as being currently accessible or used as breeding habitat by little penguins. Little Penguin access to inland breeding sites via stormwater pipes will be continued through appropriate pipe extension design.
	Policy P35 Restoring fish passage The passage of indigenous fish and koura shall be restored where this is appropriate for the management and protection of indigenous fish and koura populations.	
	Policy P36 ~~Effects on indigenous bird habitat~~ ~~The adverse effects of use and development on the habitats of indigenous birds in the coastal marine area, wetlands and beds of lakes and rivers and their margins for breeding, roosting, feeding, and migration shall be minimised.~~ NB: This policy was deleted in the redlined version of the proposed plan (19 October 2018).	A number of existing avifauna and their habitats were found in the area. The majority of these birds were observed in Point Howard-Sorrento Bays (79% of all birds). No coastal birds were seen during the field surveys on Marine Drive and existing concrete seawalls. The shared path footprint area and zone of influence provide seasonal or core habitat for one Nationally Endangered indigenous bird species (reef heron, in low and declining numbers) and one Nationally Vulnerable species (Caspian tern in low numbers). Nine At Risk species are present: fluttering shearwater (Relict); giant petrel, pied shag and variable oystercatcher (Recovering); black shag and little black shag (Naturally Uncommon); and red-billed gull, NZ little penguin and white-fronted tern (Declining). The project area has very high value for avifauna and their habitat. Although the level of potential effect of habitat loss on coastal avifauna is assessed as moderate over decades, it is noted that effects will reduce over longer time spans with increasing sea-level rise. Mitigation options for curved seawalls and revetments are proposed that would enhance their intertidal productivity and compensate to a degree for the loss of avifauna habitat. A review of site-specific

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Relevant objective	**Relevant policy**	**Assessment**
		choices for a 3.5 m shared path width in relation to marginal benefits of shared path use and the retention of avifauna habitat is recommended in the Assessment. There are parts of the shared path area that are used by little penguins for access, nesting and moulting and are of high ecological value as stated in the Assessment. Potential construction effects of curved seawall and revetment works and of works on stormwater pipes being used for nesting or access include noise, disturbance or destruction of nest, moulting or other occupational sites and blocking of penguin access. The magnitude of potential effect is assessed as high. Effects on the little penguin cannot be avoided, but can be mitigated through stormwater drains, access steps and ramps, and revetment design for little penguin access.
Sites with significant values		
Objective O31 Outstanding water bodies and their significant values are protected and restored. Where significant values relate to biodiversity, aquatic ecosystem health and mahinga kai, restoration is to a healthy functioning state as defined by Tables 3.4, 3.5, 3.6, 3.7 and 3.8.	4.6.1 Outstanding water bodies **Policy P39** Adverse effects on outstanding water bodies The adverse effects of use and development on outstanding water bodies and their significant values identified in Schedule A (outstanding water bodies) shall be avoided. **Redlined version (19 October 2018)**: included a new Policy 39A: Indigenous biodiversity values within the coastal marine area: To protect the indigenous biodiversity values of aquatic ecosystems, habitats and species, use and development within the CMA shall: (a) Avoid adverse effects on: (i) indigenous taxa listed as threatened or at risk in the NZ Threat classification system lists or as	The Project will avoid the outstanding water bodies and their significant values in Schedule A of the PNRP.

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Relevant objective	**Relevant policy**	**Assessment**
	threatened by the International Union for Conservation of Nature and Natural Resources; (ii) indigenous ecosystems and vegetation types in the coastal environment that are threatened or are naturally rare; (iii) habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare; (iv) areas in the coastal environment containing nationally significant examples of indigenous community types; (v) areas set aside for full or partial protection of indigenous biological diversity under other legislation...	
Objective O32 Outstanding natural features and landscapes are protected from inappropriate use and development.	4.6.2 Sites with significant indigenous biodiversity value **Policy P40** Ecosystems and habitats with significant indigenous biodiversity values Protect and restore the following ecosystems and habitats with significant indigenous biodiversity values: (b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and (d) the ecosystems and habitat-types with significant indigenous biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats).	The Project design avoids adverse effects on seagrass in Lowry Bay and all sites and habitats with significant indigenous biodiversity values in the CMA (Schedules F4 and F5).
Objective O35 Ecosystems and habitats with significant indigenous biodiversity values are protected and restored to a healthy functioning state as defined by Tables 3.4, 3.5, 3.6, 3.7 and 3.8.	**Policy P41** Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, in the first instance activities that risk causing adverse effects on the values of a significant site, other	The Project will protect and restore ecosystems and habitats with significant indigenous biodiversity values where possible. Where it is not possible to avoid these habitats and values, potential adverse effects have been managed by minimising more than minor effects, or remedying these potential on-site through use of the measures in the Design

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Relevant objective	**Relevant policy**	**Assessment**
	than activities carried out in accordance with a wetland restoration management plan, shall avoid these ecosystems and habitats. If the ecosystem or habitat cannot be avoided (except for those ecosystems and habits identified in Policy P40(b), (c) and (d) that are identified and managed by Policy P39(Aa)), the adverse effects of activities shall be managed by: (a) avoiding more than minor adverse effects, and (b) where more than minor adverse effects cannot be avoided, ~~remedying~~ minimising them, and (c) where more than minor adverse effects cannot be avoided and/or minimised, they are remedied on-site ~~remedied, mitigating them~~, and (d) where residual adverse effects remain ~~it is appropriate to consider~~ the use of biodiversity offsets may be proposed or agreed to by the applicant. Proposals for biodiversity mitigation and biodiversity offsets will be assessed against the principles listed in Schedules G1 and G2. A precautionary approach shall be used when assessing the potential for adverse effects on ecosystems and habitats with significant indigenous biodiversity values. Where more than minor adverse effects on ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40 cannot be avoided, remedied, mitigated or redressed through biodiversity offsets, the activity is inappropriate.	Features Report (Appendix J), the draft conditions (Appendix R) and any subsequent mitigation developed as part of detailed design, including through the CEMP.
	Policy P42 Protecting and restoring ecosystems and habitats with significant indigenous biodiversity values In order to protect the ecosystems and habitats with significant indigenous biodiversity values identified in Policy P40, particular regard shall be given to managing	As mentioned above, the Project will protect and restore ecosystems and habitats with significant indigenous biodiversity values where possible. Where it is not possible to avoid these habitats and values, potential adverse effects have been

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Relevant objective	**Relevant policy**	**Assessment**
	the adverse effects of use and development in surrounding areas on physical, chemical and biological processes to: (a) maintain ecological connections within and between these habitats, or (b) provide for the enhancement of ecological connectivity between fragmented habitats through biodiversity offsets, and (c) provide adequate buffers around ecosystems and habitats with significant indigenous biodiversity values, and (d) avoid cumulative adverse effects on, and the incremental loss of the values of these ecosystems and habitats.	managed by minimising more than minor effects, or remedying these potential on-site through use of the measures in the Design Features Report (Appendix J), the draft conditions (Appendix R) and any subsequent mitigation developed as part of detailed design, including through the CEMP.
Objective O33 ~~Sites with significant mana whenua values are protected and restored.~~ NB: This objective was deleted in the redlined version of the proposed plan (19 October 2018).	4.6.3 Sites with significant mana whenua values **Policy P44** Protection and restoration of sites with significant mana whenua values Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be protected and/or restored by: (a) working to increase landowner and community understanding of significant values within Schedule C sites, and (b) working with mana whenua, landowners, and other interested parties as appropriate, to develop and implement restoration programmes for Schedule C sites, and (c) the Wellington Regional Council and iwi authorities implementing kaupapa Māori monitoring of Schedule C sites.	The Project avoids sites with significant mana whenua values in Schedule C. Objective O33 and Policy P44 are therefore not relevant to the application. The Cultural Impact Assessment (Appendix H) documents Māori cultural values, interests and associations with the area, and the potential impacts of the Project and related activities, on these values. This has enabled prioritisation and understanding of issues of significance to Mana Whenua, such as access to the foreshore, to be translated into Project design and the development of measures to avoid, remedy or mitigate actual and potential adverse effects. This engagement will continue throughout the detailed design stage and implementation stage of the Project, as set out in the draft consent conditions.

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Relevant objective	**Relevant policy**	**Assessment**
	Policy P45 Managing adverse effects on sites with significant mana whenua values In the first instance, activities in sites with significant mana whenua values identified in Schedule C (mana whenua) shall be avoided. If the site cannot be avoided, more than minor adverse effects on the significant mana whenua values must be evaluated through a cultural impact assessment undertaken by the relevant iwi authority or iwi authorities. Significant adverse effects on the significant values of the site shall be avoided. Other ~~The~~ adverse effects of activities shall be managed in accordance with tikanga and kaupapa Māori as recommended in the cultural impact assessment by: (a) avoiding more than minor adverse effects, and (b) where more than minor adverse effects cannot be avoided, minimising ~~remedying~~ them, and (c) where more than minor adverse effects cannot be avoided and/or minimised, they are remedied on-site~~, mitigating them~~, and ~~(d) receiving written consent of the iwi authority.~~ Proposals for mitigation will be assessed against the principles listed in Schedule G1 (biodiversity mitigation). Where more than minor adverse effects on significant mana whenua values identified in Schedule C (mana whenua) cannot be avoided, remedied or mitigated, the activity is inappropriate. Offsetting of effects in sites with significant mana whenua values is inappropriate. The relevant iwi authority/ies shall be considered to be an affected party under RMA s95E for all activities which require resource consent within a Schedule C site where the adverse effects are minor or more than minor.	The Project provides opportunities for tangata whenua to exercise kaitiakitanga by involving the Port Nicholson Block Settlement Trust, Te Rūnanga o Ngāti Toa, and Te Atiawa ki te Upoko o te Ika a Maui Potiki Trust in the formulation of story boards and signage for the shared path. A draft condition has also been included to provide protocols for the accidental discovery of artefacts, taonga and kōiwi during construction. The CIA states that from a historical Māori perspective the shorelines along the Eastern Bays were used to provided mahinga kai or a place to gather shellfish like pipi and various species collectively now known as surf clams. The Māori sites of significance along this coastline listed in the City of Lower Hutt District Plan include Whiorau/Lowry Bay which was an old Pā site and well as being a place known as mahinga kai or a place to gather seafood. The Cultural Impact Assessment concludes that if carefully managed, the Project should have few if any adverse effects on marine environment. This is despite it extending along a significant length of the shoreline and to the low tide level. It is also noted that a number of parties have submitted applications under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA) for customary marine title and protected customary rights over the section of the Wellington Harbour within the Project area. Notifications occurred as prescribed by MACA to seek the views of the groups that have applied for recognition of customary marine title in the area about the Project. Appendix R sets out the notification documents. No Project specific feedback has been received from MACA applicants to date.

