From: Iain Dawe <Iain.Dawe@gw.govt.nz>
Sent: Thursday, 19 September 2019 4:13 PM
To: Shannon Watson <Shannon.Watson@ghd.com>
Cc: Jo Frances <Jo.Frances@gw.govt.nz>; Lucy Harper <Lucy.Harper@gw.govt.nz>
Subject: RE: Urgent review of Hazard Risk Management Strategy for Eastern Bays Shared Path

Kia ora Shannon,

I've had a read through this, and I think this its fine. There are a lot of principles in this project that have given effect to the NZCPS, RPS and pNRP and the regional hazards management strategy, that are in line with broader resilience thinking that will underpin hazards and climate change adaptation strategies.

Thanks
Iain

Dr Iain Dawe | Senior Policy Advisor (Hazards)
Greater Wellington Regional Council | *Te Pane Matua Taiao*

From: Shannon.Watson@ghd.com [mailto:Shannon.Watson@ghd.com]
Sent: Thursday, 19 September 2019 12:47 p.m.
To: Iain Dawe
Cc: Jo Frances; Lucy Harper
Subject: Urgent review of Hazard Risk Management Strategy for Eastern Bays Shared Path
Importance: High

Sorry got your email address wrong….

Hi Iain

Can you please *briefly* review the attached Hazard Risk Management Strategy submitted by HCC for the Eastern Bays Shared Path, and confirm whether it is in line with your expectations for what a Hazard Risk Management Strategy should cover (I understand from Miranda that Policy 28 which requires this strategy was your 'baby'). I don't need a full review just need to know whether there are any showstoppers or major items which you would expect to be covered which haven't been.

As I am sure you can appreciate, the difficulty with this project is that it forms part of what ultimately HCC will be preparing a wider risk management strategy for (protection of Eastern Bays residents and infrastructure from sea level rise); but the project cannot wait for HCC to prepare and formalise this wider management strategy.

This is relatively urgent and forms a critical component of our consideration when recommending a decision on the application. It would be appreciated if you could have a look at this **ASAP.**

Happy to discuss if you have any questions.

Really appreciate your help with this one!

Cheers

Shannon Watson
Environmental Planner

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Connect

From: Van Halderen, Caroline <Caroline.VanHalderen@stantec.com>
Sent: Wednesday, 18 September 2019 3:25 PM
To: Shannon Watson <Shannon.Watson@ghd.com>
Cc: Douglas Fletcher <Douglas.Fletcher@gw.govt.nz>; Jo Frances <Jo.Frances@gw.govt.nz>; Dan Kellow (InTouch) <dan.kellow@huttcity.govt.nz>
Subject: WGN190301 and RM190124 implications of decisions version of PNRP and clarification on rules triggered by proposal - response

Hi Shannon

In response to your email below I have responded in the attached Memorandum 3. This Memorandum 3 is the third of three memoranda submitted by Stantec, on behalf of Hutt City Council, and particularly responds to the decisions version of the Proposed Natural Resources Plan (PNRP), including a Hazard Risk Management Strategy, and clarification on rules.

The response to the query round a safety barrier will be set out in a separate memorandum (Memorandum 4). Memorandum 4 will specifically address the comments raised by Mr David Wanty the HCC peer reviewer on traffic safety. I can mention that further work has been done on safety barriers and they will be part of the proposal. At this stage the intention is for a visual assessment to be part of Memorandum 4 – this will be forwarded to you as soon as possible.

I'll give you call to discuss the timeframes and notification.

Ngā Mihi | Kind regards,

Caroline van Halderen
B Town and Regional Planning, MNZPI
Senior Planner

Direct: +64 4 381 5716
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Stantec New Zealand
Level 13, 80 The Terrace
Wellington, 6011 New Zealand

From: Shannon Watson <Shannon.Watson@gw.govt.nz>
Sent: Monday, August 19, 2019 4:45 PM
To: Van Halderen, Caroline <Caroline.VanHalderen@stantec.com>
Cc: Douglas Fletcher <Douglas.Fletcher@gw.govt.nz>; Jo Frances <Jo.Frances@gw.govt.nz>; Dan Kellow <Dan.Kellow@huttcity.govt.nz>
Subject: WGN190301 and RM190124 implications of decisions version of PNRP and clarification on rules triggered by proposal

Hi Caroline

I have been doing some further work on this application in preparation for notification given Part 2 of the s92(1) response is imminent. As advised last week I sought legal advice on the definition of reclamation under the PNRP as it relates to the project. The advice I received, based on the information contained in the application, was that reclamation does not require a separate consent under the PNRP (under rule R214). However, the legal advice also highlighted that the decisions version of the plan has resulted in some changes to the intent and direction of PNRP provisions as they relate to coastal management, particularly important is that emphasis has been added to the importance of resilience and climate change when considering activities in the coastal environment.

