Mauao Base Track Remediation Project

Application for Resource Consent and Assessment of Environmental Effects
Prepared for the Mauao Trust and Tauranga City Council

13 July 2018

Boffa Miskell

Document Quality Assurance

Bibliographic reference for citation:
Boffa Miskell Limited 2018. *Mauao Base Track Remediation Project: Application for Resource Consent and Assessment of Environmental Effects*. Report prepared by Boffa Miskell Limited for the Mauao Trust and Tauranga City Council.

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Status: FINAL	Revision / version: 3	Issue date: 13 July 2018

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Template revision: 20180501 0000

File ref: T17136_Mauao_Track_AEE_FINAL_20180713.docx

Cover photograph: Slip face taken from Tauranga Harbour / Pilot Bay, 12 January 2018

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1.0 Introduction

Mauao is the sacred tupuna maunga of the three Iwi of Tauranga Moana – Ngāi Te Rangi, Ngāti Pūkenga and Ngāti Ranginui – and the iwi Waitaha. It is a significant and iconic landmark, and has high recreational value for the Tauranga Moana community.

In April 2017 a section of the base track near the southern-most tip of Mauao failed in a major storm event. A temporary track, involving two sets of stairs, was subsequently installed to take pedestrians above the slip area. To provide permanent universal access, and ensure ongoing resilience of the section of track, a new alignment for the track is proposed – taking the track towards and around the coastal marine area.

The application is made on behalf of the Mauao Trust, as the landowner, and Tauranga City Council's Parks & Recreation Department, as the manager of the Mauao Historic Reserve. Resource consent is sought under the relevant provisions of the Bay of Plenty Regional Coastal Environment Plan, Bay of Plenty Regional Natural Resources Plan and the Tauranga City Plan.

This application for resource consent is made under Section 88 of the Resource Management Act 1991 ("RMA") and has been prepared in accordance with the Fourth Schedule of the RMA (reprint as at 19 April 2017) in such detail to satisfy the purpose for which it is required.

2.0 Applicant and Property Details

Completed application forms are enclosed as Appendices 1 and 2, for the respective Bay of Plenty Regional Council and Tauranga City Council consents sought. The summary details relating to the applicant and subject site are as follows:

To:	Bay of Plenty Regional Council and Tauranga City Council
Applicant's Name:	Mauao Trust and Tauranga City Council Parks & Recreation Department
Address for Service:	Boffa Miskell Ltd PO Box 13373, Tauranga 3141 Attn: [redacted] Phone s 7(2)(a) – Privacy Email: [redacted]
Address for Fees:	Tauranga City Council Parks & Recreation Department Private Bag 12022, Tauranga 3143 Attn: s 7(2)(a) – Privacy
Site Location:	Southern end of Mauao 1 Adams Avenue, Mount Maunganui
Legal Description:	Lot 1 DP 429354 Mauao - Historic Purpose Reserve (refer Certificate of Title, in Appendix 3) Coastal Marine Area
Site Owner/Manager Name:	Owner: The Mauao Trust Joint Administration Board: Ngā Poutiriao o Mauao Reserve Manager: Tauranga City Council Parks & Recreation Department
Site Area:	76.54 ha

Regional Policy Statement for the Bay of Plenty Overlay:	High Natural Character
Proposed Bay of Plenty Regional Coastal Environment Plan Overlays:	Outstanding Natural Feature and Landscape – ONFL 10 Indigenous Biological Diversity Area B – B63: Mauao 2 Indigenous Biological Diversity Area B – B64: Mauao Marine Areas of Significant Cultural Value – ASCV-6 Tauranga Harbour Port Zone
Tauranga City Plan Zoning and Overlays:	Conservation Zone Significant Māori Area – M1 Significant Archaeological Area – A6 Outstanding Natural Features and Landscapes Plan Area Special Ecological Area (Category 2) – 32
Pre-Application Reference:	Pre-application meetings held with Lucy Holden, Consents Officer, Bay of Plenty Regional Council

3.0 Mauao Context

3.1 Overview

Mauao was inhabited for centuries by tangata whenua and is a taonga of immeasurable value which symbolises the endurance, strength and identity of local iwi. For tangata whenua, Mauao is a link between both the metaphysical and physical worlds, and between the past, present and the future. Mauao has significant cultural, traditional, spiritual and social values to the three iwi of Tauranga Moana (Ngāi te Rangi, Ngāti Ranginui and Ngāti Pūkenga) as an integral identity marker. The iwi Waitaha also has traditional and cultural values associated with Mauao.

Mauao has also been an important recreational amenity for a large number of people for a long period. In the late nineteenth and early twentieth century, people living in Tauranga travelled by boat for day and weekend trips to enjoy the beaches and natural setting. The maunga provides a well-used natural setting for recreation in an increasingly intensified urban area. Mauao is an iconic natural landscape in the Bay of Plenty, a symbol of home for the local community and a 'must do' activity for visitors. The management of Mauao recognises its significance to the community of Tauranga and visitors to the region.

Mauao is a unique volcanic landform and a regionally significant landscape feature. Mauao rises 232m above sea level at the main entrance to the Tauranga harbour.

Mauao is a Historic Reserve under the Reserves Act 1977. Visible archaeological features cover most of the summit and the southern slopes of Mauao and the archaeological landscape and associated cultural values of the reserve are the reasons for its classification as an historic reserve. Mauao also demonstrates significant ecological values.

The Mauao Historic Reserve Management Plan ("MHRMP") provides the management framework for the Mauao Historic Reserve. Protection of cultural values and historical and archaeological sites, and protection and enhancement of landscape and ecological values need to be addressed in an integrated manner while providing for the important recreation functions that Mauao ensures for the community.

The Mauao Historic Reserve is private land owned by the Mauao Trust that is available, used and enjoyed by all as a public space. The Mauao Trust includes one trustee from each of Ngāi Te Rangi, Ngāti Pūkenga and Ngāti Ranginui iwi.

The reserve is managed by Tauranga City Council under the direction of the Ngā Poutiriao ō Mauao joint administration board. Ngā Poutiriao ō Mauao is comprised of representatives appointed by Mauao Trust and Tauranga City Council. The joint board has eight members, with the Mauao Trust (including Waitaha) and Tauranga City Council each appointing four members.

3.2 Base Track

The "Base Track" around Mauao is one of New Zealand's most popular scenic walks. The 3.4km route (refer Figure 1 below) takes pedestrians around the base of Mauao, and can be walked in either direction. In 2015, one million visitor trips were recorded around Mauao.

Prior to the slip occurring in 2017, the base track contained no stairs and, with generally gentle gradients, was suitable for all abilities, with stroller and wheelchair access provided (known as "universal access"). The MHRMP identifies that "*universal access shall be provided to the base track around Mauao*"[1] at all times.

4.0 Background

4.1 Base Track Failure

Ex-Tropical Cyclone Debbie was a significant storm event that hit New Zealand over the period of 3-6 April 2017. Cyclone Debbie resulted in heavy rain, flooding and land slips across most parts of the North Island and the upper South Island.

During the night of 5 April 2017, the heavy rain brought by the cyclone resulted in a land slip occurring near southern-most tip of Mauao (refer Figure 1).

The height of the slip was between 10-12m. An approximately 14m long section of the base track subsided during the slip, including several large Pōhutukawa trees. An estimated 400m^3 volume of slip material subsided onto the beach below.

[1] MHRMP Policy 5.3.3(i)

Figure 1: Aerial photograph of Mauao track network, with base track indicated in green (source: TCC Mapi GIS)

Due to the damage and risk to the public, the sections of the base track located adjacent to the eastern and western sides of the slip area were closed on 6 April 2017. Figures 2 and 3 below were photographs taken by inspecting engineers on 11 April 2017.

Figure 2: Photograph of the slip face and damaged track section, taken from the base track looking west (source: Tonkin + Taylor)

Figure 3: Photograph of the slip face, taken from the beach looking north (source: Tonkin + Taylor)

The closure of the damaged section of track resulted in the base track no longer being able to be fully circumnavigated without detouring onto the beach. Universal access to the entire base track was precluded, due to the nature of a section of the beach which has large boulders present; thereby preventing access for strollers and wheelchairs, and making access challenging for less able people.

4.2 Temporary Diversion

On 17 July 2017 work commenced on a temporary diversion above the slip area, involving two flights of steps and a new section of pathway. The diversion was opened to the public on 28 July 2018. The diversion was identified by the Council as being temporary only, since it was not providing the universal access required by the MHRMP.

The temporary steps were designed to have minimal impact on the ground and be easily removable (i.e. minimal excavation work), due to the significant archaeology present in the area. A temporary authority from Heritage New Zealand was approved for the diversion, and this authority (2017/945EM2) expired on 30 June 2018.

Figure 4: Photograph of the western flight of steps on the temporary diversion, taken from the pathway looking southwest (source: Tauranga City Council)

5.0 Base Track Remediation Options

5.1 Option Development

Tauranga City Council engaged Tonkin + Taylor to undertake an assessment of the permanent / long-term repair options for the base track, to re-establish universal access. The report was provided to the Council in June 2017. A copy of this report is provided in Appendix 4.

The report investigated six engineered options for reinstatement of the track. The assessment undertaken considered the following for each option:

- Constructability, long term performance and residual risks of damage due to future storm events;
- High level cost estimates; and
- Statutory considerations including consenting, archaeological impacts and potential effects to landscape and vegetation.

The six options investigated included:

1. *Reinstate the track in the existing location using a structural wall to repair the failed slope (e.g. mechanically stabilised earth, timber crib wall or similar).*
2. *Reinstate the track in the existing location by constructing a foot bridge to span the failed area.*

3. *Realign the track slightly from the existing location by excavating further back into the existing slope and using slope stabilisation.*

3a. *Reinstate the track in the same location with soil nails, and construct a timber retaining wall at the top of the landslip face and downslope of the track.*

4. *Relocate the track above the land slip (max 1:12 gradient).*

5. *Relocate the track to a lower level around the base of the slope by constructing a timber board walk or rock revetment.*

The report did not make a recommendation on a preferred option, but did set out the relative advantages and disadvantages, and estimated costs, relating to each option (refer to Table 1 of the report in Appendix 4).

The foot bridge option (Option 2) was deemed unfeasible due to engineering and constructability issues, but all other options were deemed to be feasible.

5.2 Option Evaluation

Tauranga City Council staff conducted a workshop in June 2017 to evaluate the options presented in the Base Track Repair Options report.

A Multi Criteria Analysis ("MCA") was undertaken, which set out the process and decision-making criteria used to select the preferred option. The documentation relating to the MCA is included as Appendix 5.

The MCA criteria and weightings are outlined in Table 1 below, which is an excerpt from the MCA in Appendix 5.

Criteria	Reason for inclusion	Reason for weighting	Weighting
Alignment long term resilience accounting for future slope failure within the wider area	The Mauao base track has in excess of 1,000,000 annual visitor trips	This criteria recognises the importance of implementing an option that provides a solution that presents a low risk of track failure in the long term and/or is able to be quickly and cost effectively remediated should a section of slope fail in the future.	40
Impact on Archaeology	Mauao has a high density of recorded archaeology which is of particular significance regionally and nationally	This criteria recognises the importance of implementing an option that has a low potential impact on archaeology	30
Construction Cost Estimate	The estimated cost of the remediation option	This criteria recognises the estimated cost of each option and the importance of financial prudence	20
Statutory considerations	The anticipated statutory tests of the remediation option	This criteria recognises that the options have differing degrees of statutory considerations	10

Table 1: MCA Criteria and Weighting (excerpt from the MCA in Appendix 5)

The proposals were scored 1 to 5 (worst to best) based on their judged compliance with each of the MCA criteria. For the construction cost estimate criteria the options were ranked 1-5 (lowest to highest cost). The scores for each criterion were multiplied by the weight to provide a grade score. The spreadsheet detailing the MCA assessment ranking process that was undertaken is contained in Appendix 5.

The results of the MCA scores and weighting are set out in Table 2 below.

Option Number	Total Grade Score	Rank
1	2.6	4th
2	Initially considered as a high-level concept but was discounted due to not being feasible	
3	1.8	5th
3a	2.8	3rd
4	3	2nd
5	**3.5**	**1st**

Table 2: MCA Results (excerpt from the MCA in Appendix 5)

Option 5, "*relocating the track to a lower level around the base of the slope by constructing a timber board walk or rock revetment*", was the preferred option, having the highest total grade score.

