

Memo to Commissioners – Te Ara Tipuna



Sustainable Futures

TO: Vanessa Hamm
Independent Hearing Commissioner, Chair

FROM: Katrina Roos – reporting planner jointly engaged by the three
consent authorities

DATE: 31 January 2025

SUBJECT: Minute 1 & Directions of Hearing Commissioners – requests for further information, Te
Ara Tipuna

Consent numbers GDC: DL-2023-112074-00, LR-2023-112076-00, LL-2023-112077-00,
LV-2023-112078-00 BOPRC: RM23-0508-AP ODC: RC2024-04

1. Introduction

In respect of the hearing for the Te Ara Tipuna trail resource consent application, commissioners were appointed on 21 January 2025 and an initial minute released on 24 January 2025.

The minute requested that the Council officer/planner for the consent application prepare a list of required further information by the deadline of 31 January 2025.

The below list has been prepared in consultation with internal and external specialists and the planners at Bay of Plenty Regional Council and Ōpōtiki District Council and comprises the minimum information required for the consent authorities' experts to provide comment and the reporting planner to make an overall recommendation on the consent application.

The matters listed do not fully reflect submissions as the submission period remains open. Whilst submissions have largely been reviewed as they have been received, it is possible that future submissions may raise other matters that require provision of further information. In particular, the anticipated submission from the New Zealand Transport Agency/Waka Kotahi and potential submissions from iwi and hapū entities.

2. Further Information Requested

Planning Requests:

- High-level proposal for the staging of trail construction into “management units” or stages to assist with structuring the conditions of consent. This would allow for a structured approach to both effects assessment and management.
- Detail the estimated margin within which the trail location could be expected to move following a site-specific assessment and / or landowner engagement process. This would then become a baseline for assessing whether a variation is required –the “consented envelope”.
- Within and adjacent to the consented envelope, identify the particular values of each relevant segment of the trail, to enable an assessment of actual and potential effects on cultural values, ecology, wetlands, vegetation, indigenous biodiversity, coastal hazards, landscapes, amenity, natural character and natural features.

- Detail what specific works are proposed with each different management unit (refer to first bullet point above), e.g. bridges, culverts, permanent pathway, wayfinding.
- Detail if there are any proposed management units with particularly high values that would either need to be avoided altogether (no-go areas) or require a different type of structure or works methodology. These should be capable of being identified up front and conditioned (there may be some areas that the trail must avoid altogether, and conditions should provide for this, whereas other areas could be subject to restrictions on particular work types, or submission of a particular design or works methodology which would be certified).
- An assessment against the objectives and policies of the relevant planning documents as this has not been provided. I note that particular attention should be paid to directive objectives and policies (e.g. 'avoid') as it is anticipated that this assessment would inform delineation of no-go areas.
- An assessment against the Regional Policy Statements for both regions.
- An assessment against the New Zealand Coastal Policy Statement.
- An assessment against the relevant Iwi Management Plans (affects Bay of Plenty only)
- Mechanisms for ongoing administration of the trail, such as maintaining a trust or other suitable legal mechanism in perpetuity and a draft management operations plan for inspections, maintenance, weed control, litter collection, checking for inappropriate usage, toilet cleaning, and other matters.
- More information on the passport system and how this will be managed and enforced.
- More information on the proposed taxi service and how this will be administered.
- More information on provision of accommodation for through-walkers on marae.
- A series of PDF maps of the trail in addition to the interactive GIS mapping system, if required by the commissioners.

River/Stream/Estuary/Wetland Crossing Requests:

More information is required on the type and design of crossings likely to be required to support the trail within management units as per below.

- Number of crossings at major rivers
- Number of any waterway crossings
- Location of crossings
- If the crossings are seaside of the State Highway or the other side.
- If the crossings are cantilevered to the existing bridges – proposed soffit levels.
- If the crossings are within the coastal marine area or the coastal environment.
- If crossing falls under the coastal hazard zones.
- If any of the crossings are within coastal high-risk areas.
- If the crossings are within private property

In respect of coastal hazards, please provide the exact locations where the trail may be periodically inundated and provide alternative routes to avoid the hazard; AND include well-defined, designated and environmentally appropriate access pathways to beach where coastal sand dune ecosystems are involved.

Requests from Ecology and Landscape Technical Experts SLR (memorandums attached for reference):

Refer to section 5 of the attached landscape memorandum for detailed requests.

Refer to the attached ecology memorandum for detailed requests.

3. Summary

In respect of the above, the principal issues for the consent authorities regarding the lack of information are:

1. Staging of construction of the trail
2. Ongoing management of the trail
3. Coastal hazards
4. Ecological effects
5. Landscape effects

We await the Applicant's response to the information request or other directions from the Commissioners before completing the Section 42A report and attachments, including draft conditions.

A handwritten signature in blue ink, appearing to read 'K. Roos', is positioned above the name Katrina Roos.

Katrina Roos

Principal Planner, Sustainable Futures

CC Mary Hill (counsel), Mac Burgess, Awhina White (Gisborne District Council), Eleanor Christensen (Bay of Plenty Regional Council), Laura Swan (Ōpōtiki District Council), Diana Bell (for Applicant)

Attachments:

Technical Memorandum - Nicola Pyper, Associate Ecologist SLR

Memorandum – Nigel Parker, Technical Director / Landscape Architect SLR

To: Katrina Roos, Principal Planner **From:** Nicola Pyper, Associate Ecologist
Company: Gisborne District Council **SLR Consulting New Zealand**
cc: **Date:** 29 January 2025
Project No. 860.016646.00001

RE: Technical Review of Te Ara Tipuna Application – Stage 1

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SLR Consulting New Zealand (**'SLR'**) completed a technical review of the ecological aspects of the Te Ara Tipuna application. The outcomes of our review were detailed in a memorandum and provided to Gisborne District Council (**'GDC'**) on 23 January 2025¹. Further to this, Katrina Roos, GDC Principal Planner, requested by way of email on 24 January 2025 that SLR detail “the information that is needed in order to meaningfully comment on the application.” This memorandum, therefore, provides a summary of the information considered necessary to be able to fully understand the effects of the Proposal and provide a level of certainty that all adverse effects on ecological values will be appropriately avoided, remedied, and mitigated.