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Relevant objective	**Relevant policy**	**Assessment**
Objective O34 Significant historic heritage values are protected from inappropriate modification, use and development.	4.6.4 Sites with significant historic heritage value **Policy P46** Managing adverse effects on sites with significant historic heritage value More than minor adverse effects on the significant historic heritage values identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds), Schedule E3 (navigation aids), Schedule E4 (archaeological sites) and Schedule E5 (freshwater heritage) shall be avoided, remedied or mitigated by managing activities so that: (a) significant historic heritage values are not lost, damaged or destroyed (b) effects are of a low magnitude or scale, or effects are reversible (c) interconnections and linkages between sites are not significantly altered or lost (d) previous damage to significant historic heritage values is remedied or mitigated where relevant (e) previous changes that have significant historic heritage value in their own right are respected and retained (f) adjacent significant historic heritage values are unlikely to be adversely affected (g) unique or special materials and/or craftsmanship are retained (h) the activities do not lead to cumulative adverse effects on historic heritage.	The Skerrett Boatshed (1906) at Lowry/Whiorau Bay is the only site within the Project area listed as a site with historic heritage value in the pNRP (Schedule E1). All works undertaken in close proximity to the boatshed will be undertaken so as to avoid any potential adverse effects on the boatshed. The Shared Path itself has been narrowed to avoid the building and no works will be undertaken on the boatshed itself.
Objective O38 ~~Identified special amenity landscape values are maintained or enhanced.~~	4.6.5 Natural features and landscapes and special amenity landscapes	Hutt City Council does not currently identify outstanding natural features (ONFs), outstanding

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Relevant objective	**Relevant policy**	**Assessment**
NB: This objective was deleted in the redlined version of the proposed plan (19 October 2018).	**Policy P48** Protection of outstanding natural features and landscapes The natural features and landscapes (including seascapes) of the coastal marine area, rivers, lakes and their margins and natural wetlands shall be protected from inappropriate use and development by: (a) avoiding adverse effects of activities on outstanding natural features and landscapes, and (b) avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on natural features and landscapes.	natural landscapes (ONLs), or special amenity landscapes (SALs) in its district plan. It is possible that either the west facing hills in East Harbour Regional Park or Wellington Harbour could be assessed as ONF or ONL, or as SAL in a revised Hutt City district plan. The Project will have no impact on visual linkages to the Eastern Hills and insignificant effects on visual linkages to the Wellington Harbour.
	Policy P49 Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape or special amenity landscape identified in a district plan shall be managed by: (a) protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and (b) avoiding adverse cumulative effects on the values of an outstanding natural feature or landscape.	
Objective O36 Significant geological features in the coastal marine area are protected.	**Policy P50** Significant geological features The significant adverse effects of use and development on the significant geological features identified in Schedule J (geological features) shall be avoided.	Not relevant to this application (East Harbour coast in Schedule J is not within the application area).

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Relevant objective	**Relevant policy**	**Assessment**
Soil and Land use		
Objective O43 ~~Contaminated land is managed to protect human health and the environment~~ The environment is protected from more than minor adverse effects of discharges from contaminated land.		Potential adverse effects on soil and water from land use activities associated with the construction of the Project will be minimised to the smallest extent practicable through the use of mitigation measures included in Appendix J, the draft conditions, and as further refined in the CEMP. In particular, special procedures will be put in place through detailed design to manage the contaminated soils and materials in the vicinity of Sunshine Bay Garage to ensure potential adverse effects on human health and the environment are avoided.
Objective O44 ~~The adverse effects on soil and water from land use activities are minimised.~~ Land use activities; (a) safeguard the life-supporting capacity of soil, water and ecosystems; and (b) maintain, and where degraded, contribute to improving the quality of water and aquatic ecosystem health.		
Coastal management		
Objective O53 Use and development in the coastal marine area has a functional need or operational requirement to be located there.	4.10.1 Primary coastal policies **Policy P132** Functional need and efficient use Use and development in the coastal marine area shall: (a) have a functional need, or (b) have an operational requirement to locate within the coastal marine area, and no reasonable or practicable alternative to locating in the coastal marine area, or	Marine Drive is located beside the CMA. While the Shared Path could, in theory, be located on the other side of Marine Drive, this option was rejected in the Alternative Assessment (Appendix G) as it was considered that this would have significant adverse effects on natural character (amongst other adverse effects). In the absence of any other viable option, it is considered that there is a functional need for the support structures and the Shared Path to be located in the CMA.

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Relevant objective	**Relevant policy**	**Assessment**
	(c) for any other activity, it shall have no reasonable or practicable alternative to locating in the coastal marine area, and in respect of (a), (b) and (c): (d) only use the minimum area necessary, and (e) be made available for public or multiple use where appropriate, and (f) result in the removal of structures once redundant, and (g) concentrate in locations where similar use and development already exists where practicable.	The Project provides for coastal recreation and public access, whilst recognising and responding to the need to locate the necessary structures related to the Shared Path in this location. A further driver is to improve the resilience of the road by upgrading the supporting seawalls. Marine Drive is classified as a "Primary Collector" under the One Network Road Classification (ONRC) with traffic volumes up to 8,000 vehicles per day. It is the only road access to the eastern bay suburbs and is therefore a key transport route in the region. The road is subject to closure in part due to wave overtopping as a result of the current state of coastal edge. There is a functional need to locate and operate the road (and underground utilities) in the coastal area in this location.
	Policy P133 Recreational values The adverse effects of use and development in the coastal marine area on recreational values shall be managed by providing for a diverse range of recreational opportunities while avoiding conflicts and safety issues.	The Project will provide a diverse range of recreational opportunities and enhance safety along the road corridor. Any adverse effects on recreation during the construction phase will be temporary and outweighed by the overall benefits of the Project.
Objective O54 Use and development makes efficient use of any occupied space in the coastal marine area. **Objective O56** New development in the coastal marine area is of a scale, density and design that is compatible with its location in the coastal environment.		The Shared Path will make efficient use of the existing road corridor and, where necessary, the extension into the CMA. The Path will be used for both pedestrians and cyclists and will be an efficient use along this section of the coastal marine area. The provision of a Shared Path along the coastline is considered to be compatible with its location and the scale and density of design have been developed in a manner that avoid, remedies or mitigates any adverse effects to an acceptable level.

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Relevant objective	**Relevant policy**	**Assessment**
Objective O55 The need for public open space in the coastal marine area is recognised.	**Policy P134** Public open space values and visual amenity The adverse effects of new use and development on public open space and visual amenity viewed within, to and from the coastal marine area shall be minimised by: (a) having particular regard to any relevant provisions contained in any bordering territorial authorities' proposed and/or operative district plan, and (b) managing use and development to be of a scale, location, density and design which is compatible with the natural character, natural features and landscapes and amenity values of the coastal environment, and (c) taking account of the future need for public open space in the coastal marine area.	As outlined in the Transport Assessment (Appendix L), the Project is expected to enhance community cohesion, provide amenity benefits, transport choices and improve access to local facilities including public open space such as the beaches and Whiorau Reserve along the road corridor. The shared pathway will be located on the seaward side of Marine Parade. The path will measure between 2.5 – 3.5 in width, depending on topographical constraints, however it is noted that the width of the pathway will not necessarily extend into the coastal marine area for that total width. In some areas, the pathway will be constructed within the existing road corridor and will not need to extend into the coastal marine area at all. The Project will have no impact on visual linkages to the Eastern Hills and insignificant effects on visual linkages to the Wellington Harbour. While there is encroachment into beaches, Lowry Bay Beach in particular, access to the coast is improved by the provision of a consistent shared path along Marine Drive and the maintenance of step and ramp access to the beach and foreshore. It is noted that mitigation measures have been adopted as part of the Project to ensure visual effects are avoided, remedied or mitigated where possible.
Objective O59 The efficient and safe passage of vessels and aircraft that support the movement of people, goods and services is provided for in the coastal marine area.	**Policy P135** Safe passage The efficient and safe passage of vessels and aircraft in the coastal marine area shall be provided for by avoiding inappropriate use and development in navigation protection areas (shown on Map 49).	The construction of the Project and associated seawalls will continue to provide for the safe and efficient passage of vessels and aircraft.

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Relevant objective	**Relevant policy**	**Assessment**
Objective O58 Noise, including underwater noise, from activities in the coastal marine area is managed to maintain the health and well-being of marine fauna, and the health and amenity value of users of the coastal marine area.	**Policy P136** Hutt Valley aquifer zone in Wellington Harbour (Port Nicholson) Activities within the Hutt Valley aquifer zone (shown on Map 30) are managed to minimise adverse effects on the integrity and functioning of the aquifer and the freshwater springs/seeps.	The mitigation measure included in Appendix J and the draft conditions will ensure that any potential adverse effects on the surrounding environment, including noise related effects, are avoided, remedied or mitigated throughout the construction period. Further mitigation measures will be developed during detailed design and included in the CEMP.
	4.10.2 Structures **Policy P138** Structures in sites with significant values New structures, replacement of a structure or any addition or alteration to a structure in a site identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided, except where: (a) the new structure, replacement of the structure or any addition or alteration to the structure is for the specific purpose of providing protection for the values identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features), or (b) the structure is for educational, scientific or research purposes that will enhance the understanding and long-term protection of the coastal marine area, or (c) the structure will provide for navigational safety, or (d) it is necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure, and in respect of (a) to (d): (e) there are no practicable alternative methods of providing for the activity, and	As identified above, the seagrass habitat (Schedule F5) is relevant to this assessment. The new and replacement seawalls constructed or altered as part of the Project will avoid seagrass habitats. The Alternatives Assessment (Appendix G) concludes that there are no practicable alternative methods for providing the activities required for the Project, and that widening the CMA "is the only practicable option". This option has also been identified by iwi and the community to be the preferred option as it enables delivery of wider benefits associated with the shared path resulting in a safe transport corridor.

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Relevant objective	**Relevant policy**	**Assessment**
	(f) adverse effects on aquatic ecosystems, habitats and species within the coastal marine area are managed in accordance with Policy P39A, and (g) adverse effects on sites with significant mana whenua values are managed in accordance with Policy P45, and (h) adverse effects on sites with significant geological values are managed in accordance with Policy P50.	
	Policy P139 Seawalls The construction of a new seawall is inappropriate except where the seawall is required to protect: (a) existing, or upgrades to, infrastructure, or (b) new regionally significant infrastructure, and in respect of (a) and (b): (c) there is no reasonable or practicable alternative means, and (d) suitably located and designed to minimise adverse effects on the coastal environment, and certified by a qualitied, professional engineer ~~suitably located, designed and certified by a qualified, professional engineer~~, and (e) designed to incorporate the use of soft engineering options where appropriate.	The construction of new seawalls as part of the Project is considered appropriate, as they are required to protect Marine Drive and its associated underground infrastructure from coastal hazards and the adverse effects of climate change and sea level rise. As stated above, the Project provides the first step in incremental seawall upgrades or alternative adaptation options to respond to sea-level rise and protect Marine Drive and related underground infrastructure along this section of the coast. Marine Drive provides the only road access to the Eastern Bay suburbs and is therefore a key transport route for the region. Key infrastructure services including the main outfall sewer pipeline (MOP) are located within the road corridor. The MOP is regionally significant infrastructure, and along with the road access and other services are important lifeline utilities for the wider community. The rebuilding of the seawall offers the opportunity to respond to the effects of climate change. In addition, the Alternatives Assessment (Appendix G) concludes that there are no practicable alternative means for providing the activities required for the Project. The seawall design in Appendix J has been assessed as being suitably located and has been

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Relevant objective	**Relevant policy**	**Assessment**
		designed and certified by a qualified professional engineer. The design incorporates soft engineering elements, where appropriate.
	4.10.3 Other activities in the coastal marine area **Policy P143** Deposition in a site of significance Deposition of sand, shingle or shell in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided except where: (a) the activity is for the specific purpose of providing protection for the values identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features), or (b) it involves renourishment for the purpose of managing coastal erosion, or (c) it provides for public amenity, or (d) the activity is carried out for the purposes of flood protection and/or erosion mitigation, or (e) the activity is carried out by or for local authorities, or (f) it is necessary to enable the efficient development, operation, maintenance and upgrade of regionally significant infrastructure, and in respect of (a) to (f): (g) there are no practicable alternative methods of providing for the activity.	The Project avoids all sites identified in Schedules C, E4, F4, F5 and J. Policies P143 and P144 are therefore not relevant to this application.
	Policy P144 Dumping in a site with significant values Dumping in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and	

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Relevant objective	**Relevant policy**	**Assessment**
	Schedule J (geological features) shall be avoided except where: (a) it is necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure, and (b) there are no practicable alternative methods of providing for the activity.	
	Policy P145 Reclamation, drainage and destruction Reclamation, drainage or destruction in the coastal marine area shall be avoided except where: (a) the reclamation, drainage or destruction is associated with the development, operation, maintenance and upgrade of regionally significant infrastructure, and (b) there are no other locations outside the coastal marine area for the activity associated with the reclamation, drainage or destruction, and (c) there are no practicable alternative methods of providing for the associated activity.	As assessed under Policy 10 of the NZCPS (above), the reclamation, drainage or destruction associated with the Project is considered to be appropriate as it is: • associated with the maintenance and upgrade of regionally significant infrastructure (Marine Drive and its associated infrastructure); • there are no other locations outside the CMA to provide for the Project; and • there are no practicable alternative methods of providing for the Project. *(1) Maintenance and upgrade of regionally significant infrastructure* As stated above, the Project provides the first step in incremental seawall upgrades or alternative adaptation options to respond to sea-level rise and protect Marine Drive and related underground infrastructure along this section of the coast.

