



# KAIKOHE-HOKIANGA COMMUNITY BOARD



Tanemahuta - Waipoua Forest

## AGENDA

### Kaikohe-Hokianga Community Board Meeting

**Wednesday, 2 June 2021**

Time: 10.30 am  
Location: Council Chamber  
Memorial Avenue  
Kaikohe

#### Membership:

Chairperson Mike Edmonds  
Deputy Chairperson Emma Davis  
Member Laurie Byers  
Member Kelly van Gaalen  
Member Alan Hessel  
Member Moko Tepania  
Member Louis Toorenborg  
Member John Vujcich



**Far North District Council**



**The Local Government Act 2002 states the role of a Community Board is to:**

- (a) Represent, and act as an advocate for, the interests of its community.
- (b) Consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board.
- (c) Maintain an overview of services provided by the territorial authority within the community.
- (d) Prepare an annual submission to the territorial authority for expenditure within the community.
- (e) Communicate with community organisations and special interest groups within the community.
- (f) Undertake any other responsibilities that are delegated to it by the territorial authority

**Council Delegations to Community Boards - January 2013**

The "civic amenities" referred to in these delegations include the following Council activities:

- Amenity lighting
- Cemeteries
- Drainage (does not include reticulated storm water systems)
- Footpaths/cycle ways and walkways.
- Public toilets
- Reserves
- Halls
- Swimming pools
- Town litter
- Town beautification and maintenance
- Street furniture including public information signage.
- Street/public Art.
- Trees on Council land
- Off road public car parks.
- Lindvart Park – a Kaikohe-Hokianga Community Board civic amenity.

**Exclusions:** *From time to time Council may consider some activities and assets as having district wide significance and these will remain the responsibility of Council. These currently include: The roading network, Hundertwasser toilets, District Library Network, Baysport, the Kerikeri, Kaikohe & Kaitaia Airports, Hokianga Vehicle Ferry, i-Site network, Far North Community Centre, Kerikeri Domain, Kawakawa Heated Swimming Pool, Kaikohe Cemetery, Kerikeri Sports Complex, The Centre at Kerikeri, the Bay of Islands/Hokianga Cycle Trail.*

**Set local priorities for minor capital works in accordance with existing strategies,**

1. Recommend local service levels and asset development priorities for civic amenities as part of the Annual Plan and Long-Term Plan processes.
2. Reallocate capital budgets within the Annual Plan of up to 5% for any specific civic amenity, provided that the overall activity budgetary targets are met.
3. Make grants from the allocated Community Funds in accordance with policy 3209, and the SPARC/Sport Northland Rural Travel fund in accordance with the criteria set by the respective body, and, for the Bay of Islands-Whangaroa Community Board, the power to allocate the Hundertwasser Donations Account.
4. Provide comment to council staff on resource consent applications having significance within the Community, including the provision of land for reserves or other public purposes.

5. To hold, or participate in hearings, as the Council considers appropriate, in relation to submissions pertinent to their community made to plans and strategies including the Long-Term Plan and Annual Plan, and if appropriate recommend decisions to the Council.
6. To hold hearings of submissions received as a result of Special Consultative Procedures carried out in respect of any matter other than an Annual or Long-Term Plan and make recommendations to the Council.
7. Where recommended by staff to appoint management committees for local reserves, cemeteries, halls, and community centres.
8. To allocate names for previously unnamed local roads, reserves and other community facilities, and recommend to Council name changes of previously named roads, reserves, and community facilities subject to consultation with the community.
9. To consider the provisions of new and reviewed reserve management plans for recommendation to the Council in accordance with the Reserves Act 1977 and hear or participate in the hearing of submissions thereto, as considered appropriate by the Council.
10. To provide recommendations to the Council in respect of applications for the use and/or lease of reserves not contemplated by an existing reserve management plan.
11. Prohibit the use of skateboards in specified locations within their communities, in accordance with Council's Skating Bylaw 1998.
12. Recommend new bylaws or amendments to existing bylaws.
13. Prepare and review management plans for local cemeteries within budget parameters and in a manner consistent with Council Policy.
14. Exercise the following powers in respect of the Council bylaws within their community:
  - a. Control of Use of Public Spaces – Dispensations on signs
  - b. Mobile Shops and Hawkers – Recommend places where mobile shops and/or hawkers should not be permitted.
  - c. Parking and Traffic Control – Recommend parking restrictions, and areas where complying camping vehicles may park, and consider and grant dispensations in accordance with clause 2007.2
  - d. Public Places Liquor Control – Recommend times and places where the possession or drinking of alcohol should be prohibited.
  - e. Speed Limits – Recommend places and speed limits which should be imposed.
15. To appoint Community Board members to speak on behalf of their community in respect of submissions or petitions.
16. Specific to the Bay of Islands-Whangaroa Community Board – consider any recommendations of the Paihia Heritage Working Group and make appropriate recommendations to Council on the development of a draft Plan Change and a Section 32 analysis on heritage provisions for Paihia.
17. To set schedule of meeting dates, times and venues, subject to the meetings not conflicting with meetings of the Council and satisfying the provisions of the Local Government Official Information and Meetings Act 1987.
18. To review all proposed public art projects on a project-by project basis to ensure they comply with policy #5105 Art in Public Places, including approval of the aesthetic appearance, maintenance programme, insurance and appropriate location, and to agree to their installation.
19. In respect of applications from food establishments for permission to establish tables and chairs on a public place, i.e. Alfresco dining in accordance with Policy 3116, to consider and decide on any application which does not meet all criteria of the policy, and any application which staff recommend to be declined.
20. Subject to a report from the appropriate managers and the appropriate budgetary provision, to make decisions in respect of civic amenities including the levels of service, and the provision or removal of an amenity not provided for elsewhere in these delegations.

### Terms of Reference

In fulfilling its role and giving effect to its delegations, Community Boards are expected to:

1. Comment on adverse performance to the Chief Executive in respect of service delivery.
2. Assist their communities in the development of structure plans, emergency management community response plans, and community development plans.
3. Assist their communities to set priorities for Pride of Place programmes.
4. Have special regard for the views of Maori.
5. Have special regard for the views of special interest groups, e.g. disabled, youth, aged, etc.
6. Actively participate in community consultation and advocacy and keep Council informed on local issues.
7. Seek and report to Council community feedback on current issues by:
  - a. Holding a Community forum prior to Board meetings
  - b. Varying the venues of Board meetings to enable access by members of the community
8. Monitor and make recommendations to Council to improve effectiveness of policy.
9. Appoint a member to receive Annual Plan\Long Term Council Community Plan submissions pertinent to the Board area, attend hearings within the Board area, and attend Council deliberations prior to the Plan adoption.

### Protocols

In supporting Community Boards to fulfil their role, the Council will:

1. Provide appropriate management support for the Boards.
2. Organise and host regular workshops with the Community Boards I to assess the 'State of the Wards & District' to establish spending priorities.
3. Prior to decision-making, seek and include 'Community Board views' in Council reports in relation to:
  - a. the disposal and purchase of land
  - b. proposals to acquire or dispose of reserves
  - c. representation reviews
  - d. development of new maritime facilities
  - e. community development plans and structure plans
  - f. removal and protection of trees
  - g. local economic development initiatives
  - h. changes to the Resource Management Plan
4. Organise and host quarterly meetings between Boards, the CEO and senior management staff.
5. Prepare an induction/familiarisation process targeting new members in particular early in the term.
6. Support Board members to arrange meetings with local agencies and service clubs to place more emphasis on partnerships and raising profile of the Boards as community leaders.
7. Permit Board chairperson (or nominated member) speaking rights at Council meetings.
8. Help Boards to implement local community projects.
9. Arrange for Infrastructure and Asset Management Staff to meet with the Community Boards in September each year to agree the capital works for the forthcoming year for input into the Annual or Long-Term Plan.
10. Provide information.