Assessment of relevant objectives and policies against decisions version (31 July 2019)

The decisions version of the PNRP (31 July 2019) has now been notified and GWRC *strongly* suggest there will be value to the applicant in providing an updated assessment of the PNRP objectives and policies as prescribed by the decisions version – both to make consideration of relevant provisions clear, but also to provide clarity and transparency for those members of the public who understand the importance of planning provisions in the decision making process. As outlined above, the decisions version of the plan has resulted in some changes to the intent of provisions related to coastal management. In particular there has been a shift in the interpretation of Hazard Management Strategy (now Hazard Risk Management Strategy) which has implications for the projects ability to meet P28 of the PNRP (decisions version). The new definition of Hazard Risk Management Strategy has made it clear that the strategy needs to be aimed at the development or activity itself (at the development or activity scale) rather than a wider jurisdictional area (TA boundary) which was my original understanding.

Regardless of whether or not the applicant accepts GWRCs recommendation for an updated objectives and policies assessment to be provided, for GWRC to be able assess the proposal against key policy P28, a Hazard Risk Management Strategy needs to be provided. **Please provide a Hazard Risk Management Strategy, prepared in accordance with the prescribed definition in the 'Interpretation' section of the PNRP (decisions version), in support of the application.**

Further clarification on rules triggered

In preparation for notification I have noticed a couple of matters regarding the rules assessment that I would like you to clarify:

RCP

- Rule 83 – driving on beaches (Lyall Bay to Point Arthur). This area includes the whole of Wellington Harbour extending around the coast to Cape Palliser and encompasses the Eastern Bays.

1. This rule has currently not been assessed and requires consideration.

PNRP

- Rule R99 and R101 – earthworks and associated discharges

1. Are the earthworks exceeding 3,000m^2 referred to as part of your rules assessment wholly outside of MHWS? If total earthworks outside of MHWS are less than 3,000m^2 then the earthworks rules are not relevant. *Earthworks is only referred to in Section S: Statutory Assessment not the rules assessment included in the AEE.*

- Rule R182 and R184 – occupation

2. Occupation is generally covered by relevant rules for construction of the required structures under the PNRP. Which structure(s) do you think is not covered and requires separate occupation consent to be applied for?

- Rule R195 – disturbance or damage inside sites of significance

3. I think the inclusion of this rule may be an error? The original application and correspondence since the application was lodged indicates direct effects within Schedule F5 habitat (seagrass) will be avoided. There are no Schedule F4 habitats within the project footprint.

Visual amenity

Based on discussions with Dan Kellow, I understand that a safety barrier or railing may be installed on the seaward edge and that the project is reserving the right to construct such a barrier as a permitted activity under the relevant District Plan rules in future. However, along with Dan (and also as previously advised during the pre s92 request meeting at GWRC) I want to raise concern that the addition of a barrier or railing may not be within the scope of the consent if found to be required in future; in particular, I am of the opinion that the presence of a railing or barrier on the seaward edge has not been incorporated into or considered during the Landscape and Visual Assessment or Recreational Assessment and therefore has not been taken into account as part of GWRCs technical expert's respective assessments.

If found to be required, is the applicants intention to apply for new consents for these features post consenting of the current proposal?

Timeframes

Once the information requested in the s92(1) request has been provided (which I understand is imminent) and confirmed as appropriately addressing matters raised, the statutory clock will be restarted (currently on day 9). However, I think a further discussion needs to be had before I go on leave, as to how we best manage timeframes and whether we delay notification until the information requested above has been provided. My current thinking around this is that delaying notification would allow the public and relevant stakeholders to be more informed when deciding whether or not to make a submission and what the content of any submission might contain. We could then make a decision as to what section of the RMA we use in terms of managing timeframes.

Availability and processing of consent between 21 August and 9 September 2019

As you are aware I have resigned from GWRC and will be moving to GHD, with my employment at GHD commencing 9 September. Between 21 August and 9 September I will be in South America and not available in any capacity. During this time can I please ask that any correspondence related to the Eastern Bays Shared Path is forwarded to Doug Fletcher (douglas.fletcher@gw.govt.nz).

Kind regards

Shannon Watson | Kaitohutohu / Resource Advisor, Environmental Regulation

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