

# Proposed District Plan Change 65: Earthworks

## Summary of Comments from Consultation

### General submissions

Submitter Number	Name	Address
1	Richard Wright Aonui Architecture	6 Purakau Avenue, Wadestown
We have read and support your proposed changes to the earthworks consent regime.		
Submitter Number	Name	Address
2	The Wellington Tenth's Trust  Liz Mellish Executive Officer	P O Box 536 Thorndon Wellington
Permitted activity rule for Maori archaeology. Maori should protect their values rather than the NZHPT. It is not appropriate for a quasi government department to assume they understand a cultural landscape.		
Submitter Number	Name	Address
3	GHD Mary O'Callahan	'Mary.OCallahan@ghd.co.nz'
<p>The new provisions will substantially increase the workload for the consents team</p> <p>why does it matter if the earthworks cuts extend beyond the site boundaries but not fill? Is this control really related to stability and/or is it necessary - often you get multiple sites in a single development scenario?</p> <p>What happens to fill which is used to support buildings, driveways or other structures - its not clear what would happen in this situation - i.e. is RC required always in this situation?... seems unnecessary.</p> <p>Is there really a need for a volume limit relating to sediment - and, it doesn't marry up with the Greater Wellington limits? The DP sediment conditions should specifically exclude a consent requirement relating to sediment control if a consent is required under the GW Freshwater Plan for the project (discharges to freshwater from bulk earthworks exceeding 0.3 hectares). Consent requirements shouldn't be duplicated between GW and WCC.</p>		

5.1.9.9 is not a suitable permitted activity condition (e.g. the guidelines cross referenced to have too much discretion and "where possible" within the text. 5.3.9.5 does not flow from or relate to any permitted activity condition.

Is it planned to notify this plan change such that it doesn't have any statutory effect until such time as it is operative? I'd recommend this be done for this plan change.

I would also suggest some mock consent assessments be carried out under the new rules. I did this for the District Plan Team for the Central Area plan change and I think it was a useful process.

Submitter Number	Name	Address
4	Greater Wellington Regional Council	

Rural Areas

The construction of tracks that involve massive amount of earthworks would cause soil erosion if not mitigated at all. Kinnoll Station – illegal tracks causing siltation and sedimentation issues.

Problems associated with earthworks include cutting into the ground to facilitate the construction of building platforms; building of roads close to a stream – problematic because no mitigation measures were put in place.

Earthworks provisions in the current Rural Zone (WCC District Plan) – rule 15.3.7(discretionary)

Permitted activity conditions – 2.5m, 45° should be changed.

The Regional Soil plan specifies 28° as the cut off point. The 28° applies to roads and tracks, soil disturbance (>1,000m<sup>3</sup>) such as forestry, not subdivision. GW's concerns are based around the impact of digging roads up the hillsides.

GW favour the idea of Wellington City reviewing the cleanfill rule. Cleanfills shouldn't require consent. However, cleanfills could become contamination issue and therefore compliance issue. Issues surrounding cleanfills activities could include trucking, amenity, safety (glass which's a safety concern if not disposed of appropriately). There are MfE standards governing cleanfill operations. GW allow bitumen (low level contaminants) in cleanfills.

Sediment

Goal is to have clean water going into stormwater system.

GW's erosion and sediment control for small sites booklet includes only 'control' measures. The issue is also about what level of sediment is acceptable. What does sedimentation mean to freshwater ecology?

GW wants stricter thresholds if works are to be carried out within close proximity to stormwater or water courses.

GW's concerns include the transfer or redistribution of soil which lead to the pollution or contamination of ephemeral streams. GW want silt and sediment well controlled and managed on site.

Notification

The implications of the proposed non notification clause – all earthworks applications will be processed on a non notified basis – suggest that the city rethink this approach. GW have no interest in small scale earthworks which should be assessed under the district plan provisions. However, GW would like to provide some input into larger scale earthworks proposals

Non notification clause might be OK. GW do not want to see 600 earthwork consents!  
However, if GW want to have an input - the management of earthworks could be included as part of the protocol along the lines of method 3 below:

### Method 3 Management of earthworks between local authorities (RPS Freshwater chapter)

*Prepare a protocol about the management of earthworks to avoid gaps and unnecessary overlaps in areas of regulatory control.*

Another way of dealing with this aspect is to develop a MOU which means GW will be consulted and therefore get to see the big proposals. We consult the Iwis on non notified applications and they have 5 days to get back to GW.