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Relevant objective	**Relevant policy**	**Assessment**
		Marine Drive provides the only road access to the Eastern Bay suburbs and is therefore a key transport route for the region. Key infrastructure services including the main outfall sewer pipeline (MOP) are located within the road corridor. The MOP is regionally significant infrastructure, and along with the road access and other services are important lifeline utilities for the wider community. The rebuilding of the seawall and associated reclamation offer the opportunity for the Project to respond to the effects of climate change, sea level rise and coastal hazards. *(2) No available land outside the CMA* Throughout the development of the Project, alternatives and options associated with the design were investigated and recorded. The Alternative Assessment (Appendix G) sets out a full analysis of the various options and alternatives that have been considered and assessed throughout the development of the Project. Given the geography and terrain in the Eastern Bays area and the lack of alternative transport routes, the focus has been on alignments along the existing Marine Drive corridor. A key outcome of the early stages of the alternatives assessments was identifying that, due to the narrow corridor and existing development on the landward side, limited land is available along Marine Drive that is suitable for road widening to accommodate the Project. Further investigations into landward side options that would avoid reclamation in the CMA, identified the following issues:

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Relevant objective	**Relevant policy**	**Assessment**
		• Earthworks cuttings: Any widening on the landward side would require major earthworks and cuts (of approximately 2800m^2), especially on the headlands, which would result in significant effects to the environment. • Land acquisition: Much of the landward side of Marine Drive is lined with residences and any road widening inland would bring the road closer to houses resulting in increased amenity effects. It would also require considerable property purchase (over 80 property parcels). • Car and cycle/pedestrian conflicts: A shared path on the landward side of Marine Drive will both reduce visibility during egress and access of properties and connectivity to the coast while directing people to pass across all the street and property exits onto Marine Drive. Potentially the shared path could cross from inland to coastal options but this would also increase traffic and cycle/pedestrian conflicts. Based on these issues and constraints, full landward and partial landward/seaward options were rejected. Given that no land outside the CMA is available to accommodate the Project, the only feasible option has been to widen the road on the seaward side within the CMA.

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Relevant objective	**Relevant policy**	**Assessment**
		(3) No practicable alternative methods of providing the activity The Alternatives Assessment (Appendix G) concludes that there are no practicable alternative methods for providing the activities required for the Project, and that widening the CMA "is the only practicable option". This option has also been identified by iwi and the community to be the preferred option as it enables delivery of wider benefits associated with the shared path resulting in a safe transport corridor.

Table 6: Proposed Natural Resources Plan for the Wellington Region Assessment of Relevant Rules

Proposed Natural Resources Plan for the Wellington Region		
Rule No.	**Rule**	**Assessment**
5.2 DISCHARGES TO WATER		
Stormwater		
Rule 48 Stormwater from an individual property (Permitted Activity)	The discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, from an individual property is a permitted activity, provided the following conditions are met: (a) the discharge is not into a site identified in Schedule A (outstanding water bodies), and (b) the discharge is not from, onto or into contaminated land, and (c) the discharge is not from a local authority stormwater network, a port, airport or state highway, and (d) the discharge shall not contain wastewater, and (e) the concentration of total suspended solids in the discharge shall not exceed: (i) 50g/m3 where the discharge enters a site or habitat identified in Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), or Schedule F4 (coastal sites), except when the background total suspended solids in the receiving water is greater than 50g/m3 , in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 20%, or (ii) 100g/m3 where the discharge enters any other fresh or coastal water, except when the background total suspended solids in the	Discharge of stormwater from the road is considered a permitted activity under Rule R48 of the PNRP. This rule relates to stormwater from an individual property. As roads are contiguous and under one owner, the entire road network within a district would be considered one property[1].

[1] The stormwater network is managed by Wellington Water Limited. In their submission on the PNRP (Submission #135) they sought to clarify how the rules relate to stormwater runoff from the local authority road network from the local authority stormwater network. http://www.gw.govt.nz/assets/Plans--Publications/Regional-Plan-Review/Proposed-Plan/Proposed-Natural-Resources-Plan-for-the-Wellington-Region-July-2015.pdf

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Rule No.	**Rule**	**Assessment**
	receiving water is greater than 100g/m3 in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 33%, (f) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and (g) the discharge shall not give rise to the following effects beyond the zone of reasonable mixing: (i) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or (ii) any conspicuous change in the colour or visual clarity, or (iii) any emission of objectionable odour, or (iv) the fresh water is unsuitable for consumption by farm animals, or (v) any significant adverse effects on aquatic life.	
Rule 51 Stormwater from a local authority network two years after public notification (Restricted Discretionary Activity)	The discharge of stormwater into water, or onto or into land where it may enter water, from a local authority stormwater network two years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015) is a restricted discretionary activity, provided the following condition is met: (a) the resource consent application includes a stormwater management strategy in accordance with Schedule N (stormwater strategy).	As the discharge of stormwater from the Project into water, or onto or into land where it may enter water, from a local authority stormwater network is more than two years after the date of public notification of the PNRP, resource consent is required. A stormwater management strategy will be included in the CEMP.
All other discharges		
Rule 68 All other discharges (Discretionary Activity)	The discharge of water or contaminants into water, or onto or into land where it may enter water, that is not: (a) permitted by Rules R42, R43, R44 or R45, and (b) is not provided for by Rule R67 or any other rule in this Plan	Rule 42 permits discharges of contaminants to land, where the discharge enters a surface water body or coastal water. However, dewatering at certain locations will be from 'contaminated land' and cannot comply with Rule 42(c) and therefore Rule 68 applies.

Proposed Natural Resources Plan for the Wellington Region		
Rule No.	**Rule**	**Assessment**
	is a discretionary activity.	
5.4 LAND USE		
Earthworks and vegetation clearance		
Rule 99 Earthworks (Permitted Activity)	The use of land, and the discharge of stormwater into water or onto or into land where it may enter water from earthworks of a contiguous area up to 3,000m^2 per property per 12 month period is a permitted activity, provided the following conditions are met: (a) soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, and (b) earthworks will not create or contribute to instability or subsidence of a slope or another land surface at or beyond the boundary of the property where the earthworks occurs, and (c) work areas are stabilised within six months after the completion of the earthworks. (d) any earthworks shall not, after the zone of reasonable mixing, result in any of the following effects in receiving waters: (i) the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or (ii) any conspicuous change in colour or visual clarity, or (iii) any emission of objectionable odour, or (iv) the rendering of fresh water unsuitable for consumption by animals, or (v) any significant adverse effect on aquatic life.	The proposal will exceed the earthworks requirements under rule.
Rule 101	The use of land, and the discharge of stormwater into water or onto or into land where it may enter water from earthworks or vegetation clearance that is not permitted by Rule R99 or Rule R100 is a discretionary activity.	As the proposal will exceed the earthworks area of 3,000m^2 per property per 12 month period under Rule 99, the proposal must be assessed as a Discretionary Activity under Rule 101.

Proposed Natural Resources Plan for the Wellington Region		
Rule No.	**Rule**	**Assessment**
Earthworks and vegetation clearance (Discretionary Activity)		
5.7 COASTAL MANAGEMENT		
Maintenance, repair, additions and alterations to existing structures		
Rule 149 Maintenance or repair of structures (Permitted Activity)	The maintenance or repair of a structure in the coastal marine area, including any associated: (a) occupation of space in the common marine and coastal area, and (b) disturbance of the foreshore or seabed, and (c) deposition in, on or under the foreshore or seabed, and (d) discharge of contaminants, and (e) diversion of open coastal water is a permitted activity, provided the following conditions are met: (f) the maintenance and repair of the structure is contained within the form of the existing structure and there is no increase in length, width, or height of the existing structure (except for increases for the purposes of replacement, removal and alterations of existing aerial telecommunications cables where these activities will not result in increases in design voltage and the new or altered cables will not be lower in height above the foreshore or seabed), and (g) for structures identified in Schedule E1 (heritage structures) the materials used for maintenance and repair of the structure shall match the existing structures in form and appearance, and (h) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2	Rule 149 is unable to be complied with, as (f) cannot be met as the proposed revetment and seawalls will extend further out than the existing structure.

Proposed Natural Resources Plan for the Wellington Region		
Rule No.	**Rule**	**Assessment**
Rule 150 Minor additions or alterations to structures (Permitted Activity)	The addition or alteration to a structure and the associated use of the addition in the coastal marine area, including any associated: (a) occupation of space in the common marine and coastal area, and (b) disturbance of the foreshore or seabed, and (c) deposition in, on or under the foreshore or seabed, and (d) discharge of contaminants, and (e) diversion of open coastal water is a permitted activity, provided the following conditions are met: (f) the structure is not identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids), and (g) there is no change in the use of the structure, and (h) the structure is not a seawall, and (i) the structure is not in the Commercial Port Area, and (j) the minor addition or alteration shall add no more than 5m in horizontal projection and 1m in vertical projection to the structure as it existed on the date of public notification of the Proposed Natural Resources Plan (31.07.2015) in the coastal marine area, and (k) when altering the depth or width of a stormwater pipe, any excavations do not excavate any deeper or wider that the original grade or cross section of the stormwater pipe channel, unless the widening or deepening is for the purpose of constructing a sediment retention trap, and (l) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.	Rule 150(l) is unable to be met as excavation is required greater than 0.5m.
Removal or demolition of structures		

Proposed Natural Resources Plan for the Wellington Region		
Rule No.	**Rule**	**Assessment**
Rule 152 Removal or destruction of structures (Permitted Activity)	The removal or demolition of a structure or part of a structure, including any associated: (a) disturbance of the foreshore or seabed, and (b) deposition in, on or under the foreshore or seabed, and (c) discharge of contaminants, and (d) diversion of open coastal water is a permitted activity, provided the following conditions are met: (e) the structure is not identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids), and (f) the structure is not inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) or Schedule F5 (coastal habitats), and (g) the removal or demolition shall not disturb more than 10m3 of the foreshore or seabed, and (h) the structure or part of the structure is completely removed from the coastal marine area, and (i) no explosives shall be used in the removal or demolition, and (j) written notice detailing the scale and location of the structure and the timing of construction and removal shall be given five working days before work commences to: (i) the Wellington Regional Council Harbourmaster, and (ii) Maritime New Zealand, and (k) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.	The proposal is unable to comply with (f) and (g) and (k).

