

# Memorandum

**TO:** Lloyd Kennedy, Community Services Manager

**FROM:** Phil Doole, Resource Consents Manager

**DATE:** 07 March 2011

**FILE NO:** RM090878

**RE:** Pakawau Coastal Protection

You have asked for a briefing on the matters raised by Stephanie Wilson regarding coastal protection issues at the Pakawau settlement (per her email sent to the Golden Bay Community Board, dated 23 February 2011).

## 1. Sustainable Ventures Resource Consents

Following several earlier proposals for re-developing the campground site on the shoreline at Pakawau, Sustainable Ventures Limited was granted consents for a 20 unit apartment complex in July 2010. The provisions of the NZ Coastal Policy Statement (1994), and the issues of coastal hazards relevant to the proposal were given due consideration by a panel of Commissioners including Derek Todd who is a recognised coastal expert.

The application for the resource consents proposed an improved rock wall along the sea frontage of the property. As part of the reporting for the hearing, Council staff engaged Eco Nomos Ltd to assess coastal hazard mitigation options, and to recommend a preferred option or options (the Dahm report). Having heard the applicant's expert, lay submitters and the Council reports, the Commissioners found that:

- The Pakawau dune coast is currently in a state of general long-term dynamic equilibrium with shorter term 5-10 metre erosion/accretion cycles;
- The magnitude of erosion hazard is most likely to increase as a result of sea level rise due to climate warming;
- Some form of coastal management or works is required for the long-term (100 year) protection of the proposed development.

The Commissioners considered three options for coastal management or protection works:

- A substantial rock revetment;
- A "coast care" approach with a suitable buffer width allowing for erosion and accretion to occur;
- A hybrid system comprising a buried "back-stop" revetment and a Coast Care Programme to be established on the seaward side.

The hybrid option is similar to recommendations made in the Dahm report. That option was accepted by the Commissioners and was imposed by way of conditions on the consents granted.

They reasoned that allowing the hybrid option, rather than the rock revetment, for protecting the proposed development would have considerably less effect (emphasis added) on:

- a) The natural character of the coastal environment;
- b) ~~The long-term natural processes;~~
- c) The recreational use or amenity of that environment;
- d) Access along the coastal marine area;
- e) Adjoining properties compared with potential end effects from a reconstructed rock revetment in its current location.

It is noted that the campground site is within the residential zoning at Pakawau, therefore a level of development is able to take place on the site, albeit with restrictions recognising its location on the coastline.

## 2. Appeal to Environment Court

The Commissioners' decision was appealed by the applicant. Several other parties who submitted on the applications have joined the appeal. Little has happened regarding the appeal to date, partly because an attempt to appeal the decision by the Pakawau Community Care Group had to be addressed first by the Environment Court, which has struck out that appeal.

Among other things, the appeal from the applicant seeks to delete the conditions of consent that require the hybrid protection option (ie, back-stop revetment and coast care programme), and replace it with the improved rock revetment on the sea frontage of the property as was applied for.

The Environment Court encourages use of mediation to resolve appeals. There is no provision in the RMA for public notification of the mediation process. The Commissioner's decision was effectively a Council decision and, as such, it will be defended by Council unless new information indicates that a change in the envisaged outcome would be acceptable, and therefore changes to the consents would be appropriate.

## 3. General Comments

Council staff are aware that other owners of land within the Pakawau settlement may also be contemplating the use of a rock revetment – the “hard engineering” option, to protect their properties. There are esplanade reserves administered by Council along most of the Pakawau shoreline, therefore it is likely that Council will be drawn into the issues around determining whether coastal protection is actually required (given the cyclic nature of erosion and accretion); and if so, which approach is most suitable for the Pakawau coastline. Council approval would be required for any works or structures proposed to be sited on the esplanade reserves. Public notification would also be required if proposed works are assessed as having, or likely to have more than minor effects on the environment.

Staff advice has been guided by the Dahm report on the coastal processes occurring at Pakawau. That report was copied to all parties that participated in the hearing of the Sustainable Ventures application, and it is freely available to others – as is the full text of the Commissioners' decision.

The Commissioners' decision relating to the campground site indicates a preference for “coast care” or “soft engineering” methods for protecting coastal properties at Pakawau, rather than using “hard engineering” such as rock revetments. That position should be regarded as a starting point for considering coastal protection works on other areas along the dune shoreline at Pakawau. It may need to be reviewed if the Environment Court determines a different outcome for the Sustainable Ventures proposal.