**KAIKOHE-HOKIANGA COMMUNITY BOARD MEMBERS REGISTER OF INTERESTS**

<b>Name</b>	<b>Responsibility (i.e. Chairperson etc)</b>	<b>Declaration of Interests</b>	<b>Nature of Potential Interest</b>	<b>Member's Proposed Management Plan</b>
<b>Mike Edmonds</b>	Chair	Kaikohe Mechanical and Historic Trust	Council Funding	Decide at the time
	Committee member	Kaikohe Rugby Football and Sports Club	Council Funding	Withdraw and abstain
<b>Kelly van Gaalen</b>	No form received			
<b>Louis Toorenburg</b>	No form received			
<b>Alan Hessel</b>	Nil	Nil	Nil	Nil
<b>Laurie Byers</b>	Kaikohe Golf Club			
	Kaikohukohu Trust			
	North Point Trust			
	Patron Bay of Islands Hockey			
<b>Emma Davis</b>	Secretary	Pompallier Hokianga Trust	Council Funding	Decide at the time to withdraw and/or abstain
	Trustee	Raiatea Resource Centre	Council Funding	Decide at the time to withdraw and/or abstain
	Committee Member	Rawene Hall	Council Funding	Decide at the time to withdraw and/or abstain
	Committee Member	Kohukohu Hall	Council Funding	Decide at the time to withdraw and/or abstain
	Member of teaching staff	Broadwood Area School	Council Funding	Decide at the time to withdraw and/or abstain
<b>John Vujcich</b>	Board Member	Pioneer Village	Matters relating to funding and assets	Declare interest and abstain
	Director	Waitukupata Forest Ltd	Potential for council activity to directly affect its assets	Declare interest and abstain
	Director	Rural Service Solutions Ltd	Matters where council regulatory function impact of company services	Declare interest and abstain
	Director	Kaikohe (Rau Marama) Community Trust	Potential funder	Declare interest and abstain
	Partner	MJ & EMJ Vujcich	Matters where council regulatory function impacts on partnership owned assets	Declare interest and abstain

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	Kaikohe Rotary Club	Potential funder, or impact on Rotary projects	Declare interest and abstain
	Member	New Zealand Institute of Directors	Potential provider of training to Council	Declare a Conflict of Interest
	Member	Institute of IT Professionals	Unlikely, but possible provider of services to Council	Declare a Conflict of Interest
<b>Moko Tepania</b>	Teacher	Te Kura Kaupapa Māori o Kaikohe.	Potential Council funding that will benefit my place of employment.	Declare a perceived conflict
	Chairperson	Te Reo o Te Tai Tokerau Trust.	Potential Council funding for events that this trust runs.	Declare a perceived conflict
	Tribal Member	Te Rūnanga o Te Rarawa	As a descendent of Te Rarawa I could have a perceived conflict of interest in Te Rarawa Council relations.	Declare a perceived conflict
	Tribal Member	Te Rūnanga o Whaingaroa	As a descendent of Te Rūnanga o Whaingaroa I could have a perceived conflict of interest in Te Rūnanga o Whaingaroa Council relations.	Declare a perceived conflict
	Tribal Member	Kahukuraariki Trust Board	As a descendent of Kahukuraariki Trust Board I could have a perceived conflict of interest in Kahukuraariki Trust Board Council relations.	Declare a perceived conflict
	Tribal Member	Te Rūnanga ā-Iwi o Ngāpuhi	As a descendent of Te Rūnanga ā-Iwi o Ngāpuhi I could have a perceived conflict of interest in Te Rūnanga ā-Iwi o Ngāpuhi Council relations.	Declare a perceived conflict

**Far North District Council**  
**Kaikohe-Hokianga Community Board Meeting**  
**will be held in the Council Chamber, Memorial Avenue, Kaikohe on:**  
**Wednesday 2 June 2021 at 10.30 am**

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**Te Paeroa Mahi / Order of Business**

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## **1        NGA WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND CONFLICTS OF INTEREST**

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Community Board and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a Member thinks they may have a conflict of interest, they can seek advice from the Chief Executive Officer or the Team Leader Democracy Support (preferably before the meeting).

It is noted that while members can seek advice the final decision as to whether a conflict exists rests with the member.

## **2        PUBLIC FORUM**

## **3        TE TONO KŌRERO / DEPUTATION**

Jon Phelong representing He Waka Kotahi

## **4        SPEAKERS**

Bay of Islands Canine Association

Kaikohe and Districts Sportsville

## 5 CONFIRMATION OF PREVIOUS MINUTES

### 5.1 CONFIRMATION OF PREVIOUS MINUTES

**File Number:** A3052583

**Author:** Marlema Baker, Meetings Administrator

**Authoriser:** Aisha Huriwai, Team Leader Democracy Services

#### PURPOSE OF THE REPORT

The minutes are attached to allow the Kaikohe-Hokianga Community Board to confirm that the minutes are a true and correct record of the previous meeting.

#### RECOMMENDATION

**That the Kaikohe-Hokianga Community Board confirms the minutes of their meeting held 12 May 2021 as a true and correct record.**

#### 1) BACKGROUND

Local Government Act 2002 Schedule 7 clause 28 states that a local authority must keep minutes of its proceedings. The minutes of these proceedings duly entered and authenticated as prescribed by a local authority are prima facie evidence of those meetings.

#### 2) DISCUSSION AND OPTIONS

The unconfirmed minutes of the meeting are attached.

The Kaikohe-Hokianga Community Board Standing Orders Section 3.17.3 states that “no discussion may arise on the substance of the minutes at any succeeding meeting, except as to their correctness”.

#### Reason for the recommendation

The reason for the recommendation is to confirm the minutes as a true and correct record of the previous meeting.

#### 3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or the need for budgetary provision.

#### ATTACHMENTS

1. 2021-05-12 Kaikohe-Hokianga Community Board Minutes [A3188657] - A3188657  

**MINUTES OF  
KAIKOHE-HOKIANGA COMMUNITY BOARD MEETING  
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE  
ON WEDNESDAY, 12 MAY 2021 AT 10.30 AM**

**PRESENT:** Chairperson Mike Edmonds, Member Emma Davis, Member Louis Toorenburg, Member Kelly van Gaalen, Member Alan Hessel, Member Laurie Byers, Member John Vujcich.

**IN ATTENDANCE:**

**STAFF PRESENT:** Marlema Baker (Meetings Advisor), Kathryn Trewin (Funding Advisor)

**1 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND CONFLICTS OF INTEREST**

**1a APOLOGIES AND CONFLICTS OF INTEREST**

**RESOLUTION 2021/33**

Moved: Chairperson Mike Edmonds

Seconded: Member Alan Hessel

**That:**

- a) the apology from member Moko Tepania be accepted and a leave of absence granted.
- b) the apology from member Emma Davis for lateness be accepted.

**CARRIED**

**2 PUBLIC FORUM**

- Shaun Reilly opposes the implementation of Maori Wards and hopes Council reconsiders their decision.

**3 NGĀ TONO KŌRERO / DEPUTATIONS**

- Phil Grimshaw spoke regarding Healthy Families (document tabled).
- John Klaricich (on behalf of Ian Mackenzie) spoke regarding Pakanae Urupa (document tabled).
- Liz Owen spoke regarding Okaihau Playcentre.

**4 SPEAKERS**

- Ana Heremaia – Ākau Design: funding applications 7.4a and 7.4b refers.
  - 7.4b – Te Reo Maori signage in Kaikohe Streetscape and waiata Maori to be recorded.
  - 7.4a – Bling Bling event - needs a big structure to house mahi over 4 days.
- Tania Filia – Omanaia Marae 7.4d refers – Omanaia Marae.
  - Seeks funding for bi-fold fold out tables.
- Cheryl Smith – Rural Travel Fund speaking on behalf of Sport Northland:



- Kathryn Trewin to provide a report to the August 2020 Community Board meeting regarding making an application to Sport Northland to increase funding for the Kaikohe-Hokianga ward.
- Chair Edmonds raised the possibility of the Kaikohe-Hokianga Community Board augmenting some of the Rural Travel funding needed to supplement the needs of the Kaikohe-Hokianga ward.