Information Required

The Application contains insufficient information on the both the construction and operational phases of the Project to enable an assessment of the nature and scale of actual and potential effects, including cumulative effects, on ecological values. The information required is bullet pointed below. For more detail on why each item is necessary, please refer to the technical review memorandum¹.

Proposed Works

To fully understand the potential effects of the construction phase of the Proposal, further information is required concerning the nature, extent, and timing of the works proposed. This includes:

- Detail on the staging and timing of works, as well as the estimated length of time over which works will be undertaken.
- Detailed construction methodology as it applies to each stage, particularly with regard to the types of machinery that will be used, where, and how access will be achieved.
- The design of the track across the full length of each stage. This includes information regarding track width and materials used (i.e., boardwalk, concrete, limestone, or dirt track), and whether additional works will be required to construct access for ongoing maintenance.

¹ Pyper, N. Dean, H. 2025. Technical Review of Te Ara Tipuna Application – Stage 1. Prepared for Gisborne District Council. SLR Consulting. 11 p.

- Earthworks plans detailing the anticipated area and volume of earthworks overall and within ecologically sensitive areas.
- Details on the vegetation impact areas (m²) across different ecosystem/habitat types and within sensitive ecological areas (i.e., in or within Significant Natural Areas or Significant Natural Heritage Areas) and details of 10 m setbacks from wetlands and streams, etc.
- A confirmed track alignment. If a degree of flexibility is required, the Applicant should be clear where alternative track alignments may be, to ensure effects on all potentially impacted areas are assessed.

Proposed Infrastructure

To understand the effects of permanent infrastructure, the following information is required:

- The location and design of stream crossings, detail on how fish passage has been considered in the design, whether additional consents are required, and what monitoring and maintenance will be undertaken post-construction.
- Detail regarding the locations, sizing, and extent of other infrastructure, such as huts, toilets, and carparks.

Operational Details

To understand the long-term and cumulative effects of the Proposal, more information is required with regard to the operational phase of the Project, specifically:

- The number of visitors expected to use the track, whether this will be controlled or regulated, and who will be responsible for ensuring user behaviour minimises effects on the environment.
- Confirmation as to whether track users will be able to bring pet dogs on the trail.
- The Applicant is proposing to manage effects that will result from ongoing track use by way of a passport system. More information is required regarding this system, specifically what it will require of track users and how it will be enforced/policed, especially as the track will be accessible to the public and day walkers will be encouraged.

Ecological Values

The Applicant has undertaken an extremely high-level assessment of ecological values². The assessment was informed by planning overlays and focusses on ecologically significant areas identified in planning documents. It therefore fails to assess the ecological values across the 500 km extent of the proposed track and over the multiple ecological districts and varied habitats the track will bisect.

To assess ecological values over the Project extent, this would require at a minimum:

- A detailed desktop assessment of the ecosystems and ecological values along the proposed track alignment. As part of the desktop exercise, areas that require on site investigation should be identified.
- “Ground truthing” by way of site assessments, which may require detailed data collection.

² Tairāwhiti Environment Centre (TEC) and G. Atkins 2023. Te Ara Tipuna Ecological Impact Assessment. June 2023.



Staging of the Project and carrying out detailed site investigations and ecological impact assessments prior to consenting each stage would allow for ecological effects to be assessed in detail and managed effectively.

Further to this, an assessment of ecological values should consider:

- The location, extent, and vulnerability of ecologically sensitive and significant habitats, such as natural inland wetlands and dune systems; and
- The location, density, and vulnerability of populations of threatened species. Of particular relevance to this Proposal are the risks posed to Hochstetter's frog (*Leiopelma hochstetteri*) and threatened avifauna populations.

Effects Management

The Applicant has proposed to manage effects by way of an Ecological Survey and Management Plan Protocol³ (MP). While management plans can be useful tools for managing adverse effects, the MP provided with the Application is, in essence, a framework for conducting an ecological impact assessment. If implemented, this MP will result in a de facto consenting process implemented through compliance checks and controls. As a first step, ecological values and potential effects need to be identified. These can then be considered and addressed in appropriate detail by an effects management plan.

Moreover, due to the sensitivity and vulnerability of populations of threatened species, we are of the opinion that more detail needs to be provided with regard to the management of potential adverse effects on Hochstetter's frogs and threatened native bird populations, especially during nesting season. This may require engaging fauna specialists to develop management strategies.

Closure

In summary, insufficient information has been provided with regard to the proposed works; ongoing operation, management and maintenance of the trail; ecological values; and potential ecological effects to allow for meaningful comment on the Application. Staging of the Project and carrying out detailed site investigations and ecological impact assessments prior to consenting each stage would allow for ecological effects to be assessed in detail and managed appropriately.

Regards,

SLR Consulting New Zealand



Nicola Pyper, MSc
Associate Ecologist



Elizabeth Morrison
Principal Ecologist

³ Viridis 2024. Te Ara Tipuna Draft Ecological Survey and Management Plan Protocol. A report prepared for Te Ara Tipuna Charitable Trust by Viridis Limited. May 2024.



