

Non-notified resource consent application report and decision

Summary of decision

File Reference:	WGN160209
Date Granted:	2 May 2016
Applicant:	Kapiti Coast District Council Private Bag 60601 Paraparaumu 5254 Attention: Haig Meyer
Decision made under:	Section 104B and 108 of the Resource Management Act 1991 (the Act)
Consents Granted:	Operative Regional Plans [33944]: Controlled Activity Coastal permit to replace and extend a seawall in the coastal marine area, and to occupy the coastal marine area with the seawall and existing rock revetments. Proposed Natural Resources Plan [33944]: Discretionary Activity Coastal permit to construct a seawall outside sites of significance, and to occupy the coastal marine area with the seawall and existing rock revetments. Coastal permit to remove or demolish the existing seawall structure.
Activity:	To replace the existing Paekakariki Seawall.
Location:	The Parade, Paekakariki Beach between Beach Street and Henare Street. The proposed replacement seawall is between The Sand Track and just north of Tangahoe Street.

Map Reference: Seawall, between approximate map references NZTM 1764203.5461151 and NZTM 1764669.5461978.
Occupation by rock revetment and seawall between approximate map references NZTM 1763995.5460797 and 1764775.5462168.

Legal Description: Coastal marine area

Duration of Consents: [33944]: 35 years to expire on 2 May 2051

Consent conditions: Attachment 1

Processing timeframes:

Application lodged:	07.03.16	Application officially received:	07.03.16
Application stopped:	07.03.16	Application started:	01.04.16
Applicant to be notified of decision by:	02.05.16	Applicant notified of decision on:	02.05.16
Time taken to process application:	20 working days		

Decision:

Decision recommended by:	Michelle Conland	Resource Management Consultant, for Environmental Regulation	
Decision peer reviewed by:	Kirsty van Reenen	Resource Advisor, Environmental Regulation	
Decision approved by:	Sonia Baker	Team Leader, Environmental Regulation	

Reasons for decision report

1. Background and proposal

The applicant has applied for resource consent to replace an existing timber seawall with a new structure, and to occupy the coastal marine area with the seawall and the two existing rock revetments either side of the proposed replacement seawall.

The proposal is to:

- demolish approximately 960 metres of the existing timber seawall between the southern and northern rock revetments
- construct a replacement seawall between the existing rock revetments
- occupy the coastal marine area with the proposed new seawall and the existing rock revetments.

The application states that the existing failing timber structure will be replaced with a similar timber/concrete vertical seawall with improved access and amenity. The existing rock revetments remain at either end and will be integrated and tied in with the new seawall.

The proposed seawall will have a split level design. The lower beach seawall will be similar in height, scale and position to the existing timber seawall. It will be constructed of concrete, timber or a mixture of both.

The upper part of the seawall will be a rock revetment structure. It will integrate with the existing rock revetments at either end of the wall which the applicant anticipates will help provide a consistent amenity along the coastal edge.

A pathway will run between the two parts, parallel to the beach. The application states that this will provide a recreational walkway along the seawall with opportunities for informal and formal seating and improved access points along the way.

There are approximately 10 wooden stormwater outlets along the length of the existing seawall. These stormwater structures will remain but will be renewed and upgraded throughout the detailed design phase of the project.

1.1 Wall design

The applicant has proposed two basic cross-sections for the wall. Wall type 1 is to be used over the majority of the wall length. Wall type 2 will be used at various locations along the wall where access is to be provided to the beach.

For wall type 1, the lower timber or concrete wall has a vertical face to the beach supported by timber or concrete piles which are likely to be founded about 8 metres below the pathway level in medium dense sands. The piles will be closely spaced with timber or concrete panels which span between the piles. The wall panels will be 4 metres high and will extend about 2.5 metres below

the lowest beach level to provide for wave scour effects. The piles are proposed to be anchored by tie bars to concrete anchor blocks located under The Parade. Further details about the wall design are shown on Page 10 of the AEE Report dated 1 March 2016.

For wall type 2 the lower concrete step wall will comprise a reinforced concrete step unit supported on timber or concrete piles which are likely to be founded about 10 metres below the level of the pathway. The concrete step units are to be made of precast concrete up to 4 metres long with intermediate joints between units. The steps will extend below the lowest beach level to a small skirt wall below the lowest step to provide protection against wave scour. Further details about the wall design are shown on Page 11 of the AEE Report.

The proposed seawall will be integrated with the existing rock revetments at both the northern and southern ends by overlapping the rock revetment in front of the new wall for a short length.

The applicant proposes to improve access to the beach, including steps and ramps to a lower path, as well as to the beach itself. At the end opposite the Sand Track the works will link into the existing ramp to the beach through the rock revetment, providing access for wheelchairs, push chairs or for transporting kayaks. Currently, the timber wall limits ease of access to the beach as there is limited stairway access down to the beach area.

The applicant proposes to include a number of native species planted along the proposed seawall. The preliminary design includes the following species: hokokaka, pingao, wiwi, harakeke, tatarakeke, shore daphne and taupata. The applicant proposes to submit a landscaping plan for approval prior to the works commencing. The applicant is also considering features such as cultural art and iwi sculptures including pou, and habitat enhancements such as penguin boxes. The application states that these will be confirmed at the detailed design stage.

1.2 Construction Methodology

The application states that a Construction Management Plan (CMP) will be submitted to GWRC for approval prior to the works commencing. It is proposed that the CMP include matters such as a detailed construction methodology, timing of the works, erosion and sediment control, health and safety and a traffic management plan.