Whilst this option was the most expensive of the options identified, it was assessed as providing a solution that has the greatest long-term resilience. In particular, the MCA noted that Option 5 "*avoids highly failure prone area, structure would be resilient to future slope failures with only short term closures likely in the event of a future slope failure*".

This assessment was based on the following points that were noted in the Base Track Options report regarding Option 5:

- *The revetment would provide long term coastal erosion protection for the existing lower cliff faces;*
- *The slopes above the track still have a high risk of instability and the track would be susceptible to damage from inundation by landslips. However, repair and reinstatement of the track will likely be limited to clearance of debris or filling of eroded track areas;*
- *This option would reduce the risk of extended duration track closures due to future landslip events as the new track would be located below the existing elevated track section which has a higher risk of instability.*

5.3 Option Selection

Ngā Poutiriao o Mauao subsequently agreed with Option 5 being selected, and recommended for the option be progressed. The Tauranga City Council approved the recommendation of Ngā Poutiriao o Mauao, and authorised funding of up to $2.2M to implement Option 5, in Council resolution *M17/55.8* (Report DC 149, dated 28 June 2017).

Figure 5 shows the Option 5 concept, as per the Base Track Repair Options report in Appendix 4. The conceptual design included an approximately 250m long rock revetment adjacent to the slope toe, "tied-in" at either end to existing sections of track. The concept assumed a final track elevation of RL 3.0m, being approximately 2.1m above Mean High Water Springs ("MHWS").

Figure 5: Option 5 conceptual design, from the Base Track Repair Options report in Appendix 4

5.4 'Option 5' Concept Development

The design for the new section of track was based on the Option 5 concept presented in the Base Track Repair Options report (refer to Figure 5).

5.4.1 Design Criteria and Principles

To guide the development of the track's design concept, a site visit and design workshop was held to identify the key constraints and opportunities. The workshop involved the key technical experts in the project team, namely: planning, cultural, archaeological, landscape architectural, ecology, coastal engineering, geotechnical, arboricultural, construction management, and Tauranga City Council reserve management.

Following the design workshop, and individual technical expert input, a Design Principles and Criteria Report was prepared which set out the key project and track design objectives, and minimum design standards. The following standards were agreed for the project, based on the relevant issues, principles and criteria:

- *Generally to Classification: 3. Walking Track (Sub-Class 1; Walking Track Walking & Cycling) [SNZ HB8630 equiv.: "Walking Track"].*
- *A maximum gradient of 1:12 is achieved, increasing to no more than 1:8 if necessary to protect significant environmental values.*
- *Due to high usage, a minimum width of 2.5m is achieved, reducing to no less than 2m to protect significant environmental values.*
- *Surface treatment well bound aggregate to ensure traction in all conditions, but natural ground track surface is not recommended on grades exceeding 1 in 8 (12%) because of the potential slipping risk in wet conditions.*

- *Barriers avoided wherever possible.*
- *Acceptable risk of injury from tree or branch failing.*
- *The form of the track is simple, and in harmony with the track as whole.*
- *There are changing views of the ocean, beach, port, ships.*
- *There are places to stop to enjoy the scenery.*
- *The track promotes connectedness with nature:*
    - *See and feel the twisted Pōhutukawa trunks*
    - *Easily drop down to the beach from the track*
    - *Watch marine fauna*
- *Mauao is an iconic representation of the culture and traditions of Tauranga Moana Iwi with their ancestral lands, water, sites, waahi tapu, and other taonga associated that must be maintained and enhanced.*
- *The Mauao trustees are directly engaged in decisions on all key issues.*
- *The loss of native vegetation, in particular the Pōhutukawa trees and shoreline groves are minimised.*
- *All waipuna (springs) affected are maintained and enhanced.*
- *Impacts on landforms, cultural sites of significance and other natural features (i.e. southern coastal stone field) are minimised.*
- *Continue to provide public pedestrian access around the base of Mauao.*
- *The unobstructed access to and from the Te Kawa beach and the Pōhutukawa grove is maintained.*
- *The CMA is only occupied when no practicable alternative is available.*
- *All structures in the CMA are designed to be visually and aesthetically compatible with the adjoining coast.*
- *Significant adverse effects on natural character are avoided through:*
    - *Minimising the scale of structures*
    - *Minimising the loss of beach/foreshore environment.*
    - *Minimising the loss of native vegetation cover*
- *Natural character is restored by rehabilitating redundant tracks and removing obsolete structures and undesirable vegetation.*
- *Significant adverse effects on natural features and landscape values are avoided through:*
    - *Structures following natural contours and shapes of landform.*
    - *Materials being selected to harmonise with colours and textures in the immediate environment.*
    - *Re-establishment of native vegetation cover.*
- *The site is managed to exclude fauna from breeding in construction area.*
- *The site is managed to minimise sediment entering the marine environment.*
- *Opportunities to integrate habitat features (e.g. planting, and nest/burrow areas) into the design are optimised.*
- *Archaeological features are avoided wherever practical.*
- *Where an archaeology feature cannot be avoided, onsite research, recording of archaeological information and materials and the use of the information for raising public awareness and understanding is undertaken.*
- *Construction site managed to minimise risks to recreational use (track users, fishermen, boats).*
- *Revetment foundation conditions (design return period 1% AEP).*
- *Stability of costal slope above revetment.*

- *Stability of slope and foundation conditions where track sidles up coastal slope.*
- *Standard of protection: 1 in 100-year return period (1% AEP event)*
- *Design life: 50 years*
- *Slope face: 1v:1.5h (max)*
- *Crest elevation: 2.1m above MHWS / 3.0m above MSL*
- *Crest width: See path standards*
- *Overtopping: 200 l/s/m discharge*
- *Damage coefficient: SD = 4 (mid-range)*
- *Peak storm duration: 4 hours*
- *Revetment permeability: P = 0.4*
- *Rock density: 2,600 kg/m³ (min)*
- *Base track design considers regular horizontal curves along the base track and avoids straight sections to provide natural aesthetics. Maximum horizontal curve at 15 m and minimum at 10 m are implemented in the design, variance in curve radius to be used to protect natural habitat where possible.*
- *Cut slope is generally 1 in 1 and fill slope 1 in 1.5, but with allowance for steeper cut slopes where geotechnically feasible.*

The proposed track design meets all standards of the Design Principles and Criteria Report, the full copy of which is provided in Appendix 6.

5.4.2 Design Development

Following the finalisation of the Design Criteria and Principles Report, the new track design development process commenced. The track design went through several design iterations in response to input from the technical experts on the design team, and feedback from the key stakeholders who were consulted.

The outcomes from stakeholder consultation, including those outcomes that affected design, are outlined in Section 11.0 of this application.

The diagram in Appendix 7 summarises the design concept development process. The diagram sets out the various design options that were considered across four distinct sections of the subject area, with the key considerations that led to a design option being preferred or not preferred.

6.0 Site Description

The area subject to the proposed new section of base track, conceptually indicated by the Option 5 alignment (refer Figure 5), is located on the lower slopes and beach area around the southern-most tip of Mauao. The overall area takes in an approximate 360m length.

For the purposes of describing the area, three separate sections are outlined as indicated in Figure 6.

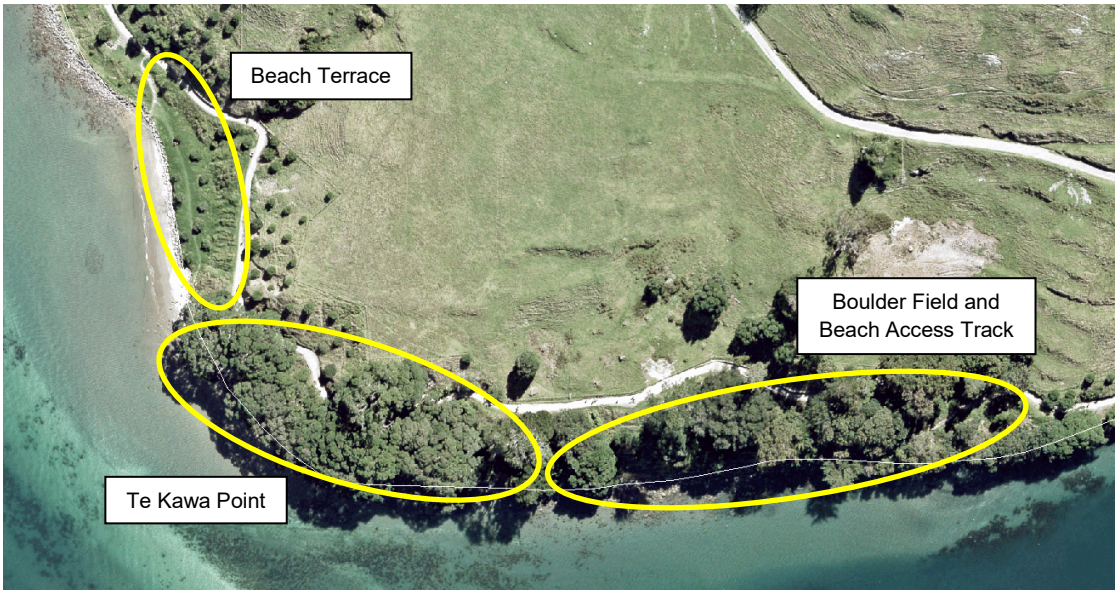

Figure 6: New track area (source: TCC Mapi GIS)

These three sections correspond to the four sections identified in the 'Design Development' diagram in Appendix 7; but with the third and fourth sections in the 'Design Development' diagram described collectively as the 'Boulder Field and Beach Access Track'.

6.1 Beach Terrace

This portion includes a steep grassed slope which grades down from the edge of the existing base track to a terrace area. The terrace itself is comprised of old slip material from another part of Mauao, placed in this location due to the cultural requirement to keep material on the maunga. The terrace is grassed, and several juvenile Pōhutukawa that have been planted near the toe of the slope and at the coastal edge of the terrace. The coastal edge is retained by a man-made rock revetment which is approximately 55m long, and 0.5-1.0m high above level of the beach. There is evidence of some erosion of the terrace in behind the revetment, particularly at the southern end.

An intermittent spring known as Te Kawa Waipuna is located upslope of the terrace area and is culverted underneath the existing track. The spring feeds naturally down the slope between the existing track and the terrace, and is then directed to another culvert underneath the terrace, which discharges onto the beach.

Access to the terrace is provided via a semi-formed grass/dirt ramp, which slopes down from the existing track at the northern end of the terrace. To obtain access to the beach area, pedestrians tend to walk down this ramp and then drop down onto the beach at the southern end of the terrace, where the rock revetment terminates.

The sandy beach area in front of the terrace has a gentle grade, which results in a relatively wide expanse of beach being exposed at low tide.

6.2 Te Kawa Point

Te Kawa Point is located at the southern-most point of Mauao, and includes steep vegetated slopes which grade down from the edge of the existing base track to the beach beneath. Part of the area includes the slip face. The slopes are subject to a canopy of large, mature Pōhutukawa, with an understorey of smaller native and exotic shrub species, and grasses.

The sandy beach area in front of the slope has a generally steeper grade than that in front of the beach terrace described above, meaning that the tidal range is not as pronounced as that area.

At the time of preparing this application an accumulation of material leftover from the slip, consisting of rock, soil and Pōhutukawa tree stumps, remains on the beach area. The volume of this material has been diminishing over time as it has been collected by the tides.

Located directly off the beach of Te Kawa Point, within the harbour, is a rocky reef formation. This reef is largely covered at high tide and is exposed at low tide. The statue 'Tangaroa' is located on the southern edge of the reef.

6.3 Boulder Field and Beach Access Track

This portion includes a vegetated slope which grades down from the edge of the existing base track to the beach beneath. The slope is terraced in parts and is less-steep than the slope apparent on Te Kawa Point. It is subject to a canopy of semi-mature Pōhutukawa trees, mature Oak and Macrocarpa trees, with an understorey of smaller exotic tree and shrub species, and grasses.

The beach area in front of the slope comprises a "boulder field", which consists of boulders of varying sizes that cover the sand. The boulder field covers the majority of the beach at the eastern end of the subject area, and the boulders thin out towards the western end.

An intermittent spring known as Waipatukakahu is located at the eastern end of the subject area and is culverted underneath the existing base track. The spring feeds naturally down the slope between the existing track and beach.

At the eastern end a narrow access track of approximately 30m length forks off the main base track and takes pedestrians down onto the boulder field. This access track crosses Waipatukakahu via a low timber bridge, approximately 2.0m in length and 1.5m in width.