Meeting adjourned 11:55 am – 12:49 pm

## **5 NOTICE OF MOTION**

### **5.1 KAIKOHE-HOKIANGA NOTICE OF MOTION - OKAIHAU PLAYCENTRE RESERVE**

Agenda item 6.1 document number A3181638, pages 12 - 12 refers

#### **RESOLUTION 2021/34**

Moved: Chairperson Mike Edmonds

Seconded: Member John Vujcich

**That, pursuant to the Local Government Act 2002, Schedule 7, Cl 32(6), the Kaikohe-Hokianga Community Board requests that the Council consider delegating governance responsibility for the reserve land upon which the Okaihau Playcentre sits to the KHCB to the fullest extent possible, and that the Kaikohe-Hokianga Community Board be delegated recommendation rights for all those powers not able to be delegated.**

**CARRIED**

## **6 CONFIRMATION OF PREVIOUS MINUTES**

### **6.1 CONFIRMATION OF PREVIOUS MINUTES**

Agenda item 7.1 document number A3052579, pages 13 - 13 refers

#### **RESOLUTION 2021/35**

**That the Kaikohe-Hokianga Community Board confirms the minutes of their meeting held 7 April 2021 as a true and correct record.**

**CARRIED**

## **7 REPORTS**

### **7.1 KAIKOHE-HOKIANGA COMMUNITY BOARD HOKIANGA SPRAYING COMMITTEE**

Agenda item 8.1 document number A3181642, pages 18 - 20 refers

#### **RESOLUTION 2021/36**

Moved: Member Louis Toorenburg

Seconded: Member Alan Hessel

**That the Kaikohe-Hokianga Community Board adopt the terms of reference for the Hokianga Spraying Committee as follows: that with regard to the herbicide and spraying in and around Rawene the Hokianga Spraying Committee will:**

- a) represent, and act as an advocate for, the interests of its community.**

- b) consider and report on information provided and/or referred to it by the Far North District Council.
- c) prepare an annual submission to the Far North District Council for expenditure within the community; and
- d) communicate with interested parties within the community.

**CARRIED**

## 7.2 KAIKOHE-HOKIANGA STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 31 MARCH 2021

Agenda item 8.2 document number A3160464, pages 23 - 24 refers

### RESOLUTION 2021/37

Moved: Member John Vujcich

Seconded: Member Emma Davis

**That the Kaikohe-Hokianga Community Board**

- a) receives the report Kaikohe-Hokianga Statement of Community Board Fund Account as at 31 March 2021, *and*
- b) request that any unallocated funds from 2021 be rolled over into the next financial year.

**CARRIED**

## 7.3 WINTER 2021 RURAL TRAVEL FUNDING APPLICATIONS

Agenda item 8.3 document number A3155766, pages 27 - 30 refers

### RESOLUTION 2021/38

Moved: Member John Vujcich

Seconded: Member Louis Toorenburg

**That the Kaikohe-Hokianga Community Board allocates Rural Travel Grant funding in accordance with the recommendations received from Sport Northland as follows:**

a)	Datz Us Netball	\$2400
b)	Hokianga Sports Club	\$2000
c)	Kaikohe Rugby Football and Sports Club	\$3800
d)	Kerikeri Gymnastics Club	\$910
e)	Mid North United Sports	\$2300
f)	Omanaia School	\$800
g)	Taiamai Ohaeawai Junior Rugby Club	\$2000
h)	Te Kura a-Iwi o Pawarenga	\$350
i)	Te Kura Kaupapa Māori o Kaikohe	\$3042
j)	Te Kura Taumata o Panguru	\$1000
k)	Rawene Primary School	\$2000
<b>Total</b>		<b><u>\$20,602</u></b>
		<b>CARRIED</b>

**7.4 FUNDING APPLICATIONS**

Agenda item 8.4 document number A3169182, pages 86 - 91 refers

**RESOLUTION 2021/39**

Moved: Member Louis Toorenburg

Seconded: Member Alan Hessell

**7.4.a That the Kaikohe-Hokianga Community Board approves the sum of \$xxx (plus GST if applicable) be paid from the Board's Community Fund account to Ākau Foundation for costs towards Bling Bling Toi Marama 2021 to support the following Community Outcomes:**

- i) Communities that are healthy, safe, connected and sustainable
- ii) Proud, vibrant communities

**7.4.b That the Kaikohe-Hokianga Community Board approves the sum of \$xxx (plus GST if applicable) be paid from the Board's Community Fund account to Ākau Foundation for costs towards Te Reo Māori on the Streets to support the following Community Outcomes:**

- i) Communities that are healthy, safe, connected and sustainable
- ii) Proud, vibrant communities

**7.4.c That the Kaikohe-Hokianga Community Board approves the sum of \$xxx (plus GST if applicable) be paid from the Board's Community Fund account to Hokianga Treks 4 Kids for costs towards clearing the Rawene horse track to support the following Community Outcomes:**

- i) Communities that are healthy, safe, connected and sustainable
- ii) Proud, vibrant communities

**7.4.d That the Kaikohe-Hokianga Community Board approves the sum of \$xxx (plus GST if applicable) be paid from the Board's Community Fund account to Omanaia Marae for costs towards tables and chairs for the whare kai to support the following Community Outcomes:**

- i. Communities that are healthy, safe, connected and sustainable
- ii. Proud, vibrant communities

**CARRIED**

**7.4.e RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2021/40**

Moved: Chairperson Mike Edmonds

Seconded: Member Laurie Byers

**That the public be excluded from the following parts of the proceedings of this meeting.**

**The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:**

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
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<b>7.4 – Funding Applications</b>	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.  s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority.	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7.
<b>CARRIED</b>		

**7.4.f MOTION TO MOVE OUT OF CLOSED MEETING INTO OPEN MEETING****RESOLUTION 2021/41**

Moved: Chairperson Mike Edmonds

Seconded: Member John Vujcich

That the Kaikohe-Hokianga Community Board moves out of closed meeting into open meeting.

**CARRIED****7.4 FUNDING APPLICATIONS CONTINUED**

Agenda item 8.4 document number A3169182, pages 86 - 91 refers

**RESOLUTION 2021/42**

Moved: Chairperson Mike Edmonds

Seconded: Member John Vujcich

**7.4a That the Kaikohe-Hokianga Community Board approves the sum of \$7500 (plus GST if applicable) be paid from the Board's Community Fund account to Ākau Foundation for costs towards Bling Bling Toi Marama 2021 and \$7500 on presentation of an invoice for 2022 to support the following Community Outcomes:**

- i) Communities that are healthy, safe, connected and sustainable
- ii) Proud, vibrant communities

**7.4b That the Kaikohe-Hokianga Community Board approves the sum of \$10,000 (plus GST if applicable) be paid from the Board's Community Fund account to Ākau Foundation for costs towards Te Reo Māori on the Streets to support the following Community Outcomes:**

- i) Communities that are healthy, safe, connected and sustainable
- ii) Proud, vibrant communities

**7.4c That the Kaikohe-Hokianga Community Board approves the sum of \$1,500 (plus GST if applicable) be paid from the Board's Community Fund account to Hokianga Treks 4 Kids for costs towards clearing the Rawene horse track to support the following Community Outcomes:**

- i) Communities that are healthy, safe, connected and sustainable
- ii) Proud, vibrant communities