Benefits of notification – protect other peoples' rights; safeguard the environment; minimise the risk on people and the environment; more heads to solve the problems!

#### Other

Worth looking at KCDC's earthworks definition.

Proposed definition – ground cultivation includes general ploughing, general domestic gardening.

Objective 4.2.2A – add the words **on people, property and the environment** (to be consistent with the general style and structure of the District Plan)

Policy 4.2.2A.2 include **Regional Council - provision of information** as a third mechanism.

Policy 4.2.2A.3 include **Erosion and sediment control guidelines, small earthworks and erosion and sediment control for small sites** as a fourth mechanism.

Submitter Number	Name	Address
5	TCB David Gibson	

#### Definition

Questions whether it is necessary to state that earthworks associated with subdivision is earthworks. TCB consider that earthworks would always be earthworks whether they are associated with a subdivision or not.

#### Separate consents

TCB is not concerned about the removal of earthworks from the subdivision rules in itself but is concerned that a combined subdivision and landuse application would be required, with increased application fees.

Associated with PC56, earthworks associated with small subdivisions will no longer be a controlled activity (for which Council must grant consent).

#### Stability of Cuts

The problem TCB sees with the use of a slope threshold is the difficulty with measuring the extent of the slope and at which part of the site it should be measured. Should the slope be measured by:

- an average gradient over the site; or
- slope from top to bottom, measuring regularly along the width of the cut; or
- the actual slope anywhere on site regardless of how short the slope length is that exceeds 2H:1V?

#### Stability of Fills

As above, there are problems associated with how to measure the existing slope to determine when the threshold is exceeded.

#### Flooding / Vegetation

TCB understood this rule to be aimed at control of increased stormwater runoff and erosion control from earthworks. The reference to vegetation would appear to have the effect of a vegetation protection rule. This would become the permitted baseline for vegetation removal and could mean that loss of vegetation would be a potential adverse effect that needed to be addressed when the 500m<sup>2</sup> threshold is exceeded.

If runoff and erosion are the issue, TCB suggests that the standard should refer to the 'removal of vegetation and topsoil'. Does the 500m<sup>2</sup> area apply to single continuous area of earthworks or do smaller distinct areas have to be added together? Is there a timeframe between earthworks events?

Dust and sediment

Rules 5.1.9.7 & 5.1.9.8 appear to be aimed at compliance control.

How does Council expect applicants to show compliance with the Regional Council earthworks for small sites booklet? Does an applicant have to prepare a site plan which shows specific methods for control of earthworks.

Other comments

When lower thresholds are introduced this will have an impact on applications for subdivisions having to show how complying onsite parking can be achieved. Will this correspondingly mean that significant driveway and house design will be required for subdivision applications? Further will the driveway have to be constructed as a condition of the subdivision consent?

When the lower thresholds are considered together with changes of PC56, they will limit the ability for any second household unit to be constructed on a sloping site as a permitted activity.

<b>Submitter Number</b>	<b>Name</b>	<b>Address</b>
6	Makara Peak MTB Park Supporter  Andrew McLellan	P O Box 17 095  Karori

Stability

The Makara Peak Supporters are mostly interested in this issue from the perspective of track construction in the Outer Green Belt (Open Space Area) To that end, we support the tentative proposal in page 9 of your notes to exclude pedestrian tracks from the Stability rules. We have handbuilt 25km of dual use cycle/pedestrian tracks in Makara Peak over the last 7 years, none more than a metre wide. Exemption from the 10m<sup>2</sup> rule in particular is essential to ensure the ongoing extension and maintenance of our track network.

You may also want to consider redefining 'pedestrian tracks' so as to include dual/multi use tracks used.