7.0 Proposal

7.1 Overview

The proposal involves the construction, establishment and use of a new 360m long section of base track, located downslope of the existing base track. The new track includes three distinct portions, which are located within the three areas described in Section 6.0 above:

- A 60m long section of formed track located on the beach terrace
- A 190m long rock revetment located on the beach adjacent to the toe of the slope, around Te Kawa Point

- A 110m long boardwalk traversing the slope above the boulder field, located partially along the alignment of the existing beach access track that forks off the base track.

The new section of track will reinstate universal access to the entirety of the base track, and will provide long-term resilience by minimising the impact of any future slope failure on Te Kawa Point.

The track alignment plan (with a constraints plan) and cross-sections are provided as Appendix 8. As illustrated by the alignment plan, a 'corridor' around the track alignment and rock revetments have also been shown, to indicate that a degree of flexibility is necessary to adjust the final layout of the track and revetment at the time of construction to respond to variations in the natural environment. The flexibility provided by the corridor is sought to avoid items such as archaeology or fauna habitat that may be uncovered during the construction phase. Consent is therefore sought for the track and revetment to be established within the corridor.

Perspective drawings showing the likely appearance of the finished track are provided as Appendix 9.

The following sections set out the specific track design details.

7.2 Beach Terrace Area

At its northern end, the new track will tie into the existing base track. The track will be approximately 60m long and 2.5m wide, following the curve of the slope on the eastern edge of the terrace area. The track surface will be a bound aggregate, like that of the existing base track. A stabilising agent, such as cement, may be used to aid in binding the surface.

The intention of locating the track on the eastern side of the terrace is to provide an open amenity area on the western side of the track; thereby maintaining the existing passive recreational use of the space. The existing juvenile Pōhutukawa trees on the terrace will be relocated and the terrace (aside from the track surface) grassed to maximise the available space for passive recreation (sitting, picnicking, etc).

To achieve the required minimum level of 2.1m above MHWS, and to ensure a gentle grade down from the existing base track, the track will be built up above the existing ground level of the terrace. A maximum 2m of fill depth is required near the northern end of the track, due to the steep nature of the slope down from the existing base track. The fill depth reduces to approximately 0.2m at the southern end of the terrace, as the track level grades down.

The existing rock revetment in front of the terrace is to be upgraded to provide additional protection of the terrace area. Its height will be increased to match the proposed new revetment section, and the eroded segments of the terrace in behind the revetment will be repaired. A geotextile matting (or similar) will provide erosion protection of the grassed area in behind the revetment.

To provide universal access down onto the beach area in front of the terrace, a concrete ramp sloping down from the new section of track is proposed. The ramp will extend through the existing revetment.

Other than where the access ramp is located, the terrace will be shaped to ensure there is a smooth gradient down from the western edge of the track to the top of the revetment. This will maximise the passive recreational opportunities on the terrace.

7.3 Coastal Revetment

At its western end, the new 190m long revetment will abut the existing revetment in front of the beach terrace, and will tie the formed tracked on the terrace in with that on top of the new revetment. The track will be approximately 2.5m wide, following the curve of the slope toe around Te Kawa Point. The track surface will be a bound aggregate, like that of the existing base track. A stabilising agent, such as cement, may be used to aid in binding the surface.

In the central part of the revetment, where it is located in front of the slip face, the track will widen out to provide a stop off and look-out area. This location has been identified as it looks directly back towards the statue "Tangaroa", and the natural 'scallop' created by the slip means that the revetment does not need to be pushed further out towards the CMA at this point to create the increased width.

The design of the coastal revetment is presented in a specialist report which sets out the criteria, assumptions, guidelines, and considerations associated with the design (see Appendix 18). The purpose of the coastal protection structure is two-fold – primarily to elevate the path above the beach and daily tides, but secondarily to protect the foot of the slopes from wave processes that may increase the risk of undermining and further landslides.

To achieve the required minimum level of 2.1m above MHWS, the revetment will be built up above the existing ground level of the beach. A maximum 2.6m of fill depth is required. From the outer edge of the track, the revetment face slopes down to the beach at a grade of 1:1.5. This grade provides access opportunities for Little Blue Penguins, that have in the past nested on the slopes above the beach around Te Kawa Point.

The rocks used to form the revetment are classified as the 'armour layer' and the 'underlayer'. The outer armour layer includes rocks of 1,300kg and a layer thickness of 1.59m. The underlayer includes smaller rocks of 160kg with a layer thickness of 1.19m. A layer of geotextile material will be placed beneath the underlayer to reduce the fine material beneath being washed out. Approximately 223m^2 of the revetment will be located below MHWS.

Two mature Pōhutukawa trees, which are located on the existing slope toe at the top of the beach, grow horizontally outwards away from the slope. As such, these trees require removal to allow for the establishment of the revetment with sufficient clearance for track users. There are a further nine mature Pōhutukawa around Te Kawa Point that will remain in place and will provide canopy cover over top of the new track.

At its eastern extent, the revetment will be located over a portion of the western end of the boulder field, before it ties in with the boardwalk. Where appropriate, boulders from this affected section of the boulder field will be used as a visual treatment on the revetment.

The slip face above the track will be overlain with geotextile matting to ensure the risk of injury from falling debris is minimised. Prior to the installation of the matting, existing overhangs created by the slip will be battered back.

7.4 Boardwalk

A 110m long boardwalk is proposed to link the existing base track at the eastern end, through to the rock revetment at the western end. The boardwalk will be approximately 2m wide, and follows the contour of the slope as it meanders down from the existing base track to link with the revetment. The first 30m of the boardwalk, at the eastern end, follows the existing narrow beach access track that forks off from the base track.

The material used to construct the boardwalk will either be composite fibre or timber. A determination is yet to be made on the material, although the preference is to use a composite fibre for several reasons including:

- Composite fibre has a longer design life than timber.
- Archaeological and environmental impacts are reduced long-term, as maintenance and rebuild requirements are reduced.
- Composite fibre does not result in any leaching of treatment chemicals unlike treated timber.

The implementation of a boardwalk section means that earthworks are minimised, and no retaining structures are necessary. This allows the boardwalk to minimise impacts on the known archaeology present on the subject slope, as well as reducing impacts on the existing vegetation on the slope. Two mature exotic trees will need to be removed to provide for the boardwalk alignment – one English Oak and one Macrocarpa.

The height of the boardwalk above existing ground level varies due to the variability of the underlying slope topography. At its highest point, the outer edge of the boardwalk will be approximately 2.9m above ground level. Elevated sections of the boardwalk will require handrails to meet safety (and Building Code) requirements.

Two discrete sections of the boardwalk will require excavation work to allow for its installation, and to achieve the necessary track grade. The maximum cut depth is approximately 0.9m, undertaken along a length of approximately 15m.

The boardwalk will be built upon screw pile foundations of approximately 400mm diameter. The indicative maximum spans that can be achieved between piles are 8m for composite fibre and 4.8m for timber. This allows flexibility to install the piles in locations where known archaeology is avoided. This span length also ensures that the boardwalk piles will avoid being located within the Waipatukakahu puna.

7.5 Existing Base Track Closure and Remediation

An approximate 240m length of the existing base track is to be closed following the establishment of the new track section. This includes the removal of the temporary diversion around the top of the slip area.

At the eastern end of the new track, the existing base track will be closed in close proximity to the new junction point with the existing base track.

At the western end, the base track will be closed upslope of the beach terrace area. This will result in an approximate 100m length of the existing base track remaining in place, which will provide a series of vantage points above the new track section from which elevated views will be available over the harbour entrance and towards Matakana Island.

At the two closure points earth bunds will be installed to discourage access. The surface of the existing base track will be scraped and topsoiled, with native replanting implemented. The temporary diversion will be returned to grassland (as it was prior to installation).

7.6 Landscape Plan

A comprehensive approach is proposed to revegetate the subject area and surrounds. Additional infill native planting is proposed along the margins of the new track alignment (including on the revetment face above MHWS), the slopes above and below the new track, and within Te Kawa Waipuna and Waipatukakahu puna. The Landscape Concept Plan is provided as Appendix 10, and shows the full extent of the proposed planting area.

Four mature trees require removal to provide for the construction of the revetment and boardwalk sections – two Pōhutukawa, one English Oak and one Macrocarpa, as identified in the Tree Protection Plan in Appendix 17. To offset the removal of these trees, as indicated on the Landscape Concept Plan, new native tree specimens will be planted in the vicinity.

On the centre of the beach terrace, the juvenile Pōhutukawa are to be relocated to maximise the open space nature of the terrace, as the area has high amenity and passive recreation value. These trees will either be relocated to the outer edges of the terrace area, or replanted elsewhere within the subject area where this is possible.

The two puna will be replanted where this is possible working within archaeological constraints. As Te Kawa Waipuna is not fully fenced, replanting will either be of species not palatable to grazing stock, or it will be temporarily fenced with an electric fence.

A detailed Planting Plan, consistent with the Landscape Concept Plan (and the native species included in the planting palette), will be finalised prior to the implementation of the revegetation regime.

Interpretation signage for cultural and archaeological history is likely to be included in time along the new track section, but the details relating to this signage is yet to be determined with Nga Poutiriao o Mauao.

7.7 Construction Methodology

This section describes the proposed methodology for the project. For certain parts of the works, the methodology may be subject to change depending on the final detailed design and any alternatives proposed by the preferred contractor.

The scope of the project works for the preferred contractor includes the following:

- Site establishment
- Tree and vegetation removal
- Tree protection
- Establishment of avifauna protection measures
- Establishment of erosion and sediment controls
- Slope stabilisation of the existing slip area
- Construction of a coastal revetment
- Installation of an elevated pedestrian boardwalk structure
- Remediation of the existing temporary track route
- Planting and landscaping works

7.7.1 Site Establishment

Prior to starting work on-site, the appointed Contractor will be required to prepare an approved Construction Management Plan (CMP). The CMP will include the following information:

- Detailed Construction Methodology (including the implementation of any Harbourmaster control requirements such as demarcation buoys or navigation lighting)
- Stakeholder Management Plan
- Erosion & Sediment Control Plan
- Health & Safety Plan

At the commencement of the project the Contractor's operatives (and all subcontractor staff) involved in site works will be required to attend a Contractor induction which will define any site protocols to be adhered to in relation to site archaeology, ecology etc.

The following establishment activities will be required to be completed prior to starting any earthworks or piling on site:

- Establish suitable site fencing and signage to ensure security and public safety is maintained, and to identify areas of sensitive vegetation and archaeology to be protected during the works.
- Set up a site compound at a location agreed with TCC (likely to be located at the end of Pilot Quay). The site compound will likely include a site office, lunch room, portable toilet facilities, lockable storage containers and Contractor parking spaces.
- Temporary power and water connections to the site facilities will be established.
- Sediment and erosion control measures will be put in place as per the final Erosion & Sediment Control Plan. An indicative Erosion & Sediment Control Plan is included as Appendix 20.
- Emergency spill kits will be stored on site in the event of any oils, greases or chemicals being spilt on site.

7.7.2 Vegetation Clearance and Tree Protection

Some tree pruning and removal of four mature trees will be required along the proposed base track route to allow the construction of the revetment and boardwalk. A suitably experienced works arborist will be engaged to undertake all tree work.

The works arborist will be experienced in tree protection systems and will coordinate site works to ensure that any tree protection controls required are correctly implemented throughout the works.

7.7.3 Slope Stabilisation

Some slope stabilisation work is required to be carried out on existing slope failure surfaces. This work will be required to be completed prior to any other work being carried out below the slope failure areas to ensure the safety of any operatives working in the areas below. Stabilisation work is likely to consist of soil nailing and the installation of netting/geotextiles or

similar. The work will be carried out using rope access from above the slope by trained operatives.

7.7.4 Revetment Construction

Approximately 190m of rock revetment with an aggregate pathway will be constructed along the edge of the existing shoreline. Access to site for the delivery of all plant and materials to the revetment site will typically be via marine barge to the existing beach area. Over-land options for delivering bulk materials and large plant to the works area have been explored but are not feasible due to topographical and archaeological constraints.

Construction materials will be stockpiled as close to the work front as possible by a barge mounted diggers or other suitable plant. Three separate material stockpiles will be required on site for backfill, under layer rock and rock armour.

Construction plant which can be landed on the beach by barge which would be used to handle fill and armour material could include:

- Loaders
- Telehandlers
- Diggers
- Bobcats

Temporary pontoons/swamp mats can be used to assist with landing plant on the beach and for trafficking over soft areas or areas where there is a requirement to minimise disturbance to the foreshore.