The timing of the works will be dependent on tides, and adverse weather conditions. The applicant intends to make the site safe at the end of each working session with sediment and erosion measures in place to provide for unexpected conditions.

The application states that the construction activities are likely to include:

- Installing timber or precast concrete piling to the lower seawall, to a depth of around 8m. This could be carried out using bored, jetted, or driven piles. The construction plant would require beach access for this. The extent of surface disturbance would be small.

- Pile tiebacks would be installed from under The Parade. The concrete anchor block might be installed by boring from the surface and then tied in by horizontal drilling from the beach.
- The existing seawall structure will be removed in sections, the length of which will be determined by tide and weather constraints.
- Trench excavation varying in depth up to 3m would follow immediately, to accommodate precast concrete or timber wall elements. This might be sheet-piled in the sand strata to prevent collapse. Contaminated sub-beach material might be stockpiled on the existing walkway shelf to avoid polluting the beach sand. The aim would be to install and backfill each new section in a single working session.
- Dewatering of the excavations might be directed to temporary ponding excavated at intermediate points behind the existing wall. Sediment could be filtered from there as required. This will be determined once it is known what particular construction techniques are to be employed. If required, a consent to dewater will be applied for separately.
- Once the lower wall has been constructed, the upper revetment/wall and walkway can be installed. Access would be from the road and beach.
- Landscaping and planting would complete the work.

It is proposed that the construction yard have designated areas for refuelling and storage of potential pollutants. These areas would be bunded to prevent spills into the beach area. Stormwater inlets will be fitted with filter bags in the vicinity of road excavations. Emergency response spill kits will be on site at all times.

Construction plant will be working from The Parade and along the beach. The application states that health and safety signs will be erected to warn the public of the hazards in the immediate area.

Construction may be staged over a period of up to five years, with the replacement seawall being constructed in sections. The timing of the works will be updated in the submitted Construction Management Plan.

The applicant proposes to keep the immediate residents and the Paekākāriki community well informed of the construction works, timing and what can be expected during the works. This will be through letter drops to immediate residents and regular updates to the Community Board. In addition, updates of the KCDC website or other social media may be used to reach the wider public.

1.3 Maintenance

The design life of the new wall is a minimum of 50 years. Timber elements of the wall will be treated to provide for this design life. Buried tie bars for the anchored wall will be protected against corrosion.

The wall is expected to be overtopped by waves during severe storms and in particular the lower wall. Maintenance will be required to remove the sand and debris deposited onto the wall, pathway and rock revetment. Under extreme events sand and debris may be deposited onto The Parade as has historically occurred in the past during extreme storms.

Wave scour is expected to occur at the base of the lower walls and will require scour holes to be filled in following severe storms.

2. Reasons for resource consent

2.1 Operative Regional Plans

RMA section	Plan	Rule	Status	Comments
12(1)	Regional Coastal Plan	6	Permitted	The replacement of the seawall and addition or alteration to the rock revetment is a controlled activity as it adds no more than between 5-20% of the plan or cross-sectional area of the structure or between 5-10m horizontal projection and 1-3 metres in vertical projection. This activity includes any associated disturbance of the foreshore or seabed.
		13	Controlled	
12(2)	Regional Coastal Plan	11	Permitted	The occupation by the seawall and existing revetments is a controlled activity as the structures are not allowed by section 418(5) of the Act and are not a road.
		16	Controlled	

The applicant states that the removal or demolition of the existing seawall will meet the permitted activity conditions of rule 7 of the Regional Coastal Plan (RCP).

If dewatering is required as a result of the construction works, the applicant will apply for resource consent to take groundwater and discharge at that stage if required.

The upgrade and renewal of the stormwater outlets is likely to meet the permitted activity provisions of Rule 6 of the RCP. Any maintenance of the seawall is also likely to meet the permitted activity provisions of Rule 6. Any upgrading or maintenance required that does not meet the permitted activity rules will require a separate resource consent.

This area of the Paekākāriki coastline is not identified as an Area of Significant Conservation Value (ASCV) in the RCP.

2.2 Proposed Natural Resources Plan

The Proposed Natural Resources Plan (PNRP) was publicly notified by the Council on 31 July 2015. All rules in the PNRP have immediate legal effect

under section 86B(3) of the Act. As the application was lodged after 31 July 2015, the PNRP is relevant to determining the resource consents required, activity status, the notification decisions and the substantive assessment of the proposal under section 104 of the Act.

RMA section	Rule	Status	Comments
12	R152	Permitted	The demolition of the existing seawall, including any associated disturbance, deposition, discharge of contaminants or diversion of seawater, is a restricted discretionary activity
	R153	Restricted discretionary	
12	n/a	n/a	The replacement of an existing seawall, including any associated occupation, disturbance, deposition, discharge of contaminants or diversion of seawater, outside of a site of significance is a discretionary activity.
	R166	Discretionary	
12	n/a	n/a	The first renewal of an existing resource consent for the occupation of space by a structure in the common marine and coastal area is a controlled activity.
	R183	Controlled activity	

If dewatering is required as a result of the construction works, the applicant will apply for resource consent for this activity at that stage if required. The applicant considers at this stage that any dewatering is likely to comply with permitted activity rule R140 of the PNRP.

The upgrade and renewal of the stormwater outlets is likely to meet the permitted activity provisions of Rule 149. Any maintenance of the seawall is also likely to meet the permitted activity provisions of Rule R149, and comply with the permitted standards in Section 5.7.2 of the PNRP. As stated above, any upgrading or maintenance that does not meet the permitted activity rules will require a separate consent.