Proposed Natural Resources Plan for the Wellington Region		
Rule No.	**Rule**	**Assessment**
Rule 153 Removal or demolition of a structure (Restricted Discretionary Activity)	The removal or demolition of a structure or part of a structure in the coastal marine area, including any associated: (a) disturbance of the foreshore or seabed, and (b) deposition in, on or under the foreshore or seabed, and (c) discharge of contaminants, and (d) diversion of open coastal water that is not permitted by Rule R152 and is not a discretionary activity under Rule R172 is a restricted discretionary activity.	As Rules 149, 150 and 152 cannot be met, a Restricted Discretionary Activity must be applied for, with regards to structures.
New and replacement structures (including temporary structures)		
Rule 161 New structures, additions or alterations to structures outside sites of significance (Discretionary Activity)	A new structure, addition or alteration to a structure and the associated use of the structure outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated: (a) occupation of space in the common marine and coastal area, and (b) disturbance of the foreshore or seabed, and (c) deposition in, on or under the foreshore or seabed, and (d) discharge of contaminants, and (e) diversion of open coastal water that is not permitted by Rule R156 or a controlled activity under Rule R157 or a restricted discretionary activity under Rule R155 or prohibited under Rule R159 is a discretionary activity.	As sections of revetments are to be placed outside areas identified in Schedules F4 and F5, resource consent for a discretionary activity must be applied for under Rule 161.
Rule 163 Replacement of structures or parts of structures	The replacement of a structure or part of a structure and the associated use of the structure in the coastal marine area, including any associated: (a) occupation of space in the common marine and coastal area, and	The proposed new seawall structure has a functional need to be located in the CMA to protect people and property and there is no change of the use of the structure. However, subsections (j) and (k) of R163 cannot be met as the structure will not have the same or lesser footprint or dimensions as the

Proposed Natural Resources Plan for the Wellington Region		
Rule No.	**Rule**	**Assessment**
(Permitted Activity)	(b) disturbance of the foreshore or seabed, and (c) deposition in, on or under the foreshore or seabed, and (d) discharge of contaminants, and (e) diversion of open coastal water is a permitted activity, provided the following conditions are met: (f) the replacement structure has a functional need or operational requirement to be located in the coastal marine area, and (g) the structure is not a seawall (excluding revetments or those seawalls protecting wharves within a Commercial Port Area), and (h) there is no change in the use of the structure, and (i) the replacement structure is built in the same or similar location as the original structure, and (j) the replacement structure has the same or lesser footprint as the original structure, and (k) the replacement structure maintains the form of the original structure and there is no increase in the length, width or height, and (l) the replacement structure is not inside a site or habitat identified in Schedule C (mana whenua), Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds), Schedule E3 (navigation aids), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) excluding those structures for scientific, research or education purposes that will enhance the understanding and long term protection of the coastal marine area, and (m) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.	original structure. The current seawall extends to the high tide mark and the replacement seawall is proposed to extend to beyond the low tide mark, representing an increase in places of approximately 4m as a design requirement to provide for a wider road surface for pedestrians and cyclists.
Rule 164 Replacement of structures	The replacement of a structure and the associated use of the structure in the coastal marine area, including any associated: (a) occupation of space in the common marine and coastal area, and	The replacement of structures and the associated use of structures in the CMA must be assessed as a restricted discretionary activity under Rule 164.

Proposed Natural Resources Plan for the Wellington Region		
Rule No.	**Rule**	**Assessment**
(Restricted Discretionary Activity)	(b) disturbance of the foreshore or seabed, and (c) deposition in, on or under the foreshore or seabed, and (d) discharge of contaminants, and (e) diversion of open coastal water that is not permitted by Rule R156 or Rule R163 or a controlled activity by Rule R157, is a restricted discretionary activity provided the following conditions are met: (f) the structure is not identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids).	
Seawalls		
Rule 165 Additions or alterations to existing seawalls (Controlled Activity)	The addition or alteration to an existing seawall and the associated use of the addition in the coastal marine area, including any associated: (a) occupation of space in the common marine and coastal area, and (b) disturbance of the foreshore or seabed, and (c) deposition in, on or under the foreshore or seabed, and (d) discharge of contaminants, and (e) diversion of open coastal water is a controlled activity, provided the following conditions are met: (f) any addition shall add no more than 5m in horizontal projection and 1m in vertical projection to the structure as it existed on the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and (g) the addition shall not extend any further seaward than the existing seawall, and (h) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.	The replacement seawalls will be constructed outside the footprint of the existing seawall in many cases. While Rule 165 can be complied with in some locations, subsection (g) and may not be able to be met in many locations as the seawall will be extended into the foreshore. Subsection (h) cannot be met as the foreshore or seabed will be disturbed to a depth greater than 0.5m.

Proposed Natural Resources Plan for the Wellington Region		
Rule No.	**Rule**	**Assessment**
Rule 166 Seawalls outside sites of significance (Discretionary activity)	A new seawall, or the addition to or alteration or replacement of an existing seawall, and the associated use of the structure outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area including any associated: (a) occupation of space in the common marine and coastal area, and (b) disturbance of the foreshore or seabed, and (c) deposition in, on or under the foreshore or seabed, and (d) discharge of contaminants, and (e) diversion of open coastal water that is not a controlled activity under Rule R165 is a discretionary activity under Rule R166.	As seawalls will be constructed outside sites of significance, a discretionary activity must be applied for under Rule 166. Schedule C (mana whenua) - sites of importance to Taranaki Whanui (Schedule C4) Map 6 – no sites of importance identified Schedule F4 (coastal sites) – no sites identified in project area. Schedule F5 (coastal habitats) – sites identified in the vicinity of the project will be avoided (eg. seagrass, subtidal areas). Refer to AEE and Appendices A & C. Schedule J (geological features) – no sites identified Works within the footprint of the existing seawall will be a controlled activity. Works outside the footprint of the existing seawall will be a discretionary activity under Rule 166.
Heritage structures		
Rule 168 Alteration of structures identified in Schedule E2 or Schedule E3 (Permitted Activity)	The alteration of a structure identified in Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids) in the coastal marine area, including any associated: (a) occupation of space in the common marine and coastal area, and (b) disturbance of the foreshore or seabed, and (c) deposition in, on or under the foreshore or seabed, and (d) discharge of contaminants is a permitted activity, provided the following conditions are met: (e) the alteration is contained within the form of the existing structure and there is no increase in the length, width, or height of the existing structure, and	Not applicable. Although the shared path will run alongside the Skerrett Boat House, the building will not be affected by the Project.

Proposed Natural Resources Plan for the Wellington Region		
Rule No.	**Rule**	**Assessment**
	(f) the altered components should be of original or similar material, texture, form and design as the original it replaces, and (g) the number of components altered should be substantially less than existing number of components, and (h) the alteration does not include the partial or total demolition of any structure, and (i) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.	
Occupation		
Rule 182 Occupations of space by a structure owned by a network utility operator (Permitted Activity)	The occupation of space in the common marine and coastal area by a structure existing before the date of public notification of the Proposed Natural Resources Plan (31.07.2015) owned by a network utility operator is a permitted activity	The proposed structures will not comply with this rule.
Rule 184 Occupation of space (Discretionary Activity)	The occupation of space in the common marine and coastal area that is not permitted, controlled, restricted discretionary, non-complying or prohibited is a discretionary activity.	The occupation of space in the common marine and coastal marine area must be assessed as a discretionary activity under Rule 184, as it is not provided for a permitted, controlled, restricted discretionary, non-complying or prohibited activity.
General disturbance activities		
Rule 188 Minor disturbances	The disturbance of the foreshore or seabed including any removal of sand, shingle, shell or other natural material in the coastal marine area, including any associated:	Rule R188(i) cannot be met as an excavator will be used - motorised machine will disturb sand and shingle during construction of these structures.

Proposed Natural Resources Plan for the Wellington Region		
Rule No.	**Rule**	**Assessment**
(Permitted Activity)	(a) occupation of space in the common marine and coastal area, and (b) deposition in, on or under the foreshore or seabed, and (c) discharge of contaminants is a permitted activity, provided the following conditions are met: (d) the activity shall not be inside a site or habitat identified in or using Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F2c (birds-coastal) or Schedule J (geological features), and (e) no more than 0.1m3 of sand, shingle, shell or other natural material shall be taken by a person in a 12 month period, and (f) the removed natural material shall not be used for commercial gain, and (g) the area of excavation shall be smoothed over after the completion of the activity (e.g. no holes left on the foreshore), and (h) the extent of the foreshore or seabed disturbance is limited to that required to undertake the activity, and (i) no motorised excavation machinery shall be used to disturb or remove sand, shingle, shell or other natural material.	
Rule 195 Disturbance or damage inside sites of significance (Non-complying activity)	Disturbance or damage of the foreshore or seabed inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated: (a) occupation in the common marine and coastal area, and (b) deposition in, on or under the foreshore or seabed, and (c) discharge of contaminants that is not permitted by Rule R191 or Rule R193 or a controlled activity under Rule R192, is a non-complying activity.	As part of the project, disturbance or damage of the foreshore or seabed will be located inside a site or habitat identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats). As such, a non-complying activity must be applied for under Rule 195.

Proposed Natural Resources Plan for the Wellington Region		
Rule No.	**Rule**	**Assessment**
Motor vehicles on foreshore		
Rule 196 Motor vehicles (Permitted Activity)	The disturbance of the foreshore from motor vehicles in the coastal marine area is a permitted activity, provided the following conditions are met: (a) the activity is not within the area of Titahi Bay shown on Map 35, and (b) the activity is not within a site or habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features).	Rule R1R196 cannot be met as vehicles will be used within a site or habitat identified in Schedules F2C F4 and F5.
Rule 198 Motor vehicles include sites of significance (Non-Complying Activity)	The disturbance of the foreshore or seabed from motor vehicles inside a site or habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, that is not permitted by Rule R196 or Rule R197 or prohibited under Rule R199, is a non-complying activity.	The disturbance of the foreshore or seabed from motor vehicles inside a site or habitat identified in Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) in the coastal marine area, that is not permitted by Rule R196 or Rule R197 or prohibited under Rule R199, is a non-complying activity.
Deposition		
Rule 208 Deposition outside sites of significance (Discretionary Activity)	Deposition outside sites and habitats identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in, on or under the coastal marine area, including any associated: (a) disturbance of the foreshore or seabed, and (b) discharge of contaminants that is not a permitted activity under Rule R206 or a controlled activity under Rule R207 so is a discretionary activity under Rule R208.	Deposition will occur outside sites of significance within Schedules F4 and F5, as such consent for a discretionary activity will be required.
Reclamation and drainage		
Rule 214	Reclamation and drainage for regionally significant infrastructure activities outside a site or habitat identified in Schedule C (mana	Reclamation and drainage for regionally significant infrastructure in the coastal marine area must be assessed as a

Proposed Natural Resources Plan for the Wellington Region		
Rule No.	**Rule**	**Assessment**
Reclamation and Drainage (Discretionary Activity)	whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated: (a) occupation of space in the common marine and coastal area, and (b) destruction of the foreshore or seabed, and (c) disturbance of the foreshore or seabed, and (d) deposition in, on or under the foreshore or seabed, and (e) discharge of contaminants (f) diversion of open coastal water is a discretionary activity.	discretionary activity under Rule 214 given that the activity occurs outside sites of significance as identified in Schedule F5 (coastal habitat).

Schedule F5 Assessment

Habitat	General descriptor	Known locations	
Adamsiella algal beds	*Adamsiella* beds are known to harbour a range of associated species in other areas of New Zealand but Wellington studies are lacking.	Evans Bay, Wellington Harbour (Port Nicholson) 41°18.83'S 174°48.10'E	N/A
Deep-sea woodfall habitat	Woodfalls are reducing environments undergoing a prolonged decay process during which a diverse range of organisms comes to be associated with it. Molluscs are the principal group represented (also including chitons and gastropods), followed by crustaceans, polychaetes and echinoderms. The fauna is frequently closely related to the fauna around hydrothermal vents, cold seeps, and whale falls.	1100 m off Wairarapa coast	N/A
Giant kelp, *Macrocystis*, beds	*Macrocystis* beds are considered to sustain one of the most diverse, productive and dynamic ecosystems of the planet. Kelp beds provide three dimensional habitat space and structuring in areas of rocky reef and are critical to food chains. The beds in the Wellington region are patchily distributed and known to vary in size and position over time.	Point Howard to Hinds Point, and Worser Bay to Kau Bay, Wellington Harbour (Port Nicholson)	Not present in the project area – refer to AEE
Inanga spawning habitat	Inanga are the adult life stage of the most abundant whitebait species *Galaxias maculatus*. It spawns gregariously on spring tide events during late summer and autumn amongst tidally influenced riparian vegetation. Preferred habitat is the moist litter-layer, on the banks of rivers and streams, inundated by the spring tide. In pastoralised areas, ungrazed pasture grasses, especially tall fescue, Yorkshire fog and creeping bent provide suitable conditions. Native plants such as flax, raupo, and native rushes in low salinity areas are also suitable.	Known locations include the tidally indated vegetation near the mouths of the Wainuiomata River, Ōtaki River, Makara Stream, Whangaimoana Stream, and Oterei Stream. See Schedule F1b for a list of rivers where inanga spawning habitat has been identified.	Not present in the project area – refer to AEE and Appendix B.
Kelp beds	Kelp beds provide three dimensional habitat space and structuring to the environment in rocky reef habitats. Kelp beds are known to harbour high biodiversity and are critical to food chains.	Kelp beds occur on exposed rocky reefs region wide	Not present in the project area – refer to AEE