Flooding

One of our ongoing projects is the restoration of the South Karori Stream. The impact of new subdivisions (through fill and paving of surfaces) and vegetation clearance in stream catchments is of major concern for revegetation projects such as ours. We would support further investigation into protecting vegetation and associated water catchments.

The focus of policy 4.2.2A.2) seems to be primarily on flood risks. The policy should require (possibly just for larger earthworks) that consideration must be given to the broader ecological impact of earthworks whether or not it poses a flood risk.

Dust and Sediment

We support the addition of sediment carried in stormwater to the rules. We also suggest a public education campaign to increase awareness about the importance of not dumping waste and sediment down stormwater or natural catchments.

Visual Appearance

We support the proposed lower threshold for earthworks in the coastal environment. Some recent developments have detracted from the visual amenity of this area for cyclists.

We question whether there is scope to build in an indigenous vegetation bias into the proposed landscape planting 'matter to consider' under 4.2.2A.6. This might prevent repeating mistakes of the past (eg. Agapanthus). We would at the least strongly suggest this for riparian planting.

<b>Submitter Number</b>	<b>Name</b>	<b>Address</b>
7	Trelissick Park Group Chairman: Peter Reimann	51 Heke Street Ngaio Wellington 6035

#### Flooding

TPG want confirmation that flooding rule applies to hillsides in the catchment as well as Hazard (Flooding) Areas. It is concerned about fast flowing stormwater from areas cleared of vegetation and non-permeable surfaces contributing to erosion of stream banks.

Under 4.2.2A.2 under heading 'Methods' insert 'Design Guide (Subdivision)'. Wants stormwater reduction measures in Subdivision Design Guide to be mandatory. Want 500m<sup>2</sup> vegetation removal limit to apply to the total area of a whole subdivision and not for each section in the subdivision.

Earthworks within 5m of a stream should be more precisely defined: from the edge of the stream-bank when the stream is running in spate after heavy rain. Some allowance needs to be made for streams that change course.

#### Dust and Sediment

At the end of the first sentence in the first paragraph, add: 'and streams fed by the catchment affecting stream ecology'.

#### Affected persons

There must be some means of having minimal impacts on timeframes and complication of projects, but at the same time notifying affected persons.

#### Code of Practice

TPG note the updated draft of the Code of Practice for Land Development, which allows for more environmentally sustainable design and strengthened sediment and erosion controls. 'It appears it will interface with the earthworks policies and rules and there may be a further interface with the Infill Housing Review.

<b>Submitter Number</b>	<b>Name</b>	<b>Address</b>
8	Catchment Issues Group Pauatahanui Inlet Community Trust  Convenor: George McMillian	P O Box 57 124 Mana Porirua City 5274

PICT has no concerns over the proposed new policies and rules.

Submitter Number	Name	Address
9	Department of Conservation  Jeff Flavell	P O Box 5086 Wellington

#### Dust and Sediment

DOC interest relates to the effects of increased sedimentation from earthworks on water quality in adjacent streams and rivers and the effect of increased stormwater discharges as a result of vegetation clearance and infilling of natural gullies. Also concerned about loss of indigenous vegetation from land clearance associated with earthworks and destruction of habitat resulting from fill disposal.

The consideration of effects should not be limited to land alone. This approach would be contrary to the purposes and principles of the RMA, in particular 5(b) and (c).

Amend policy 4.2..2A.3

*Manage earthworks to prevent dust and sediment moving to other properties, the street, the stormwater system, natural waterbodies and the coastal marine area.*

Add the following bullet point:

*The environmental result will be earthworks where the dust or sediment is not a problem on neighbouring properties, streets, the stormwater system or freshwater and marine values.*

Amend rule 5.1.9.5:

*No earthworks are carried out within a 5 metre distance measured horizontally from any waterbody or the edge of the coastal marine area.*

#### Vegetation Clearance and Flooding

Wellington Conservancy has previously raised the issue with WCC about the lack of vegetation clearance rules in the District Plan. Support proposed work on biodiversity and vegetation protection. However, DOC is concerned that the draft earthworks rules would allow clearance of 500m<sup>2</sup> of vegetation as a permitted activity. Could result in the loss of significant indigenous vegetation without consideration of its value.