The proposal activity is located adjacent to the Paekākāriki surf break, identified as a significant surf break in Schedule K of the PNRP.

2.3 Overall activity status

The activity must be assessed as a controlled activity under the Operative Regional Coastal Plan and a discretionary activity under the Proposed Natural Resources Plan.

Overall, the activity is assessed as a discretionary activity.

3. Consultation

Iwi authority	Comments
Te Ātiawa ki Whakarongotai Charitable Trust	Prior to lodging, the applicant consulted with Te Ātiawa. Following lodging of the application, no comments were received on the application, therefore it is assumed they have no concerns.
Ngāti Toa Rangatira	The applicant consulted with Ngāti Toa and obtained the iwi's written approval on 30 March 2016.
Other parties or persons	Comments
Department of Conservation	The applicant consulted with DOC and obtained DOC's written approval on 24 March 2016.
Paekākāriki Community and Design Group	The applicant consulted with the group prior to lodging the application. The applicant intends to consult with the group in relation to the detailed design stage of the process.
Wider community	The applicant has consulted with the wider Paekākāriki Community through the Long Term Plan Process.
Technical Experts	Comments
Dr Iain Dawe, Senior Policy Advisor (Hazards)	Dr Dawe has assessed the application and been on site with Dr Mead prior to the lodgement of the application. He considers that the effects of the replacement seawall, over and above those of the existing seawall, will be no more than minor. Dr Dawe's assessment is discussed further in section 6 of this report.
Dr Megan Oliver, Senior Environmental Scientist - Coast	Dr Oliver has assessed the application and in particular the assessment by Dr Shaw Mead and Mr Sam O'Neill "Review of Coastal Processes Assessments at Paekākāriki Beach and the Potential Impacts of the Proposed Replacement Seawall" version 2 (2016) included as Appendix F of the application. Dr Oliver advised that she agrees with the assessment and that the effects of the replacement of the seawall will be minor and short term. Dr Oliver's assessment is discussed further in section 6 of this report
Philippa Crisp, Team Leader, Terrestrial Ecosystems and Quality	Ms Crisp assessed the application in relation to the effects on seabirds in the area. Overall, she considered the effects on seabirds to be no more than minor and relatively short-term as the proposal is for the replacement of an existing seawall. Ms Crisp's assessment is discussed further in section 6 of this report.

4. Notification decision

A decision was made to process the application on a non-notified basis on 7 March 2016. Further information on the notification decision is provided in document #160209-7-37.

5. Environmental effects

The applicant provided an Assessment of Environmental Effects (AEE) with the application. An assessment by Dr Shaw Mead and Mr Sam O’Neill entitled “Review of Coastal Processes Assessments at Paekākāriki Beach and the Potential Impacts of the Proposed Replacement Seawall” version 2 (2016) is included as Appendix F of the application.

This section provides an assessment of the effects of the proposed activity on the environment. Information has been drawn from the application provided by the applicant and other information sourced during the processing of the application.

5.1 Existing environment

The site covers Paekākāriki’s main stretch of coastline along The Parade, with the proposed replacement seawall extending from The Sand Track to the southern extent of the rock revetment north of Tangahoe Street, a distance of approximately 960 metres. The northern and southern rock revetments are also included within the project area.

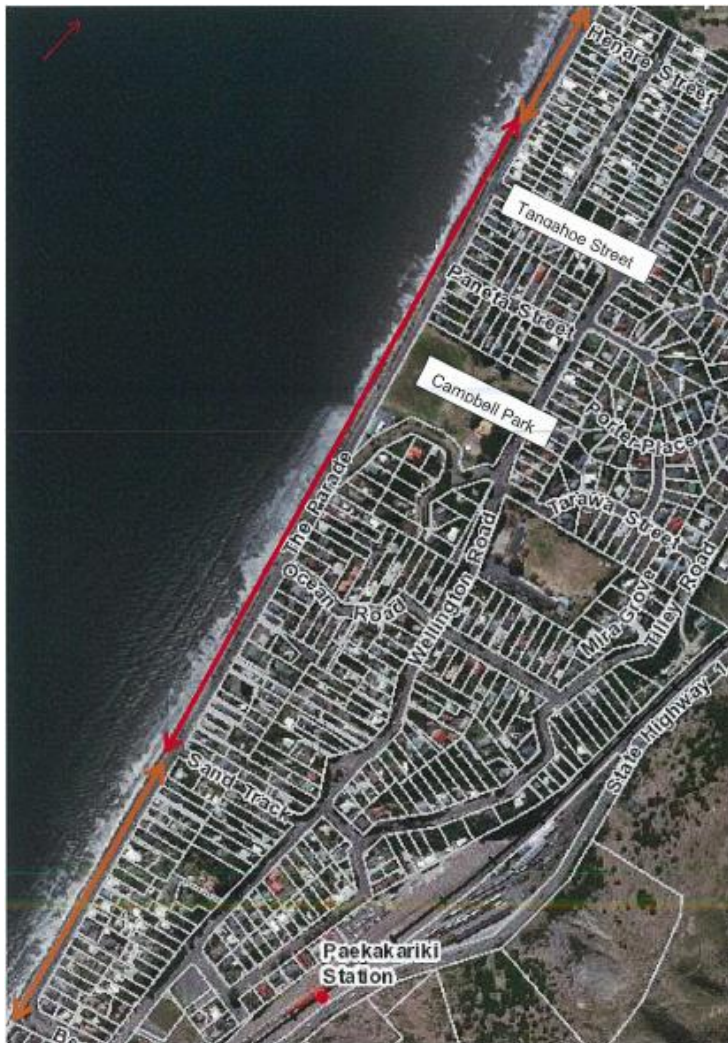


Figure 1 (from the application): The red line shows the existing timber wall location. The orange lines show the existing rock revetment areas that will remain.