Habitat	General descriptor	Known locations	
Rhodolith Beds	Biota associated with rhodolith beds and other biogenic habitats are usually highly diverse. Rhodolith beds in the region have not been studied so the extent and specific biodiversity values are unknown.	The rhodolith bed within the Kāpiti Island Marine Reserve is protected, but the bed extends to the East of Kāpiti Island beyond the reserve boundaries, and potentially in other locations.	N/A
Saltmarsh	A variety of saltmarsh species (scrub, sedge, tussock, grass, reed and herb fields) grow in the upper margins of most NZ estuaries where this vegetation stabilises sediments transported by tidal flows. Saltmarshes have high biodiversity and are amongst the most productive habitats on earth. Saltmarshes are sensitive to a large range of pressures, including reclamation, margin development, flow regulation, grazing, sea level rise, wastewater contaminants and weed invasion.	Saltmarsh occurs at the margins of estuaries region wide, though the historical extent and quality of saltmarsh has been severely depleted in most estuaries.	N/A
Seagrass	Seagrass grows in soft sediments in NZ estuaries where its presence enhances estuarine biodiversity. Seagrass is highly valued ecologically for the ecosystem services it supports, such as, primary production, nutrient recycling, sediment stabilisation, and as a nursery for fish and invertebrates. Seagrass is also an important forerunner to the establishment of healthy saltmarsh on tidal flats. Though tolerant of a wide range of conditions, seagrass is vulnerable to high levels of suspended sediments and poor sediment quality.	The largest seagrass beds in the region are in Pauatahanui inlet, Te Awarua-o-Porirua Harbour. Seagrass occurs as small remnant beds in many other estuaries region wide.	Present in the project area – refer to AEE and Appendix C
Seal haul-outs	Seals need to come onto land to rest and breed. While they may be above mean high water springs for some of the time, they need unencumbered access to the foreshore and water. Seals are particularly sensitive to disturbance during the breeding season (mid November to mid-January), but will be disturbed by loud noises, construction activity and vehicles at all times when they are ashore.	Known seal haul outs in the region include Pariwhero/Red Rocks, Turakirae Head and Cape Palliser	N/A

Habitat	General descriptor	Known locations	
Sponge garden	Sponges are sedentary, filter feeding metazoans that can encrust hard surfaces, or anchor themselves in mud, sand, or gravel. Hotspots of species diversity, density, richness, or endemism are known as sponge gardens. Sponge gardens create three-dimensional biogenic habitat for associated flora and fauna.	Pukerua Bay	N/A
Subtidal rocky reefs	Subtidal rocky reefs generally have high levels of species richness because of the large number of microhabitats. This richness is frequently augmented by biogenic 3-dimensional habitats created by reef species as well as high levels of biotic interaction.	Subtidal rocky reefs occur along the majority of coast in the Wellington region. Notable exceptions are the sandy beaches north of Paekakariki and in Palliser Bay.	Present in the area – refer to AEE and Appendices A & C

5. City of Lower Hutt City District Plan

5.1 Zones

The proposed shared path will fall within and/or cross a number of zones and overlays in the City of Lower Hutt District Plan, including:

- the road reserve (Marine Drive);
- General Business;
- General Recreation; and
- Hill Residential Activity Areas.

There is also a Heritage Building within the Project area (although this will be avoided by the works).

It is noted that the shared path is defined as a 'Utility' under the district plan:

> *'Utilities comprise the following:...*
>
> *(h) roads, footways, cycleways and service lanes.*

The tables below assesses the shared path against the relevant objectives, policies and rules of each zone and overlays in more detail.

Legend:

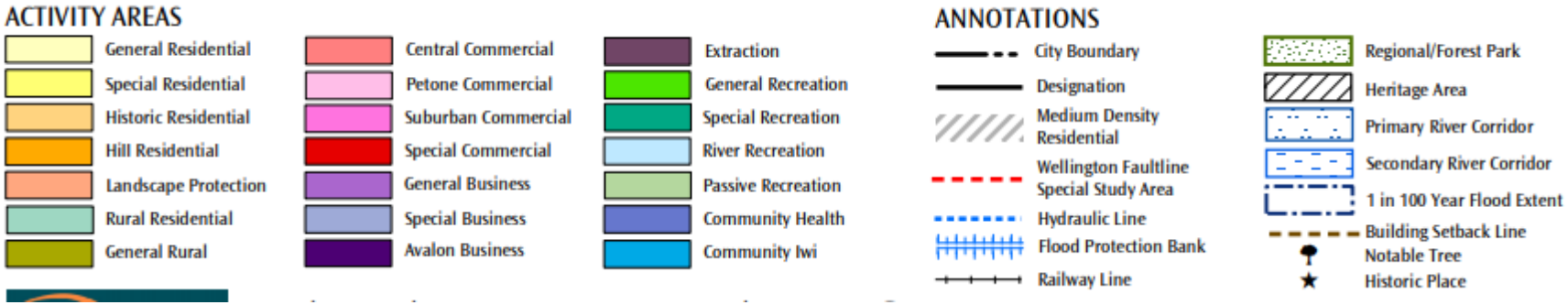


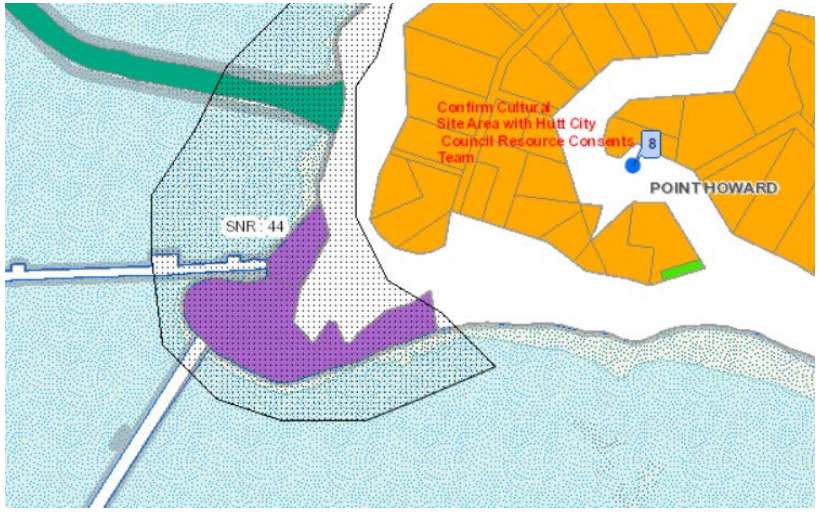
Table 7: City of Lower Hutt District Plan Assessment of Zones and overlays

Site 1: Centre Port Site at Port Howard

Seaview Port at Point Howard. Shared path traverses Centreport land at existing carpark but no replacement of seawalls will be undertaken along this section.

Legal Description: Sec 1 SO Plan 31984 Ref: WN37D/408; Location:

Reference: Drawing 80509137-01-001-C220 Chainage: Approx. 570



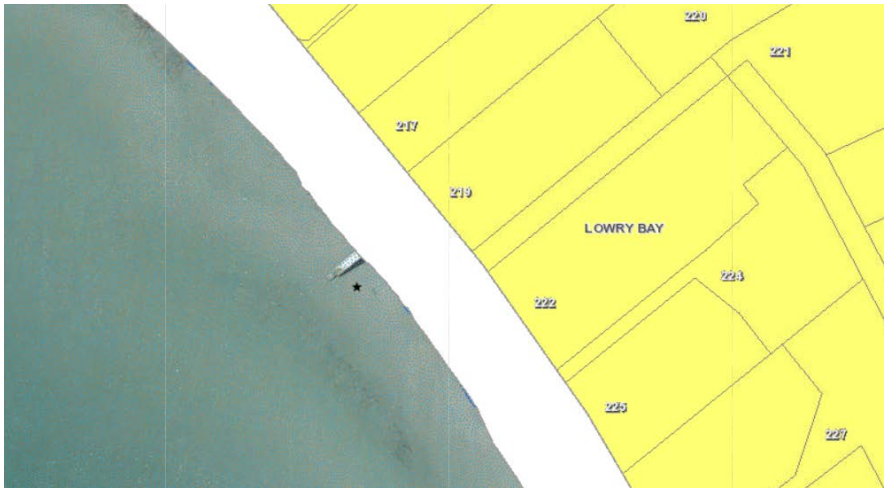
Underlying zoning is General Business

Significant Natural Resource Site (SNR) 44: Point Howard Beach. Significant Values: Melicytus obovatus ssp 'coast'.

Site 2: Historic Place: Heritage Building – Skerrett Boat Shed

Location: Lat: 41.25621° S; Lon: 174.91131° E

Reference: Drawing 80509137-01-001-C224 Chainage: Approx. 1370



Underlying zoning is road reserve

Site 3: Whiorau/Lowry Bay Reserve

Shared path runs through reserve. Works include shared path construction - minor earthworks including removal of surface soil.

Legal Description: Sec 1 SO Plan 32758; Location: Lat: 41.26033° S Lon: 174.91038° E

Reference: Drawing 80509137-01-001-C228 Chainage: Approx. 1960-2190

Underlying zoning is General Recreation

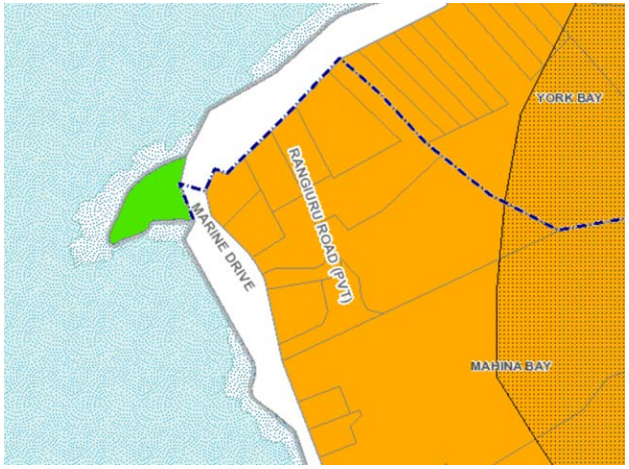
Site 4: Mahina Bay

Shared path potentially goes through edge of reserve and stops at curve.

