136 Willow Street, Tauranga, 3110
(07) 220 9812

1 Nov 2021

340E Pahoia Road – Seawall and Reclamation – Retrospective Consent

MPAD - S92 Response to outstanding further information request matters

Momentum Planning and Design have been engaged by the current owner of 340E Pahoia Road to take over and close out a resource consent made by Vero's for an existing seawall that has been extended through the creation of a backstop wall located behind the original seawall, now approximately 15 years old. Bay of Plenty Regional Council has sought some assessment against the policies on the NZCPS, RPS and RCEP and also an assessment of landscape and visual effects. These are the final matters outstanding in relation to the original Council S92 request for further information.

NZ Coastal Policy Statement

The NZCPS was rewritten in 2010 to better reflect the purpose of the Resource Management Act. The matters relevant to this application include natural character, coastal processes, cultural values and natural hazard risks. The original works completed approximately 15 years ago were undertaken to stabilise material that had fallen down from an embankment. The wall although stabilising the coastline has enabled the flattening and grassing of the earth mound, creating a more landscaped appearance and improving the publics ability to walk around the Pahoia headland.

Bullet point three of Objective 1 recognises that activities can enhance coastal water quality through the protection and stabilisation of the slip material from coastal processes, which would otherwise introduce large quantities of sediment into the harbour, particularly during storm events.

While the seawall doesn't restore the natural character of the coastline it does provide a platform to establish trees, falx and grasses that area consistent with those already established along the coastal headland. This will over time contribute positively to the landscape values of the Pahoia peninsula (Objective 3).

The seawall has enabled the establishment of a grassed flat area that enhances public open space, which is consistent to Objective 4.

Objective 6 seeks to enable people and communities to provide for their social, economic and cultural well being and their health and safety. The seawall contributes to mitigating coastal erosion of the headland and reducing coastal erosions adjacent to 340E Pahoia Beach Road. The applicant has also gifted two islands, previously part of his land title, to Pirirakau that have been created

through the erosion of the application site. This allows the hapu to have ownership of these islands as well as exercise kaitiakatanga.

Given the above the proposal is generally consistent with the objectives of the NZCPS.

Regional Policy Statement

The site is located in a very high natural character area as identified by Map 19 of Appendix K of the RPS. Appendix J identifies a table for specific areas of the region with natural character attributes.