The current seawall is a timber structure with rock revetments at either end. The rock revetment at the southern end is significantly larger than the smaller one at the northern end of the project area. This is because the beach is set some 3.5-4m below The Parade at the southern end, compared to some 1-1.5m at the northern end.

The Parade provides the main public access to the coast and is set above beach level, retained by the timber seawall and rock revetments at either end. The Surf Life Saving Club is at the northern end of The Parade and a large park (Campbell Park) located about midway along The Parade.

The Parade separates the beach from mostly residential properties and Campbell Park.

The Paekākāriki coastline is not identified as an Area of Significant Conservation Value within the Operative Regional Coastal Plan. Within the Proposed Natural Resources Plan the area has been identified as having a significant surf break. The applicant notes that the coastline is highly valued by the Paekākāriki community and visitors to the area.

Mead and O'Neill (2016) states that the existing marine ecology at the site is comprised of a relatively low number of common intertidal species that are adapted to the harsh environment. Sand levels at the site can change by over a metre between tides due to wave action making it a very changeable and abrasive environment, which together with the intertidal nature means that only a few hardy species can inhabit the area.

5.2 Effects of construction

The application states that the adverse effects due to the construction of the seawall will be temporary and can be sufficiently mitigated through the conditions of consent including the use of the Construction Management Plan (CMP).

The applicant proposes to undertake construction of the replacement seawall in small sections, with the removal of a part of the existing wall and construction of a portion of the new wall occurring over a five year period. Because only small sections will be worked at a time, the extent of surface disturbance will be limited. The exact length of each section will be set out in the CMP. In addition the CMP will contain measures to control any release of sediment into the environment.

The applicant intends to limit the days and times that works will be undertaken. In addition, I recommend as a condition of consent that the noise from the construction works meets the standards specified in NZS 6803:1999.

Nearby residents and the Paekākāriki community will be kept informed of the construction works through letter drops to the immediate residents and regular updates to the Community Board. Signage will also be used to inform users of the beach of alternative access routes while the works are being undertaken. The recommended conditions of consent will require that public access to the beach and foreshore remains available at all times. However, public access will

not be permitted within the section of beach where the construction works are taking place for health and safety reasons.

I am satisfied that the environmental effects from construction of the replacement seawall can be appropriately managed through the recommended consent conditions in Attachment 1, particularly those in relation to the Construction Management Plan, public access, hours of works and noise standards.

5.3 Ecological effects

The applicant states that the proposed seawall will have an overall neutral to slightly positive long term effect on the ecology of the area. The proposed seawall will essentially replace the existing seawall. However, the applicant is proposing a different mix of materials, diversity of spaces, and additional rock revetment as an upper seawall, as well as landscaping. This is expected to provide additional coastal habitat for wildlife such as seals, penguins and birds.

As noted above, Mead and O'Neill (2016) stated that the species that colonise this coastline are adapted to withstand the high sediment movement and strong wave action, resulting in large fluctuations in the abundance of species and individuals through time.

Dr Oliver agrees with Mead and O'Neill (2016) that this is a very dynamic stretch of coastline, home to invertebrate communities that are adapted to frequent disturbance, and as such Dr Oliver agrees that the effects of the seawall replacement will be minor and short term.

Ms Crisp assessed the application in relation to the effects on seabirds. She concluded that there are several coastal bird species that use that stretch of coast for foraging and roosting, but they are relatively widespread and mobile, and this is not a new habitat loss. Overall, she considered the effects on seabirds to be no more than minor and relatively short-term as the proposal is for the replacement of an existing seawall.

I am satisfied that the environmental effects on the ecology can be appropriately avoided or mitigated through the recommended consent conditions in Attachment 1, and in particular those in relation to managing construction effects and unintended discharges to the CMA.

5.4 Effects on Coastal Processes

Mead and O'Neill (2016) state that the Paekākāriki coastline is being starved of a natural supply of longshore drift material by the growing headland at Paraparaumu that is preventing the southward movement of sand. As a result there is less sand reaching the Paekākāriki Beach.

The applicant considers that the overall effect on coastal processes will be similar to the existing situation as the proposed seawall is in largely the same location and of a similar scale. The northern half of the seawall is located more landward than the existing seawall. As a result the effects of the new seawall can be considered insignificant or may have a slight positive effect on reducing erosion and protecting the coastline. The existing and proposed seawall have a

similar gradient and height while the upper section of the new seawall is set further back. Meads and O'Neill (2016) assessed that because of the lower pathways there will be less reflection and scour, and the steps will increase friction and reduce overtopping of the wall. In addition, these features are further setback from the existing wall profile.

As the proposed seawall is largely in the same location and of a similar scale to the existing seawall, there are unlikely to be any adverse effects on the Paekākāriki surf break.

Dr Dawe agrees that the effects on coastal processes due to the new seawall will remain the same or have a positive effect compared with the existing seawall.

