

In the Environment Court of New Zealand  
Auckland Registry

I Mua I Te Kōti Taiao O Aotearoa  
Ki Tāmaki Makaurau

**ENV-2023-AKL-160**

Under the Resource Management Act 1991

In the matter of An application for a direct referral to the Environment Court under section 87G of the Act for an order granting the applicant's resource consent applications to construct and operate a new asphalt plant at 54 Aerodrome Road, Mt Maunganui, together with an application for consent to authorise the continued operation of the existing asphalt plant on the site pending construction of the new plant

Between **Allied Asphalt Limited**

Applicant

And **Bat of Plenty Regional Council and Tauranga City Council**

Consent Authorities

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**Statement of Evidence of Braddyn Thomas Coombs**

**29 FEBRUARY 2024**

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**Counsel acting:**

Stephen Christensen  
Project Barrister  
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## Qualifications and experience

- 1 My full name is Braddyn Thomas Coombs.
- 2 I am a Principal of Isthmus Group Limited (Isthmus). I have over 25 years' experience working as a Landscape Architect in New Zealand and the UK, specialising in the area of landscape and visual assessment resource management processes.
- 3 I have a Bachelor of Horticulture from Massey University (1995) and a Bachelor of Landscape Architecture (Hons) from Lincoln University (1997).
- 4 I am a Fellow, Registered member and a past President of the New Zealand Institute of Landscape Architects Tuia Pito Ora (NZILA TPO). I have the Ministry for the Environment Making Good Decisions RMA Decision Making Accreditation and I have acted as an Independent RMA Commissioner on numerous occasions.
- 5 Of relevance to these proceedings, I have worked on the following projects:
  - i. Consenting of several industrial development projects in the Mount Maunganui Industrial area and the wider Tauranga catchment;
  - ii. Infrastructure projects, including the Tauranga Eastern Link Road of National Significance and transmission lines including the Hairini to Mount Maunganui partial realignment and several new lines and substation developments on the Coromandel Peninsula;
  - iii. Providing advice to the Bay of Plenty Regional Council on the Port of Tauranga applications to expand the wharves on either side of the Stella Passage;
  - iv. The applications to abandon the wreck of the MV Rena on the Astrolabe Reef (Ōtāiti), advising the Crown Law Office;
  - v. Plan change and resource consent applications for rezoning and residential development projects on Mōtītī and Matakana Islands in the Bay of Plenty; and
  - vi. Coastal subdivision and development projects throughout Auckland, Bay of Plenty, Coromandel Peninsula, Hawkes Bay and Wellington;
- 6 My role in relation to Allied Asphalt Limited's (**Allied**) application for resource consents for a new asphalt plant and the continued operation of an existing plant pending construction of the new plant at 54 Aerodrome Road, Mt Maunganui (**Application**) has been to provide advice in relation

to landscape matters. I drafted the Landscape and Visual Assessment report appended to the Assessment of Environment Effects (**AEE**), which is Appendix 14 of the AEE.

- 7 My assessment is based upon the project description provided in the planning evidence of Mr Craig Batchelar.
- 8 In preparing this statement of evidence I have considered the following documents:
  - (a) the AEE accompanying the Application;
  - (b) submissions relevant to my area of expertise;
  - (c) the statement of evidence on Planning prepared by Craig Batchelar;
  - (d) planning provisions relevant to my area of expertise
  - (e) section 87F report;
- 9 I have visited the Application Site on 13 July 2021, 12 August 2021 and 16 March 2023, specifically for this project. I have also visited the area around the project site several times since starting on the project in mid 2021.

### **Code of Conduct for Expert Witnesses**

- 10 I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2023 and that I have complied with it when preparing my evidence. Other than when I state I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

### **Scope of evidence**

- 11 I have prepared evidence in relation to:
  - (a) the existing environment of the Application Site as it is relevant to my area of expertise;
  - (b) the key findings of my assessment of effects;
  - (c) matters raised by submitters on the Application;
  - (d) matters raised in the Bay of Plenty Regional Council and Tauranga City Council s87F report; and

- (e) Proposed conditions of consent.

### **The existing environment**

- 12 The site is at 54 Aerodrome Road, Mount Maunganui. The Fulton Hogan Bay of Plenty Regional Offices occupy the front (east) part of the site and face Aerodrome Road.
- 13 At the time of writing evidence, the Fulton Hogan offices are being redeveloped and a new two storey office is being built on the front (Aerodrome Road side) of the site. The Fulton Hogan office building will screen the lower parts of the proposed asphalt plant, when viewed from Aerodrome Road. The new office building consolidates the existing industrial character of the area and the site and will reduce the overall visibility of the asphalt plant.
- 14 The central part of the site includes a truck and equipment yard. Aggregate storage areas and sheds also occupy the central and rear (west) parts of the site. An existing asphalt plant is located at the rear (west) end of the site, with associated aggregate storage and truck washing areas. The existing asphalt plant has a stack height of 18m.
- 15 Of particular importance to the local visual context, the HR Cement site immediately south of the project site and the Fulton Hogan office contains a series of large tanks with pipework on top, which provide a visual reference point when assessing views of the proposed asphalt plant.
- 16 The site is located within the Mount Maunganui Industrial area which includes industrial and commercial development on either side of the Stella Channel of the Tauranga Harbour and the Port of Tauranga.
- 17 The industrial area supports the Port of Tauranga with tank farms, fuel depots, log yards, container yards, bulk storage areas and warehouses which are prominent throughout the industrial area.
- 18 Mount Maunganui (Mauao) is located approximately 3km to the north of the industrial area (approximately 4.3km from the site). Mauao marks the southern entrance to the Tauranga harbour and is a popular reserve and sight-seeing area. Mauao is an Outstanding Natural Feature or Landscape in the Tauranga City Plan and the Bay of Plenty Regional Plan.
- 19 The Whareroa marae on Taiaho Place is approximately 1.4km to the west of the site. The Whareroa community supports activities including papakāinga, kaumātua housing, kōhanga reo and other marae activities

such as tangihanga, hui and wānanga. The head office of Te Rūnanga o Ngāi Te Rangi Iwi is also located at Whareroa.