To: Katrina Roos | Senior Planner
Organisation: Gisborne District Council
From: Nigel Parker | Technical Director / Landscape Architect
Date: 25th January, 2025 SLR Project No. 860.016646.00001

RE: Te Ara Tipuna Trail - Landscape Architectural Peer Review

1.0 Introduction

This memorandum has been prepared by SLR at the request of Gisborne District Council, Opotiki District Council and Bay of Plenty Regional Council.

The memorandum scope involves landscape peer review of the following Te Ara Tipuna Trail consent application documents:

- Appendix 13: Landscape and Visual Assessment (LVA), (Lisa Rimmer, Isthmus Group Ltd, July 2023)
- Appendix C: Te Ara Tipuna: Baseline Evaluation of the Existing Environment (Lisa Rimmer, Isthmus Group Ltd, July 2023)
- Appendix D: Landscape Management Plan (LMP), (Rose Armstrong, Isthmus Group Ltd, July 2023)
- Assessment of Environmental Effects (AEE) as relevant to the Landscape – Section 5.1, (Vic Murphy, The Planning Collective, November 2024)

As these documents also refer to the Construction Management Plan, we have also referred to Appendix 07 – Construction Management Plan (CMP), (Zac Borrie, Civil Project Solutions, September 2024).

In reading the above documents, the notable scale of the project becomes apparent, and the applicant is commended for studies undertaken to date.

As necessitated by the project size and programme requirements this is a high level technical review and carried out as a desktop exercise. A reviewer visit to the site and surrounds has not been completed and a walk-over of the proposed alignment has not been feasible.

The potential benefits of the Te Ara Tipuna trail, if implemented thoughtfully and to a high standard are acknowledged. Additional connections for communities and access to new vantage points are agreed to be positive project outcomes. However, a significant lack of conceptual resolution prevents concurrence with the LVA's conclusion regarding the appropriateness of the application.

It is hoped that omissions in concept documents and of the application's LVA, that are outlined below (Sections 5.1 and 5.2), will be submitted. This would help assure an appropriate project approach can be successfully realised.

2.0 Executive Summary

This review finds the following:

- That a comprehensive concept design, integrating effective mitigation measures, has not been submitted. Consequently, the lack of a comprehensive concept for a project of this scale prevents this assessment from being in line with the concepts and principles of Te Tangi a te Manu, New Zealand Institute of Landscape Architects (NZILA) July 2022 guidelines.
- Significant and material assessment information is not provided in the LVA. These omissions prevent the assessment demonstrating that the trail will be appropriate or acceptable within the landscape. Further information is required to demonstrate the potential and actual degree of effect on the landscape and natural character.
- No assessment of landscape effect against the NZILA 7- point scale is provided. Therefore, it is also not demonstrated how the AEE has concluded that landscape effects “are less than minor”.
- That the conclusions drawn by the LVA are not demonstrated, i.e. underpinned by a suitably effective method and rationale.

3.0 Review

3.1 Findings on Effects

The LVA does not sufficiently assess the existing landscape values of distinct landscapes relevant to the project, as further investigation is noted as still being required in a number of settings. The assessment should consider the application against relevant policy matters. In this way, it is not demonstrated that Place specific (landscape values) consideration informed the design strategy and mitigation measures. Lists of detail type solutions of the LVA (such as at 6.1-6.3) are not informed by distinct matters of place. Related documents of the LMP and CMP also provide more generic issues based advice.

‘The overall approach for assessment has been driven by the scale and stage of the Project. Baseline evaluation and assessment of effects is provided at a high level, as appropriate to the Project’s 500km length, and the Proposal’s focus at this stage on providing an appropriate alignment, appropriate “typical” design guidance for key built elements (using “typical” cross-sections); and management of potential adverse effects through a suite of management plans (assumed to be conditioned to any consent granted).’(LVA, Clause 3.12)

The LVA also fails to provide findings on the degree of effects. This is a notable omission as findings on effects are a key purpose of an expert assessment. This shortfall is inconsistent with the concepts and principals of ‘Te Tangi a te Manu’, Tuia Pito Ora/New Zealand Landscape Assessment Guidelines 2022 (TTtM) (Clause 6.39, p.151 TTtM). The 7-point degree of effect scale recommended for use is described within TTtM as a: “universal scale” (Clause 6.21, p140 TTtM)



The LVA states that (LVA clause 3.15):

"In summary, the approach and assessment methodology used in this LVA has been developed as appropriate to specifics of this Project stage and its context. This is in line with Te Tangi a te Manu, the NZILA guideline for landscape assessment, which recognises the need for such appropriate adaptation, rather than the application of a standard methodology."

It is accepted that an assessment method can be adapted to suit project and place. However, this does not obviate the need to provide an assessment of landscape effect against the profession's recognised scale and standards.

In addition, in clause 6.10, p136 and reinforced in footnote 144 of TTtM, adaptation of assessment method largely refers to brevity.

TTtM states that (TTtM 6.10):

"assessments should be in a form that corresponds with the scale and significance of such effects... assessments should be comprehensive if there are potentially significant adverse effects."

This project encompasses an extensive distance over diverse landscape areas, and with potentially significant effects. It therefore requires a commensurably comprehensive assessment.

The LVA states that (LVA clause 1.1)

"Isthmus Group has completed a high-level Assessment of Landscape and Visual Effects"

A high level assessment does not provide such a comprehensive assessment, and is considered inconsistent with professional guidelines.

3.2 Landscape Effects as Interpreted in the AEE

The LVA states that (LVA clause 15.1)

"Overall, the findings of this assessment are that the effects of Te Ara Tipuna on ONFL, landscape, visual amenity, and natural character will be appropriate."