Meads and O'Neill (2016) assessed the effects of sea level rise over the next 50 years, and concluded that the beach is likely to be lower than the present average beach level. Consequently, the applicant acknowledges that the steps may need to be altered or extended at some time in the future as the beach lowers. The preliminary concept design for the seawall has taken into account the predicted sea level rise. Overtopping events are likely to increase in number and in frequency as sea level rises and may require an increase in maintenance requirements. I recommend a condition of consent which requires that the consent holder maintain the structure so that it is structurally sound, and does not cause a hazard.

Due to the existing rock revetment at each end of the replacement seawall, and that the rock revetment will overlap in front of the new wall for a short length, the end effects of the new sea wall will be less than minor or *de minimus*.

Consequently, I am satisfied that the environmental effects on coastal processes will be appropriately avoided or mitigated through the proposed location and design of the seawall.

5.5 Effects on Coastal Amenity

The proposed seawall essentially replaces in scale and location the existing seawall at Paekākāriki Beach. However, the applicant considers that there will be an overall improvement to the coastal amenity of the area as the existing timber wall is looking tired and in places unsafe and messy. The proposed design of the new seawall, along with enhanced landscaping, will improve the overall amenity of the area. In terms of visual amenity, the new seawall will not restrict the views to the sea as it is of a similar height to the existing seawall. From the coastal marine area, the new seawall will be tidier and more attractive.

Consequently, I consider that the effects coastal amenity will be positive, compared with the existing situation.

5.6 Effects on Public Access and Recreation

The proposed design of the new seawall will allow for increased public access and use of the Paekākāriki Beach. The applicant states that the new paths will provide a safe and wide area for all ages to use, improving access from

Campbell Park to the beach and along the foreshore, while being separated from the road. The large concrete steps will also provide additional seating for users of the foreshore, especially during high tide.

Consequently, I consider that the effects on public access to the coastal marine area will be positive, compared with the existing situation.

5.7 Summary of effects

Given the assessment above, it is considered that the effects of the proposed activity will be no more than minor when undertaken in accordance with the recommended consent conditions.

I am satisfied that the environmental effects of replacing the seawall and the occupation of the structure can be appropriately avoided, remedied or mitigated through the recommended consent conditions in Attachment 1.

6. Statutory assessment

6.1 Part 2

Part 2 of the Act outlines the purposes and principles of the Act. Section 5 defines its purpose as the promotion of the sustainable management of natural and physical resources. Sections 6, 7 and 8 of Part 2 define the matters a consent authority shall consider when achieving this purpose.

I am satisfied that the granting of the application is consistent with the purpose and principles in Part 2 of the Act.

6.2 Matters to be considered – Section 104-108

Section 104-108 of the Act provides a statutory framework in which to consider resource consent applications. All relevant matters to be considered for this application are summarised in the table below:

RMA section	Matter to consider	Comment
104(1)(a)	Actual or potential effects on environment	See Section 5 of this report.
104(1)(b)(iv)	National Coastal Policy Statement	<p>The NZCPS requires that regard be had to a number of objectives and policies. Those of relevance to this application are Objective 2 and Policies 13, 15 and 16 (natural character and features), Objective 3 and Policy 2 (Treaty of Waitangi), Objective 4 and Policies 18-20 (public access), Objective 5 and Policy 27 (coastal hazards)</p> <p>I am satisfied that the proposed works are consistent with the objectives and policies of the NZCPS.</p>

RMA section	Matter to consider	Comment
104(1)(b)(v)	Regional Policy Statement	I consider that, with the application of the recommended conditions of consent, the proposed activity is consistent with the RPS.
	<i>Objective/Policy</i>	<i>Comment</i>
	Policy 35	This policy relates to preserving the natural character of the coastal environment. The natural character of the coast in this area has already been modified by the existing seawall. Replacing the seawall with another of similar scale and location will not adversely affect the natural character of the area. The proposed landscaping and planting of native species may assist with preserving the natural character.
	Policy 36	This policy relates to managing the effects on the natural character in the coastal environment. The proposed conditions of consent will restrict the disturbance to the works area. In addition, the seawall is to be located between two existing rock revetments which avoids any adverse effects on the natural character at each end of the seawall.
	Policy 37	This policy relates to safeguarding the life-supporting capacity of coastal ecosystems. The effects on the ecology have been assessed and the ecologists agree that any effects on the ecology will be short term and minor in nature.
	Policy 51	This policy relates to minimising the risks and consequences of natural hazards. The replacement of the existing seawall will reduce the likelihood of storm damage to The Parade.
	Policy 52	This policy relates to minimising adverse effects of hazard mitigation measures. As there is an existing seawall and this proposal is to replace that seawall with one of a similar scale and location, many of the adverse effects due to seawalls are minimised. Adverse effects due to the construction of the seawall will be mitigated through the conditions of consent.

RMA section	Matter to consider	Comment
	Policy 53	This policy relates to public access to and along the coastal marine area. During the construction period, the applicant will have to ensure public access to the beach remains and is appropriately signposted. Once the works are complete, public access to the coastal marine area will be improved compared with the existing situation.
104(1)(b)(vi)	Operative Regional Coastal Plan	I consider that, with the application of the recommended conditions of consent, the proposed activity is consistent with the Regional Coastal Plan.
	<i>Objective/Policy</i>	<i>Comment</i>
	Policy 6.2.1	This policy considers that structures which are functionally dependent on a location in the CMA are appropriate. The proposed seawall replaces an existing seawall constructed to prevent erosion of the coastline. The proposed new seawall will increase access to the beach. As such, the proposed seawall meets this policy.
	Policy 6.2.2	This policy relates to not allowing structures in the CMA where there will be adverse effects or significant adverse on a number of matters. The adverse effects due to the proposed seawall have been assessed as no more than minor, and can be satisfactorily mitigated.
	Policy 6.2.4	The proposed seawall will provide access for disabled persons.
	Policy 6.2.5	The design of the seawall has taken into account rising sea levels, waves and currents, and storm surges.
	Policy 6.2.7	The conditions of consent will require that the proposed seawall is adequately maintained and remains safe.
Proposed Natural Resources Plan		