Legal Description: LOT 1 DP 8096 RECREATION RESERVE 50000 MARINE DR MAHINA BAY

Location: Lat: 41.26717° S; Lon: 174.90710° E

Reference: Drawing 80509137-01-001-C232 & 233 Chainage: Approx. 2870 - 2910



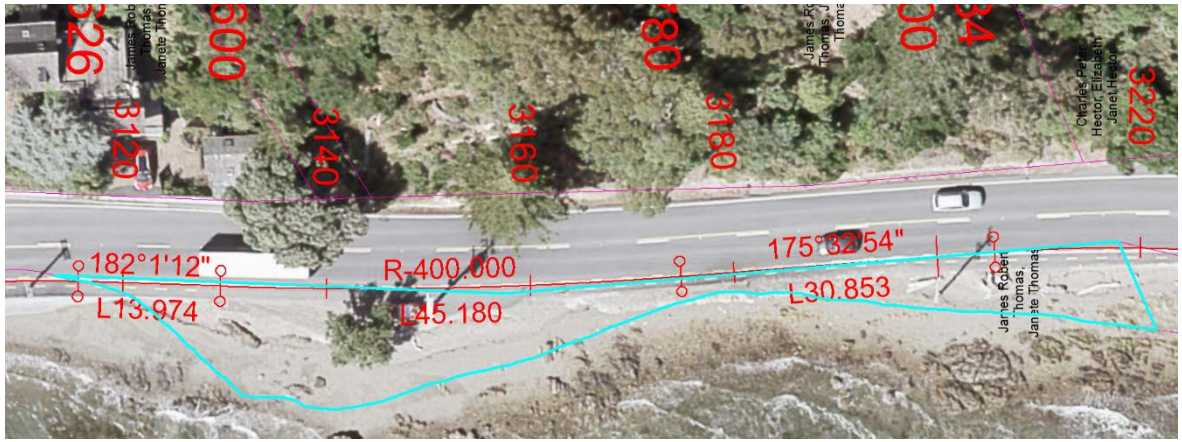
Underlying zoning is General Recreation

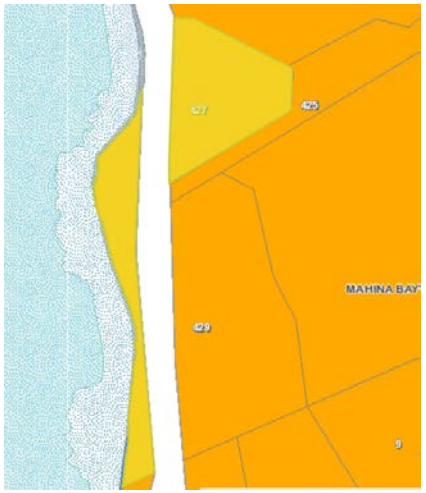
Site 5: Private ownership

Legal Description: Lot 4 DP 10005 Ref: WN9C/915; Location: Lat: 41.26908° S; Lon: 174.90799° E

Reference: Drawing 80509137-01-001 C234 Chainage: Approx. 3130 – 3220

Parking to be retained.





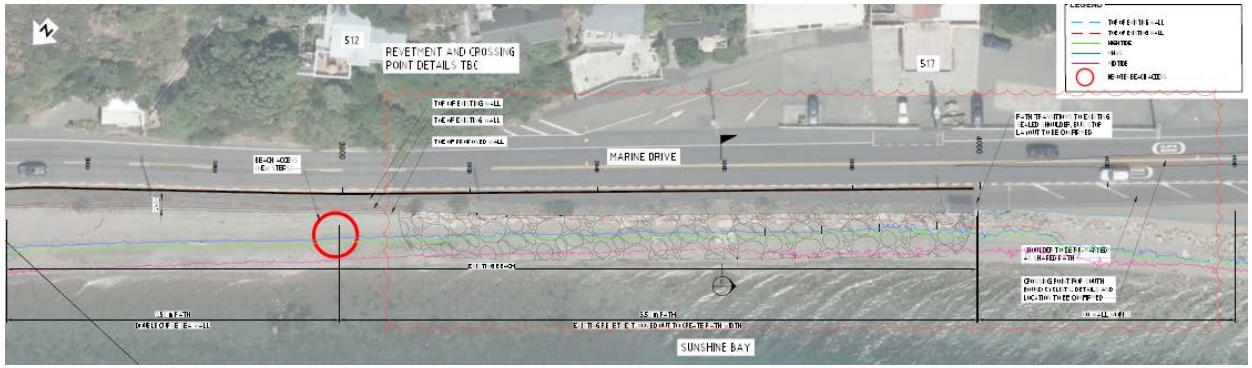
Underlying zoning is Hill Residential

Site 6: Potentially contaminated site – Filling Station, 519 Marine Drive, Sunshine Bay

Legal Description: ALL DP 10000GARAGE 424/269; Location: Lat: 41.27588° S; Lon: 174.90487° E

Reference: Drawing 80509137-01-001 C239 Chainage: Approx. 4000

Site across the road from the shared path. Site investigations to be undertaken during the detailed design stage. Consent under the NES may be required.



Underlying zoning is road reserve and Hill Residential

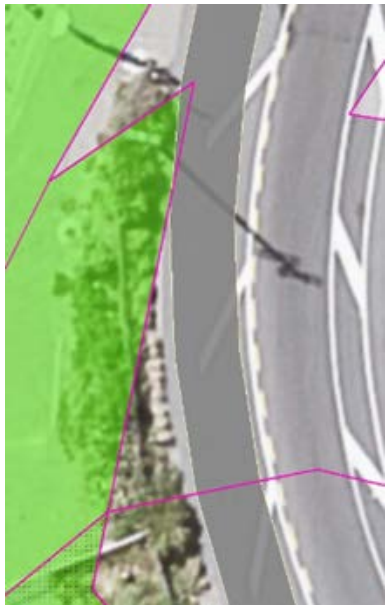
Site 7: Sunshine Bay

As illustrated in the image below, an insignificant area of the shared path may encroach slightly over a corner of reserve from the road reserve.

Legal Description: LOTS 5 6 7 DP 1694 0001 MARINE DR DAYS BAY

Location: Lat: 41.27658° S; Lon: 174.90366° E

Reference: Drawing 80509137-01-001-C239 Chainage: approx. 4000



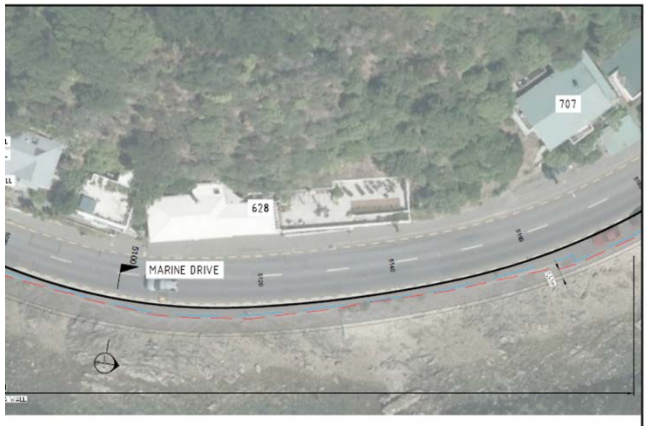
Underlying zoning is General Recreation

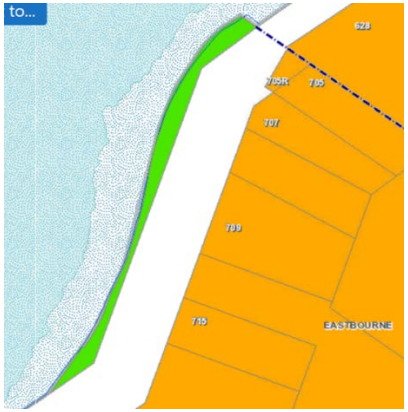
Site 8: Approaching Windy Point

Shared path will traverse sections of the reserve; southern section (opp 715) will require construction of curve seawall (including excavating footings/trenching)

Legal Description: PT LOT 3 DP 14002 & PT LOT 2 DP 18500: Location: Lat: 41.28421° S; Lon: 174.90309° E

Reference: Drawing 80509137-01-001-C240 & 241 Chainage: Approx. 5120-5320





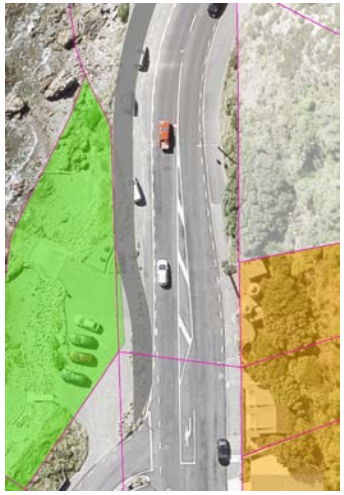
Underlying zoning is General Recreation

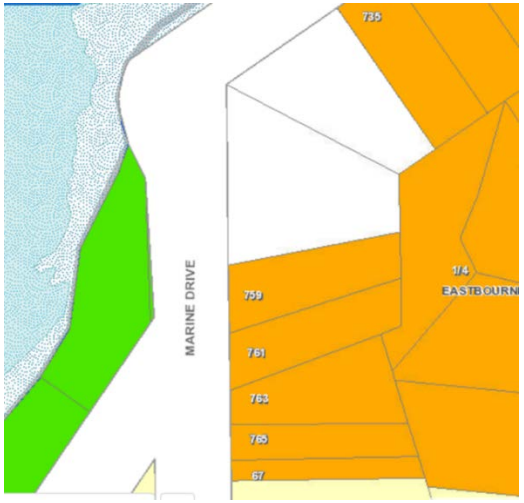
Site 9: Marine Drive approach to Marine Pararde, Windy Point

Works will be within the road reserve, thereby avoiding works within the reserve

Legal Description: PT LOT 3 DP 14002 & PT LOT 2 DP 18500; Location: Lat: 41.28605° S; Lon: 174.90139° E

Reference: Drawing 80509137-01-001-C242 Chainage: Approx. 5440-5500





Underlying zoning is General Recreation

5.2 Relevant Policies and Objectives

Table 8: City of Lower Hutt District Plan Assessment of Relevant Policies and Objectives

City of Lower Hutt District Plan		
Relevant objectives	**Relevant policies**	**Assessment**
4D Hill Residential Activity Area		
4D 1.1.1 Residential Character and Amenity Values To maintain and enhance the district characteristics and amenity values associated with the hillside residential areas of the city.	a) That the visual appearance and nature of earthworks be managed to minimise the adverse effects on the visual amenity values of the hillside environment. b) That the clearance of vegetation be managed to avoid, remedy or mitigate any adverse effect on the visual amenity values of the hillside environment or the intrinsic values of ecosystems.	The only area of the shared path that will extend through the Hill Residential Activity Area will be through the privately owned property, identified as Lot 4 DP 10005 (Ref: WN9C/915), situated at Mahina Bay. This property is located on the seaward side of Marine Drive, and does not contain any residential buildings. Although the shared path will extend through the Hill Residential Activity Area, the proposed earthworks will be undertaken in a manner that will minimise any potential adverse effects on current visual amenity values. It is considered that current amenity values of the Hill Residential Activity Area will be maintained as there will be no adverse noise, glare, light or odour effects of the activity on adjoining residential properties. The proposed shared path is consistent with the relevant objective and policies.
6A General Business Activity Area		
6A 1.1.1 To accommodate those non industrial activities which are suitable in the General Business Activity Area and which do not cause adverse effects on amenity values of the area and the receiving environment.	b) Accommodate commercial recreational activities which are appropriate within the General Business Activity Area and which are compatible with the surrounding area. e) That the accommodation of non industrial activities avoids, remedies or mitigates adverse effects on the amenity values of the area and the environment.	The shared pathway will extend through the General Business Activity Area at the very start of the project on the CentrePort owned land (legally described as Pt Lot 1 DP 10694 Harbour Dist 0000 Eastern Bays Marine Drive (Ref: 37D/408, 479/105)). The pathway will extend through the car parking area, where there are existing pathways. It is considered that the pathway is suitable in this location, and will not

City of Lower Hutt District Plan		
Relevant objectives	**Relevant policies**	**Assessment**
		adversely affect current amenity values of the surrounding area. The proposed shared path is consistent with the relevant objective and policies.
7A General Recreation Activity Area		
7A 1.1.1 Adverse Effects of Recreation Activities on Adjoining Residential Activity Areas To ensure that recreation activities have adverse effects, which are no more than minor on adjoining residential activity areas.	a) To ensure that recreation activities are of a scale and character that amenity values of adjoining residential activity areas are not affected adversely. b) To ensure that adverse effects, such as noise, glare, light spill and odour, generated by activities in the General Recreation Activity Area, are managed to ensure that residential amenity values are maintained.	The shared path will be on the seaward side of Marine Drive across the road from residential properties. There will be no adverse noise, glare, light or odour effects of the activity on adjoining residential properties. The proposed shared path is consistent with the relevant objective and policies.
7A 1.1.2 Recreation Activities Need to be Compatible With the Characteristics of the Land To ensure that recreation activities carried out are compatible with the physical characteristics of the land.	a) To encourage land of suitable topography to be developed and used for formal and active forms of recreation. b) To avoid bushclad areas of high amenity values from being used and developed for formal and active forms of recreation.	The shared path as a recreational activity will run along the coastal road of Marine Drive, which is a relatively flat area devoid of bushclad areas. The proposed shared path is consistent with the relevant objective and policies.
7A 1.2.1 Scale, Size and External Appearance of Buildings and Structures To control the size, scale, character, location and external appearance of buildings and structures.	a) To ensure that the external appearance of buildings and structures have adverse effects which are no more than minor on the amenity values of adjoining residential activity areas. b) To ensure that the design and external appearance of buildings and structures maintains and enhances the amenity values of recreation and open space areas.	The shared path is integrated with the seawall structures (existing and proposed). The Landscape and Visual Assessment (Appendix D) includes mitigation measures, including requiring a LURP to be developed in consultation with HCC, and the community. This well ensure that the adverse effects of the shared path on amenity and the functioning of other activities are no more than minor. Design features such as steps, ramps and access to the beaches ensures that the amenity values are enhanced.