The term "appropriate" has relevance to an ONFL but is ambiguous with regards to professional meaning toward landscape and visual amenity, i.e. in terms of the degree of effects. This is particularly true of this particular assessment as the LVA specifically refers to exclusions and assumptions required due to the lack of comprehensive conceptual plans.

The LVA does not conclude that the landscape and visual effects of the wider project (i.e. both Stages 1 and 2) will be less than minor. The LVA specifically states it does not include findings on the degree of (adverse) effects (refer LVA clause 3.13). It is also noted that no assessment or conclusion on the degree of landscape effects is contained within the LMP.

However, despite this, the AEE states that (AEE clause 5.1.2):

"The LVA and LMP concludes that the landscape and visual effects of the wider project (i.e. both Stages 1 and 2) are less than minor."

This review concludes that this statement within the AEE is a misinterpretation of the applicant's LVA.



3.3 Insufficient Level of Concept Design

The LVA states that (LVA, clause 3.13):

“Such an assessment (comprehensive) would require sufficiently detailed plans showing the spatial arrangement of path types and the general nature and extent of earthworks and vegetation removal in each Stage.”

In other words, the applicant’s landscape architect is of the opinion that the plans are insufficiently detailed to be able to determine adverse landscape effects. This is an agreed point.

The applicant’s LVA reiterates the point that a sufficiently comprehensive concept design has not been provided.

The LVA states that (LVA clause 8.2)

“This effects assessment is necessarily at a high-level, given the design is at a concept stage and a comprehensive spatial strategy for all path types and palette for the other built components is yet to be developed”

The LVA states that (LVA clause 9.1)

“the assessment findings are to further refine the Path Type designs, as these set the framework or backbone of potential adverse and positive landscape effects.”

Insufficient information has been provided by the application’s landscape documents to demonstrate a sufficiently resolved concept. ‘Proof of Concept’, or the ability to ascertain that the project alignment is practical, is not demonstrated. Without further information, as requested below (at Section 5), it is not possible to determine landscape or natural character effect of the proposed route.

The LVA discusses required areas of further investigation for each of the trail sections (these include Section 10.10, 11.10, 12.12, 13.15 and 14.15). This collectively amounts to significant extents of the trail’s length where adverse effect could occur. This is incongruous with the LVA providing overall findings of an ‘appropriate response’ on the basis that these issues could be satisfactorily resolved. However, no investigation, preliminary or otherwise, has been submitted to demonstrate a design response aligning with distinct landscape capacity.

If ground conditions, (incl. but not limited to landslips, river crossings, gradients, road safety, vegetation locations, extent of structure) are favourable and the project is carried out to a professional standard it is acknowledged that adverse effects from these sections of ‘further investigation’ may be mitigated (so that effects are of a low or low-moderate level). However, if ground conditions are insurmountable or the project is poorly implemented, the resultant effects may be moderate to high.

Large lengths of the trail may be acceptable where effect to ONL’s has sought to be addressed. However, concept plans and drawings submitted to date do not demonstrate that landscape, amenity, constructed and engineered outcomes will result in well realized or appropriate outcomes for significant areas.

The concept alignment, for example, does not demonstrate a level of design known to be required for interested stakeholders. Alignment tolerance, currently noted as within 25m of the shown alignment, effectively voids the ability to assess effects for significant lengths. For example, where within a 6m road corridor will the trail be located?



Indicative trail alignment GIS drawings show a lack of thoroughness, tolerances of alignment to void the indicated trail location, include ambiguities, significant omissions and large areas of design that are yet to be confirmed to a comprehensive concept level.



Example of ambiguous concept on GIS Plans - Pakarare River Bridge Connection

Whilst the Landscape Management Plan (LMP) sets out the principles of how the trail might be developed to avoid landscape effect it does not demonstrate that it can or will be developed to avoid landscape effects to distinct location.

With regard to elements along the length of the trail, structures significant in terms of scale and cost are covered by brief and broad statements. In other areas conditions of the LMP are included as "General guidance notes". These should be replaced with clear, defined and measurable undertakings by the applicant. Guidance notes do not ensure the project will be properly implemented (particularly if budgets are later constrained), and cannot be considered to provide surety of an outcome that will reduce landscape effect.

4.0 Workshop 30th January, 2025

It is hoped that the upcoming workshop can furnish further detail on the below requested information (Refer section 5.0).

As the applicant discusses the length of the path and consensus is reached to identify 'green' / 'orange' / 'red' sections of the trail, definition of the concept design should emerge. This can then be drafted on concept plans and reflected in updated landscape documents (LVA and LMP.)

If this can be achieved, whether in this workshop or further workshops, and requested information submitted this would help resolve outstanding issues.