RMA section	Matter to consider	Comment
	<p><i>Objectives</i></p> <p>Objective O9 Objective O10 Objective O14 Objective O15 Objective O17 Objective O19 Objective O22 Objective O37 Objective O53 Objective O54 Objective O55</p>	<p>I consider that, with the application of the recommended conditions of consent, the proposed activity is consistent with the objectives and policies of the Proposed Natural Resources Plan.</p>
	Policies	Comment
	Policy P4	<p>The activity is not within an area identified in Schedule A, C, E or F. The applicant proposes to use good management practices to reduce the adverse effect of the proposed construction, including the use of a construction management plan.</p>
	Policy P9	<p>Public access along this section of coastline will be maintained during construction and improved once the seawall replacement is complete.</p>
	Policy P10	<p>Access to the beach and water, and amenity values will be improved, as will opportunities for passive recreation.</p>
	Policy P19	<p>The cultural relationship of Maori with the coast has been recognised and provided for.</p>
	Policy P26	<p>Effects on the integrity and functioning of natural processes is being minimised by locating the seawall in the same place as the existing seawall.</p>
	Policy P27	<p>The proposed seawall will not cause or exacerbate natural hazards in other areas (eg. end effects) and interference with natural processes is minimised.</p>
	Policy P28	<p>The proposed hard engineering mitigation (the seawall) is necessary to protect existing development from unacceptable risk (erosion of The Parade), and the environmental effects of replacing the seawall are considered to be no more than minor.</p>

RMA section	Matter to consider	Comment
	Policy P29	Particular regard has been given to the potential for climate change to exacerbate coastal erosion and inundation, and sea level rise.
	Policy P51	There are not expected to be any adverse effect on the Paekākāriki surf break due to the replacement of the seawall.
	Policy P132	The proposed seawall replaces an existing seawall constructed to prevent erosion of the coastline. Consequently, the structure has a functional need to be located where it is. In addition, the seawall will enable public use of the area.
	Policy P139	The proposed seawall replaces an existing seawall and protects existing roads. The seawall has been located and designed by a qualified professional engineer.
104(1)(c)	Any other matter	There are no other matters relevant to this application.
104(2A)	Value of investment for existing consents	I have considered the value of existing investment associated with the application to occupy the CMA with the rock revetments.
108	Conditions on resource consents	Standard conditions of consent for this activity type are recommended. Any additional conditions are outlined in Section 5 of this report. All conditions are documented in Attachment 1 to this report.

6.3 Weighting of the Proposed Natural Resources Plan

As the conclusion reached under the operative Regional Coastal Plan assessment is consistent with that reached under the Proposed Natural Resources Plan there is no need to undertake a weighting exercise between the two Plans.

7. Main findings

In conclusion:

1. The proposed activity is consistent with the Purposes and Principles of the Resource Management Act 1991.
2. The proposed activity is consistent with the relevant objectives and policies of the New Zealand Coastal Policy Statement, the Regional Policy Statement and the Operative Regional Coastal Plan and the Proposed Natural Resources Plan.

3. The actual or potential adverse effects of the proposed activity on the environment will be or are likely to be no more than minor.
4. Conditions of the consent will ensure that the effects of the activity on the environment will be appropriately avoided, remedied or mitigated.
5. The proposal incorporates appropriate mitigation measures, to ensure the adverse effects are or are likely to be no more than minor.

8. Duration of consent

Under s123 (c) of the Act I consider a duration of 35 years is appropriate for coastal permit [33944] as the proposed seawall and rock revetment structures that will occupy the CMA have a design life of 50 years.

9. Monitoring

The following compliance monitoring programme will be undertaken during the consent term:

Inspections of the construction works will occur periodically, as well as following completion of the works.

Charges relating to this monitoring programme are outlined in the cover letter enclosed with this report.

Attachment 1: WGN160209 [33944]

General conditions

1. The location, dimensions and design of the seawall and rock revetment structures shall be in general accordance with the consent application and its associated plans and photos lodged with the Wellington Regional Council on 7 March 2016.

Where there may be contradiction or inconsistencies between the application and further information provided by the applicant, the most recent information applies. In addition, where there may be inconsistencies between information provided by the applicant and conditions of the consent, the conditions apply.

Note: Any change from the location, design concepts and parameters, implementation and/or operation may require a new resource consent or a change of consent conditions pursuant to section 127 of the Resource Management Act 1991.

2. The consent holder shall ensure that a copy of this consent and all documents and plans referred to in this consent, are kept on site at all times and presented to any Wellington Regional Council officer on request.
3. All works affecting the coastal marine area including tidy up on completion of the works shall be completed to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.
4. The Manager, Environmental Regulation, Wellington Regional Council, shall be given a minimum of two working days (48 hours) notice prior to the works for each section commencing. The consent holder shall advise the residents closest to the section of works being undertaken, via a letter drop, of the timing of the works, details of a contact person, and what can be expected during the works.

Note: Notifications to the Manager, Environmental Regulation, must be emailed to notifications@gw.govt.nz. Please include the consent reference WGN160209 and the name and phone number of a contact person responsible for the proposed works.