Before commencing any excavation for the revetment foundation topsoil on the edge of the shoreline will be stripped and stockpiled for reuse on-site. Any existing boulders under the revetment footprint will be moved to a suitable location.

It is anticipated that the revetment will be constructed in approximately 10-20m sections each shift with armour being placed over the length of each section to minimise any potential erosion or undermining of the new revetment structure.

Rock armour will be placed on to the revetment by a 20T long reach digger (or similar), which may be land-based or barge-mounted.

7.7.5 Boardwalk Construction

An elevated boardwalk of approximately 110m in length will be constructed to link the existing base track and the new revetment. The boardwalk section traverses the existing slope which contains archaeological features. Therefore, the disturbance to the existing site is to be minimised.

The boardwalk will be built on screw pile foundations which will be installed by light tracked piling plant. Some protection works such as the installation of swamp mats etc to establish access for the piling plant may be required in advance of piling work.

Access for piling may be from either end of the boardwalk section with plant being delivered to site by barge or tracked to the site from the existing 4-wheel drive access track.

Construction of the boardwalk structure will typically be by hand with as much fabrication work carried out off site as possible.

7.7.6 Existing Track Remediation and Landscape Planting

The existing temporary track section (including the timber stairs) will be taken out of use and the area remediated as soon as possible after the completion of the new walkway. The area will be landscaped and planted in the following planting seasons.

7.8 Suggested Conditions

The proposed suite of conditions in Appendix 22 are suggested by the Applicant to manage the effects of the proposal on the environment. In summary, the conditions include the following measures:

Cultural

- A pool of cultural monitors with the appropriate knowledge, skills, experience and where possible the whakapapa connections to Taiwhanake be established prior to the construction phase and briefed on the project with the archaeologist and construction team.
- Ngā Poutiriao o Mauao approve the source of the rock to be used for the construction of revetment structure.

Archaeology

- An archaeological authority be obtained from Heritage New Zealand prior to the commencement of works.

Landscape and Natural Character

- The detailed design of the revetment achieves the following landscape outcomes to manage the potential adverse effects:
    - Maintain the current design RL level of the revetment to its designed level, avoiding any further increase in height and width of the revetment.
    - Remediation of the sandy shoreline post following construction.
    - Alignment of the revetment length to follow the natural coastal edge and avoid linear patterns. The surface to undulate to avoid a ‘clean’ finish, recognising the structural integrity of the feature, but providing a rougher coastal character that is reflected on the remainder of Mauao’s coastal margin. This will require supervision by a suitably qualified landscape architect through the construction process.
    - Use of local natural stone that visually integrates, in a weathered condition, with existing stone materials present and used on Mauao.
- Implement the following landscape vegetation measures:
    - The alignment of the boardwalk to avoid any further removal of native vegetation cover, in particular Pōhutukawa tree cover.

- The inclusion of dominant native tree cover along the coastal margin adjacent to the revetment to provide a blanketed cover along the coastal edge.
- Inclusion of geotextile soil bags at 5m centres along the top part of the coastal face of the revetment to support the planting of coastal groundcover species including Pohuehue, Oi Oi etc.
- Inclusion of additional coastal marginal planting along the northern beach revetment edge and grassed edge to visually integrate and in time cover the rock revetment.
- Inclusion of Pōhutukawa and native tree cover alongside the coastal walkway to reinforce the tunnelled effect the existing beach environment (to the east) provides.
- Inclusion of low and creeping native species on the existing slip face integrating with the geotechnical grid. The outcome sought is a vegetated slope that will be supported by development of a planting methodology at detailed design stage.
- Inclusion of infill native vegetation to reinforce and strengthen the coastal native fringe at the base of Mauao. This includes provision of additional trees (e.g. Pōhutukawa, Puriri, Karaka, etc.) and native shrubs that avoid known archaeological sites. Of particular importance is the inclusion of three specimen trees adjacent to the existing slip face.

- Provision of pedestrian access to the sandy beach and inclusion of cultural interpretation to reflect the cultural and historical associations of the area.

Ecology

- Minimise the number of trees to be felled and ensuring they are marked prior to felling.
- Prune rather than fell trees wherever possible.
- Use an experienced arborist to undertake tree felling, and pruning to minimise risk of disease.
- Undertake remedial planting using appropriate native species in temporary works area.
- Undertake mitigation planting using appropriate native species as part of remediation of the temporary track to be retired from use.
- Plant appropriate coastal vegetation along parts of the revetment to replicate the coastal fringe habitat that is lost.
- Conduct works during the non-breeding season for little blue penguins and grey-faced petrels if possible.
- Conduct pre-works surveys for little blue penguins, grey-faced petrels, shore skink and the land snail S. archeyi.
- If grey-faced petrel and/or little blue penguin nests/burrows are detected, exclusion zones are to be erected around the nests/burrows and works shall not be conducted in these areas until nesting activities are completed.
- Leave a gap between the hillside and edge of the boardwalk so little blue penguins can access habitat on the hillside.

- The rock revetment design to mitigate little blue penguin habitat loss.
- Implement best practise erosion and sediment control techniques.
- Relocate natural boulders outside of the works disturbance area.
- Reduce the permanent project footprint and area of disturbance within the CMA, where possible.

Arboriculture

- A suitably qualified and experienced arborist be appointed to oversee works within the root zone of the trees and to prune and protect any roots over 30mm that need to be cut.
- Two Pōhutukawa, one English Oak and one Macrocarpa (identified in the tree protection plan) be removed.
- Should any additional trees need extensive excavation closer than 3 metres to the trunk, these will most likely require removal (arborist to determine on a case by case basis once the final path location and methodology is determined).

Coastal and Landslide Hazard Management

- Detailed design of the revetment to ensure is it able to withstand a 1 in 100-year annual return interval (ARI) event.
- Soil/rock overhang on the April 2017 slip face to be locally battered back.
- Overall slope of slip face not to be battered back to maintain the old track as a protective bench.
- Exposed slip face to be covered in MacMat, DuraMAT or other suitable approved product, properly anchored and revegetated.
- As much vegetation as possible to be retained on the slopes to maintain stability.
- Midden material underlying the proposed track/foundations be removed/avoided where required.
- Large trees to be either pruned or removed.
- Localised rock fall prevention to be applied where required.

Erosion and sediment control

- Erosion and sediment controls to be implemented in general accordance with the preliminary Erosion & Sediment Control Plan.
- A final Erosion & Sediment Control Plan to be submitted to Council for approval prior to the commencement of works.

8.0 Reasons for the Application

8.1 Proposed Bay of Plenty Regional Coastal Environment Plan

Under the Proposed Bay of Plenty Regional Coastal Environment Plan ("PRCEP"), the new track alignment is subject to the following overlays, as indicated by the 'Proposed BOP Regional Coastal Environment Plan' map in Appendix 11:

- Coastal Environment Zone
- Outstanding Natural Features and Landscape: *Mauao (Mount Maunganui) Moturiki Island and Motuotau Island – ONFL 10*
- Areas of Significant Cultural Value: *Mauāo (Mount Maunganui) – ACSV-6*
- Indigenous Biological Diversity Areas B: *Mauao 2 – B63*
- Indigenous Biological Diversity Areas B: *Mauao Marine – B64*
- Tauranga Harbour Port Zone

Resource consent is sought under the following rules of the PRCEP, none of which are subject to appeal:

- ***Rule SO 11 Discretionary – Structures, occupation and use in the coastal marine area***

  This applies to the erection, occupation and use of the seabed by the part of the revetment that is located below MHWS (approximately 223m^2).

- ***Rule DD 14 Discretionary – Disturbance of, deposition on, dredging of, or removal of sand, shingle and shell***

  This applies to the disturbance of the foreshore and seabed, and the deposition of material, associated with the erection of the part of the revetment that is located below MHWS (approximately 223m^2).

- ***Rule CD 8 Discretionary – Discharges to the Coastal Marine Area***

  This applies to the discharge of stormwater from the new track areas to the CMA, as the discharge will occur in an area identified as wāhi tapu.

- ***Rule RM 2 Discretionary – Reclamation and removal of reclamations in the Coastal Marine Area***

  This applies to the installation of the part of the revetment that is located below MHWS (approximately 223m^2).

- ***Rule PZ 10 Discretionary – Activities in the Port Zone***

  This applies to the erection, occupation and use of the part of the revetment that is located within the Port Zone, being the section below MHWS (approximately 223m^2). This rule is triggered given the proposed revetment is not otherwise an activity anticipated by the Port Zone rules.

The annotated planning maps included in Appendix 12 indicate the sections of the track that are subject to the rules outlined above.

Overall, the proposal is a discretionary activity under the PRCEP.

8.2 Bay of Plenty Regional Natural Resources Plan

Under the Bay of Plenty Regional Natural Resources Plan ("RNRP"), the new track alignment is subject to several planning features that are relevant to the activity status of the proposal, as indicated by the 'BOP Regional Natural Resources Plan' map in Appendix 11:

- Slopes greater than 35°
- 20 metre offset from MHWS
- Two natural springs / watercourses

Resource consent is sought under the following rules of the RNRP:

- ***LM R4 (Rule 1C) Discretionary – Earthworks and Quarries***

  This applies to earthworks activities proposed within 20m of MHWS and on slopes over 35°.

- ***LM R10 (Rule 2C) Discretionary – Land and Soil Disturbance by Vegetation Clearance***

  This applies to the vegetation clearance activities proposed within 20m of MHWS, including the removal of four mature trees and smaller tree, shrub and grass species.

The annotated planning maps included in Appendix 12 indicate the sections of the track that are subject to the rules outlined above.

Overall, the proposal is a discretionary activity under the RNRP.

8.3 Tauranga City Plan

Under the Tauranga City Plan ("City Plan"), the site is in the Conservation Zone. Mauao and the new track alignment are also subject to the following overlays, as indicated by the 'Tauranga City Plan' map in Appendix 11:

- Significant Māori Area: *M1 – Mauao Maunganui (Group 1)*
- Outstanding Natural Features and Landscapes Plan Area: *Mauao*
- Significant Archaeological Area: *A6 – Mauao*
- Special Ecological Area (Category 2): *32 – Mauao*

Within the Conservation Zone the new track is classified as a permitted activity[2]. Resource consent is however required under the following rules of the City Plan:

- ***Rule 4C.5(c) Earthworks that alter the existing ground level within Outstanding Natural Features and Landscapes in excess of 1 metre*** **(Non-Complying Activity)**

[2] Table 13A.7.1 specifies "*minor public recreational facilities and activities*" as permitted, which includes "*Pedestrian … track construction including pathways … boardwalks, walkways*" as per Chapter 3 Definitions

This applies to earthworks activities exceeding 1m, most notably the installation of the revetment and the fill activities on the beach terrace.

- ***Rule 5A.6(b) Any activity listed as Restricted Discretionary in Table 5A.1: Status for Activities Within or Adjoining any Special Ecological Area*** **(Restricted Discretionary Activity)**

  This applies to all indigenous vegetation clearance to be undertaken within the Category 2 SEA overlay (which is on land zoned Open Space[3]), including, but not limited to, the removal of the two Pōhutukawa trees.

- ***Rule 6A.4(b) Any activity listed as Restricted Discretionary in Table 6A.1*** **(Restricted Discretionary Activity)**

  This applies to the establishment of the new track/boardwalk, as well as all indigenous vegetation clearance proposed, within the Outstanding Natural Features and Landscapes Plan Area overlay (which is on land zoned Open Space[4]). The indigenous vegetation clearance includes, but is not limited to, the removal of the two Pōhutukawa trees.

- ***Rule 7C.7(b) Any activity identified as a Restricted Discretionary Activity in Table 7C.1: Historic and Heritage Activity Status – Significant Māori Areas*** **(Restricted Discretionary Activity)**

  This applies to the establishment of the new track/boardwalk, within the Group 1 Significant Māori Area.

- ***Rule 7E.4(a) Any Permitted Activity that does not comply with: i) Rule 7E.3.1 – Existing Minor Structures and Activities*** **(Restricted Discretionary Activity)**

  This applies to the installation of the new track and the associated earthworks, which are classified as a permitted activity[5] in the Significant Archaeological Area overlay where the written approval of the New Zealand Historic Places Trust (now Heritage New Zealand) has been obtained. The written approval of Heritage New Zealand has not been obtained at this stage, as a separate archaeological authority process is being undertaken with Heritage New Zealand in parallel with this resource consent application.

The annotated planning maps included in Appendix 12 indicate the sections of the track that are subject to the rules outlined above.