**7.4d That the Kaikohe-Hokianga Community Board approves the sum of \$2,450 (plus GST if applicable) be paid from the Board's Community Fund account to Omanaia Marae for costs towards tables and chairs for the whare kai to support the following Community Outcomes:**

- iii. Communities that are healthy, safe, connected and sustainable**
- iv. Proud, vibrant communities**

**CARRIED**

## **7.5 PROJECT FUNDING REPORTS**

Agenda item 8.5 document number A3169225, pages 120 - 121 refers

### **RESOLUTION 2021/43**

Moved: Member Louis Toorenburg

Seconded: Member Laurie Byers

**That the Kaikohe-Hokianga Community Board note the project reports received from:**

- a) Hokianga Trek 4 Kids**
- b) Okaihau Bowling Club – Kitchen**
- c) Okaihau Bowling Club – Bowling Mats**
- d) He Whakamanamai Whanau Trust**

**CARRIED**

## **7.6 RURAL TRAVEL FUNDING REPORTS**

Agenda item 8.6 document number A3170785, pages 134 - 135 refers

### **RESOLUTION 2021/44**

Moved: Member John Vujcich

Seconded: Member Alan Hessel

**That the Kaikohe-Hokianga Community Board note the project reports received from:**

- a) Hokianga Sports Club**
- b) Rawene Primary School**

**CARRIED**

## **8 INFORMATION REPORTS**

### **8.1 KAIKOHE-HOKIANGA STATEMENT OF FINANCIAL PERFORMANCE ACTIVITIES BY WARD FOR THE PERIOD ENDING 31 MARCH 2021**

Agenda item 9.1 document number A3160432, pages 142 - 142 refers

### **RESOLUTION 2021/45**

Moved: Member John Vujcich

Seconded: Member Laurie Byers

**That the Kaikohe-Hokianga Community Board receives the report Kaikohe-Hokianga Statement of Financial Performance Activities by Ward for the period ending 31 March 2021.**

<b>CARRIED</b>
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**9 TE KAPINGA HUI / MEETING CLOSE**

The meeting closed at 2pm.

The minutes of this meeting were confirmed at the Kaikohe-Hokianga Community Board Meeting held on 2 June 2021.

.....  
**CHAIRPERSON**

## **6 REPORTS**

### **6.1 PROPOSAL TO CONSTRUCT AN EROSION PROTECTION STRUCTURE ON COUNCIL OWNED RESERVE, OMAPERE**

**File Number:** A3183735

**Author:** Ruben Wylie, Principle Planner Infrastructure

**Authoriser:** Andy Finch, General Manager - Infrastructure and Asset Management

#### **TAKE PŪRONGO / PURPOSE OF THE REPORT**

To seek a decision from Council, via the Kaikohe-Hokianga Community Board, for a request to construct an erosion protection structure partially on Council owned local purpose reserve within the coastal environment of Omapere.

#### **WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY**

The owners of properties at 264 and 266 State Highway 12, Omapere propose to construct an erosion protection structure adjacent to the shoreline fronting their properties. The dwelling at these properties are at risk of being affected by shoreline retreat. Council owned local purpose reserve land is situated between the subject properties and toe of the dune scarp on which the erosion protection structure is proposed to be built. A portion of the proposed structure will be located within the boundary of this reserve land. In keeping with the provisions of the Reserves Act 1977, and Council's Reserves Policy, approval of the proposal to occupy part of local purpose reserve with an erosion protection structure sits with Council. Staff recommendation is to approve the request.

#### **TŪTOHUNGA / RECOMMENDATION**

**That the Kaikohe-Hokianga Community Board recommend to Council that it:**

- a) Approves the construction of, and associated occupation with, an erosion protection structure on Far North District Council owned local purpose reserved legally described as Lot 5 DP196729; and**
- b) The approval is provided subject to a memorandum of encumbrance being recorded on the titles of Lot 1 DP196729 and Lot 1 DP310507 and that the encumbrance records the agreement that the owners of those properties:**
  - I. bear full responsibility for the maintenance, repair, removal of the seawall (if required) during its lifetime, and end of its lifetime.**
  - II. incur cost of the agreement construction and registration against title.**
  - III. notify FNDC of any variation or modification of the erosion protection structure**

**To avoid doubt, approval is given both within Council's capacity as the administering body of the reserve and an affected person within the meaning of Section 95 of the Resource Management Act 1991.**

#### **1) TĀHUHU KŌRERO / BACKGROUND**

The owners of properties at 264 and 266 State Highway have lodged resource consent applications with the Far North District Council and the Northland Regional Council to allow for the construction of an erosion protection structure, and ongoing occupation of space with the structure in the marine and coastal area. The proposal is to construct the erosion protection structure on the seaward side of FNDC owned reserve land. A portion of the structure will need to be located within the reserve land. FNDC has accordingly been treated as an affected party within the meaning of s95 of the Resource Management Act 1991 (RMA). The applicants have sought written approval from FNDC in its capacity as the owner of the reserve land. Given the proposal is to occupy a portion of FNDC



reserve land, the consideration of written approval must also address the requirements of the Reserves Act 1977.

Council's Reserve Policy sets out that decisions to allow occupation of reserves requires a decision by Council. In keeping with Council policy, the matter is first being brought to the Kaikohe-Hokianga Community Board for a subsequent recommendation to Council.

### 1.1) Application Details

The proposal is to construct an erosion protection structure at the toe of a tall (5m high) sandy dune scarp at Omapere. The purpose of the work is to protect the properties at 264 and 266 State Highway 12. These two properties are located on the seaward side of state highway 12, opposite Opononi Area School. The approximate location of the subject site is shown in Figure 1.



**Figure 1.** Location of the proposed erosion protection work (red outline).

Cliff retreat driven by erosion of the dune toe is threatening the properties. Both dwellings on each property are in close proximity to the scarp. The property at No 266 being closest, with approximately 2-3m between parts of the dwelling and the headscarp of the dune.

The seawall is to comprise of an engineered riprap structure, extending approximately 142m along the base of the dune scarp. Details of the structure are included in the assessment of environmental effects prepared for the resource consent application. That assessment is attached as Attachment 1.

### 1.2) Affected reserve land

Two parcels of Esplanade Reserve land are located seaward of the subject properties, legally described as Lot 5 DP196729 and Lot 2 DP91297 and are both Local Purpose reserves within the meaning of the Reserves Act 1977. The location of the proposed seawall in relation to the reserve land is depicted in Figure 2 below. The seaward most reserve parcel has largely eroded and now forms part of the active beach front dune face. The proposed seawall is intended to be built along the seaward boundary of the second reserve parcel (Lot 5 DP196729) for a distance of

approximately 50m before angling towards the southeast crossing into the boundary of the second reserve (Lot 2 DP91297). This alignment generally follows the natural line of the dune toe.

The proposed structure is intended to terminate on the seaward side of the reserve opposite 262 State Highway 12 to the north and 268 and 270 State Highway 12 to the south. These properties are privately owned.



**Figure 2.** Reserve land affected by the proposed sea wall structure. Approximate seawall extent and location shown in red.

- It should be noted at this point that where reserve land owned by a local authority is subject to erosion, any portion of the reserve that is located seaward of the line of mean high water springs is divested from the local authority in accordance with Section 11 of the Marine and Coastal Area (Takutai Moana) Act 2011. Email correspondence from FNDC's Property Legalisation team to the applicant dated 5 August 2020 (included as Appendix E of the application report) confirms the status of the reserve land, stating:
- - Lot 2 DP 91297 (the seaward most parcel) is completely under water and is now part of the Common Marine and Coastal Area.
  - Lot 5 DP 196729 is partially under water and that portion is lost to the Common Marine and Coastal Area and the title is divested for that portion of land now below MHWS.
- 
- With the above taken into account, any portion of the reserve parcels situated seaward of the dune toe are no longer owned by Council and it is therefore only relevant to consider the effects of the proposed activity on the portion of reserve located landward of the toe of the dune cliff.