5.0 Request for Additional Information

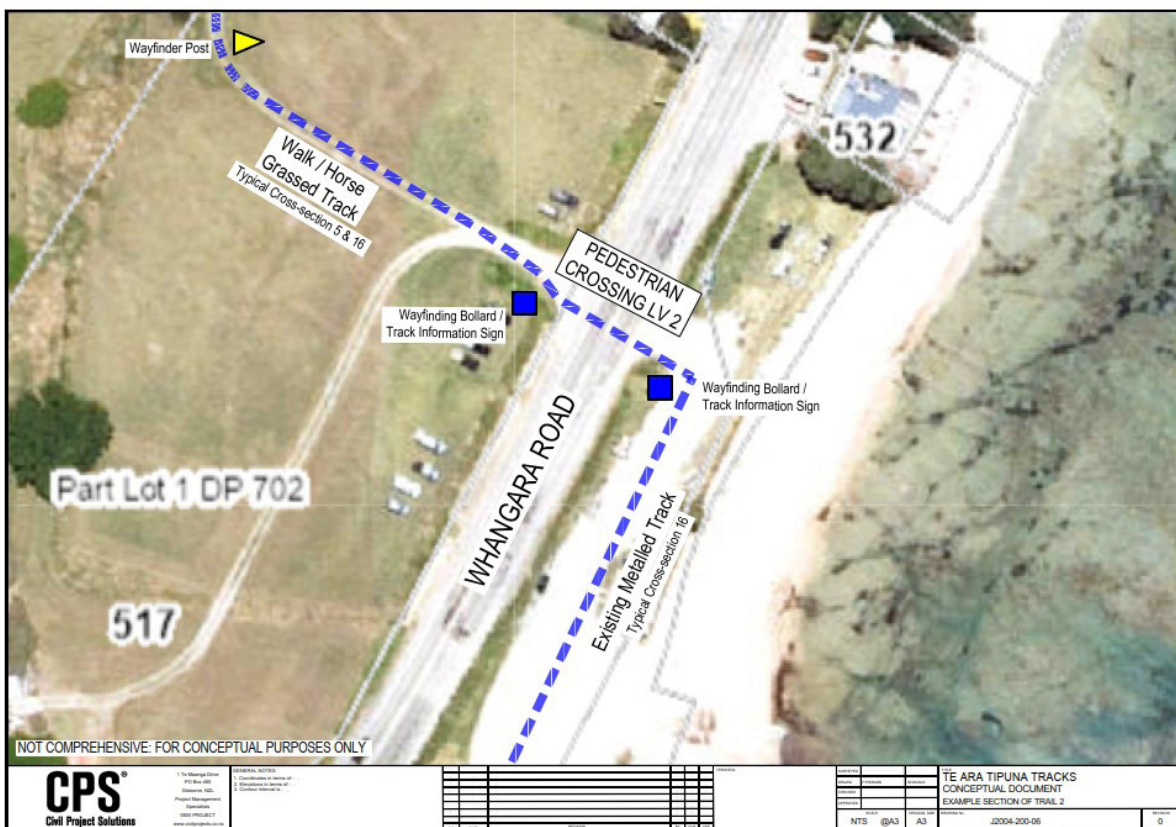
5.1 Specific

5.1.1 Landscape Concept Plans

In line with the applicant's LVA (clause 9.1)

"the assessment findings are to further refine the Path Type designs as these set the framework or backbone of potential adverse and positive landscape effects"

It is requested that the applicant submit Landscape Concept Plans to a similar standard as the example plans submitted within the CMP for the full length of trail to enable comprehensive landscape assessment of the trail.



Example of Concept Plan from CMP where conceptual detail is similar to accepted standard

Reason:

Currently submitted GIS plans, require the viewer to assume what the design of the proposed path might be at any particular point. This appears to be best achieved by looking at the underlying aerial. However it is not always possible to discern sufficient detail from this.

The information contained within the LMP and CMP is acknowledged. However, it is not the role of the consenting authority to determine or assume where the applicant will apply which principles, treatments and elements. It is the applicant's responsibility to outline their proposal in sufficient place specific detail to enable the consenting authority to determine



the appropriateness of response and thus landscape effect. While, the three documents (LVA, LMP, CMP) put forward generalisations, these do not draw on the findings of an assessment process. They instead point to subsequent consideration needed.

'Large cuts of 1.5m or more and retaining structures will be avoided where possible with the natural contours of the land followed. The landscape architect, ecologist and geotechnical engineer will need to be consulted to determine natural regeneration capability and track resilience suitability.' (CMP P. 5-6)

In this particular example, decision making would entirely rest with the applicant. The only requirement is for the applicant to consult with the nominated professionals, thereafter they would be at liberty to proceed as they chose. Effectively the applicant would be conducting their own de-facto consent process.

It is acknowledged that detailed trail design is necessarily considered on site in a 'responsive approach' to particular locations such as within native bush. As such, it is not expected that the applicant will provide detailed (exhaustive) design plans at the consenting stage.

However, the applicant must submit sufficiently designed landscape plans to outline the proposal to a conceptual level to sufficiently enable both assessment and peer review.

If the production of such plans is considered to be too expensive or time consuming for the full length of the trail, the applicant might consider staging the project and applying for the consent of individual sections over an extended time period?

However, based on the current application please submit the following for the full trail length:

Concept Plans

At a minimum, plans must show the following:

Drafting

- i) A recognized scale and north point
- ii) Accurate and tested locations of the proposed path alignment (within nom. 2m of the centre line)
- iii) Proposed indicative envelope of Extent of Works – (Reduced down from the current 50m allowance)
- iv) Plan annotation explaining localized challenges or features of design yet to be confirmed
- v) Plan annotation of existing elements and features
- vi) Alternative routes, or identification of lengths of the route where certainty of path alignment is as yet to be confirmed. Areas to be kept to a minimum

Trail

- vii) Extent of path types and general location of the proposed typical cross sections of the Construction Management Plan – whether lengths of the trail are intended as existing paths, way finder markers only, on road paths or new bush tracks



- viii) General proposed levels of paths to a conceptual level sufficient to demonstrate practicality of design response
- ix) Indicate sections of trail length where the trail will need to be future proofed to accommodate Stage 2