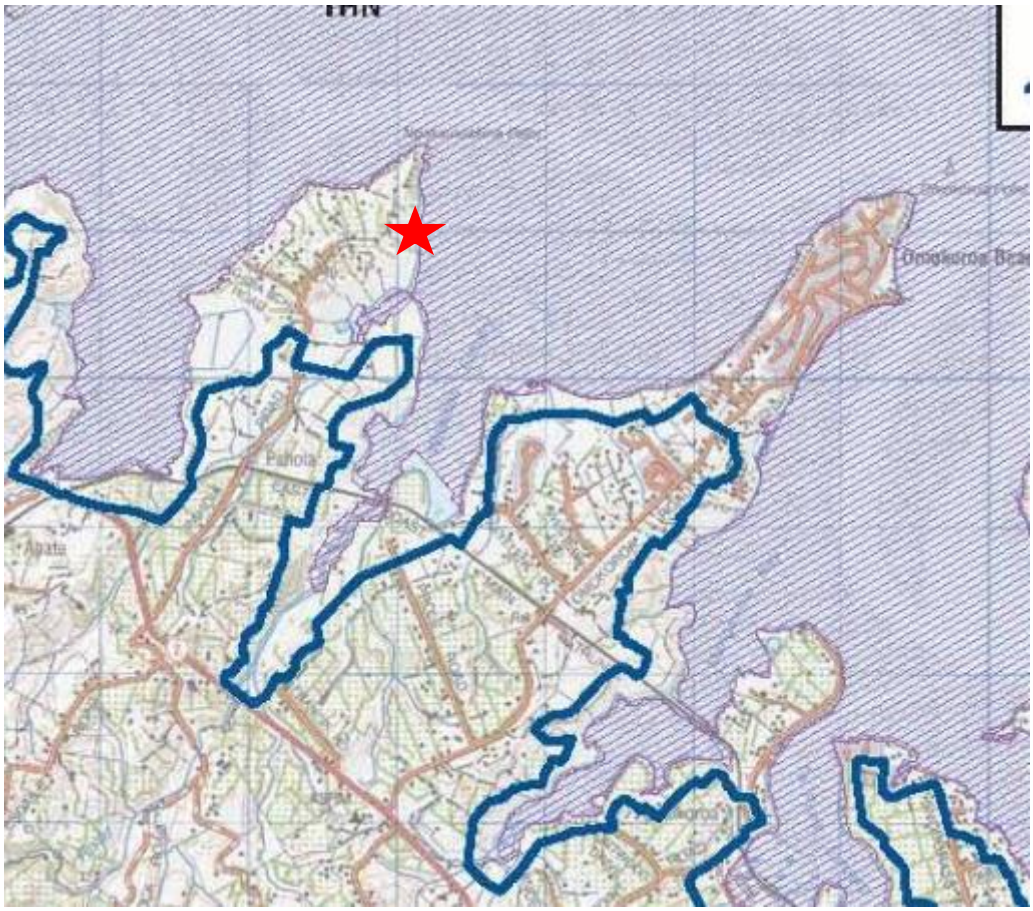

Figure 1- RPS - Coastal Environmental and Natural Character (Extract Map 19)

Comment

The natural character of the harbour is identified as very high. The coastal headland of Pahoia has experienced ongoing erosion of the headland as a result of natural coastal processes. The most northern part of the headland remains completely natural with no modification and several Pohutukawa stands that contribute to a visually pleasant natural headland.

As the land has been subdivided and become an area of high value coastal lifestyle properties, there has been a general tidying of the landscape, the sea wall being an example of this being completed by previous owners of the land at 340E Pahoia Road. Due to the walls low height and it's design,

which has been assessed by coastal process engineers at 4-Sight, the natural character effects relate to the stabilisation of mean high water mark, now immediately adjacent to the seawall, and the ability for the adjacent land area being grassed providing additional stabilised open space for public use and also the owner of 340E Pahoia Road. Overall, while natural coastal erosion processes have been affected for the length of the retaining structures, the overall outcome is a positive one supported also by Pirirakau and adjacent lifestyle residents.

Regional Coastal Environment Plan

Objective 32 Inappropriate reclamation or drainage of the foreshore or seabed is avoided.

Policy RM 2 Only consider granting consent for reclamation of land in the coastal marine area where all of the following criteria are met: Land outside the coastal marine area is not available for the proposed activity; 3 December 2019 Activity-based policies and rules 124 Bay of Plenty Regional Coastal Environment Plan The activity which requires reclamation can only occur in or adjacent to the coastal marine area; The reclamation will avoid significant adverse effects on kaimoana beds; There are no practicable alternative methods of providing the activity; The reclamation will provide significant regional or national benefit. In particular, the extent to which the reclamation and intended purpose would provide for the efficient operation of infrastructure, including ports, airports, coastal roads, pipelines, electricity transmission, railways and ferry terminals, and of marinas and electricity generation; and (f) When the proposal incorporates declamation of land in another location or other off-site activities that will offset any significant adverse effects of the reclamation on natural heritage, cultural and amenity values, the offset must achieve no net loss and preferably a net gain in the affected values.

Policy RM 3 Where reclamation is considered to be a suitable use of the coastal marine area, in considering its form and design, the consent authority will have particular regard to:

a) The potential effects on the site of climate change, including sea level rise, over no less than 100 years;
b) The shape of the reclamation, and, where appropriate, whether the materials used are visually and aesthetically compatible with the adjoining coast;
c) The use of materials in the reclamation, including avoiding the use of contaminated materials that could significantly adversely affect water quality, aquatic ecosystems and indigenous biodiversity in the coastal marine area;
d) Whether the reclamation includes provision for public access, including access to and along the coastal marine area at high tide where practicable, unless a restriction on public access is appropriate as provided for in Policy 19 of the NZCPS;
e) The ability to remedy or mitigate adverse effects on the coastal environment;
f) Whether the proposed activity will affect cultural landscapes and sites of significance to to tangata whenua; and
g) The ability to avoid consequential erosion and accretion, and other natural hazards.