5. The consent holder shall provide a copy of this consent and any documents and plans referred to in this consent to each operator or contractor undertaking the works authorised by this consent, prior to the works commencing.

Note: It is recommended that the contractors be verbally briefed on the requirements of the conditions of this consent prior to works commencing.

Detailed design plans

6. At least two months prior to construction commencing, the consent holder shall submit to the Manager, Environmental Regulation for certification, a full set of detailed design drawings. The plans shall detail the finish of the seawall, the construction plans, the locations of the access ways, details of the seating arrangements, and any other details in relation to the design of the seawall.

Construction Management Plan

7. The consent holder shall submit a **Construction Management Plan (CMP)** for certification by the Manager, Environmental Regulation, Wellington Regional Council, at least 10 working days prior to any works commencing.

The purpose of the CEMP shall be to explain how the works are to be undertaken to meet the conditions of this consent and shall include but not be limited to the following:

- a) Roles, responsibilities and contact details of all parties involved
- b) Identification of suitably qualified and experienced person(s) to manage any environmental issues on site
- c) Detailed construction methodologies and works programme
- d) An indicative timetable for the works including times of low and high tides and proposed working hours to ensure all work is undertaken in dry conditions as far as practicable
- e) Details of the erosion and sediment control measures to be used for each section of works and plans showing the location of these measures. Such measures shall include silt fences, bunding, diversion drains,
- f) Details of measures to be used to limit the amount of disturbance to the foreshore and seabed to meet condition 13
- g) Details of measures to prevent the discharge of fuel, oil, grout, concrete or any other contaminants entering the coastal marine area to meet conditions 14 and 15
- h) Procedures to be undertaken in the event of a discharge/spillage of oil, grout, cement and other contaminants to the coastal marine area to meet condition 16
- i) Details of any public access restrictions and what measures will be in place to minimise disruption of public access including signage to alternative access routes to meet the requirements of condition 10
- j) Complaints and feedback procedures in accordance with condition 20

The consent holder shall not commence works as authorised by this consent until the CMP has been certified in writing by the Manager, Environmental

Regulation, Wellington Regional Council. Works shall be undertaken in accordance with the certified CMP.

Any amendment to the certified CMP shall be submitted for certification in writing to the Manager, Environmental Regulation, Wellington Regional Council. Implementation of any amendment shall only occur if the amendment is to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

8. The consent holder shall submit a **Landscape Management Plan (LMP)** for certification by the Manager, Environmental Regulation, Wellington Regional Council, at least 10 working days prior to any works commencing. The landscape management plan shall include but not be limited to:
 - a) Plan(s) to scale showing the locations of all proposed areas to be planted and species mix
 - b) The species proposed to be planted, the size of the plants and the density of planting. All plants shall be Eco sourced and appropriate to the locality.
 - c) Details of pre-planting site preparation (soil preparation, mulching, fertilising)
 - d) Details of the ongoing maintenance of the planting, including but not limited to the replacement of plants, weeding and future management.

Pre-construction meeting

9. The consent holder shall arrange and conduct a pre-construction site meeting prior to any work authorised by this consent commencing on site and invite, with a minimum of 10 working days' notice, the Greater Wellington Regional Council and the contractor undertaking the works.

Note: In the case that any of the invited parties, other than the representative of the consent holder, does not attend this meeting, the consent holder will have complied with this condition, provided the invitation requirement is met.

*Note: The consent holder **must** email GWRC at notifications@gw.govt.nz to arrange a pre-construction meeting. Please include the consent reference WGN160209 and the name and phone number of a contact person responsible for the works.*

Public access and amenity

10. During the construction works and any maintenance or repair activities, the consent holder shall ensure:
 - a) Public access to the coastal marine area is provided at all times, excluding the areas subject to the construction works; and

- b) In the event that access to the foreshore is restricted, the duration and extent of the restriction is minimised, and alternative access is provided and sign-posted; and
 - c) The works site is clearly defined and marked off to provide a safe and secure construction site.
11. The construction works shall only be conducted between the hours of 7:30am and 6pm, Monday to Friday inclusive, and between 8:00am and 4:00pm on Saturday. No construction works shall be permitted outside of these times or on Sundays and public holidays.
12. Noise from the construction activities associated with this permit shall meet the following standards:
- a) The activity shall not cause excessive noise (defined in section 326 of the Resource Management Act 1991), and
 - b) Any construction activities shall meet the standards specified in NZS 6803:1999 Acoustics – Construction Noise.

Minimise sediment and turbidity

13. The consent holder shall take all practicable steps to minimise sediment loading and increased turbidity in the coastal marine area due to the works. These steps shall include, but are not limited to, the following:
- a) Completing all works in the minimum time practicable
 - b) Ensuring any materials/structures placed in the coastal marine area are clean and free of contaminants prior to placement; and
 - c) Disturbing the minimum area of seabed necessary
 - d) Undertaking the works in calm weather conditions, as far as practicable
 - e) Storing any material with the potential to cause sedimentation or turbidity away from the coastal marine area.
 - f) Using erosion and sediment control measures for each section of works

Use of machinery

14. The consent holder shall ensure that:
 - a) All machinery is thoroughly cleaned of vegetation or contaminants, at least 10 metres away from the coastal marine area, prior to use in the coastal marine area
 - b) All machinery shall be regularly maintained in such a manner to ensure no contaminants (including but not limited to oil, petrol, diesel, hydraulic fluid) shall be released into water, or to land where it may enter water, from equipment being used for the works
 - c) All contaminant storage or re-fuelling areas are bunded or contained in such a manner to prevent the discharge of contaminants to water or to land where it may enter water
 - d) No machinery is cleaned, stored or refuelled within 10 metres of the coastal marine area

Environmental incidents/contingency measures

15. The consent holder shall ensure that no wet concrete, grout or concrete washwater enters the wetted part of the coastal marine area.
16. In the event of a spill of fuel, hydraulic fluid, or other potential contaminants, immediate steps shall be taken to contain the contaminant. The contaminants and any material used to contain it shall be removed from the site and disposed of at authorised landfill. The consent holder shall also immediately notify the Manager, Environmental Regulation, Wellington Regional Council of the spill and actions to be taken.