Structures and Elements

- x) General / indicative locations of minor structures e.g. lengths of steps including those broken by intermittent landings which are more than 8m in length, significant lengths of fall protection barriers more than 8m length, viewing platforms or small bridges less than 8m length, path segregation markers for lengths greater than 8m including lengths intermittently broken by gaps
- xi) Specific / Individual conceptual level elevations to recognized scale and indicative materials of any significant structures e.g. bridges of approximately 8m or longer, retaining walls 1.5m or higher for lengths greater than 8m
- xii) Toilet blocks. Typical footprints and elevations of toilet blocks to recognized scale outlining indicative materials and proposed connection details – ie septic tanks or connection to sewerage. Confirmation that locations are appropriate for septic treatment where in the coastal environment. Identification of size of toilet block typologies. e.g. 2no. cubicles, 6no. cubicles, 12no. cubicles as proposed.
- xiii) Huts and Shelters. Typical footprints and elevations of huts and shelters to recognized scale outlining indicative materials and approximate sizes
- xiv) Location of any proposed carparks: their size, associated signage and markings and entry / exit points

Earthworks

- xv) Areas of potential / likely extensive earthworks

Planting

- xvi) Location and / or potential location of notified trees, or significant areas of vegetation to be removed.
- xvii) High level calculation of area of canopy cover to be removed
- xviii) Extent and types of planting proposed, including indicative high-level quantities and sizes at installation whether for amelioration or mitigation.
- xix) Identification of areas of vegetation mitigation and areas of vegetation enhancement / restoration

Signage and Wayfinding

- xx) Indicative elevations of narrative or identity markers or other bespoke elements



5.1.2 Examples of Areas where Clarification is needed in the Documents Submitted

The below issues and questions are raised due to lack of a comprehensive Concept Design. Please provide response to these issues alongside submitted Concept plans

A) Planting Proposals

High level planting strategies haven't been completed. Typically, these are included within concept design yet the applicant proposes to confirm this in later design stages.

Within the LMP principles of how and why planting will be undertaken are included but what this will be is missing. For example, the need for a stock browsing strategy with reference to proposed planting is recommended. However, no detail as to what this might be, nor associated fencing is included.

It is noted that the NZTA Landscape Guidelines are referred to within the LMP. This is agreed as an appropriate approach. However, no further information is provided.

Extent, location and approximate quantity of planting are not explained. This provides no ability to assess whether the application of these principles will be successful and what success any mitigation planting will have.

Rehabilitation and enhancement planting principles and details are not included in the LMP. Given the requirement of NZCPS Policy 14 to restore and enhance the natural character of the coastal environment areas of enhancement should be illustrated and clearly listed. Without a comprehensive concept it is not possible to ascertain whether this policy has been appropriately followed.

B) National Coastal Policy Statement

Appendix B. Policy 14 of the New Zealand Coastal Policy Statement – "Restoration of Natural Character" has not been annotated as being considered in Appendix B.

At places within the LVA it appears this policy has been considered at high level. Has Policy 14 been considered?

C) General Trail Alignment

Has the route been walked and ground tested?

- What is the extent of Site Visit conducted by the LVA author?

D) General Trail at Particular Points – Examples

At approximately the 135km mark the track appears to be directed along areas of land suffering from subsidence for approximately a kilometre.

- Is this route possible?
- What is the alternative route if this route is not possible?



At around the 205km mark where the East Cape Road is constrained by the coast and the coastal environment what is the proposed path treatment in this area?

- Will pedestrians walk on the road?

From mark 222 – 238km the path follows the Wahrekahika River.

- Are any sections of the path in the flood plan?

E) Investigation of An Area Identified by the LVA as Requiring Further Information

At the transition from the beach at approximately the 4km mark the trail is proposed to enter the Makarori Beach Reserve. This area is referenced in section 10.10 by the LVA as needing further investigation.

When this review examined this 150m length it demonstrates the LVA's point and the following questions and comments arose:

The landscape character of the reserve is not covered in LVA Appendix C.

- What are the existing landscape character and identified values of this area?
- What is the nature of the existing vegetation in this area, is there thick undergrowth?
- Does the applicant propose any vegetation removal?

On plan J2004-200-05 of the CMP the trail can be seen for approximately 30m up the embankment but is not shown thereafter.

The path appears to go under canopy cover adjacent to a stream from the beach up a coastal escarpment.

- Will the path alignment be affected by flooding from the unnamed stream?

Using the contours supplied on the GIS plan it appears the path alignment will rise 80m over a length of 120m. A direct route as indicated would require a rise of 1:1.5. Given the extent of tree canopy a direct route, as shown, therefore seems unlikely.

- What is the actual proposed route?
- Has the route been tested on site?
- Given the steep topography what level of structure will be required in this area?
- Is the applicant sure that a path or structure can be placed and constructed on this steep escarpment?
- What is the underlying ground condition here? Has any geotechnical information been gathered?
- Is there an alternative route identified if this path cannot be realized?

F) Significant Proposed Bridge

Another example of significant unknown landscape effect is at the 23km mark where the path alignment is indicated as crossing the Pakarae River, also referenced in section 10.10. A



large bridge is proposed to span the approximate 120m wide valley. The cliffs to the south are indicated as being approximately 20m higher than water level (approximately 5 storeys up). This proposed structure will need to be a substantial structure yet no substantive concept, drawing or elevation is provided of the proposed bridge.

The LMP covers all bridges with four bullet points, while the CMP provides no detail for bridges of this scale. The following questions therefore arise relevant to the landscape effect.

- What type of bridge is proposed - suspension?
- What materials will the bridge be constructed of?
- What will the visual catchment of the bridge be?
- In establishing the bridge heads what earthworks will be generated?
- What are the temporary effects of construction?
- Will any foundations be constructed within the riverbed?
- How stable are the surrounding cliffs?
- What will the gradient of the bridge deck be?
- Given the fall height, what height will bridge barriers be?
- On the approaches to the bridge what fall barriers are proposed?
- If the bridge can't be built or is cost prohibitive what is the alternative route, and what length of track would be anticipated to be realigned?
- What is the underlying ground condition here? Has any geotechnical information been gathered?