Policy RM 5 Reclamations must:

a) Be constructed of inert materials which will not result in contaminants leaching into the coastal marine area;

b) Be finished with materials which are compatible with the amenity values, landscape and natural character of the coastal environment in the location;
c) Be designed by an engineer to a high standard of structural integrity; and
d) Not impede the flow of floodwater

Policy RM 6 Assess whether authorising unlawful reclamation in the coastal marine area is appropriate having regard to:

(a) The extent of social or economic benefit provided to the public, including whether it is necessary to enable the operation of infrastructure;

(b) Whether there will be more significant adverse effects resulting from the works required to remove rather than retain the reclamation; and

(c) The extent to which removal of the reclamation is practicable

Policy RM 7 Provide for the removal of reclaimed land where it would:

a) Restore the natural character and resources of the coastal marine area; and
b) Provide for more public open space;

while considering the adverse effects and practicality of removing reclamation in comparison to the beneficial effects of removing reclamation.

Comment

The main reclamation work was undertaken historically several owners ago. More recent bank erosion has been tidied up and stabilised with a second backstop coastal wall behind the original wall, completed by the previous owner. This has enabled the area between the harbour waters and the escarpment to be tidied up grassed and replanted to enable the public to enjoy access along this part of the coastal environment. The materials used in construction of the retaining structures are made of inert materials that avoid leaching of contaminants into the CMA. While the natural coastal processes have been stabilised in this location the public open space provided enables enjoyment of the coastal environment.

Landscape and Visual Assessment

Site Context

The site is adjacent to the Tauranga harbour which is identified as an Outstanding Natural Feature and Landscape (ONFL3 within the BOPRCP). The boundary of the ONFL is offset set into the CMA between 4m and 20m adjacent to this application site.

The retaining wall is approximately 150m long with a 17m return into the site on the southern boundary of 340E Pahoia Beach Road. It consists of an existing retaining wall and also a new retaining wall, acting as a backstop for larger storm events. The backstop wall is constructed of

timber and in between the two walls a concrete capping has been constructed to prevent scout of material from beneath the original seawall. This provides a durable wall as confirmed by Kirk Roberts and 4-Sight. There has been some accretion of sand against the retaining wall reducing its visible height in some areas. The use of predominantly natural materials with low reflectivity help ensure the visual effects are minimised.