The proposal is a non-complying activity under the City Plan due to the proposed earthworks activities exceeding 1m within the ONFL. All other elements of the proposal requiring resource consent under the City Plan are restricted discretionary activities.

8.4 National Environmental Standard for Contaminated Soil

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES) is a nationally consistent set of planning controls and soil contaminant values. It ensures that land affected by contaminants in soil is appropriately

[3] The Conservation Zone is classified as an Open Space Zone as per Chapter 3 Definitions

[4] Ibid

[5] Table 7E.1 specifies "*minor structures and activities*" as permitted, which includes "*Pedestrian … tracks including pathways, boardwalks…*" as per Chapter 3 Definitions

identified and assessed before it is developed - and if necessary the land is remediated or the contaminants contained to make the land safe for human use.

The NES applies when a person wants to do an activity described in Regulation 5(2) to 5(6) on a piece of land described in Regulation 5(7) or 5(8).

Following a review of the historical aerial photographs contained within Tauranga City Council's records and the Retrolens historical aerial photograph resource[6], a HAIL activity does not appear to have been undertaken on the subject area. In accordance with Regulation 5(7), the land subject to the application is not a 'piece of land' and consent is not required under the NES.

9.0 Assessment of Environmental Effects

The following assessment of environmental effects assesses the actual and potential effects associated with the proposal. This includes all matters requiring resource consent under the PRCEP, RNRP and the City Plan. The matters that the Council's discretion is limited to, in terms of the restricted discretionary activity consents required under the City Plan (under Rules 5A.6(b), 6A.4(b), 7C.7(c) and 7E.4(a) – as above), are likewise covered by the following assessment.

In all cases, the assessments undertaken relate to the proposed track alignment corridor as shown on the Track Alignment Plan in Appendix 8.

9.1 Cultural Effects

A cultural values review has been prepared by Te Pio Kawe, Kaiarataki - Te Hīhiri (Māori Cultural Advisor) from Boffa Miskell Ltd, and is provided as Appendix 13.

Mauao is recognised and celebrated by Tauranga Moana Iwi and local residents as a significant ancestral mountain within the western Bay of Plenty coastal landscape. Mauao is continually celebrated and acknowledged at traditional and contemporary events, in waiata (songs), haka (provocative male performance) and whaikōrero (formal speeches) every year at local, regional and national kapa haka and speech competitions.

In recognition of the ownership of Mauao by the Mauao Trust, the project team sought to work closely with the Mauao Trustees, as well as Ngā Poutiriao o Mauao through the project inception and design development phases. Two Ngā Poutiriao o Mauao representatives have worked with the project team to identify the cultural issues. This relationship has been fostered through the design work undertaken to-date, and will continue as the project enters the construction phase.

The extensive engagement with Ngā Poutiriao o Mauao through the design phase has resulted in a number of cultural, ecological and design-related matters being raised and worked through, as detailed in the cultural values review report.

Ngā Poutiriao o Mauao commissioned a Cultural Values Assessment Report in December 2014 as the basis for the establishment of the Mauao Historic Reserve Management Plan. The report provides an in-depth account of the Iwi and waka traditions, cultural values, sites of significance including pā, wāhi tapu, waipuna, land blocks, mahinga mātaitai, living areas, archaeological

[6] http://retrolens.nz/

features, flora areas that all connect to shape and symbolise the eternal Tauranga Moana legend of Mauao.

In reviewing the Mauao Cultural Values Assessment Report and the Mauao Historic Reserve Management Plan, the cultural values review concludes that the final alignment and construction of the Mauao base track remediation project will avoid and mitigate any effects on the Waipatukakahu and the Te Kawa Waipuna. There are no kainga, pa sites, wāhi tapu or urupā located within the project route / area.

The cultural values review also identifies that Part 2 RMA matters relating to cultural values will be achieved, as will the relevant provisions of the Mauao Historic Reserve Management Plan. Further assessment of these matters, in the context of cultural values, is provided further in this application, with the overall conclusion being that the consultation undertaken with Iwi has not identified any substantive cultural issues that will not be addressed by the proposal. There is a high degree of confidence that cultural considerations have been appropriately addressed and implemented in the track design.

The following cultural value mitigation measures have been identified through consultation:

- A pool of cultural monitors with the appropriate knowledge, skills, experience and where possible the whakapapa connections to Taiwhanake are established prior to the construction phase and briefed on the project with the archaeologist and construction team.
- Ngā Poutiriao o Mauao approve the source of the rock to be used for the construction of revetment structure.

These recommendations should be imposed as conditions of consent, as set out in the suggested conditions package in Appendix 22.

Formal referrals to tangata whenua through the public notification process will provide another opportunity for Iwi to cross-check that the proposed project design and construction methodology has addressed the effects on the cultural values and associations with Mauao; and that the cultural engagement undertaken to date has addressed cultural issues in an appropriate manner.

9.2 Archaeological Effects

An archaeological assessment of the proposal has been undertaken by InSitu Heritage Ltd, and is provided as Appendix 14.

The archaeological assessment is supported by an archaeological survey which was undertaken on the slopes above and around the proposed track alignment. This survey identified a number of archaeological features in the area. These include terraces and midden features; three of which the existing base track has been constructed on. The assessment notes that it is highly likely that additional subsurface archaeological features are present in the subject area that were not able to be identified by the survey.

Mauao contains a significant archaeological landscape. Individual features, and clusters of features, within the landscape have been subject to modification in the past, and many continue to be subject to on-going degradation and loss. The features within the survey area are relatively intact, although subject to coastal erosion processes. The archaeological assessment promotes that further loss of features should be avoided where possible.

Earlier options considered for the section of the track on the hillside, on the section above the boulder field, included a track that involved cut and fill to form the track surface. These options were discounted following input from the project archaeologist, and in consultation with Heritage New Zealand, due to the potential impacts on archaeological features. The boardwalk was preferred for this section due to the reduced sub-surface impacts of the piles, and that the piles can be located to avoid known archaeological features.

As such, the proposed alignment corridor of the new track, and the construction methodology, has been designed to avoid or minimise impact on identified archaeology. The boardwalk portion of the alignment corridor will cross over visible and buried archaeological features with minimal impact. Cuts will be avoided where possible, however, these will impact on visible archaeological features at two points. The revetment corridor will also impact on an archaeological feature, as its construction will require filling over an identified terrace.

As the existing base track alignment crosses archaeological features, remediation work on the track following its abandonment will also have an impact on archaeological features as this will involve surface scraping of the existing track surface prior to top-soiling.

It is the recommendation of the project archaeologist that the assessment of the amount of archaeological deposit that will be modified or lost due to the construction and track remediation activities, and conditions to mitigate those effects, be addressed through the Heritage New Zealand Pouhere Taonga Act 2014 archaeological authority process. Heritage New Zealand has endorsed this approach, as it is their preference to only have input to a single process (i.e. to provide conditions only on an archaeological authority, rather than both a resource consent and an archaeological authority).

Given this, it is proposed that an advice note be included on the consent in relation to archaeology, stating that an archaeological authority be obtained from Heritage New Zealand for the proposed track prior to its construction. This advice note is included in the suggested conditions package in Appendix 22.

The archaeological assessment has concluded that the proposed new track has been designed to avoid or minimise impact on identified archaeological features. Adherence with the requirements of the archaeological authority will ensure that impacts on archaeology will be appropriately managed, such that the effects will be minor.

9.3 Landscape, Natural Character and Visual Effects

An assessment of the landscape, natural character and visual effects associated with the proposal has been undertaken by Boffa Miskell Ltd, and is provided as Appendix 15.

9.3.1 Landscape Effects

Landscape effects derive from the changes in the physical landscape, which may give rise to changes in its character and how this is experienced. This may in turn affect the perceived value ascribed to the landscape.

Mauao is identified as being a landscape of national importance under the RMA 1991; being an Outstanding Natural Feature and Landscape at a Regional and District level. The site's Outstanding Natural Features factors, values and associations of the wider feature are identified as ranging between moderate to high. These are assessed at a district-wide scale, with a broader regional assessment also identifying Mauao as an outstanding natural feature and landscape.

Overall, whilst the long-term potential adverse landscape effects on the ONFL within the beach environment will be minor, the potential adverse effects on the broader factors, values and associations of Mauao will be avoided.

9.3.2 Natural Character Effects

Natural Character is concerned with a 'measure of naturalness' in relation to the biophysical and sensory components of landscape. It is essentially a measure of the condition of the environment. This is different from landscape, which is concerned with character and values.

Mauao is Identified as having high natural character at a regional scale[7].

The natural coastal margin remains intact with modifications further up the slopes of Mauao. The land cover and land use recognises both Maori and European land management and occupation modifications as occurring. However, the recovery of native vegetation cover retains a high level of biotic attributes along with the habitat they provide for the native fauna including seabirds. The abiotic systems remain highly natural particularly in regard to the natural coastal processes.

The effects on natural character of the revetment component are attributed to the changes to the abiotic processes, biotic processes and patterns (including sea life) and the perceptual attributes, particularly in relation to the sense of remoteness on the southern beach edge. At a localised scale the potential adverse effects on the natural character of the area will be minor.

With the base track supporting some 1 million users per annum the sense of remoteness is limited in nature due to the visual connection in most areas of the beach to the existing base track. Small areas of the existing southern beach have some sense of isolation however they retain views to harbour users, Waikorire (Pilot Bay) and pocketed views to the base track above.

At a wider scale, much of the base track is built atop the natural land formation with a series of smaller retaining walls of varying types holding the track in place. These areas are largely above the natural rocky shoreline on the northern and north-eastern edges of Mauao. The recognition of this modification is evident with the base track throughout.

The realignment of the base track will retain a sense of modification around Mauao at a wider scale, however will remain consistent with the natural character of the wider feature.

9.3.3 Visual Effects

Assessing the magnitude of the visual effect considers the visual sensitivity and the potential magnitude of change which will result from the visibility of the proposed development. Visual effects relate to the amenity values of a landscape including "those natural and physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes

For the immediate viewing audience on the beach and base track the magnitude of change will be the more than minor. The loss of the natural shoreline and parts of the boulder field with the inclusion of a man-made shoreline will see the retention of the beach environment. However, it will also see the loss of the natural interface with Mauao which provides a visual aesthetic unique to Mauao. Mitigation measures are recommended to assist in the softening of the revetment edge and its backdrop of native vegetation cover. Over time this viewing audience

[7] Bay of Plenty Coastal Natural Character Study, Boffa Miskell Ltd, March 2013

will view the base track in the context of the overall base track, as a modified recreational access track around the coastline of Mauao. Overall, the proximate viewing audience will experience minor adverse visual effects in the short term, but over time will gradually reduce.

The potential adverse visual effects associated with the distant viewing audience will be negligible in nature. For views from the Bureta and Matua peninsula it is likely that the track will be almost indiscernible and will be viewed in the context of the dominant landform of Mauao and its vegetation cover. The shoreline is low lying for this viewing audience and the natural beach, at low tide, will remain a key feature of the visual outlook.

For the viewing audience from Pilot Bay (southern end), the proposed revetment will retain the spatial relationship between Mauao and Tangaroa. The rocky reef will remain exposed and the tidal movements will continue to expose and cover the reef. The native Pōhutukawa tree cover will remain dominant along the coastal edge and overhang the walkway. The potential adverse effects for this viewing audience will be minor in nature, with the partial loss of the natural shoreline.

9.3.4 Conclusion

Set within an Outstanding Natural Feature and Landscape and within an overall coastal landscape identified as having High Natural Character the inclusion of a revetment and boardwalk have the potential to introduce adverse landscape and visual effects at varying scales. Equally, the modification to the natural shoreline will result in moderate adverse natural character effects at a localised scale for the site. At a broader scale the natural character of the coastal margin will remain intact with the coastal vegetation and sandy shoreline remaining a dominant feature.

The overall identified factors, values and associates of the ONFL of Mauao will remain intact for the broader feature. However, there will be adverse landscape and visual effects within the immediate project site. The scale of the effect is a key consideration in the assessment and whether the localised effects detract or adversely affect the broader matters for which Mauao is identified as ‘Outstanding’.

The overall landscape and visual effects of the proposal, on the site’s immediate landscape values and its viewing audience, will be moderate to high. At a broader scale the adverse effects will be low to moderate in nature.

Managing the potential adverse effects of the proposal are brought about by adherence to the current design proposal both in construction, completion and maintenance. It is recommended that the detailed design of the revetment adhere to the outcomes set out in the Landscape, Natural Character and Visual Effects Assessment Appendix 15 (and confirmed in the suggested conditions package in Appendix 22), to manage the potential adverse effects.