Urge Council to introduce vegetation protection rule before a rule permitting clearance of vegetation in association with earthworks. Otherwise, suggest an interim rule which would require a resource consent as a discretionary activity for any indigenous vegetation clearance associated with earthworks.

Also note that vegetated natural gullies filter contaminants and sediments associated with storm events. Where natural landforms are infilled or streams culverted there is not only a degradation of freshwater habitat but an exacerbation of flooding and land instability.

#### Policy 4.2.2A.2 & Rule 5.1.9.4

Amend to read:

*Ensure that earthworks do not exacerbate flood events by assessing proposals in Hazard Flooding Areas and any proposals which require the clearance of any indigenous vegetation.*

The explanation for this policy should delete the reference to the 500m<sup>2</sup> threshold and amend to:

*Earthworks can increase the incidence of flooding, especially in identified flood hazard areas. Earthworks which would necessitate the removal of any indigenous vegetation will be assessed on a case by case basis until a plan change which identifies those areas which are to be protected for indigenous biodiversity purposes is approved. Earthworks are controlled in flood prone areas and in situations where more than 500 square metres of exotic vegetation or topsoil would be removed.*

Amend Rule 5.1.9.4 to read:

*The removal of exotic vegetation or topsoil does not exceed an area greater than 500 square metres.*

Visual appearance of the coastal environment

DOC supports the consideration of the visual impact of earthworks in the coastal environment as it is consistent with the New Zealand Coastal Policy Statement, in particular Policy 3.3.2.

Amend Policy 4.2.2A.7 to make it more consistent with the NZCPS:

Strictly control earthworks and associated retaining structures along coastal roads to protect the natural character and ecological values of the coastal environment.

10	Otari-Wilton's Bush Trust	160 Wilton Road Wellington
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The Trust sees these policies and rules in relation to earthworks of prime importance, both from the landscape point of view as well as from the possible damage which could ensue from land slippage and impacted damage.

There are three policy aspects that concern OWBT:

- earthworks proposals will have implications for a wider land area and therefore must be considered on a notified basis
- the disposal or placement of removed earth should be fully specified in the rules for permissible earthworks. There are implications for the specific site and possibly other sites where the site is intended to be placed.
- Wellington with its steep hillsides and earthquake fault lines and uplifts demands special and comprehensive rules relating to earthworks – the draft plan change needs to incorporate these.

Submitter Number	Name	Address
11	Civic Trust	Phone call from Tony Town

A control on the type and size of trucks on the road may not be possible. If the trucks are legal, Council may not be able to restrict where they travel.

There is no definition of 'large earthworks'.

Submitter Number	Name	Address
12	Environmental Reference Group Wellington City Council	

**Minutes from Meeting of 11 June 2007**

*Jonathan Anderson from the Council's Planning Policy team described work that is being done to review the Council's rules for earthworks. ...*

*Q&A and comments followed, which included:*

- *Most earthworks consents, are classified as "non-notified"*
- *Design guides can be useful in encouraging better earthworks*
- *The moving of cleanfill to and through the rural area is an issue in Makara / Ohariu Valley. Jonathan says this could be looked at in the context of the cleanfill rule and the Rural Area rules in the District Plan.*

## Submissions from coastal residents – written comments

Submitter Number	Name	Address
1	Simon Louisson	229 Marine Parade, Seatoun
<p><i>I don't really have a comment on the draft plan except to say I fully support the plan to tighten up the rules. The two photo examples you give I cycle past each day and each day I think how ugly they are and how did the Council allow such environmentally and aesthetically unfriendly work to proceed.</i></p>		
Submitter Number	Name	Address
2	Alec Waugh	Unit 10.148 Evans Bay Parade
<p><i>I support the changes proposed, and live in a town house complex which features in your material.</i></p>		
Submitter Number	Name	Address
3	Ruth Collingham	37B Maida Vale Road
<p><i>My husband and I are really pleased to see the changes and sincerely hope that they go through - we overlook one of the recent hillside garage developments and consider it a horrible damage to our (meaning Wellington's) coastline not to mention real eyesore.</i></p>		
Submitter Number	Name	Address
4	Peter Brady	110 Breaker Bay Rd
<p><i>I fully support this initiative to tighten the rules for visual appearance of the coastal environment.</i></p>		
Submitter Number	Name	Address
5	Ray S Adams	66 Evans Bay Parade
<p>1 <i>I agree in principle with the proposed changes and support the intent of the changes.</i></p> <p>2 <i>More personally: our house has a steep cliff behind it that; if the next door property is indicative, may be in danger of collapse.</i></p> <p><i>Our need is a treatment that would safeguard the property and be visually attractive.</i></p> <p><i>But given that "visual attractiveness" is a public good it would seem to me that the Council would be wise not only legislate against "offences" but to <u>add inducements</u> as well. They might well take the form of advice and guidance (a hand book) and even physical or financial support.</i></p>		