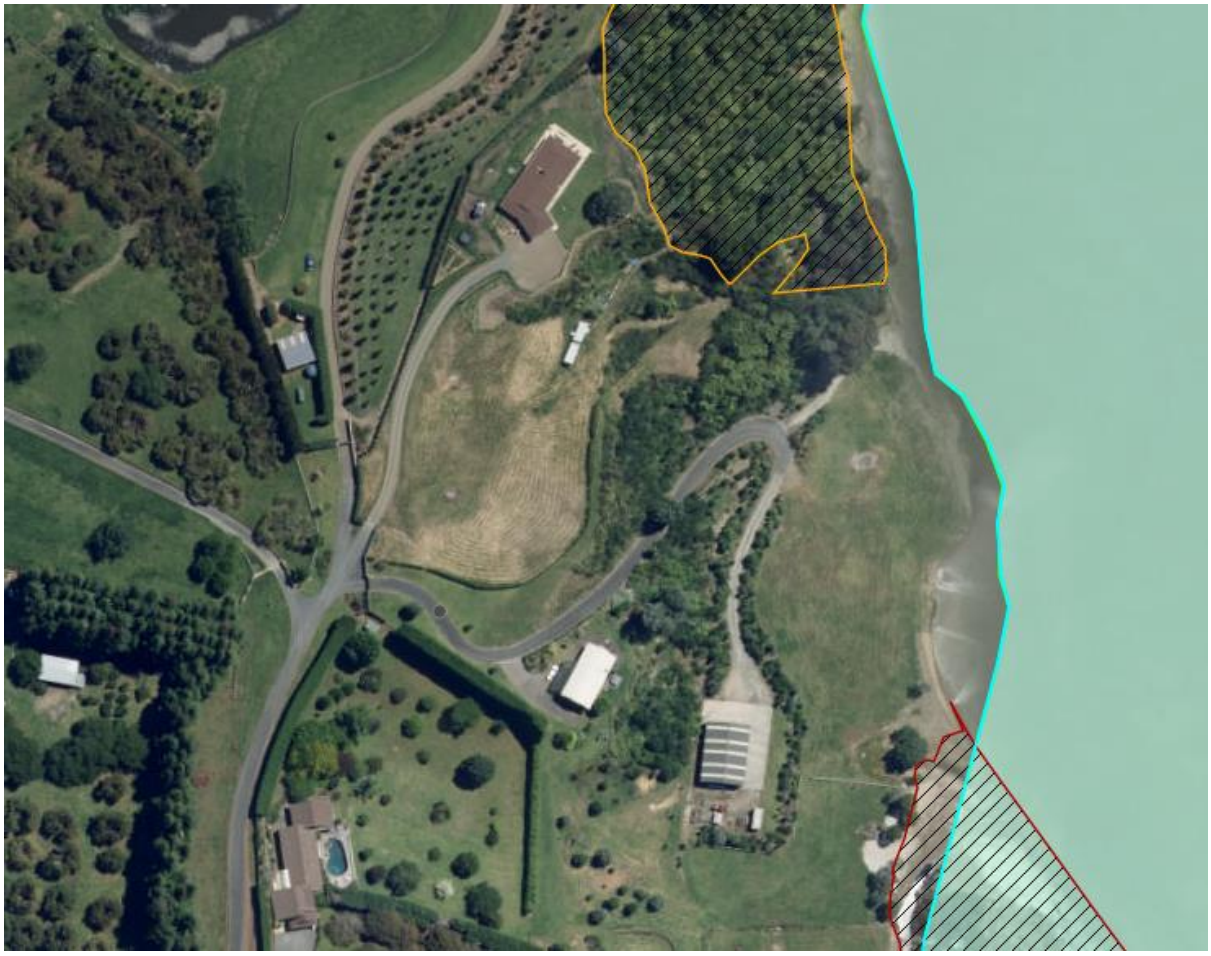

Figure 2- Application Site

The context of the surrounding area is also important to understand the landscape setting. To the south of the site is Indigenous Biological Area A19 being the Waipapa Estuary, which includes a stand of mangroves. North of the site is Indigenous Biological Area B18 – Ngakautuakine, which is a stand of predominantly Pohutukawa trees.

There is an existing shed on the property that is hidden behind a landscape strip of native trees that also line the driveway to the shed. These trees also form a backdrop to the area that has been reclaimed making the backdrop to the seawall more of a natural landscape. The grassed area between the native planting and the retaining wall is generally flat with a shallow grassed bund.

Methodology

The NZILA 7-point rating scale system below is considered appropriate method for this landscape and visual assessment.

Table 1: Defined Table of Effects

Table 1 - 7 Point rating scale with associated definitions.

Very High	**Total loss to the characteristics**
Extreme	*Total loss of the existing character, distinctive features or quality of the landscape resulting in a complete change to the landscape outlook*
Very High	*Major change to the existing character, distinctive features or quality of the landscape or a significant reduction in the perceived amenity of the outlook.*
High	*Noticeable change to the existing character or distinctive features of the landscape or reduction in the perceived amenity or the addition of the*
Moderate - Low	*Partial change to the existing character or distinctive features of the landscape and a small reduction in the perceived amenity.*
Low	*A slight loss to the existing character, features or landscape quality*
Very Low	*The proposed development barely discernible with little change to the existing character, features or landscape quality*
Negligible	*The proposed development is barely discernible or there are no changes to the existing character, features or landscape quality.*

In accordance with the Resource Management Act (RMA), a rating scale for the effects on the environment is derived as being more than minor, minor or less than minor. An overall conclusion as to the nature and extent of the effects on the environment will be made based on the assessment completed.

Viewing Audience

The immediate viewing audience is limited as the end of the Pahoia Peninsula is accessed via a private road and there are only a few houses that look towards 340E Pahoia Beach Road. These include:

- **Table 2 Assessment Viewpoints**

View Point No	**Location**	**Direction of View**	**Distance to Site**	**Degree of visibility**	**Reason for Selection**
A	Tauranga Harbour	Public views into site from Tauranga harbour. Typically, these site line would come from	Tauranga harbour adjoins eastern boundary	Low visibility of the proposal due to the height of the wall and	Proximity to Tauranga harbour