Implementing these recommendations will ensure that effects are limited to the immediate landscape and visual catchment, but will avoid adverse effects on the broader Outstanding Natural Feature and Landscape.

9.4 Ecological Effects

An ecological assessment has been prepared by Boffa Miskell Ltd and is provided in Appendix 16.

The assessment of ecological effects considered the terrestrial flora, fauna and habitats, as well as the marine fauna and habitats within the indicative track alignment corridor.

The significance of each ecological element was determined against the Bay of Plenty Regional Policy Statement significance criteria, and its ecological values were described based on EIANZ guidelines. An assessment of ecological effects was then carried out using the EIANZ methodology.

The ecology within the indicative track alignment corridor triggers six of the significance criteria within the Bay of Plenty RPS:

- The Pōhutukawa forest and shrubland community is considered to have Moderate Ecological Value.
- The coastal fringe vegetation is considered to have Moderate Ecological Value.
- The soft sediment and hard shore/boulder habitats are considered to have Moderate Ecological Value.
- The Pōhutukawa trees are considered to have Very High Ecological Value (Threatened species).
- The six *At Risk* avifauna species that use, or may potentially use the corridor (little blue penguin, variable oystercatcher, red-billed gull, pied shag, little black shag and black shag) are considered to have High Ecological Value.
    - Grey-faced petrel may potentially be present within the corridor and are considered to have Moderate Ecological Value (nationally *Not Threatened* but regionally significant).
    - Shore skink may potentially be present within the corridor and are expected to have High Ecological Value (At Risk species).
    - The land snail, *Succinea archeyi* may potentially be present within the corridor and is considered to have Very High Ecological Value (Threatened species).

Recommended mitigation measures are set out below.

9.4.1 Pōhutukawa Forest and Shrubland

- Minimising the number of trees to be felled and ensuring they are marked prior to felling;
- Limbing rather than felling trees wherever possible;
- Use of an experienced arborist to undertake tree felling, and limbing to minimise risk of disease.

9.4.2 Coastal Fringe Vegetation

- Remedial planting using appropriate native species in temporary works area;
- Mitigation planting using appropriate native species as part of remediation of the temporary track to be retired from use, where appropriate, given other values e.g. heritage;
- Planting appropriate coastal vegetation along parts of the revetment to replicate the coastal fringe habitat that is lost.

9.4.3 Avifauna (Birds)

- Conducting works during the non-breeding season for little blue penguins and grey-faced petrels if possible;
- Conducting pre-works surveys for little blue penguins, grey-faced petrels, shore skink and the land snail S. archeyi;
- If grey-faced petrel and/or little blue penguin nests/burrows are detected, exclusion zones should be erected around the nests/burrows and works shall not be conducted in these areas until nesting activities are completed;
- Leaving a gap between the hillside and edge of the boardwalk so little blue penguins can access habitat on the hillside;
- The rock revetment design should mitigate little blue penguin habitat loss.

9.4.4 Marine Environment

- Implement best practise erosion and sediment control techniques;
- Relocate natural boulders outside of the works disturbance area; and
- Reduce the permanent project footprint and area of disturbance within the CMA, where possible.

9.4.5 Conclusion

The ecological assessment concludes that after mitigation, the overall level of effects range between very low to low. In an RMA context the level of effects on ecology is therefore less than minor.

9.5 Arboricultural Effects

An arboricultural assessment of the proposal (referred to as a tree protection plan), has been undertaken by Arbor Care Ltd, and is provided as Appendix 17.

The assessment indicates that there are a mix of trees through the site with semi-mature Pōhutukawa trees, mature Oak trees, Macrocarpa trees, and other smaller exotic species through the section where the boardwalk will be constructed. Along the rock revetment section, the trees are mostly large mature Pōhutukawa trees located on the slopes above the beach. The inspecting arborist identified that these trees are all in “average to good health, showing good signs of vigour and vitality”.

There is one Pōhutukawa on the western edge of the slip face where the soil has partly failed beneath part of the root system. An inspection of this tree indicated that only a small proportion of the root zone is undermined, and therefore the tree should remain in-situ. The report recommends that the tree be monitored for signs of movement in the ground and for the stability of the surrounding land, and that if changes are noticed this tree may need to be reduced.

Immediately adjacent to the proposed revetment there are two Pōhutukawa that grow horizontally out of the bank; one on the eastern side of the slip and one on the western side of the slip. Once the revetment is constructed these two trees will be too low over the new track

and will need to be removed. Further, there is an English Oak and a Macrocarpa in the path of the boardwalk corridor, both of which require removal. Before substantive construction works commence, the report recommends that these trees be identified and removed.

The trees that are to remain should have all major deadwood removed to reduce the risk to workers during construction and to the public once the new track is open. Some of the Pōhutukawa trees will need pruning to lift the crown for pedestrians once the track is constructed, and for access and machinery working through the construction phase. Trees with sections of their root zone (dripline area) that will not be affected by the path will be protected with no usage of these areas for storage of material or parking and operation of machinery. A suitably qualified and experienced arborist will be appointed to oversee works within the root zone of the trees and to prune and protect any roots over 30mm that need to be cut.

Although unlikely, should any additional trees need extensive excavation closer than 3 metres to the trunk, these will most likely require removal (with the works arborist to determine on a case by case basis).

The key recommendations made by the arboricultural report should be imposed as conditions of consent, as set out in the suggested conditions package in Appendix 22.

With the implementation of these recommendations, the arboricultural assessments concludes that the works will be able to be undertaken successfully on the site and the remaining trees will be adequately protected allowing them to continue and mature in a natural way.

On this basis, arboricultural effects are less than minor, being appropriately mitigated by the tree management measures recommended by the inspecting arborist.

9.6 Natural Hazards

9.6.1 Coastal Hazards

The Revetment Detailed Design Report prepared by GHD (refer Appendix 18) includes an assessment of the local coastal processes that the revetment structure will be affected by, including tides, bathymetry, wind, water levels affected by storm tides, waves and currents.

As set out in the proposal description, the revetment design is a direct response to the identified wave climate and design standards.

The industry standard of protection for a revetment structure is to a 1 in 100-year annual return interval (ARI) event, or 1% annual exceedance probability (AEP). That is, a storm of magnitude that is statistically expected to occur once every hundred years, or has a 1% chance of occurring in any one year.

The revetment location is assessed as low to moderate risk as it will not be protecting any property, and there are already significant operational restrictions in place on track use. During large storm events the track is closed, thereby reducing the risk to the community to a low level. Therefore, a reduction in the standard of protection is possible with recognition that the lower the standard of protection, the higher likelihood that the structure may need maintenance or remediation following large storm events. Overtopping discharge limits associated with the design structure are governed by structural integrity rather than pedestrian safety.

On this basis, coastal hazard effects are less than minor, being appropriately mitigated by the design of the revetment and track management.

9.6.2 Land Instability Hazards

The Mauao Base Track Remediation Geotechnical Assessment prepared by GHD (refer Appendix 19) assesses the geotechnical risks associated with re-aligning the track. The report is a preliminary assessment to accompany the resource consent application. Detailed geotechnical analysis will be undertaken prior to the final design and construction of the track.

The lower slopes of Mauao exhibit a shallower gradient than the higher slopes and represent a terrace deposit of fluvial and air fall sediment deposits. Most of the sediments are volcanic in origin from the Tauranga region and the Taupo Volcanic Zone. These sediments underlie the proposed walking track.

The shallow soil slips on the lower slopes, which includes the April 2017 slip, are generally concentrated where cuts have been made for the existing walking track and on steep slopes.

Rock fall from the bluffs on Mauao is a stability issue on the northern and eastern flanks of the volcano. On the upper southern side of Mauao above the track, there are few visible outcrops of rock. There is no visible evidence for rock fall from the volcano's upper slopes within the assessment area. Boulders encountered on the beach and entrained in the coastal cliffs are likely to be derived from fluvial processes rather than rock fall.

Fill is present along the track corridor from historical maintenance work as well as midden deposits.

Risk from instability has been assessed using the Australian Geomechanics Society (AGS) "Guideline for Landslide Susceptibility, Hazard and Risk Zoning for Land Use Planning".

The loss of life risk is calculated to be within tolerable limits under the AGS standard. Risk mitigation measures are also recommended to further reduce the potential risk, including:

- soil/rock overhang on the April 2017 slip face to be locally battered back;
- overall slope of slip face not to be battered back to maintain the old track as a protective bench;
- exposed slip face to be covered in MacMat, DuraMAT or other suitable approved product, properly anchored and revegetated
- as much vegetation as possible to be retained on the slopes to maintain stability;
- midden material underlying the proposed track/foundations be removed/avoided where required;
- large trees are either pruned or removed (see arboricultural assessment);
- localised rock fall prevention to be applied where required.

The report also identifies the impact of uncontrolled stormwater contributing to slope instability, and recommends interception and diversion to minimise stormwater flows over the faces of the slopes, cuts and cliffs.

On this basis, land instability effects are less than minor, being within tolerable safety limits which can be further reduced with the application of practicable mitigation measures.

9.7 Erosion and Sediment Runoff Effects

An indicative Erosion & Sediment Control Plan has been prepared by GHD and is provided as Appendix 20. The implementation of erosion and sediment controls in general accordance with this plan will ensure that effects on ecological values and water quality are appropriately managed during the construction phase. A final Erosion & Sediment Control Plan, with detailed design of control measures to be implemented by the construction contractor, will be submitted to Council for approval prior to the commencement of works.

9.8 Positive Effects

The key positive effects of the proposal are directly associated with the objectives of the project, namely:

a. Reinstating universal access, thereby allowing wheelchair and pushchair access to the entirety of the Base Track.

b. Providing a section of track that is resilient to failure in a landslip event, on a part of Mauao that is prone to slope failure. If slope failure is to occur again above the subject section of track, the reinstatement process will be much reduced as a new section would not have to be reconstructed.

In addition, the project results in the following positive effects:

- The significantly reduced need to undertake substantive physical works, over the long-term, to reinstate the track section due to future failure events. This results in decreased impacts on cultural heritage, archaeology, ecology, landscape character and natural character in the long-term.
- A comprehensive replanting regime that will be undertaken not only along the margins of the new track section, but also within the wider area, including within existing grassed areas that are not currently subject to any planting.
- Repair of the erosion that has occurred in behind the existing revetment, along the margin of the beach terrace.
- Treating the face of the existing slip area with a protective matting, reducing the potential for rock-fall and therefore improving safety for people walking below the slip face.

9.9 Conclusion of Assessment of Environmental Effects

In summary, the proposal will result in varying levels of effects on cultural values, archaeological features, landscape values, natural character, visual amenity, ecological values, arboriculture, coastal and landslide hazards, and erosion and sediment runoff. In all cases the effects will be appropriately avoided, remedied or mitigated such that they will be minor overall. This includes landscape, natural character and visual effects, in that while the effects at a local viewing catchment level will be more than minor, at the broader scale they will be less than minor.

10.0 Statutory Assessment

In accordance with Section 104(1) of the RMA, this part of the report addresses the following planning documents which are relevant to the assessment of this proposal:

- New Zealand Coastal Policy Statement ("NZCPS")
- Regional Policy Statement for the Bay of Plenty ("RPS")
- Proposed Bay of Plenty Regional Coastal Environment Plan ("PRCEP")
- Bay of Plenty Regional Natural Resources Plan ("RNRP")
- Tauranga City Plan ("City Plan")
- Mauao Historic Reserve Management Plan ("MHRMP")
- Part 2 of the RMA

10.1 Section 104B

Section 104B states that, where considering an application for a discretionary or non-complying activity, the consent authority may grant or refuse the application. If the activity is granted, the consent authority may impose conditions pursuant to Section 108.

10.2 Section 104D

Section 104D provides particular restrictions for non-complying activities. This section states that a consent authority may grant a consent for a non-complying activity only if it is satisfied that it meets one of two tests; being that the adverse effects of the activity will be minor, or the application is for an activity which will not be contrary to the objectives and policies of the relevant operative and proposed plans.

10.2.1 Adverse effects no more than minor (S104D(1)(a))

As concluded in Section 9.9 of this application, the adverse effects of the activity on the environment will be appropriately managed, such that overall they will be minor.