- **1.3) Coastal setting**

a) The coastline in the vicinity of subject site includes number of existing seawalls. Most recently Waka Kotahi completed approximately 2km of erosion protection at various sections of the coastline to the north of the subject sites through to Opononi. In addition, various privately owned erosion protection structures are located to the immediate south and north of the subject site. The approximate location and extent of these structures is depicted in Figure 3 below.



**Figure 1.** Approximate extent of existing erosion protection structures in the immediate area.

Finally, it should be noted that a 115m long rock revetment structure, similar to that which is the subject of this report, is proposed to be constructed to protect Freese park from shoreline retreat. This is subject to Council ratification and community consultation. The delivery timeframe for that project is May 2022.

## **2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS**

### **2.1) Matters relevant to the decision**

#### **Coastal processes**

The resource consent application lodged with both FNDC and NRC includes a comprehensive assessment of the coastal environment, and detailed assessment of effects of the proposed activity on coastal processes, including potential impacts on adjoining properties. A summary of technical

matters relevant to the determination requested by this report is provided in [Attachment 2](#). Full details of the technical assessment can be found in the application report attached as [Attachment 1](#).

The technical assessment included with the resource consent application has been prepared by a suitably qualified engineer experienced in coastal engineering. The assessment demonstrates that the design of the proposed structure is unlikely to result in any significant adverse effects on coastal process. In particular, the assessment demonstrates that erosion on either end of the structure is not anticipated and that the structure has been designed to accommodate future sea level rise scenarios in accordance with relevant Ministry for the Environment guidelines.

### **Coastal erosion hazard**

Northland Regional Council has analysed and mapped coastal erosion hazards around Northland to better understand impacts into the future. The most up to date predicted future shoreline positions were released in 2021<sup>1</sup>. These are shown in Figure 4 below in relation to the subject properties.

Coastal Erosion Hazard Zones contained in Figure 3 (CEHZ's) are defined as follows:

- CEHZ1 – Predicted future shoreline at 2080 with a 66% probability of being exceeded.
- CEHZ2 – Predicted future shoreline at 2115 with a 5% probability of being exceeded.

The erosion hazard mapping indicates that both properties are likely to become significantly threatened within the next 50 years.



**Figure 2.** Predicted future shoreline in 2080 (orange line) and 2115 (yellow line). Green shading depicts reserve land subject to this report.

### **Resource consent requirements**

The proposed erosion protection structure requires resource consents from the Northland Regional Council. Earthworks associated with the enabling works is also required by the Far North District Council and the Northland Regional Council. Importantly, advice from the Northland Regional Council is that, once the erosion protection structure has been constructed, the resource consents for the structure will no longer be required because consent is only required for construction, not

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<sup>1</sup> It should be noted that the Coastal Erosion Hazard Zones set out in the application AEE are based on the earlier 2017 release as opposed to the 2021 release because the more recent maps were not available at the time the report was prepared. The use of the older data does not materially affect the overall assessment of coastal hazard exposure.



ongoing occupation, and use. That no consent is required for the ongoing use of the seawall means that the owners of the asset will not be bound by any consent requirements, including requirements for on-going maintenance, addressing any adverse effects that may arise or removing the structure.

### **Access**

Access to the affected portion of the reserve will be unaffected by the proposed erosion protection structure. The width of the reserve is approximately 10m from the toe of the dune scarps to the landward most boundary of the reserve. The proposed structure is to be located at the toe of the dune scarp and so access to the reserve will be unchanged from the current situation. Access to the beach from the reserve is presently not possible as a result of the c.5m high dune scarp (Figures 5 and 6).



**Figure 3.** Dune scarp seaward of No 266 SH12



**Figure 4.** Dune scarp seaward of No 264.

**Reserves Act 1977 requirements**

Council is the administering body for the reserve. Section 40 of the Reserves Act 1977 charges the administering body with managing and controlling reserves so as to ensure the use, enjoyment, development, maintenance, protection, and preservation, as the case may require, for the purpose for which it is classified.

The reserve is designated Local Purpose Reserve (Esplanade) Reserve Under the Reserves Act 1977. The purpose of esplanade reserve is further defined in the Resource Management Act 1991 as being:

- *An esplanade reserve or an esplanade strip has 1 or more of the following purposes:*
  - (a) *to contribute to the protection of conservation values by, in particular, —*
    - (i) *maintaining or enhancing the natural functioning of the adjacent sea, river, or lake; or*
    - (ii) *maintaining or enhancing water quality; or*
    - (iii) *maintaining or enhancing aquatic habitats; or*
    - (iv) *protecting the natural values associated with the esplanade reserve or esplanade strip; or*
    - (v) *mitigating natural hazards; or*
  - (b) *to enable public access to or along any sea, river, or lake; or*
  - (c) *to enable public recreational use of the esplanade reserve or esplanade strip and adjacent sea, river, or lake, where the use is compatible with conservation values.*

Taking the above into account, it is considered that granting permission to allow for the construction of an erosion protection structure is generally in keeping with the purposes of esplanade reserves set out in the RMA, and the broad responsibilities of administering bodies set out in Section 40 of the Reserves Act 1977.

**Relevant FNDC Policy****FNDC Reserves Policy**

FNDC has a reserves policy dated March 2017. Section 4 of the Reserves Policy contains policies covering encroachments on Council owned land. Policy 2 sets out that Council will decline all future requests for private use of public land for access or occupation unless such use provides a benefit to the proper use and enjoyment of the public land. It is worth noting that the current reserve policy contains no policy direction or objectives that consider climate change, sea level rise or coastal erosion and so the policy direction it contains does not offer any substantive guidance in respect of the situation that is the subject of this report; and it is unclear whether Policy 2 was drafted with the proposal that is the subject of this report in mind.

As discussed in the previous section it is considered that granting approval of the proposal is generally in keeping with the purposes of esplanade reserves set out in the RMA, and the broad responsibilities of administering bodies set out in Section 40 of the Reserves Act 1977 because it will enable the preservation and maintenance of the of the reserve. Given the proposed seawall will have the effect of preserving the reserve through protection from progressive shoreline retreat, it is considered that the seawall is not inconsistent with Policy 2.

**Draft Proposed Far North District Plan**

It is relevant to note that the policy direction in the Draft Proposed Far North District Plan seeks to discourage new development within the CEHZ1 (50-year erosion hazard line), with most new development within that zone requiring a discretionary resource consent. Although the plan remains in draft and has not yet been notified, the policy direction provides indication to Far North

communities that development within the 50-year hazard zone is an activity that is not encouraged from a land use planning context.

#### Council's liability for an erosion protection structure on 'Local Purpose Reserve'

As set out earlier in this report, once the consent for the erosion protection structure has been exercised, the consent holder will be able to surrender the resource consents and will not be bound by any consenting requirements covering the on-going maintenance, removal or addressing potential adverse effects associated with changes in coastal processes. The lack of on-going resource consent could expose council to the liability of addressing these issues given it will be located on council land.

Should the Council decide to grant approval for the construction of the erosion protection structure on the reserve, it is recommended that a memorandum of encumbrance is registered against the record of titles of each of the applicants to formalise the existence of the seawall. The encumbrance can require agreement to the following conditions:

- Applicants' responsible for the maintenance, repair, removal of the seawall (if required) during its lifetime, and end of its lifetime
- Applicants' to incur cost of the agreement construction and registration against title
- Applicant to notify FNDC of any variation or modification of the seawall

It is considered that the above conditions will adequately address any issues council being potentially liable for the seawall and any associated effects on adjoining properties.

## **2.2) Consideration of Alternatives**

The assessment of environmental effects for the resource consent application includes an assessment of alternatives options. These alternatives are summarised below.