		recreational users such as boats and kayaks exploring the inner harbour environment.			
B	340A Pahoia Road – Neighbouring property	looking east towards site.	Approx 200m. potential impact on view shaft	Very low – negligible change in views and impact on residential character due the change of levels, distance to wall and lack of visibility of the face of the wall.	Impact on neighbouring character.
C	340B Pahoia Road – Neighbouring rural property	looking northeast towards site.	adjoins property on southern boundary.	Views into site fully obstructed from 340B dwelling location due to change in levels and existing vegetation and lack of visibility of the face of the wall.	Impact on neighbouring character.
D	340D Pahoia Road – Neighbouring rural property	Looking east towards site.	adjoins property on western boundary.	Views into site partially obstructed due to drastic considerable change in level. Change observed from 340D dwelling will be positive as view will be of retained grass and not of wall face.	Impact on neighbouring character.
E	340G Pahoia Road – Neighbouring rural property	Looking south towards site .	Adjoining property on northern boundary	Effects of proposal from 340G dwelling will be negligible due to level change, existing vegetation and offset from slope. Effects when viewed from southern boundary of 340G site can be classified as very low and will have a positive effect due to the retained earth creating a neat coastal edge. The face of the sea wall will not be visible.	Impact on neighbouring character.

A summary of visual effects anticipated under each option is provided below:

Table 3: Assessment of Effects Viewpoints

VP No	Location	Rating (negligible; very low; low; moderate; high; very high; extreme)
A	Tauranga Harbour	Low
B	340A Pahoia Road	Negligible - very low
C	340B Pahoia Road	Negligible - very low
D	340D Pahoia Road	Negligible - very low
E	340G Pahoia Road	Negligible - very low

Using the NZILA best practice rating scale, the visual assessment concludes due the change in elevation for surrounding neighbours and established vegetation. The proposal will have low effect on the surrounding environment. Some visual glimpses from Tauranga harbour side may be possible in long views.

As noted in table 3 above, change in visual effects in relation to neighbouring rural properties is **negligible** and **low** in relation to Tauranga Harbour.

Figure 3- Adjacent Lifestyle Lots with Line of Sight

Red arrows correspond with assessed view points.

All these properties have views of 340E Pahoia Beach Road and towards the location of the seawall and harbour beyond. The views from those properties will not see the face of the retaining wall, only the top capping. As this is constructed of natural timber and the fill behind the retaining wall is grassed and will also have landscape planting as proposed in the Wildland report supporting the resource consent application there will be no adverse landscape or visual effects.

The nearest view shaft from a public reserve on land is the Omokoroa Golf Course, which is located just short of 1.5 kilometres away at the closest vantage point. This visibility of the wall at this distance is very low as show by *image 1*. The coastal reserve and walkway on the western side of Omokoroa Peninsula adjacent to McDonnel Street is 2.6 kilometres away, albeit elevated. This visibility of the wall at this distance is also very low as shown by *image 2*. These two vantage points are representative of the views from Omokoroa Peninsula. The effects overall of the retaining wall with proposed landscape mitigation as identified by Wildland Consultants will be very low.

Figure 4- Vantage Points from Omokoroa Peninsula

The views from the public viewing the sea wall from a boat or kayak in Tauranga Harbour is another matter for consideration. This portion of the harbour is relatively shallow so it is likely only small recreational boats would be able to navigate this area[1]. Kayaks will also be able to navigate through this area possibly accessing to or from Pahoia Beach Reserve. These small vessels are relatively low, and their occupant's line of sight is likely to be between 0.7m and 1m above the surface of the water. The visual effects of the seawall will quickly reduce the further a boat or kayak is located

[1] The 4-Sight assessment identifies the location of the main harbour channel where larger boats may navigate which is approximately 600m north of the application site.

away from the sea wall. The landscape mitigation will also reduce the visual effects of the seawall. As the seawall is only 150m long the landscape and visual effects with mitigation proposed will have effects that are low. In terms of quantifying these landscape and visual effects pursuant to the RMA they are considered to be inconsequential or less than minor.

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Image 1- View shaft from Omokoroa peninsula, as viewed from the Eastern end of Omokoroa golf course.

Image 2 – Elevated view shaft from Omokoroa peninsula as viewed from the intersection of Bramley Street and Vivian Drive.

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Conclusion

As assessed against the context of the site, viewing audiences, and proposed landscape mitigation as outlined in the Wildland report. The landscape and visual effects resulting from the sea wall are considered to be **very low – negligible** and is not considered to create any adverse effects on the overarching amenity or landscape character of the surrounding area.

If you require clarification of any of the above, please do not hesitate to contact me.

Yours sincerely

Pierre Fladgate

Planner/Landscape Architect

Momentum Planning & Design

Proposed Indigenous Planting 340E Pahoia Road prepared by Wildland Consultants

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