10.2.2 Activity not contrary to the objectives and policies of the plan (S104D(1)(b))

The proposal is a non-complying activity under the City Plan, and a discretionary activity under the PRCEP and RNRP. Notwithstanding this, an assessment has been undertaken of the applicable objectives and policies of all relevant planning documents. These objectives and policies are set out and assessed in full in the statutory assessment table in Appendix 21, with summaries of the assessments provided in the following subsections.

10.3 New Zealand Coastal Policy Statement

The objectives and policies of the NZCPS relevant to the proposal are given effect by the RPS, PRCEP, RNRP and the City Plan. There are no inconsistencies apparent between those 'lower order' documents and the NZCPS that result in the need to specifically address all relevant NZCPS objectives and policies.

The NZCPS provides a policy specific to walking access[8]. The proposal gives direct effect to this walking access policy, with the following requirements of the policy being acutely applicable:

- *"Recognise the public expectation of and need for walking access to and along the coast that is practical, free of charge and safe for pedestrian use."*
- *"Maintain and enhance public walking access to, along and adjacent to the coastal marine area, including by… identifying opportunities to enhance or restore public walking access, for example where: (i) connections between existing public areas can be provided; or (ii) improving access would promote outdoor recreation; or (iii) physical access for people with disabilities is desirable; or (iv) the long-term availability of public access is threatened by erosion… or (v) access to areas or sites of historic or cultural significance is important."*

The two key project objectives are referenced in this policy, being the restoration of universal access to the base track, and ensuring the long-term resilience of the new track section against erosion.

Where a lower order document specifically references a NZCPS provision and/or requires assessment of it, this is set out in Appendix 21, and a summary of the lower order documents provided below.

10.4 Regional Policy Statement for the Bay of Plenty

The relevant Coastal Environment provisions focus on preservation, restoration and enhancement of the natural character and ecological functioning of the coastal environment[9].

The Landscape and Visual Assessment has concluded that while there will be moderate local-scale effects on the ONFL and high natural character feature, at a broader scale the landscape and natural character will remain intact with the coastal vegetation and sandy shoreline remaining a dominant feature – i.e. effects will be avoided at the broad scale but not at the local level. The proposed revetment provides a secondary function of protecting the toe of the maunga from costal erosion processes brought about by climate change. The proposed track is consistent overall with the relevant reserve management plan – the MHRMP – as assessed below.

The Ecological Assessment has concluded that the overall level of effects on ecological values will be low, and thus protected overall. Effects on marine water quality will be managed through the implementation of an Erosion and Sediment Control Plan.

There is a functional need for small section of the track revetment to be located in the CMA – namely to ensure the long-term resilience of the track against erosion processes. Other long-

[8] NZCPS Policy 19

[9] RPS Objectives 2-4 and Policies CE 2B-12B

term track alignments resilient to erosion risk have been assessed as being less-appropriate options than the proposed track. As such, whilst the proposal does not achieve all of the relevant Coastal Environment objectives and policies at the local level, on balance they are achieved at the broad level; as are the ecological and hazard mitigation provisions.

The proposal achieves integrated resource management requirements[10] as all landward and coastal activities are considered together as an integrated application package. The proposal maintains and enhances social and economic wellbeing for the Tauranga Moana community, and climate change and cumulative effects requirement set out have been considered through the design and technical assessment processes.

The objectives and policies relating to Iwi Resource Management[11] require the active involvement of tangata whenua in management of the coastal environment and the protection of features and areas that are of cultural significance. Cultural values have been respected through comprehensive Iwi engagement, which has help shape the design of the track and the works methodology. The proposal is also consistent with the relevant (joint) iwi resource management planning document, being the MHRMP – as outlined below.

The relevant Matters of National Importance[12] are varied for this project. Cultural, landscape, natural character and ecological values are assessed above. Additionally, the relevant objectives and policies are met in terms of the track providing enhances universally accessible public walking access to and along the coast, where long-term resilience of the track against erosion is achieved. The track also provides access to areas of cultural significance; and this is identified as being important to tangata whenua (as per the MHRMP). Avoidance of adverse effects is not practicable with regards to the relevant matters of national importance (ONFL, cultural heritage and indigenous flora and fauna), but effects will be appropriately remedied or mitigated. Overall, the relevant provisions pertaining to Matters of National Importance are achieved, with the exception of the local scale effects on landscape and natural character (but which are achieved at the broad scale).

The Water Quality and Land Use objectives and policies[13] are given effect through the implementation of the Erosion & Sediment Control Plan and other construction methods proposed.

The relevant Natural Hazards provisions[14], which require the management of risk for people's safety, are achieved through the coastal and geotechnical design inputs.

Overall, the proposal gives effect to the relevant objectives and policies of the RPS.

10.5 Proposed Bay of Plenty Regional Coastal Environment Plan

The PRCEP is not fully operative as it is subject to unresolved appeals. However, no appeals relate to any of the rules for which consent is required for the proposal, nor any of the relevant objectives. The only relevant policies subject to appeal include five from the Natural Heritage section. Given the limited number of policies that are not yet fully operative, and the related

[10] RPS Objectives 10-12 and Policies IR 1B-6B and IW 3B-6B

[11] RPS Objectives 13-17 and Policies IW 2B-7D and IR 4B-6B

[12] RPS Objectives 18-22 and Policies IW 2B-5B, MN 1B-8B

[13] RPS Objectives 27-29 and Policies WL 1B-7B

[14] RPS Objective 31 and Policies NH 1B-11B

limited scope of issues, it is not necessary to assess the corresponding Operative Bay of Plenty Regional Coastal Plan policies relating to Natural Heritage.

The proposal achieves integrated management of the coastal environment[15] as all landward and coastal activities are considered together as an integrated application package. The engagement with iwi and endorsement of Nga Poutiriao o Mauao has enabled Kaitiakitanga, and the effects of climate change have been recognised.

The relevant Natural Heritage provisions focus on protecting ONFLs and areas of High Natural Character, maintaining Indigenous Biological Diversity Areas B and recognise Maori cultural values[16]. The Landscape and Visual Assessment has concluded that while there will be moderate local-scale effects on the ONFL and high natural character feature, at a broader scale the landscape and natural character will remain intact with the coastal vegetation and sandy shoreline remaining a dominant feature – i.e. effects will be avoided at the broad scale but not at the local level.

The Ecological Assessment has concluded that the overall level of effects on the Indigenous Biological Diversity Area (B) and bird roosting habitat will be low.

The Water Quality objectives and policy[17] are given effect through the implementation of the Erosion & Sediment Control Plan and other construction methods proposed.

Cultural values have been recognised through comprehensive Iwi engagement, which has help shape the design of the track and the works methodology. As such, whilst the proposal does not achieve the relevant Natural Heritage objectives and policies at the local level, on balance they are achieved at the broad level; as are the ecological and cultural provisions.

The objectives and policies relating to Iwi Resource Management[18] require the active involvement of tangata whenua in management of the coastal environment and the protection of features and areas that are of cultural significance.

The relevant Historic Heritage provisions require protection of historic heritage values in the coastal environment[19]. This objective and policy will be met, as determined through Iwi consultation and as concluded in the Archaeological Assessment.

The relevant Coastal Hazards provisions[20] are achieved through the Revetment Detailed Design Report.

The objective and policies relating to recreation values[21] require the maintenance and enhancement of access to the coastal environment. The proposal gives effect to these provisions, as the new track section provides enhanced and integrated public access to the coastal environment – with a new ramp providing universal access to the beach area.

There are a range of objectives and policies relating to the activities proposed in the CMA[22], inclusive of the construction, occupation and use of the revetment in the CMA. There are a broad range of matters covered by these provisions that are met by the proposal, and are set out in detail in Appendix 21.

[15] PRCEP Objective 1

[16] PRCEP Objectives 2-4 and Policies NH 1-18. The relevant policies subject to appeal are NH 1, NH 4, NH 4A, NH 5 and NH 11

[17] PRCEP Objectives 5-11 and Policy WQ 3

[18] PRCEP Objectives 12-17 and Policies IW 1-11

[19] PRCEP Objective 18 and Policy HH 2

[20] PRCEP Objectives 20-21A and Policies CH 2-4

[21] PRCEP Objective 22 and Policies RA 2-8

[22] PRCEP Objectives 24-40 and Policies SO1-12, DD 2-7, CD 1-14 and RM 25

Consultation with the Port of Tauranga has not raised any concerns with the proposed revetment, which is partially located in the Port Zone, or the construction methodology. This gives effect to the provisions relating to the Port Zone[23].

Noise emissions will be appropriately managed during the construction phase to give effect to the relevant noise policy[24].

Overall, the proposal gives effect to the relevant objectives and policies of the PRCEP.

10.6 Bay of Plenty Regional Natural Resources Plan

The relevant provisions in the RNRP relate to Kaitiakitanga[25], the Integrated Management of Land and Water[26], and Land Management[27]. The Kaitiakitanga objectives and policies have been given effect through the Iwi consultation undertaken. The Integrated Management of Land and Water, and Land Management objectives and policies are given effect through the implementation of the Erosion & Sediment Control Plan and other construction methods proposed.

Overall, the proposal gives effect to the relevant objectives and policies of the RNRP.

10.7 Tauranga City Plan

The objective and polices of the City Plan relating to the earthworks, sediment runoff, and effects of earthworks on the SEA and ONFL features[28] will be achieved, primarily managed through the implementation of the Erosion & Sediment Control Plan.

The relevant Natural Environment provisions are focussed on the maintenance and enhancement of SEA values (including indigenous vegetation) and provision of access to SEAs[29]. These objectives and policies will be met as the Ecological Assessment includes a range of recommendations that will be implemented to maintain and enhance the valued ecological elements of the SEA, and the new track section will continue to provide public access through the SEA.

The objectives and policies relating to Natural Features and Landscapes[30] require the protection, preservation, maintenance and/or enhancement of ONFLs, natural character of the coast, harbour landscape character and the interface with the CMA. The Landscape, Natural Character and Visual Assessment has concluded that the landscape and visual effects of the proposal, on the site's immediate landscape values and its viewing audience, will be moderate to high. At a broader scale however, the adverse effects will be low to moderate in nature. Management and mitigation of these effects can be achieved to ensure the effects identified are limited to the immediate landscape and visual catchment, avoiding adverse effects on the broader Outstanding Natural Feature and Landscape; thus, protecting the maunga at a broad level. Likewise, at a broader scale, the natural character of the coastal margin will remain intact with the coastal vegetation and sandy shoreline remaining a dominant feature. As such, whilst

[23] PRCEP Objectives 48-49 and Policies PZ 1-11

[24] PRCEP Policy NS 2

[25] RNRP Objectives KT 01-06 and Policies KT P1-20

[26] RNRP Objectives IM 01-07 and Policies IM P1-8

[27] RNRP Objectives LM O1-3 and Policy LM P3

[28] City Plan Objective 4C.1.1 and Policies 4C.1.1.1 to 4C.1.1.6

[29] City Plan Objectives 5A.3.2 to 5A.3.6 and Policies 5A.3.2.2 to 5A.3.6.2

[30] City Plan Objectives 6A.1.1 to 6A.1.8 and Policies 6A.1.1.2 to 6A.1.8.1

the proposal does not achieve the relevant Natural Features and Landscapes objectives and policies at the local level, on balance they are achieved at the broad level – this includes the ONFL access provisions.

The relevant Heritage provisions require protection of Significant Maori Areas and appropriate management of Archaeological Areas[31]. These objectives and policies will be met as determined through Iwi consultation and as concluded in the Archaeological Assessment.

The relevant Natural Hazards provisions[32] are achieved through the coastal and geotechnical design inputs.

There are a range of objectives and policies relating to the underlying Conservation Zone (which is an Open Space Zone)[33] in the City Plan. Of note is that the proposed track is a permitted activity in the zone, and the proposal is consistent with the MHRMP. As such the relevant policy provisions of the zone are met.

Overall, the proposal gives effect to the relevant objectives and policies of the City Plan.

10.8 Mauao Historic Reserve Management Plan

The objective and polices of the MHRMP relating to the protection of historical, archaeological, and cultural values[34] will be achieved, noting that the track design avoids and minimises impacts on archaeology, which is a specific requirement of the 'archaeology and heritage sites' policy[35].

The protection and enhancement of landscape character and ecological values of the reserve[36] will be achieved, with regard in particular to the broad-scale impacts on landscape character. At the local level, the Assessment of Landscape, Natural Character and Visual Effects identifies that there will be some moderate adverse effects on landscape character. Despite this, all landscape character and ecology policies[37] are given effect.