Note: Environmental Regulation, Wellington Regional Council should be notified by calling 0800 496 734.

17. Upon completion of the works, all materials surplus to the works shall be removed from the coastal marine area and disposed of in an appropriate manner.

Discovery of artefacts

18. If koiwi, taonga or other archaeological material is discovered in any area during the works, work shall immediately cease and the consent holder shall contact Ngati Toa Rangatira and Te Ātiawa ki Whakarongotai, Heritage New Zealand and Wellington Regional Council within twenty-four hours. If human remains are found, the New Zealand Police shall also be contacted. The consent holder shall allow the above parties to inspect the site and in consultation with them, identify what needs to occur before work can resume.

Note 1: Evidence of archaeological material may include burnt stones, charcoal, rubbish heaps, shell, bone, old building foundations, artefacts and human burials.

Note 2: An application for an Archaeological Authority must be made to Heritage New Zealand under the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site or if there is reasonable cause to suspect that an archaeological site may be modified or destroyed. It is an offence to modify or destroy a site for any purpose without an authority and the Heritage New Zealand Pouhere Taonga Act 2014 contains penalties for unauthorised site damage. These provisions apply irrespective of whether the works are permitted under the Resource Management Act 1991 by the provisions of a plan or resource consent. Seeking advice from Heritage New Zealand is recommended when planning for any soil disturbances, such as building platforms, fencing or landscaping.

Maintenance

19. The structures authorised by this consent shall remain the responsibility of the consent holder and shall be maintained so that:
- a) Any erosion of the coastal marine area that is attributable to the structure and works carried out as part of this permit is repaired by the consent holder,
 - b) The integrity of the structure is maintained and any excessive amounts of sand or debris which affects the safety or integrity of the structure is removed from the structure in a timely manner,
 - c) Access to the coastal marine area is not impeded by the structure, and
 - d) The structure does not pose a hazard to navigation or public safety

The consent holder shall undertake maintenance to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council where a breach of this condition is determined.

Note: Maintenance of structures may be permitted under Rule 6 of the Regional Coastal Plan for the Wellington Region, and Rule R149 of the Proposed Natural Resources Plan. Any additional works (including structures, reshaping or disturbance to the coastal marine) following completion of the construction works as proposed in the application may require further resource consents. The consent holder should ensure that the structure is compliant with the Building Act 2004 at all times.

Complaints

20. The consent holder shall maintain a permanent record of any complaints received alleging adverse effects from or related to the works. This record shall include:
- The name and address of the complainant
 - The date and time that the complaint was received
 - Details of the alleged event
 - Weather and tidal conditions at the time of the complaint, and
 - Any measures taken to mitigate/remedy the cause of the complaint

This record shall be made available to the Manager, Environmental Regulation, Wellington Regional Council, on request.

Review conditions

21. The Wellington Regional Council may review any or all of the conditions of this permit by giving notice of its intention to do so pursuant to section 128 of the Resource Management Act 1991, within six months of the first, third, fifth and seventh and ninth anniversaries of the date of commencement of this permit as follows:
- a) The review may be undertaken for the following purposes:
 - To review the adequacy of, and if necessary amend the monitoring requirements outlined in this permit; and/or
 - To address any adverse effects of the receiving environment which may arise from the exercise of this permit; and
 - b) The review of conditions shall allow for the deletion or amendment of conditions of this permit, and the addition of such new conditions as are shown to be necessary to avoid, remedy or mitigate any adverse effects on the environment which may arise from the exercise of this permit and which it is appropriate to deal with at a later stage.

Note: Notification of any review will occur as required in accordance with the Resource Management Act 1991. This notification shall include notifying the interested parties identified.

22. The Wellington Regional Council shall be entitled to recover from the permit holder the costs of the conduct of any review, calculated in accordance with and limited to that council's scale of charges in-force and applicable at that time pursuant to section 36 of the Resource Management Act 1991.

Terms

1. The person responsible for the structures shall at all times throughout the period when the structures occupy 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 below:

2.1 Resource Management Act

The consent will be subject to all relevant provisions of the Act, its amendments and any regulations made thereunder. It is the obligation of the consent holder to comply with all the statutory requirements relating to the exercise of the consent.

2.2 Charges payable by holders of resource consents

A charge, set in accordance with section 36(2) of the Act, shall be paid to the Wellington Regional Council for carrying out its functions in relation to the administration, monitoring and supervision of the activity, and for carrying out its functions under section 35 (duty to gather information, monitor and keep records) of the Act.

2.3 Inspections and measurements

Wellington Regional Council or its servants, or its agents, is permitted access at all reasonable times for the purpose of carrying out inspections or measurements. Where practicable, prior notice of any access shall be given to the landowner or resident of the property.