### Do Nothing – Allow Retreat of the Coastline

The Assessment of Environmental Effects (AEE) report identifies that the shoreline is progressively retreating and allowing the coastline to continue to retreat would likely require the dwellings within each property to be relocated to the CEHZ2 (2115) hazard line. The AEE report sets out that this option is not considered to be practicable owing to the progressive nature of the shoreline retreat and the fact that the owners would be faced with the same issue in later years. This option was accordingly ruled out.

### 'Soft' Protection Options

The AEE report includes an assessment of soft protection options which include importing sand, planting, and installation of groynes to assist with the retention of imported sand. To be effective, the groyne structures would substantially impede access along the beach and would potentially disrupt longshore sediment transport – potentially causing unacceptable erosion at adjoining sites. Importing sand was identified as not being practicable because the material would need to be located seaward of the natural coastline position of the rest of the embayment and so would be subject to potentially rapid erosion and transport to the wider beach system – meaning that sand would need to continuously imported in order for it to provide an effective means of erosion protection.

## **2.3) Options Assessment**

### Option 1: Withhold written approval

It is unlikely the application would be able to proceed in its current form without FNDC giving approval to occupy the reserve with the seawall. Approval is required for the resource consent applications to proceed without notification. However, the seawall cannot proceed without approval from the administering body of the reserve because doing so would be inconsistent with the legal requirements of the Reserves Act 1977.

In effect, this option would severely limit the ability for the owners of the two properties fronting the FNDC reserve land to protect their properties and dwellings from ongoing erosion of the coastal cliff. Ultimately, this option will require that the landowners relocate the dwellings given the current level of risk they are exposed to.



**Option 2 (recommended option): Provide written approval**

This option will allow the two properties to construct a seawall at the toe of the remaining reserve land. This option will provide protection of coastal erosion for at least a 50-year term with negligible impact on the use of the existing reserve land. It is considered any liability that council would be exposed to by virtue of it being the landowner on which the structure is partially located can be suitably limited by way of a memorandum of encumbrance placed on the titles of applicants' properties.

**Take Tūtohunga / Reason for the recommendation**

b) Option 2 is the recommended option for the following reasons:

- There is minimal council reserve remaining and that which does remain has limited value as a local purpose reserve.
- The proposed structure will not affect access to or from the reserve above those affects caused by the 5m high dune cliff.
- The application documentation provides a detailed assessment of the proposal's effect on coastal processes and demonstrates with sufficient levels of certainty that the proposal is unlikely to exacerbate coastal erosion processes and has been designed to accommodate sea level rise.
- The option will allow two properties to protect existing dwellings that are at high risk of being affected by coastal erosion in the near future and will allow other options to be implemented (e.g. managed retreat) as the effects of sea level rise become more acute.

**3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION**

All legal costs associated with the drafting interpretation of the memorandum of encumbrance are to be borne by the owners of the properties that have sought to construct the erosion protection structure on Council owned reserve land. Given the encumbrance will place the responsibility of the maintenance and eventual removal of the seawall on the owners of the properties described as Lot 1 DP196729 and Lot 1 DP310507, it is not expected the recommended resolution will carry any ongoing financial implications

**ĀPITI HANGA / ATTACHMENTS**

1. **Proposed Omapere Seawall Assessment of Environmental Effects - A3184151**  
2. **Proposed Omapere Seawall - Summary of relevant technical matters - A3184158**  

**Hōtaka Take Ōkawa / Compliance Schedule:**

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
  - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
  - b) Assess the options in terms of their advantages and disadvantages; and
  - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	It is not considered that the recommended resolution triggers the thresholds in any of the criteria set out in the current significance and engagement policy.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	The relevant legislation is the Reserves Act 1977. The relevant policy is Councils Reserves Policy, dated 16 March 2017. The implications of the recommended resolution in respect of the provisions of the Reserves Act and the Reserves Policy are discussed in the body of the report.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	The proposal that is the subject of this report does not affect the district as a whole. Whilst the topic of climate change and its impact on coastal erosion is of relevant to the district, that is not a topic that is appropriate to broach as part of this report.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	The views of mana whenua have not been sought. The applicant has consulted with mana whenua as part of the consent application and the outcome of that consultation is reported in is the AEE report attached as Attachment 1.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Taking into account the conclusions of the technical assessment contained with the AEE report (Attachment 1), it is considered that no persons are likely to be affected by the proposal.
State the financial implications and where budgetary provisions have been made to support this decision.	Refer to Section 3 of this report.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report.

# **Ōmāpere Seawall**

for

**Clutterbuck & Petrie**



**Assessment of Environmental Effects  
and  
Application for Resource Consents**

**Northern Regional Council**

**October 2020**



**COASTAL MANAGEMENT AND ENGINEERING**



# Ōmāpere Seawall

**264 & 266 SH12 Foreshore, Ōmāpere**

## APPLICANTS:

**264 SH12 Ōmāpere:**

**A.N. Petrie & H. Petrie**

**266 SH12 Ōmāpere:**

**M.J. Clutterbuck & P.L Harvey**

**Assessment of Environmental Effects and  
Application for Resource Consent**

Document Control		
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## 1.0 Introduction

The Applicant's properties are at 264 and 266 State Highway 12, Ōmāpere. They face onto the Hokianga Harbour, along a stretch of coastline characterised by a tall sandy dune scarp. Cliff retreat driven by erosion of the dune toe is threatening the backshore and the Applicant's properties. It is proposed to place a rock riprap seawall to protect the bank toe from further retreat, ensuring the Applicant's dwellings remain viable.

A timber foreshore access stair is proposed, to provide the Applicants with coastline access. Earthworks to reshape the bank slope will be undertaken and the slope re-planted with dune-binding species.

Application for Resource Consent is being sought for these Activities. A single application is being made on behalf of both parties. The proposed seawall will be a cohesive structure, armouring the beachfront of both Applicant's properties. However, two separate Resource Consents are sought, for the extent of structure seaward of each property.

The Applicants have instructed Davis Coastal Consultants to act for them in this matter and prepare this Application Report and Assessment of Environmental Effects.

### 1.1 Resource Consents Sought

A summary of the Consents sought is presented in Table 1.1.

All works occur above Mean High Water Springs, and this application therefore falls under the jurisdiction of the *Northland Regional Water and Soil Plan*. A separate Application will be made to the Far North District Council (FNDC) for additional Consents under the Far North District Plan.

In addition, the *Northland Regional Plan – Appeals Version* was published on the 29<sup>th</sup> July 2019, and updated in August 2020, and the relevant provisions having immediate legal effect have been addressed within this application pursuant to Section 86(3) of the Resource Management Act.





Resource Consent for Land Use that '*contravenes a Regional rule*' is sought under Section 9 (2) of the Resource Management Act.

Application is made for Land Use Consents for Land Disturbance and Earthworks under the Northland Regional Water and Soil Plan (NRWSP). The works are defined as Discretionary Activities.

Application is also made under the Proposed Northland Regional Plan – Appeals Version for the construction of hard protection structures as a Discretionary Activity.

Overall, the proposal is considered to require Consent as a Discretionary Activity under the relevant Regional Plans.