The objective and policies relating to recreational and amenity needs[38] are given effect. Of particular note is the 'access' policy specifying that "*universal access shall be provided to the basetrack*"[39], which is a key outcome for the proposed track realignment project.

Overall, the proposal gives effect to the relevant objectives and policies of the MHRMP.

10.9 Part 2 of the RMA

The activity has been assessed against all relevant planning instruments and on balance is not contrary to those instruments. Those instruments are not considered to be invalid, incomplete, or uncertain, and in turn can be assumed to have particularised and already given effect to Part 2 of the RMA, therefore the activity is also consistent with Part 2. However, for the purposes of

[31] City Plan Objectives 7A.1.1 to 7E.1.1 and Policies 7A.1.1.2 to 7E.1.1.2

[32] City Plan Objectives 8A.1.1 to 8A.1.4 and Policies 8A.1.1.1 to 8A.1.4.1

[33] City Plan Objectives 13A.4.1 to 13A.5.2 and Policies 13A.4.1.1 to 13A.5.2.1

[34] MHRMP 5.1 Objective 1 and Policies 5.1.1 to 5.1.9

[35] MHRMP Policy 5.1.1

[36] MHRMP 5.2 Objective 2

[37] MHRMP Policies 5.2.1 to 5.2.7

[38] MHRMP 5.3 Objective 3 and Policies 5.3.1 to 5.1.21

[39] MHRMP Policy 5.3.3

completeness, and in compliance with Schedule 4(2)(a) RMA, a separate assessment against Part 2 of the RMA follows.

Part 2 of the RMA sets out the purpose (**Section 5**) and principles (**Sections 6-8**) of the RMA.

Section 5 of the RMA states that the purpose of the RMA is:

> *"to promote the sustainable management of natural and physical resources".*

Section 5 also states:

> *"(2) In this Act, "sustainable management" means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—*
>
> *(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
>
> *(b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
>
> *(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment."*

The proposed new track section will provide the community with a universally accessible recreational asset that contributes to the social and economic wellbeing of the City. All effects, including cultural effects, are avoided, remedied or mitigated. The new track will be constructed with a minimum 50-year design life, to meet the needs of future generations.

Section 6 "Matters of National Importance" of the RMA states:

> *"In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance."*

The "Matters of National Importance" considered relevant to this proposal are:

> *(a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development.*
>
> *(b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.*
>
> *(c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.*
>
> *(d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers.*
>
> *(e) The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*
>
> *(f) The protection of historic heritage from inappropriate subdivision, use, and development.*

(h) The management of significant risks from natural hazards.

The Landscape, Natural Character and Visual Assessment identifies that the revetment will result in impacts on the natural character of the coastal environment (and its margin) and the outstanding natural feature and landscape with respect to the immediate viewing catchment, but at a broader scale these values will be protected. The long-term protection of fauna habitat is enabled through the implementation of the ecological management measures recommended by the Ecological Assessment. The proposed track maintains and enhances public access to and along the coastal marine area. The relationship of Māori and their culture and traditions have been respected at all phases through the project's inception and design. Historic heritage features are being protected as far as is practical, with effects otherwise minimised where they cannot be avoided. Overall, the new track design manages risk from all relevant natural hazards, including land slips and coastal processes.

Section 7 "Other Matters" of the RMA states:

> *"In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—"*

The "Other Matters" considered potentially relevant to this proposal are:

(a) Kaitiakitanga.

(aa) The ethic of stewardship.

(b) The efficient use and development of natural and physical resources.

(c) The maintenance and enhancement of amenity values.

(d) Intrinsic values of ecosystems.

(f) Maintenance and enhancement of the quality of the environment.

(i) The effects of climate change.

Kaitiakitanga, and the ethic of stewardship, are respected by the proposal as the kaitiaki for Mauao, the Mauao Trust and Nga Poutiriao o Mauao, have been involved in the design phase. The use of existing landform features to create the new sections of track have been relied on as far as practicable to ensure the efficient use and development of the natural resource. Amenity values are maintained and enhanced, through the revegetation programme and the establishment of an upgraded open terrace amenity area. The intrinsic values of ecosystems and the overall quality of the environment are maintained and protected as far as practicable. Climate change effects have has been addressed by including sea level rise in the setting of the minimum finished level of the track.

Section 8 of the RMA states:

> *"In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)."*

The principles of Te Tiriti o Waitangi have been taken into account throughout the project inception and design. The kaitiaki for Mauao, the Mauao Trust and Nga Poutiriao o Mauao, have been involved throughout the project design phase. Comprehensive consultation has also been undertaken with Ngāi Te Rangi, Ngāti Pūkenga, Ngāti Ranginui and Waitaha, as well as hapu.

10.10 Conclusion on Statutory Considerations

There is an element of the proposed revetment not being entirely consistent with the landscape and natural character-related objectives and policies of the RPS, PRCEP and City Plan at a local level. However, at the broader scale it is consistent with those provisions.

In all other aspects, the proposal is consistent with the objectives and policies of the relevant planning documents.

Overall, it is concluded that the proposal is not contrary to the objectives and policies of the relevant planning documents. Therefore, the proposal meets the second test prescribed by S104D(1)(b) of the RMA.

11.0 Consultation

11.1 Iwi / Tangata Whenua

The Mauao Trust have been involved engaged with throughout the project inception and design phases, and as the landowner, are also the applicant for this resource consent.

Ngā Poutiriao o Mauao have been involved throughout the project, with a presentation given on the project to Ngā Poutiriao o Mauao in February, and have been updated in subsequent meetings. s 7(2)(a) – Privacy (Ngā Poutiriao o Mauao representatives) subsequently acted as the project liaison personnel. Following the initial presentation in February a site visit was held, with all Ngā Poutiriao o Mauao representatives invited. Subsequent ongoing liaison has occurred between s 7(2)(a) – Privacy (Ngā Poutiriao o Mauao representatives) and s 7(2)(a) – Privacy 's 7(2)(a) – Privacy around the track design and management of impacts on cultural and ecological values.

The project team have engaged directly with the three Tauranga Moana Iwi of **Te Rūnanga o Ngāti Ranginui, Te Rūnanga Ngāi Te Rangi and Ngāti Pūkenga ki Tauranga Trust** as well as **Te Kapu o Waitaha** as the Iwi recognised in the Mauao Historic Reserve Vesting Act 2008.

The engagement has taken the form of project updates, Iwi presentations, with the opportunity offered to meet and discuss the proposed base track realignment with the respective Iwi authorities individually. Te Rōpū Kaitiaki o Te Rūnanga o Ngāi Te Rangi hosted an individual meeting. Formal feedback from Ngāti Pūkenga ki Tauranga Trust, Te Kapu o Waitaha and Te Rūnanga o Ngāti Ranginui was not provided. Hui with Ngāti Pūkenga and Waitaha were organised but were postponed due to tangihanga and availability issues. Tauranga City Council Tangata Whenua Collective representatives have received the project presentation.

The outcomes sought by tangata whenua are outlined in the Cultural Values Review report in Appendix 13.

11.2 Stakeholders and Other Agencies

Heritage New Zealand (HNZ) has met on-site with the project team and have been engaged with throughout the design process. An earlier design for the section of track above the boulder field, which involved formation of a track by way of a cut and fill operation, was abandoned in favour of the boardwalk following advice from HNZ. They were concerned about the extent of

impact of the earthworks on archaeology present on the hillside, therefore the boardwalk option was progressed owing to the much-reduced subsurface disturbance. HNZ have also indicated that they would prefer to not have conditions imposed on the resource consent in relation to archaeology; instead all impacts on archaeology will be managed through the archaeological authority required from HNZ, which is being sought in parallel with this resource consent application.

The **Department of Conservation** (DoC) were provided with an earlier draft of the track design plan, and were hosted at a meeting at TCC to discuss ecological effects management. DoC have given advice and input to the project ecologists regarding primarily fauna management, which has been included as part of the recommendations in the Ecological Assessment.

The **Western Bay Wildlife Trust** (WBWT) have also provided input to the management of ecological effects, and have undertaken survey work on-site with the project ecologists, looking particularly for evidence of Little Blue Penguin and Grey-faced Petrel habitat.

Forest and Bird were provided with an initial design and were not supportive of the elements within the CMA. They were informed that there is a need for the revetment to be built partially within the CMA, due to the competing demands of the project.

The project team met with the **Port of Tauranga** (PoT), who raised no concerns with the proposal, and requested to be kept in the loop as the design develops. The contractor, once appointed, should communicate with PoT regarding barge movements (in terms of working around shipping movements). The possibility of using one of the PoT's wharfs (and adjacent land) for stockpiling and loading rock material and heavy equipment onto the barge was also discussed will be confirmed with the PoT when the contractor is procured.

The project team met with the **Harbourmaster**, who confirmed that he is the authority that will enforce exclusion zones. An exclusion zone would need to be set up around the work site by the Harbourmaster under the Marine Transport Act. The area would need to be identified by buoys and lighting. Specific risk assessments would need to be carried out for site specific activities by the contracting marine plant operators, and provided to the Harbourmaster. Marine charts will require updating where the revetment encroaches into the CMA. The Harbourmaster would arrange this with as-built information from the contractor/TCC.

The **TCC Disability Advisory Group** (DAG) was given a presentation by the project team. The DAG were appreciative of the presentation and being given the opportunity to comment on the design process. The DAG are supportive of the proposal, especially the objective to make the track as accessible as possible for the mobility impaired.

CCS Disability Action Bay of Plenty were emailed an early draft of the track development plan and provided feedback regarding track gradients.

Mount Maunganui Lifeguard Service were emailed an early draft of the track development plan and outlined their requirement for a small Light Utility Vehicle (LUV / ATV) to be able to access the track in times of emergency response (including an ability to turn such vehicles around). The boardwalk section is to be designed structurally to be able to carry these vehicles, and turning spaces are provided for at the lookout spot and on the beach terrace.

Sport BOP were emailed an early draft of the track development plan and provided feedback regarding track gradients.

Fire Emergency NZ were emailed and confirmed that they have no particular comments or concerns.

Mount Joggers were emailed an early draft of the track development plan but did not provide a response.

11.3 General Public

Signboards have been in place at the two entry points to the base track to inform pedestrians of the temporary stairs in place, and to let them know that a long-term solution involving diversion of the track towards the coast is being progressed.

Media releases have been posted on TCC's website informing the public of general progress of the project.

11.4 Pre-Application Meetings

Pre-application meetings were held with TCC and BOPRC consents planning staff. It was agreed at these meeting that the application would request public notification. It was also agreed that a BOPRC planner would process the application jointly on behalf of both TCC and BOPRC.

Regular contact has been made with the BOPRC processing planner assigned to the application, with progress updates provide and technical reports pre-circulated ahead of lodging the consent application.

12.0 Notification

Pursuant to Section 95A(3)(a) of the RMA the applicant requests public notification of this application.

13.0 Other Matters

13.1 Duration of Consent

A 35-year consent duration is sought for the consents required under the PRCEP. These include the occupation, reclamation and use of the revetment within the coastal marine area, and the ongoing stormwater discharges from the new track areas to the coastal marine area.

A 5-year consent duration is sought for the consents required under the RNRP. These include the earthworks and vegetation clearance activities proposed within 20m of MHWS, and on slopes over 35°.

13.2 Archaeological Authority

An archaeological authority for the new track works is required from Heritage New Zealand. This authority is being sought in parallel with this resource consent. As per the advice provided by Heritage New Zealand, it is Heritage New Zealand's preference for the resource consent to

not specify any archaeological conditions; rather that the resource consent simply reference the requirement for all works to have prior approval of an archaeological authority. This is appropriately referenced through an advice note on the consent.

14.0 Conclusion

To reinstate permanent universal access to the Mauao base track (following a failure event in April 2017), and to ensure ongoing resilience of the section of track, a new alignment for the track around the southern tip of Mauao is proposed by the Mauao Trust and Tauranga City Council– taking the track towards and around the coastal marine area.

Resource consent is sought under the relevant provisions of the Proposed Bay of Plenty Regional Coastal Environment Plan, Bay of Plenty Regional Natural Resources Plan and the Tauranga City Plan. The effects associated with the proposal are assessed, overall, as being minor, with the implementation of a range of effects management measures proposed. On balance, the proposal is consistent with the planning documents under which consent is sought, as well as Part 2 of the RMA, the Regional Policy Statement for the Bay of Plenty, and the Mauao Historic Reserve Management Plan.

Public notification of the application is requested, with approval of the resource consent ultimately sought, subject to the imposition of appropriate conditions.