City of Lower Hutt District Plan		
Relevant objectives	**Relevant policies**	**Assessment**
	c) To ensure that the location, size and scale of buildings and structures have adverse effects which are no more than minor on the functioning of other activities. d) To encourage the multiutilisation of buildings and structures.	The shared path and seawalls function as a safe cycle/pedestrian way as well as a resilient structure to protect the road from wave action. The proposed shared path is consistent with the relevant objective and policies.
13 Network Utilities		
13.1.1 Regionally Significant Network Utilities To recognise and protect the benefits of regionally significant network utilities.	a) To identify regionally significant network utilities within the City on Council planning maps, as practicable. b) To recognise the national, regional and local benefits of regionally significant network utilities.	Marine Drive is a regional access road that will be widened to accommodate the shared path. The shared path is part of a regional network of cycleways serving the wider Wellington community. It allows people to travel to, and from the City efficiently and safely, and improves community well-being and health. The proposed shared path is consistent with the relevant objective and policies.
13.1.3 Recognising and Providing for Network Utilities To recognise and provide for the sustainable, secure and efficient use, operation and development of network utilities within the City.	a) To recognise and provide for the: i. need for new and the maintenance and upgrading of existing network utilities; ii. technical and operational requirements and constraints of network utilities in assessing their location, design, development, construction and appearance; and iii. benefits that network utilities provide to the economic, social and cultural functioning of the City. b) To enable the efficient construction, installation, operation, upgrading and maintenance of network utilities.	Marine Drive is inherently vulnerable to coastal hazard risks. The road is prone to closures and/or reduced operation due to overtopping and the current state of the coastal edge. The existing seawalls have a residual life of less than 5 years in places, are vulnerable to failure and do not provide consistent, nor effective, storm mitigation. Upgrading the seawalls along Marine Drive will improve the long-term structural integrity of the road and underground services, and will "buy some time" for HCC to develop a comprehensive plan for mitigate the effects of climate change and sea level rise. This is in addition to providing the opportunity to construct the shared path. The proposed shared path is consistent with the relevant objective and policies.

City of Lower Hutt District Plan		
Relevant objectives	**Relevant policies**	**Assessment**
13.1.4 Managing Environmental Effects To manage any adverse effects on the environment resulting from the design, location, operation, upgrading and maintenance of network utilities.	a) To ensure that network utilities are designed, located, developed, constructed, upgraded, operated and maintained to avoid, remedy or mitigate any actual or potential adverse effects on the environment. b) To manage effects on health and safety by ensuring network utilities are designed, located, upgraded, operated and maintained to comply with relevant national environmental standards and to meet other nationally recognised standards and guidelines. c) To enable the co-location or multiple use of network utilities where this is efficient, technically feasible and practicable and assists with avoiding, remedying or mitigating adverse effects on the environment. e) To encourage the use of roads as network utility corridors in accordance with the National Code of Practice for Utility Operators'; Access to Transport Corridors. f) To encourage network utility providers to consult with local communities, landowners and the Regional Council (where relevant) on the appropriate placement, location and design of new network utilities.	Section 6 of the AEE outlines how the environmental effects of the Project (including on network utilities) will be managed and mitigated. The draft consent conditions will also ensure that the any adverse construction and operational effects on network utilities are appropriately managed. The proposed shared path is consistent with the relevant objective and policies.
14 General Rules **14A Transport**		
14A 3.1 A safe, efficient, resilient and well-connected transport network that is integrated with land use patterns, meets local, regional and national transport needs, facilitates and enables urban growth and	**14A 4.1** Additions and upgrades to the transport network should seek to improve connectivity across all modes and be designed to meet industry standards that ensure that the safety, efficiency	As stated above, Marine Drive is a regional access road that will be widened to accommodate the shared path. The shared path is part of a regional network of cycleways serving the wider Wellington community. It allows people to travel to, and from the City efficiently and safely, and improves community well-being and health.

City of Lower Hutt District Plan		
Relevant objectives	**Relevant policies**	**Assessment**
economic development, and provides for all modes of transport.	and resilience of the transport network are maintained.	As such, the proposed shared path is consistent with the relevant objective and policy, as the roading network will be upgraded to provide safe, convenient and efficient access for a number of transport modes. Significant adverse effects will be avoided and any potential adverse effects on the adjacent environment will be avoided where practicable, or remedied or mitigated in accordance with Appendix J and the draft consent conditions.
14A 3.2 Adverse effects from the construction, maintenance and development of the transport network on the adjacent environment are managed.	**14A 4.2** Land use, subdivision and development should not cause significant adverse effects on the connectivity, accessibility and safety of the transport network, and, where appropriate, should: • seek to improve connectivity within and between communities; and • enable walking, cycling and access to public transport.	
	14A 4.3 The transport network should be located and designed to avoid, remedy or mitigate adverse effects on the adjacent environment.	
14C Noise		
14C 1.1 Managing or Enhancing Health and Amenity Values To maintain or enhance the amenity value of all activity areas by ensuring that the adverse effects of excessive noise on the environment are avoided or mitigated.	f) To recognise that noise levels may be different through a construction phase. g) To recognise that Noise Management Plans may be appropriate to manage matters beyond those addressed in the District Plan.	As part of the resource consent process, Management Plans will be developed and implemented during the construction phase to ensure any potential adverse effects of noise on the surrounding environment will be minimised and mitigated where possible. As the policy noted, noise levels will be different through the construction phase than what is normally experienced. However once the construction of the shared pathway is completed, noise levels will return to normal. The proposed shared path is consistent with the relevant objective and policies.

City of Lower Hutt District Plan		
Relevant objectives	**Relevant policies**	**Assessment**
14E Significant Natural, Cultural and Archaeological Resources		
14E 1.1 Protection of Significant Natural, Cultural and Archaeological Resources To identify and protect significant natural, cultural and archaeological resources in the City from inappropriate subdivision, use and development.	c) That any activity or site development shall not modify, damage or destroy a significant natural, cultural or archaeological site. d) That any activity or site development shall not compromise the natural character or visual amenity values of a significant natural, cultural or archaeological resource. e) All buildings, structures and activities shall preserve the natural character, visual amenity values and landscape values of the significant natural, cultural or archaeological resources including the identified coastal environment. f) The scale, height, location and design of all buildings and structures shall protect the amenity values, especially landscape values, of the identified coastal environment. g) That any activity or site development will take into account new findings of significant natural, cultural and archaeological resources. i) That any activity or site development shall not modify, damage or destroy the intrinsic values of the ecosystems of a significant natural, cultural or archaeological resource.	Although the proposed shared pathway will extend through the Significant Natural Resource site identified as SNR44, at Point Howard Beach, all measures will be undertaken to mitigate any potential adverse effects on the significant plant, identified as *Melicytus obovatus ssp 'coast'* and ensure that its natural character or visual amenity values are protected. The mitigation measures outlined in the Design Features Report (Appendix J) and the draft consent conditions will ensure that the adverse effects of the shared path on the Significant Natural Resource Site SNR44 are no more than minor. As identified above, the seawall structures have been designed to protect the amenity values, especially the landscape values, of the coastal environment. The proposed shared path is consistent with the relevant objective and policies.
14F Heritage Buildings and Structures		
14F 1.1 Retention of Heritage Values To ensure that the heritage values of identified heritage buildings and structures	a) To protect the exterior of buildings and structures from inappropriate repairs,	The shared path will run alongside the Skerrett Boat House. The building will not be affected by the Project. There is no

City of Lower Hutt District Plan		
Relevant objectives	**Relevant policies**	**Assessment**
are not unnecessarily lost through demolition or relocation, or compromised by any additional work.	alterations or additions that adversely affect heritage values.	need to relocate the building to accommodate the width of the shared path. The proposed shared path is consistent with the relevant objective and policy.
14I Earthworks		
14I 1.1 Natural Character To ensure that earthworks are designed to maintain the natural features that contribute to the City's landscape.	a) To ensure that earthworks are designed to be sympathetic to the natural topography. b) To protect significant escarpments, steep hillside areas, and the coastal area by ensuring that earthworks are designed to retain the existing topography, protect natural features, and prevent erosion and slips.	The proposed earthworks have been designed to be sympathetic to the natural topography of this coastal environment. All earthworks undertaken have been designed, where possible, to protect natural features and to ensure that any potential adverse effects on the receiving environment are no more than minor. The proposed shared path is consistent with the relevant objective and policies.
14I 1.2 Amenity, Cultural and Historical Values To ensure earthworks do not affect adversely the amenity values, cultural values or historical significance of an area, natural feature or site.	a) To protect the visual amenity of land which provides a visual backdrop to the City. b) That rehabilitation measures be undertaken to mitigate adverse effects of earthworks upon the visual amenity values. c) To protect any sites with historical significance from inappropriate earthworks. d) To recognise the importance of cultural and spiritual values to the mana whenua associated with any cultural material that may be disinterred through earthworks and to ensure that these values are protected from inappropriate earthworks.	The mitigation measures outlined in the Landscape and Visual Assessment (Appendix D) and the draft consent conditions will ensure that the earthworks do not adversely affect the amenity values and natural features in the area. A draft condition has also been included to provide protocols for the accidental discovery of artefacts, taonga and kōiwi during construction (see the Cultural Impact Assessment (Appendix H)). This will ensure that any cultural material that may be disinterred through the proposed earthworks, are dealt with in the appropriate manner. The proposed shared path is consistent with the relevant objective and policies.

5.3 Relevant Rules

Table 9: City of Lower Hutt District Plan Assessment of Relevant Rules

City of Lower Hutt District Plan		
Rule No.	**Rule**	**Assessment**
4D Hill Residential Activity Area		
4D 2.1.1 Permitted Activities – Conditions (Permitted Activity)	The conditions for the Permitted Activities for the General Recreation Activity Area shall generally apply.	Chapter 14 is assessed below.
4A General Residential Activity Area		
2.1.1 Permitted Activities - Conditions (Permitted Activity)	(n) General Rules: Compliance with all matters in the General Rules – see Chapter 14.	Chapter 14 is assessed below.
6A General Business Activity Area		
6A 2.1.1 Permitted Activities - Conditions (Permitted Activity)	(q) General Rules Compliance with all matters in the General Rules – see Chapter 14.	Chapter 14 is assessed below.
7A General Recreation Activity Area		
7A 2.1(a) (Permitted Activity)	Recreational activities and ancillary activities	The installation of a cycle path is a permitted activity under Rule 7A 2.1(a) as it provides a recreational facility.