Consent	RMA Clause	Plan	Clause	Activity Status
Land Disturbance within Riparian Management Zone – Earthworks more than 50m <sup>3</sup> /200m <sup>2</sup>	9(2)	NRWSP	34.3.1	Discretionary
Land Disturbance adjacent to Site of Significance to Maori	9(2)	NRWSP	34.3.1	Discretionary
Vegetation Clearance in Riparian Management Zone – does not exceed 200m <sup>2</sup>	9(2)	NRWSP	34.2c(ii)	Permitted
Land disturbance activities within the Riparian Management Zone – Environmental Standards	9(2)	NRWSP	34.1.3	Discretionary
Hard Protection Structures	9(2)	NRC Appeals Version	C1.1.22	Discretionary
Earthworks – within Coastal Riparian and foredune management area – 200m <sup>2</sup> exposed earth at any time.	9(2)	NRC Appeals Version	C.8.3.1	Permitted

Table 1.1 – Summary of consents sought



## 1.2 Definitions

Within this report terminology for the intertidal and tidal area is consistent with those defined in the Resource Management Act:

**Coastal Marine Area – CMA** – *“means the foreshore, seabed, and coastal water, and the air space above the water -*

*(a) of which the seaward boundary is the outer limits of the territorial sea:*

*(b) of which the landward boundary is the line of mean high water springs...”*

**Common Marine and Coastal Area – CMCA** – *“means the marine and coastal area other than –*

*(a) specified freehold land located in that area; and*

*(b) any area that is owned by the Crown...”*

**Mean High Water Springs – MHWS** – *“the average of the heights of each pair of successive high waters during that period of about 24 hours in each semi-lunation (approximately every 14 days) when the range of tides is the greatest”*

**Foreshore** – *“means any land covered and uncovered by the flow and ebb of the tide at mean spring tides and, in relation to any such land that forms part of the bed of a river, does not include any area that is not part of the coastal marine area”*

**Backshore** – All land above Mean High Water Springs



## 2.0 Description of Existing Environment

### 2.1 Location

The site is located at Ōmāpere, on the eastern bank of the Hokianga Harbour, in Northland (Figure 2.1a). The Applicant's properties are located at 264 and 266 State Highway 12, Ōmāpere. They are bounded by State Highway 12 to the east and the Hokianga Harbour to the west (Figure 2.1b).

The subject properties are legally described as Lot 2 DP196729 (No 264) and Lot 1 DP310507 (No 266). Two parcels of Esplanade Reserve land are located seaward of the subject properties, legally described as Lot 5 DP196729 and Lot 2 DP91297. As discussed subsequently (Section 6.1.1) historic erosion is such that title to the most seaward Reserve (Lot 2 DP91297) has been divested and is now CMCA.

The proposed seawall is primarily located within these adjacent Reserve areas seaward of the subject residential properties, at approximate co-ordinates 1635250mE, 6068090mN on the New Zealand Transverse Mercator Projection.

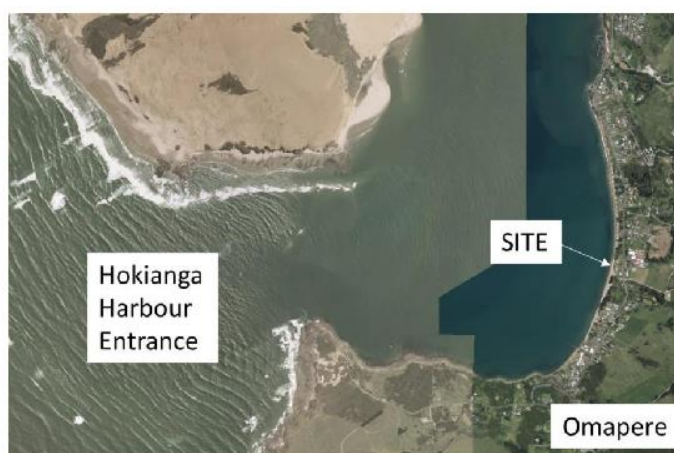


Figure 2.1a: Location Plan



Figure 2.1b: Applicant's properties and adjacent Esplanade Reserves

## 2.2 Wider Physical Environment

The Hokianga Harbour is the fourth largest harbour in New Zealand, located on Northland's west coast. The origins of the Hokianga Harbour are that of a drowned river valley, formed when sea levels rose to their current levels approximately 7,000 years ago. The upper harbour is characterised by a network of meandering river channels and tidal mudflats, with the main harbour basin having an elongated form orientated from south-west to north-east, approximately 2km wide. The landform of the harbour basin is dominated by the large dunes to the northern arm of the harbour spit. The entrance to the harbour is approximately 1km wide and characterised by strong tidal currents, the large waves of the open coast, and an entrance bar (additional information on the wider harbour processes is provided in Section 3.5).

The small coastal town of Ōmāpere borders the harbour's southern shore, approximately 2km upstream from the harbour entrance. It has a slightly embayed coastline that generally faces in a westerly direction. The coastal margin is characterised by a sandy beach with a higher rear dune system, typically modified with housing development above the dune. Dune vegetation tends to be predominately pine, overhanging grasses and small exotic and native plants, although there are some larger mature Pohutukawa towards the central embayment. The



landward area behind the coastal plain is a mixture of residential, rural and bushland, with a hilly topography.

### 2.2.1 Site Geology

Review of the 1:250,000 Geology Map of New Zealand provided online by GNS Science indicates the site is underlain by “*unconsolidated to poorly consolidated sand, peat, mud and shell deposits of the Karioitahi Group (estuarine, lacustrine, swamp, alluvial and colluvial)*”, with the deposit of these sediments running along the eastern bank of the Harbour (Figure 2.2.1). Landward of this (the orange geological units) are conglomerate and sandstone derived from the Northern Allocthon comprising the Waititi, the Otueka and the Waiwhatawhata Formations.

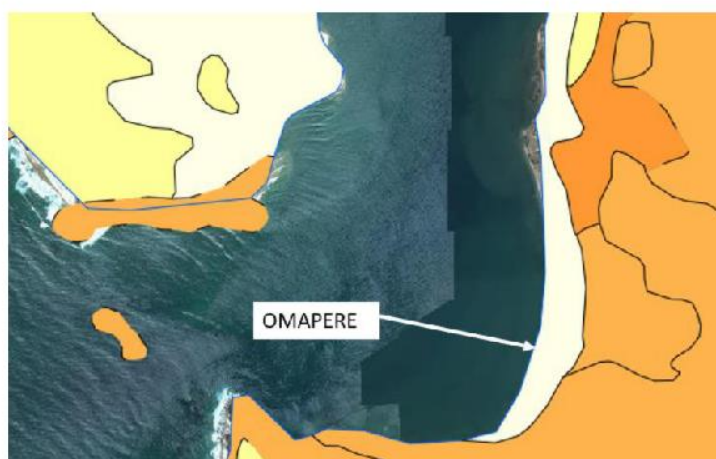


Figure 2.2.1: Excerpt from the Geology of the Auckland Urban Area – IGNS

### 2.2.2 Nearshore Bathymetry

Hydrographic Chart NZ4212 published by Land Information New Zealand (LINZ) provides information on the bathymetry of the mouth and inner basin of the Hokianga Harbour (Figure 2.2.2). The chart shows the area within the bounds of the Ōmāpere embayment as having a gently sloping seafloor from the coast at approximately 1:100 down to -5 Chart Datum (CD), with the main Harbour channel approximately 500m offshore having varying water depths approximately 8-10m below CD. Scour due to ebb tidal currents has deepened the channel at the mouth of the Harbour down to -20 - -25CD, with the channel located adjacent the southern head of the Harbour.





Figure 2.2.2: Excerpt from NZ Chart 4212 showing bathymetry of Harbour

### 2.3 Site Description

The two adjacent residential properties are generally grassed, with the dwellings developed on the modified backdune. This area is elevated above the adjacent Harbour, with the contours sloping gently from the road at RL 7 towards the dwellings at approximately RL 6. Contours rise seaward of the properties to the dune crest at approximately RL 7 – 8, before a steep dune scarp approximately 5m high leads to the foreshore at approximately RL 2.5 – 3.0. Geotechnical testing on the foreshore indicate the beach comprises a veneer approximately 2 – 2.5m deep, with a harder layer underneath varying from approximately RL 0.5 – 1.0 across the site.

Both of the dwellings are in close proximity to the scarp. The property at No 266 being closest with approximately 2-3m between parts of the dwelling and the headscarp of the dune (Photograph 2.3a).