3 *It is the case that sometimes Council property is also involved. For example there is a strip in front of our property that is reserved for possible roading. To the best of my knowledge, the Council has never done anything to maintain that strip let alone improve its appearance - "what's source for the goose....."?*

*But, all in all, a good move.*

<b>Submitter Number</b>	<b>Name</b>	<b>Address</b>
6	Jo Bailey	4/222 The Esplanade, Island Bay

*I agree that there would be benefits to the South Coast environment in tightening control on earthworks. There are some shockingly bad practice examples in existence, especially around oriental bay/Evans bay.*

*My understanding from your letter is that the main upshot of the proposal is to reduce the height of earthworks requiring resource consent from 2.5m to 1.5m - if there is more to it than please let me know!*

*Personally, I would favour any property requiring earthworks that would be visible from a public position requiring consent irrespective of height - I don't object to earthworks per se, but it seems most are undertaken with cost as the main concern, over aesthetics.*

<b>Submitter Number</b>	<b>Name</b>	<b>Address</b>
7	Jan and Clem Beck	380A Evans Bay Parade

*As residents of the effected area we support this proposal and would trust that it applies equally to any commercial venture.*

*Recent events in Oriental Bay prove the necessity of this change to maintain both the unique visual character of our city and the safety of our residents.*

<b>Submitter Number</b>	<b>Name</b>	<b>Address</b>
8	Bronwyn Simes	Owner property Breaker Bay

*I support Council tightening the rules for visual appearance. There has been some nasty activity in the coastal areas.*

*I don't object to the occasional high rise, multi story building if the area immediately behind the building can't be seen from the street. It's in my view then up to the residents of the property to either live with the impact or to soften it. Nor do I object to retainer banks holding back the hill sides which are fragile and crumbling in some places. I do object to slurries of concrete poured down the hill side with no chance of the vegetation softening the appearance or covering the scar that's left.*

*If the proposed works or retainers have a "significant" effect on the visual landscape then I agree work should*

*be declined. There will be the usual problem defining "significant " of course.*

*Sympathetic structural engineering and landscaping should go a long way to helping any major changes to earthworks. If the design solution fits in with the environment, and is realistic in that relatively difficult coastal environment, then I accept the works would be approved.*

<b>Submitter Number</b>	<b>Name</b>	<b>Address</b>
9	Carol and Russell Hurst	100 Evans Bay Parade

*My husband and I are in support of the changes made to these rules. You show some particularly ugly builds in your photos and we can suggest another one that is the apartments built into the northern part of the hill at Balaena Bay . Tons of spoil was removed and the owner also owns the villa next door and we think he has plans for a similar development on that site. That they have not yet been built is because there were said to be so many on-site problems he ran out of money.*

*We think the harbour and its surrounding hilly shores are beautiful and too easily destroyed by developers and support the Council in their purpose.*

<b>Submitter Number</b>	<b>Name</b>	<b>Address</b>
10	Tania Devereux & Richard Pemberton	218 Evans Bay Parade

*We have an issue with the further restrictions WCC are proposing. These new rules would be in addition to the plethora of District Plan changes being introduced by the council. This one in particular retrospectively targets us for have purchased a property on the coast line.*