It appears alternative routes would require kilometres or re-routing, and the consequences of such rerouting are not addressed.

In the same way, consideration should be given to multi-modal travel anticipated of Stage 2. Sufficient track width, grade allowance and separation between uses should be allowed for to prevent unnecessary later route realignment.

G) Proposed Bridges

In other examples at the 108km mark, near Waikawa Road and Waipiro Bay a new smaller but still significant bridge is proposed as are other bridges at the 127km mark near Whareponga Road, the 135km mark near Tuparoa Road and the 234km mark near the Wharekahika River. These bridges will be crossing approximately 40m wide riverbeds, surrounded by what appears to be native bush. Again, no substantive concept, drawing or elevations have been provided of these proposed bridges as the LVA acknowledges.

9.1 e) "Overall, the findings in this LVA are to carry out further investigation to confirm the number and type of bridges required for the project in each catchment and to consider the need to avoid additional adverse natural character effects."

The following questions therefore arise relevant to the appropriateness of the trail alignment and associated landscape effects:



- Names of the rivers and (named) streams are not always present on GIS plans. Please provide the known names of waterways
- What is the proposed length of the bridges?
- How many piers will the bridges need?
- Where are the piers to be positioned?
- What is the proposed level of the bridge decks and why?
- Are there any navigation rights to consider and will these effect the level of the bridge decks? (Conceptual Investigation Only)
- In establishing the bridge heads will any vegetation need to be removed?
- Has any flood modelling been undertaken?
- What materials will the bridge be made out of?

H) Clip-on Bridges

In several areas proposals are included to attach additional paths to existing bridges.

The following questions therefore arise relevant to the appropriateness of this proposal and the consequences to landscape effect:

- Has the asset owner confirmed this approach is approved?
- Has the strength and age of the existing bridges been checked to ascertain whether this is possible from an engineering point of view?
- What are the consequences to landscape effect and amenity if this approach fails?
- What would the effect to landscape and natural character be if new foot bridges were needed instead?

The clip on bridges shown in the CMP show clip on bridges against rail bridges. These are used in a controlled work environment where standards applied are different to the public realm.

- What will the proposed clip-on foot bridges look like and what are they made of?

I) Carparks

Locations of carparks are not annotated on plans. No conceptual details of carparks are included such as size, entrances or pedestrian routes, wayfinding or statutory signage. No details of landscape mitigation of carparks has been supplied.

- What is the concept design of the carparks, where are they located and how have these been assessed?

J) Stretches of Trail on the Beach



For lengths where the trail is proposed along beaches or coastal roads for example at the 22km mark or at Tokomaru Bay as mentioned in section 11.2 of the LVA the following questions arise:

- Has the high tide mark been mapped and will the path remain open at high tides, including king tides?
- Has sea level rise been mapped and considered?
- If the path can't go along the beach or is temporarily closed is there an alternative route?
- Would an alternative route need to go through foredunes, coastal escarpments or sensitive landscapes?

K) Safety in Design

- Has the Applicant conducted a conceptual level Safety in Design assessment of the trail?
- What effects to the landscape and amenity, if any, are caused by the inclusion of health and safety initiatives?
- Has a Safety in Design review identified the need for additional vertical elements such as fall from height barriers, telecommunications towers or path separators?
- Does the applicant consider that clearings for Helicopter landings will need to be created for emergency lift out?
- Has the applicant conducted consultation with emergency services and helicopter rescue providers?
- Does the applicant envisage the need to increase cellular coverage?
- Does the applicant anticipate the introduction of additional tele-communications towers?
- Has the applicant liaised with telecommunications services?
- Has CPTED (Crime Prevention Through Environmental Design) been considered to the extent practicable?

Comment: It is acknowledged that trails through native bush and back country are intrinsically isolated.

L) Standards and Guidelines

Comment: Application of recognized standards would likely assist the Applicant in negotiations with stakeholders and make the design process more efficient.

i) New Zealand Standard for Track and Outdoor Visitor Structures

- Can the applicant confirm that the trail will be built and designed to the New Zealand Standard: SNZ HB 8630:2013 Track and Outdoor Visitor Structures?
- If departing from the standard can the applicant provide reason as to why?

As part of the New Zealand standard it is recommended that the user group of the track be identified.



- Has this been done?

Once identified the classification of the track can be proposed – ie Path, Walking Track, Great Walk, Tramping Track.

- What are the proposed classifications of the Te Ara Tipuna trail and where would these apply?

The landscape assessment provides the following statement

“Most sections of the route will be shared by all users, and generally walkers and horse riders will follow the same path.”

- What is meant by “all users”?
- Do you mean all-abilities?
- What sections of track will be all-abilities accessible?

Comment: Whilst an all – abilities track is not a requirement and likely not practical for the full length, identification of sections of track that could be used by people with all abilities would provide positive effect.

- In addition has the applicant referred to the Department of Conservation Track Construction and Maintenance Guidelines?

ii) NZTA / Waka Kotahi Guidelines

It is noted that the NZTA Landscape Guidelines are referenced and referred to within the LMP. This is agreed as an appropriate approach.

- Where the trail is designed on or alongside Waka Kotahi assets can the applicant confirm that the trail conforms with the NZTA Landscape Guidelines?
- If departing from the guideline can the applicant provide locations of where and reason as to why?
- As per the NZTA Landscape Guidelines has the Applicant undertaken a Landscape Design Framework for areas of the trail designed on or alongside Waka Kotahi assets?