- 20 The closest residential zoned land to the site is at Omanu approximately 660m to the northeast. There are live/work units with some ancillary residential uses in hangar buildings approximately 400m to the south of the site at the Tauranga airport. The closest schools to the site are Mount Maunganui College (680m), Mount Maunganui Intermediate (850m) and Omanu Primary School (890m).
- 21 The site itself is flat and has no discernible landscape features. It is characterised by its industrial use and activities, and wider industrial and commercial setting.
- 22 The site is not identified as being subject to any landscape designations or special landscape characteristics within the Tauranga City Plan.

### **Assessment of effects**

- 23 The full assessment of landscape and visual effects is contained in the Landscape and Visual Assessment report accompanying the application and the Memorandum responding to the Council engaged Peer Review.
- 24 When considering effects on the **Landscape Character** of Aerodrome Road, the proposal is consistent with the type of activity anticipated by the Tauranga City Plan within the Industry Zone. The Mount Maunganui Industrial area is characterised by a mix of service, warehousing, manufacturing and transport activities, and the proposal will be within this established context.
- 25 The height of the proposed asphalt plant stack will exceed the height standards of the zone (18m) by 9.7m, however the proposal will be seen within an industrial context and the character of the site will remain consistent with the surrounding landuses. In my opinion, the application will result in very low neutral landscape effects.
- 26 When considering effects on **Visual Amenity**, the exceedance of the 18m height standard of the Industry Zone will not be prominent within the environment. Where visible, the proposal will be seen within the context of the surrounding industrial landuses and structures, including the wider Mount Maunganui Industrial area and the Port of Tauranga. In my opinion, the Application will result in:
  - Very low (neutral) effects on the visual amenity of users of the local industrial area and motorists.

- Very low (neutral) effects on the visual amenity of residential areas to the northeast of the site.
  - Nil (neutral) effects on the visual amenity of the Whareroa Marae complex area, as it will not be visible from this location.
  - Very low (adverse) effects as a result of the plume.
  - Very low (adverse) effects as a result of lighting and glare.
- 27 The Technical Review of the Assessment commissioned by Council is largely in agreement with the level of potential adverse visual effects of the Application, however concludes a very low (adverse) effect on the Whareroa marae complex.
- 28 The Technical Review requested further information on the landscape and visual effects of the proposal on the Whareroa Marae complex and the Tahuwhakatiki Marae viewing point. That further information was provided in a Memorandum dated 11 April 2023. I understand that the Technical Reviewer for Council is in agreement with the Landscape and Visual Assessment conclusions and the Further Information Memorandum (subject to the minor difference in effect conclusion above).

#### **Matters raised by submitters**

- 29 A total of 107 submissions were received on the application. Of these, one submission raises concerns with the alignment of the application with Sections 6(b) and 7(c) of the Resource Management Act 1991 (RMA).

##### RMA S6(b)

- 30 Section 6(b) of the RMA requires *'the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development'*.
- 31 The closest Outstanding Natural Features and Landscapes (ONFL) are Mauao, 3km to the north and the southern reaches of the Tauranga Harbour, 1.2km to the south.
- 32 The proposed development is separated from these areas and located within an established industrial area. The protected viewshafts toward Mauao will not be affected by the proposal, and the interconnected relationship between the ONFL will not be interfered.

##### RMA S7(c)

- 33 Section 7(c) of the RMA requires *'the maintenance and enhancement of amenity values'*.
- 34 Visual amenity is one component of overall amenity, which also typically includes other values such as noise and smell.
- 35 My assessment includes an assessment of visual amenity, concluding that at worst, the proposal will result in Very Low (adverse) effects.
- 36 It appears the Mana whenua opposition to the application in relation to not consolidating or confirming further industrial development in the Mount Maunganui area into the future, is 'in principle' and is not related to any specific landscape effects that would result from the application.
- 37 There are no concerns raised within the S87F report of relevance to landscape matters.

#### **Proposed consent conditions**

- 38 I confirm that I have seen the proposed conditions as they relate to my area of expertise and support them as being appropriate. For reference, the below conditions relate to landscape and visual matters:

*7. The maximum height of the plant stack shall be 27.6 metres above ground level.*

*8. Safety lighting on the site shall be fitted with back screens which restrict lighting to within the site boundaries, reducing light spill outside of the site.*

*9. The plant shall be finished in Resene Jumbo, a mid-colour low LRV rated grey. or other similar recessive grey colour paint finish approved by the Council that will ensure the plant is a visually recessive feature within the environment.*

#### **Conclusion**

- 39 The proposal to develop a new asphalt plant is within an industrial site in the Industry Zone at Mount Maunganui.
- 40 The site is an appropriate location for an activity of this type and will replace an existing smaller asphalt plant.
- 41 The stack is a small part of the overall asphalt plant and exceeds the heights standard of 18m by 9.7m for a total height of 27.7m.

- 42 The landscape and visual effects of the proposed asphalt plant have been assessed resulting in effects conclusions of nil to very low on the local environment.
- 43 The construction of the proposed asphalt plant is appropriate to the landscape and visual character of the site and the surrounding Mount Maunganui Industrial area.

**Braddyn Thomas Coombs**

Dated 29<sup>th</sup> day of February 2024