*We agree with protecting the coastal character but believe the proposed excavation threshold of 1.5m is too low and the existing 2.5m is adequate. The reality is, most coastal properties in our area back onto steep slopes and anything other than only very minor improvement to a property will inevitably involve earthworks greater than 1.5m. The original small retaining wall to the front of our property which is greater than 1.5m , is an example of works that would have required consent. We believe that the proposed restriction will effectively capture too many projects that which will have negligible impact on the coastal character.*

*We would also note that the photographic examples of what we assume are considered "poor practice", shown in your letter, are far in excess an excavation of 2.5m - more in the 5 to 15m range. These examples effectively demonstrate that the council does not adequately control the existing rules, which we believe are sufficient.*

*What may have started off as a home for a couple sometimes needs to be adapted for the arrival of new family members. Alot of people who own property on the coast line bought their property a long time ago and the reality is that if they sold, they would not be able to afford to move back into the area. So to meet new family demands, things like building a retaining wall and backfilling to provide some flat play area for kids is a necessity.*

*These extra restrictions will have huge implications for those of use who wish to continue to reside on the coast but make alterations as and when required for family reasons. If it is the developers you are trying to address, this is not the means, as they will work around this as they currently do most other restrictions. To move forward with what you propose has two possible outcomes: more red-tape and associated expense and delay for what will amount to relatively minor works, or a newer stricter rules that won't be enforced.*

*Therefore, it seems to us, that by applying the existing rules more stringently, would adequately address the issues you raise.*

<b>Submitter Number</b>	<b>Name</b>	<b>Address</b>
11	H W Davis	454 Evans Parade

I fully support the proposals and Council attempts to improve visual appearance and other aspects in relation to the coast. In my view, too much poor quality development has happened in recent years in these important areas and these are good measures to begin to address this.

<b>Submitter Number</b>	<b>Name</b>	<b>Address</b>
12	Neville Porteous (Porteous Family Trust)	3 & 5 Lindum Terrace

I am totally supportive of any moves that could successfully result in better design standards for earthworks /man-made structures & incursions in the coastal/residential zones as identified, but I am not totally convinced that the rule tightening moves you are promoting will result in much more than extra complexities and frustrations.

As discussed in earlier correspondence, the less desirable aspects of the three graphic examples provided in your letter 27/04 might have been avoided even under the provisions of the current district plan - but they still slipped through! Looking at these three examples: (1) The garage on Evans Bay Parade - I don't like the appearance of this at all, especially the shot crete, although I can certainly understand why the owners wanted to effect this addition to their property: they paid a 'fortune' for it, and the existing sloping path access is tenuous at best. Certainly for me this is an instance of where a better designer at the planning stage could have resulted in something more acceptable to most of us, but personal taste does come into it: 'one man's meat is another man's poison - i.e. some people probably do not find this development offensive. Time & further positive input could mitigate the effects of this poor design. Tunnelling into the cliff face would have been entirely feasible and much less damaging to the natural landforms.

Taupata, phormium, and Carex (and also the exotic echeveria, and various climbers of course) will grow on cut rock face, and I have often wondered whether this process could be hastened by using humus with binders - I wouldn't mind doing some experiments for you if you were interested)

(2) The 'Tuscan' town houses on Evans Bay Pde - I think these were designed by 'Design-Network', and I too don't like the shot crete at all. Even with a limited palette of colour chosen by the council, it would probably still look terrible. I agree that cut rock face would have been preferable visually.

I do think it is interesting in connection with this example to compare it with the work of architect Ian Athfield,

who for years has avoided the almost-inevitable adverse visual affects of earthworks, by building against the cut face of the excavation, thus incorporating the necessary retaining wall into the building itself. I don't know what the full ramifications of it would be, but would it be possible to incorporate a requirement such as this into the district plan? i.e. to make it a necessary component of any application for excavations in this area, that the building incorporate the excavation? Think how delightfully simple this would be for the council! Famous tourism places like Akrotiri, Cinque Terre, Oia., Amalfi are living examples of how this aesthetic & approach allows buildings to exist in harmony with natural landforms.