If so please provide framework.

- Has the Applicant considered the NZTA Pedestrian Planning and Design Guideline?
- If departing from the guideline can the applicant provide locations of where and reason as to why?

iii) Bridging the Gap, NZTA Urban Design Guidelines,

Part 2 – Supporting Walking and Cycling

- Has the Applicant considered the NZTA Pedestrian Planning and Design Guideline?
- If departing from the guideline can the applicant provide locations of where and reason as to why?



5.2 General

Please update submitted documents in line with the below requests:

5.2.1 Landscape and Visual Assessment (LVA)

A) Degree of Effect

The LVA does not provide findings on the degree of effects. This is a notable omission as findings on effects are a key purpose of an expert assessment. This shortfall is inconsistent with the concepts and principals of 'Te Tangi a te Manu', Tuia Pito Ora/New Zealand Landscape Assessment Guidelines 2022 (TTtM) (Clause 6.39, p.151 TTtM). The 7-point degree of effect scale recommended for use is described within TTtM as a: "*universal scale*" (Clause 6.21, p140 TTtM).

As the LVA does not provide findings on effect it is not demonstrated how the AEE has concluded that landscape effects are less than minor.

Please provide a degree of effect for the project against the TTtM 7- point scale.

B) Assessment Against Landscape Relevant Policy

The LVA does not sufficiently assess the existing landscape values of distinct landscapes relevant to the project, as further investigation is noted as still being required in a number of settings. The assessment should consider the application against relevant policy matters. In this way, it is not demonstrated that Place specific (landscape values) consideration informed the design strategy and mitigation measures.

Please provide assessment of the project against place specific landscape relevant policies and objectives.

C) Ambiguity of Proposed Project Scope

The LVA and other documents refer to shared paths, vehicle paths and cycling tracks. Whilst it is understood that these are now to be included in Stage 2 and are not part of the consent, reference to these elements causes ambiguity. It is not always clear which elements are part of the current application and which are not. It is not clear which parts of Stage 2 will need to be constructed as part of Stage 1 to future proof Stage 1 for the later application and installation of Stage 2.

It is not the role of the consenting authority to determine what is and isn't part of the proposal.

To assist those reviewing and reading this assessment it is recommended that the LVA and associated landscape submissions are updated to reflect the Stage 1 and future proofing design elements only.

D) Plan Reference Numbers

For reader ease where place names are used in the report, please denote the place names with reference to the location of the place name on the relevant Concept Plan identified by the drawing's number.



E) Site Photographs

The addition of site photographs for the multiple site references along the trail's length would better illustrate the existing landscape and the effects of the proposal. It would assist with reader interpretation and enable assessment of the report's position.

F) Visual Effects and Elevations

Once conceptual elevations are developed it is requested that visual effects sections are updated.

5.2.2 GIS Plans and Portal

Following the digital plans through the portal is a cumbersome process. For reader and reviewer ease it is requested that .pdf plans be submitted. Refer Additional Information request for Concept Plans (5.1.1).

Difficulties of viewing the digital portal include –

- Place names not consistently loading depending on scale and zoom
- Elements and sites referred to within the LVA not being labelled on the digital portal
- Contour labels being at significant distances leading to confusion
- ONF and ONL location areas not indicated on GIS portal plans.

5.2.3 Landscape Management Plan (LMP)

The principles of the LMP are generally agreed with. However, in places the LMP uses loose terminology that can be open to interpretation. General guidance notes, and the inclusion of a few bullet points for substantial structures are considered insufficient to ensure the intended outcome.

An example of wording that may result in ambiguous process or outcome is quoted below:

“As a general guidance note, the earthworks design is to include input from the Project Landscape Architect and Ecologist and consider: the long and cross section; tie into the natural contours and final formation to encourage natural regeneration and enable mitigation planting (on fill batters)”

The above statement does not require that landscape architectural input is followed.

It is recommended that language of the LMP is reinforced to remove ambiguity and provide surety. General guidance notes should be replaced with clear direction and specification. The owners of actions should be clearly identified.



No detail is provided with regards to the visitor passport to ensure outcomes anticipated of its use. It is anticipated that expectations of this may also be difficult to monitor or enforce.

It is recommended “*Should*” and “*Will*” be replaced with the obligatory “*must*”

For example:

Earthworks design is to be undertaken to the satisfaction of a registered Project Landscape Architect. Earthworks design must receive written approval from the registered Project Landscape Architect prior to submission to the consenting authority.

Earthworks are to be designed to:

- i) *Minimise earthworks and vegetation removal*
- ii) *Tie into natural contours as efficiently as practicable*
- iii) *Maximise mitigation planting and natural regeneration*

Further detail needs to be added across the document.

It is noted that the LMP Contents Page refers to page numbers, however the document does not include page numbers. For ease of reference, could page numbers please be added to the LMP.

6.0 Review Conclusion

As a result of significant gaps in concept design this review finds that it is not possible to draw the overall conclusion that the trail will be an appropriate element within the landscape or have an appropriate level of effect on Natural Character. The LVA has not demonstrated that the proposed design is underpinned by a suitably effective method and rationale to limit effect to landscape values.

No assessment of landscape effect against the NZILA 7- point scale has been provided and it has not demonstrated how the AEE has concluded that landscape effects “are less than minor”.

Consequently, due to the lack of a comprehensive concept for a project of this scale this assessment finds that the LVA is not in line with the concepts and principles of Te Tangi a te Manu, NZILA July 2022 guidelines.

Regards,

SLR New Zealand

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Peer Review / QA



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