(ends)

**From:** Stephanie Wilson [blueleopardthinks@gmail.com]  
**Sent:** Wednesday, 23 February 2011 1:28 p.m.  
**To:** Richard Kempthorne; balmac@xtra.co.nz; kabro@xtra.co.nz; carleigh@ruralinzone.net; makomako@xtra.co.nz  
**Subject:** Pakawau issues continue to be unaddressed

Dear members of GBCB and Council Mayor,

I intend to address this issue at the next community board meeting. I hope that you have some answers for those of us who are concerned and aware at the current goings on in Pakawau.

**A WALL OF CONSEQUENCES:**

I have been studying the decision by the Council of the granting of 20 unit development in Pakawau and the current predictable consequences of it.

I am of the understanding that:

- The preliminary assessment report (based on local beach profile surveys, scientific research of local coastal processes, historic shoreline measurements dating from 1887 and discussions with locals) concluded that the 20 unit development was not appropriate for the said property if NZCPS directives were to be adhered to.
- The Council were informed that more research is needed for more certainty of the hazard issues of this coastline.
- Council experts stated the development created the need for hard engineering solutions.
- Council experts relayed reservations whether current minimum setbacks are sufficient for the nationally recommended 'Coast Care' approach to be taken.
- Council was aware that residents with such setbacks were experiencing anxiety regarding the ocean's proximity to their homes in storms and want rocks.
- Council granted a consent to the development that insufficiently addresses the real effects of the above (as can be proved by the consequent pressure for hard engineering protection for Pakawau currently being requested).

Additionally my inquiries inform me:

- The Council are required to take a cautious approach when consenting buildings in the coastal zone.
- The Council are required and state that they will act to retain and enhance amenity values of our natural assets.
- The Council are leaving coastal property owners uninformed of coastal processes and leaving them open to being misinformed in so doing.
- This lack of information is creating unnecessary tension within this community.

Why have the Council ignored their experts concerns and granted consent to the development in full knowledge there are issues arising in doing so, and that further research is needed?

Is this Council working with the required 'cautious approach', a far sighted game plan or merely an act first think later one?

I would like someone to explain to me what the long term plan for Pakawau is that TDC are currently working from? I have the ITCPP, so there is no need to refer me to that.

Has the relevant coastal hazards assessment research been conducted for this area yet?

Will the public be notified of the negotiations soon to be conducted regarding the best approach for coastal management for Pakawau Beach or are rocks going to be consented for the length of this beach in negotiations behind closed doors?

Stephanie Wilson

Member of PCCG Inc  
Pakawall

ADDITIONAL COMMENTS

Please note the independent panel's comments with regard to this issue:

243. "We are satisfied that the apartment complex will not adversely affect the amenity of Pakawau Beach. However, this conclusion is heavily dependent on the conditions that have been placed on the consents. The conditions require that a Coast Care Programme be implemented..." (p36 'Report and Decision')

278. "The conditions controlling the construction of the back-stop revetment are of particular importance in this decision. They require that the revetment act as nothing more than a "last line of defence"..."

279. "These conditions are pivotal to the decision and should not be relaxed in the future unless circumstances change markedly or to address minor practical considerations [??]..." (p42 'Report and Decision')

It is my understanding that hard engineering protection creates major loss of amenity of the beach and results in lessening the public's enjoyment and access to it and is an unnecessary option for Pakawau. People who (are fortunate enough to) own property adjacent to a beach such as Pakawau do not have ownership of the beach therefore anything they wish to do that effects the beach is a public matter.

If people are going to request the Council for such an option and if there is the slightest chance rocks will be consented I feel it is only fair to involve the public in such a decision. This appears to be what Jim Dahm recommended to council with regard to Sustainable Ventures Ltd application for a rock wall.

"We recommend any consent for such a structure be publicly notified due to the severe effects on various stakeholders."

(Pg24 Pakawau: Assessment of Coastal Management Options: Sustainable Ventures Ltd Proposal Prepared For: Tasman District Council By: Jim Dahm, Eco Nomos Ltd Bronwen Gibberd, 4D Environmental Ltd 8 April 2010)

This is a matter of National significance not solely one for Pakawau residents or those with vested interests to decided.

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Anne George.  
1116 Pakarua Beach.  
8th March 2011

To whom it may concern at the Community Board Meeting  
in Collingwood.

Due to an appointment that could not be changed  
I am not able to attend the meeting today, but  
I would like it to be known that I support  
the New Zealand Coastal Policy Statement 2010,  
by the N.Z. Government, published by the  
Department of Conservation, with regard to the  
Pakarua Beach, rock wall versus Sand Tone.

I am also concerned about the Esplanade Reserve  
access.

Also will there be room for a footpath on the road  
side of the proposed plan for the 20 unit  
apartment to be built on the existing camp-  
ground site?

Yours faithfully,  
~~Anne George~~