(3)I think this Houghton Bay example may be a John Mills design, and if so I am surprised that he dealt so unsympathetically with the excavation, because he is an highly regarded architect, and I believe he worked at Athfields for a time. However, the shot crete again looks terrible, and is completely out of keeping with the natural landscape there. Hopefully, time will again be the saviour. Modern building technologies have made this particular building possible, and I have no doubt that there will be an increased interest in the possibilities offered by them for South Coast terrain, so it is good thinking on the part of the council to get ready for it by getting some design guidelines into place - see my solution in (2) above! I still have the feeling & hope that with the mitigating effects of time, this building will soften into its environment, and become an attraction in its own right.

However, it is only a matter of time before the technology is developed that will enable one to build on a cliff face, without the need for any excavation at all - brace yourself!

### **The South Coast/Esplanade**

This is in my opinion the most beautiful area of Wellington: the light, and the energy of the sea that can be experienced there, are world class. Although it may be for future councils to deal with, it is only a matter of time before there is huge pressure (of the Oriental Bay kind!) to allow developments there on quite a big scale., so it is good to get prepared for it now.

It is really only during the last few years that the Council has shown much interest in this area, and although the excellent things the Council has done there in this time are thoroughly appreciated by residents and visitors alike, there was a contemptuous disregard for amenity values there when the Council permitted an hitherto acceptable smooth-sealed road to be resealed with an amateurish coarse chip overlay. This an high-traffic area, increasingly so with each successive day, and a major truck route too, and a mean traffic speed some 10 - 15% faster than Oriental Bay, which is smooth-sealed. OK - you want the Esplanade to be cutesy and nice for visitors, but spare some thought for the amenity values of residents there too!

This area is going to be even more amazing once the marine reserve kicks in, and I would love to see the Council proposals for the pier etc to proceed, but please spare a thought for the residents and reseal the road SMOOTH (or bring in Hush Trucks)

### **3 & 5 Lindum Terrace**

To be honest, trying to marry statements made by the Council about heritage values and 182 Oriental Parade, and witnessing what has happened at Capital Apartments and all around us @ 3 & 5, we were a bit aggrieved that these properties were included in your 'list', and we think they should be removed.

We have lavished a lot of love and money on these houses to try and prolong their life & to enhance their viability, partly because we recognise that they have long played an important role in the Oriental Bay

streetscape, but we have been extremely disappointed in the Council response to our concern about the adverse affects caused by trees bordering, in particular, No 5, where slips (and we're talking some tonnes of spoil here) have occurred over the last few years, to the point where the safety of the property is increasingly in jeopardy. Like this is not playschool stuff here: the access path has been blocked by slips, we have had sewage blockages resulting in geysers of sewage (reaching the Parade), we have lost power - phone lines, we have a power pole about to fall on the property, you name it! And now the Council is asking us for comments on visual amenity values! I do have to say, however, that Council's Julian Emeny is taking the situation seriously, and he has taken some steps to address the issues. Like the last thing we want is shot crete there - but that is where we are heading!

I told you in my letter yesterday that I would send through some photos that would be a revelation to you! I hope they get through, and also of course that they are indeed a revelation!. They are of: Nos 3 & 5, the first taken approx 1890, which shows how terrible the excavations looked then. The second shows how time & a process of amelioration has helped enormously, and yes, I agree with you that some of the older concrete retaining walls look OK, as with No 3's. The third photo is of the most recent slip at No 5, just a few weeks ago!





<b>Submitter Number</b>	<b>Name</b>	<b>Address</b>
13	Sonja Easterbrook-Smith	

*I welcome the proposed new policies and rules for earthworks. The earlier they are adopted, the better. If they are adopted, would they apply to any proposed buildings on those streets which have already received building consent but where the building has not yet started or would they apply only to new applications?*

<b>Submitter Number</b>	<b>Name</b>	<b>Address</b>
14	Bruce Stokell	The Esplanade

*Generally I am in favour of anything which keeps the coast looking tidy and interesting.*

*In particular - I am concerned that there should be no more building on the escarpment. I think there should be much more control over the types of building and additions also. The question 'will this structure add or detract from the natural beauty of the area' should be asked of suitably qualified people before any more permits are given. This coastline is a great asset and all overseas visitors tell me to resist any more building.*