City of Lower Hutt District Plan		
Rule No.	**Rule**	**Assessment**
		The activity will need to comply with the permitted activity conditions relating to setbacks, height, building coverage and size of structures, and lighting.
13 Network Utilities		
13.3.1.2 (Permitted Activity - all Activity Areas)	The operation and maintenance of network utilities.	The operation and maintenance of the Shared Path is deemed a permitted activity, as all erosion and sediment control measures will be installed and maintained in accordance with the 'Erosion and Sediment Control Guidelines for the Wellington Region – September 2002' – reprinted 2006, and all construction, demolition, and maintenance work will comply with NZS 6803P 'Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work'.
	13.3.2 Standards and Terms The operation and maintenance of a network utility under Rule 13.3.1.2, subject to the following relevant standards and terms: 13.3.2.5.1 Sediment and erosion control Erosion and sediment control measures shall be installed and maintained for all network utility activities, in accordance with the 'Erosion and Sediment Control Guidelines for the Wellington Region – September 2002' – reprinted 2006. 13.3.2.6 Vegetation Not applicable. 13.3.2.7 Noise Noise associated with the activity shall not exceed the permitted activity noise standard(s) within the zone in which the activity is located.	
13.3.1.37 (Permitted Activity - all Activity Areas)	Traffic control signals and devices, light and decorative poles and associated structures and fittings, post boxes, landscaped gardens, artworks and sculptures, bus stops and shelters, phone boxes, public toilets and road furniture located within the road reserve and the rail corridor.	The shared path is considered a roading and transport structure. The associated construction of bus stops and shelters, road furniture, artworks and sculptures and traffic control signals are deemed a permitted activity.

City of Lower Hutt District Plan		
Rule No.	**Rule**	**Assessment**
	13.3.2 Standards and Terms 13.3.2.5 Earthworks 13.3.2.5.1 Sediment and erosion control Erosion and sediment control measures shall be installed and maintained for all network utility activities, in accordance with the 'Erosion and Sediment Control Guidelines for the Wellington Region – September 2002' – reprinted 2006. 13.3.2.5.2 Slope, height, depth and area of earthworks The following shall apply to all network utility activities, except to earthworks within 2.0 metres of the exterior walls of any network utility structure or the outer edge of a network utility structure without walls measured in plain view, trenching in the road reserve or rail corridor, and to piling associated with the installation of a network utility. (i) Slope - No earthworks shall be carried out on a slope greater than 45 degrees. (ii) Height, Depth - Earthworks shall not exceed 1.5 metres in height or depth. (iii) Recession Plane - Any earthworks that involve the raising of the height of land above existing ground level shall not exceed a height recession plane measured at an angle of 45 degrees from any neighbouring boundary. (iv) Area: Riparian Areas - 25m² All Recreation and Residential Activity Areas - 100m² All Rural Activity Areas - 1000m² All Other Activity Areas - 500m² Rail corridor and state highway - 1,000m²	All earthworks for the construction of shared pathway will all be undertaken within 2.0 metres of the outer edge of the network utility structure, and erosion and sediment control measures will be installed and maintained in accordance with the 'Erosion and Sediment Control Guidelines for the Wellington Region – September 2002' – reprinted 2006.

City of Lower Hutt District Plan		
Rule No.	**Rule**	**Assessment**
13.3.1.38 (Discretionary Activity - all Activity Areas)	The construction, alteration or diversions of roads, excluding any such construction works which is part of a subdivision.	Resource consent is required in all Activity Areas, for the construction of the shared path as the proposed works would be considered an alteration to the road.
14 General Rules		
14A Transport		
14A 5.1 (Permitted Activity)	a) Any activity is permitted if it: i. Complies with the standards listed in Appendix Transport 1; and ii. Does not exceed the high trip generator thresholds specified in Appendix Transport 2. NOTES: Where an activity is associated with a subdivision, the provisions of "Chapter 11 – Subdivision" also apply. Where an activity will be undertaken by a network utility operator (as defined by Section 166 of the Resource Management Act), the provisions of "Chapter 13 – Network Utilities" also apply.	The proposal complies with the standards listed in Appendix Transport 1 and 2, and therefore is deemed a permitted activity.
14C Noise		
14C 2.1	f) All construction, demolition, and maintenance work shall comply with NZS 6803P 'Measurement and Assessment of	As all construction, demolition, and maintenance work will comply with NZS 6803P, it is deemed a permitted activity.

City of Lower Hutt District Plan		
Rule No.	**Rule**	**Assessment**
(Permitted Activity)	Noise from Construction, Maintenance and Demolition Work'.	
14E Significant Natural, Cultural and Archaeological Resources		
14E 2.2 (Restricted Discretionary Activity)	(b) Any activity or site development works identified on or within the boundaries of a significant natural resource, listed under the heading 'Significant Natural Resources' in Appendix Significant Natural, Cultural and Archaeological Resources 1 and shown on the Map Appendices Significant Natural, Cultural and Archaeological Resources 1A, 1B, 1C and 1D and Significant Natural Resource 9 – Coastal Environment 2A, 2B and 2C,	Resource consent is required for a Restricted Discretionary Activity for the proposed construction works of the shared path within the Significant Natural Resource site identified as SNR 44, at Point Howard.
14F Heritage		
14F2.1 (Permitted Activity)	(a) Identified Heritage Buildings or Structures: Any alteration, repair or modification of any building listed in Appendix Heritage 1 or 2 involving either- (i) Redecoration, repair or alterations which are internal and not visible from the road frontage; or (ii) Minor repair, alteration or maintenance to the exterior of a building or structure which do not require a building consent.	As the identified Heritage Building, being that of the Skerret Boat Shed, will not be altered, repaired or modified through the construction of the shared pathway, this rule is not applicable.
14I Earthworks		
14I 2.2 (Restricted Discretionary Activity)	(b) In the Special Recreation, Passive Recreation, Hill Residential and Landscape Protection Residential Activity Areas and in Maire Street, Eastbourne, Lot 4 DP 14002 as shown on Appendix Earthworks 1, all earthworks.	Resource consent is required for the works undertaken on the land that is zoned Hill Residential Activity Area, identified as Lot 4 DP 10005 (Ref: WN9C/915). The Standards under 14I 2.2.1 which are required to be assessed as part of an application, have been considered in detail in the AEE.

6. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

Potential effects on human health and the environment may occur if contaminated land is disturbed and/or used during the construction of the Project in the vicinity of the Sunshine Bay Garage. These potential effects can be avoided through the application of appropriate procedures to manage contaminated soils and materials.

Any soils and materials not suitable to remain on site will be excavated, removed off-site and disposed of in accordance with the procedures outlined in the NESCS.

Once the detailed design is complete, it may be necessary to undertake a detailed assessment of the contaminated site, and if relevant a resource consent will be sought at that time.

7. Government Policy Statement on Land Transport 2018

1.7 Safety

Objective: *A land transport system that is a safe system, free of death and serious injury.*

Paragraph 37 states that *"…. GPS 2018 supports investment towards improving the safety of cyclists and pedestrians. Improving the safety of cycling and walking is a key part of improving accessibility and uptake of cycling and walking as preferred transport modes. It also enables transport choice".*

The Project meets this objective by providing a separated Shared Path facility for active modes and vulnerable users, of a consistent width and standard of design.

1.8 Access

Objective: *A land transport system that provides increased access to economic and social opportunities.*

Paragraph 58 states that *"The transport system contributes to liveable cities by providing easy and efficient access and effective transport choice. This requires roads, rail, public transport, walking and cycling networks to work together to increase access to opportunities."*

The Project enables greater transport choice for Eastern Bay residents by providing a walking and cycling Shared Path where provision is currently extremely limited. Any users who switch mode choice from private vehicle to cycling (or walking) are helping improve access for the remaining vehicular traffic by reducing congestion levels.

Paragraph 69 states *"Creating spaces within the streetscape that are attractive and safe for people to sit, gather and walk and cycle supports the objectives of creating a safer and more accessible network, as well as key outcomes around improving health and well-being".*

The Project creates a safe and attractive foreshore Shared Path for people to use. There are also improvements to foreshore access through new and improved steps included as part of some seawall sections. The facility should attract users to walk and cycle along it, which will help to improve their health and well-being.

Objective: *A land transport system that enables transport choice and access.*

Paragraph 87 states *"Walking, cycling and public transport are very important in supporting an efficient, sustainable and affordable transport system. Enabling more people to use active modes and public transport can also contribute to improved health outcomes as people regularly incorporate active travel into their daily life, increasing levels of physical activity".*

Paragraph 92 states *"GPS 2018 supports investment in: provision of good quality, safe, fit-for-purpose walking and cycling infrastructure".*

The entire premise of the Project is to improve walking and cycling facilities for the Eastern Bays residents and for those users from further afield to use this popular and picturesque coastline. Longer term the Eastern Bay

Shared Path will connect into the 'Great Harbour Way', which creates a walking and cycle route around Wellington harbour

Objective: *A land transport system that is resilient*

Paragraph 103 states *"GPS 2018 prioritises investment to improve resilience on routes where disruptions pose the highest economic and social costs. This also includes investments to improve resilience to gradual change (e.g. erosion and sea level rise) and high impact events of low to medium probability (e.g. earthquakes)".*

While the Shared Path route from Eastbourne to Petone / Lower Hutt would not classify as a route that imposes the highest economic and social costs (due to the small population), by building the improved facility and the necessary seawall improvements, it provides improved resilience against the gradual change of sea level rise (and has been designed with future adaptability provision to raise the seawall level). This in turn provides much improved resilience for the adjoining road corridor, which will benefit from less disruptions due to washouts of the old seawalls currently.

Paragraph 106 states *"GPS 2018 supports investment for the best solutions on the most critical transport routes, in regions that have only one viable route in and out, for example. This includes recovery activities for transport routes into and across North Canterbury and for urban areas such as Auckland, Wellington and Christchurch, which are vulnerable to high impact natural events".*

Paragraph 107 states *"...This includes investment in non-transport infrastructure, such as flood mitigation infrastructure, where this has clear transport benefits and is used to improve resilience at the economically and socially most critical points of the network".*

Marine Drive is the only road into and out of Eastbourne and the Eastern Bays south of Point Howard. Therefore, improved resilience of the transport network is generated by the seawall upgrade for the new Shared Path facility. The road corridor is susceptible to damage caused by wave action from high seas during a storm event.

1.9 Environment

Objective: *A land transport system that reduces greenhouse gas emissions, as well as adverse effects on the local environment and public health*

Paragraph 116 states *"...Enabling the transport sector to support better environmental outcomes involves minimising the adverse effects of transport".*

Paragraph 117 states *"There are a range of investment and non-investment initiatives that can be used to address the environmental effects of transport. These include: .... promotion of active modes (such as new cycleways) and shared mobility".*

Paragraph 118 states *"...It also means providing people with real alternatives to using cars, including convenient and safe access to public transport and safe, well maintained active transport infrastructure".*

The Project is an upgraded shared path that is planned to increase the volume of cyclists commuting for work and leisure in the Wellington region.

Paragraph 121 states *"There is a range of potential greenhouse gas abatement opportunities in the transport sector. These can be classified as opportunities to: ...shift to lower emissions modes of transport, such as public transport and active modes...".*

It is envisaged that the improved Shared Path will encourage transport users to move to the emission-free modes of walking and cycling.

Paragraph 123 states *"While greenhouse gas emissions and climate change have cumulative effects on a global scale, there is also a need to manage local effects of land transport. Some of the areas where transport has an adverse effect on the local environment and public health include: ...reduced water and soil quality (particularly from contaminated stormwater run-off and sediment during construction); disruption to natural landscapes, vegetation and biodiversity...".*

With any new construction project there is the risk of sediment run-off, particularly a concern when working at the coastal waterline. A prerequisite of any construction management plan will be to include an in-depth strategy on how to counteract this during construction, so that construction related environmental effects or minimised and preferably removed.

One negative environmental outcome of this project is the disruption to the natural landscape by the construction of new seawalls where currently none (or only minor / limited scale) exist, and which can include sections of coastal reclamation to provide space for the Shared Path. This will disrupt the aesthetics and use of the natural landscape at these locations.

1.10 Value for money

Objective: *A land transport system that delivers the right infrastructure and services to the right level at the best cost*

Paragraph 132 states *"Delivering the right infrastructure and services requires a wide range of options to be considered. It is expected that options that improve the performance of the current network are considered alongside options for providing new infrastructure where possible".*

The Project has been through the Indicative and Detailed Business Case procedures which considered a number of options for different width Shared Path facilities. All options were assessing the improvement of an existing cycle facility that was inconsistent in width and in some locations, not provided for at all. The project is forecast to deliver a positive economic return in terms of the investment required.