There is relatively sparse vegetation on the site. The dune scarp has negligible vegetation, and a single semi-mature Pōhutukawa (*Metrocideros excelsa*) and a large mature pine are located on the headscarp seaward of No 264 (Photograph 2.3b).



A river (the 'Waihuka' stream) outlets onto the foreshore (Figure 2.3) immediately to the south of 266 SH12, with the body of the river heading inland in a south-easterly direction before being piped in a culvert under the road, and it is assumed this takes stormwater flows from the inland catchment. The dune scarp runs along the north-eastern bank of the river around two sides of No 266, and continues along the front of No 264.

In addition, a swale carrying overland flow runs from north to south at the landward side of No 266, and outlets into the adjacent river body upstream from the outlet in the beach face. On the southern bank of the river is a protruding sandspit, the more elevated areas of this spit have become vegetated in exotics including mature pines.

It is understood this area has significance to local iwi, with the following description of the Waihuka stream provided:

*"Midway along Omapere bay is the Waihuka stream. There was once an ancient wahi tapu and a tauranga waka at its mouth. The wahi tapu was on a point of land on the northern bank, the tauranga was on its inland sand. Both were completely destroyed by flooding and rough tides in 1904. The foreshore further inland beyond where the wahi tapu and tauranga waka were in 1904, has also eroded. The human remains were gathered up and buried. Fewer human remains are now found. Among the artefacts recovered were unfinished adzes"* (John Klaricich, Statement of Evidence, WAI2003)



Figure 2.3: Site plan with features shown



Photograph 2.3a: Dwelling at No 266 in proximity to cliff headscarp





Photograph 2.3b: River outlet, adjacent sand spit with vegetation including pines at elevated areas

## 2.4 Wider Built Environment

The bank at the seaward extent of the Applicant's dwellings is at present unarmoured. However, the wider Ōmāpere embayment has been reasonably modified through construction of armouring and water access structures. The location of some of these in relation to the site is shown below (Figure 2.4).



Figure 2.4: Wider built environment of Ōmāpere embayment



The armouring closest to the subject properties (approximately 450m south, 400m north) are predominantly rock riprap (Photograph 2.4a) or timber armouring structures, or a combination of both (Photograph 2.4b). Many properties have also built timber access stairs to the foreshore.

The most significant structure to the south (approximately 450m from the site) is located immediately north of the Copthorne Hotel, where a large riprap wall has been placed, in addition to what appears to be an area of reclaimed land. Seaward of the riprap wall a public boat ramp and jetty is located, with the timber jetty being approximately 90m long.



**Photograph 2.4a: Riprap armouring north of site**



**Photograph 2.4b: Combination rock rip-rap and timber armouring**



In addition to the private seawall structures, 2km of new seawall is currently under construction by the New Zealand Travel Agency (NZTA) extending from Kokohuia Point (approximately 1km north of the site) to Opononi township. It is understood the motivation for this armouring is to address the coastal erosion threatening the State Highway in areas between the two coastal townships (Photograph 2.4c).

Whilst the wall was still under construction at the time of the site investigation (November 2019), there appeared to be a large amount of small (gabion sized and smaller) rock present in the face of the seawall (Photograph 2.4d), which is highly likely to migrate out of the wall face and onto the adjacent beach as a result of wave action. This highlights the potential issues with rock wall construction, and also the necessity of strict control of rock size grading to ensure this issue is avoided.



**Photograph 2.4c: NZTA seawall currently under construction**





**Photograph 2.4d: Small rock present in face of new NZTA seawall**



### 3.0 Coastal Processes

#### 3.1 Wind

Given the remoteness of the site, there is little readily available wind data for the Hokianga Harbour. Data from NIWA (2013) for four sites around Northland are shown below (Figure 3.1a), with the wind roses comprising mean annual wind frequencies from hourly observations. The closest site is that shown at Kaikohe, which is located approximately 50km inland of Ōmāpere, however the only coastal site is Cape Reinga (200km to the north), which is significantly more exposed.

This greater exposure is reflected in the strength of winds recorded at the Cape, with the south-westerly predominant and mean annual wind speeds are approximately 30km/hr. Kaikohe by comparison is far more sheltered, with a slight south-westerly predominance and mean annual speeds approximately 10km/hr.

A wind rose from the online wind app 'Windy' for Ōmāpere is provided below (Figure 3.1b), which is displaying average data from a number of forecast models across eight years from 2012-2019. There is a dominance of the south-westerly wind in the record, as would be expected for a site on the west coast. The most common speeds range from 0 – 32km/hr, with fewer instances of winds from 32-43km/hr coming from the west and south-west.

For the site at Ōmāpere inside the Harbour, the southern head of the harbour provides sheltering from the predominant south-westerly. The site is exposed to winds from the west through to the north.

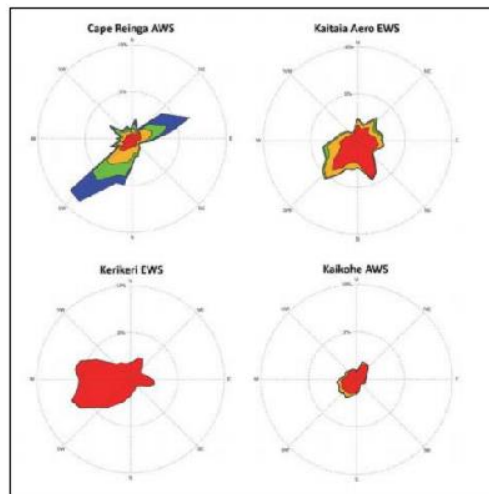


Figure 3.1a: Compiled wind roses for four Northland sites (ex NIWA, 2013)



Figure 3.1b: Wind record for Ōmāpere, 2012-2019, ex windy.app

### 3.2 Tides

Tidal data is published online by LINZ, with a tidal range provided for Ōmāpere as a Secondary Port (Table 3.2). The LINZ port tidal level is relative to Taranaki Chart Datum (TCD). MHWS for the Ōmāpere / Opononi coastline was also published in the regional flood hazard reporting by



the Northland Regional Council (2017), relevant to One Tree Point datum (OTP). This level has also been shown in the table below.

The local reference benchmark uses an MSL datum, with the underlying site topographic survey and all levels on the drawings provided relative to this MSL (ref: SM1026, Code DVQH ex LINZ). Clarification was sought from LINZ as to the appropriate conversion factor from TCD to local MSL. This communication is attached as Appendix F. LINZ provided MSL and MHWS for Ōmāpere, relative to New Zealand Vertical Datum (2016), and also to OTP. This value differs from that provided by the NRC, and is shown in the Table below. As the assumptions made in the NRC reporting are not known, and that it is also the same MHWS value used for all sites within the Hokianga Harbour, the value provided by LINZ in terms of OTP is considered more likely to be correct for Ōmāpere.

The relationship between MSL and MHWS has been used to represent MHWS in terms of MSL, and this range is provided in the table below and this MHWS adopted on the Drawings.

Port	MHWS	MHWN	MLWN	MLWS
Ōmāpere CD	2.9	2.3	0.8	0.1
Ōmāpere OTP (ex NRC, 2017)	1.66			
Ōmāpere OTP (ex LINZ, 2020)	1.38			
Ōmāpere MSL	1.2	0.6	-0.9	-1.6

**Table 3.2: Summary of relevant tidal data published by LINZ, NRC (Tonkin & Taylor, 2017) and tidal range to MSL adopted at site**

### 3.3 *Extreme Water Levels*

During storm events water levels become higher due to lower atmospheric pressure and the effect of onshore wind energy “pushing” water towards the coast and up harbours in an effect called storm surge. Storm tides can be defined as tides that include the effect of storm surge and these represent the highest range of water levels experienced in coastal regions in decadal



time scales. There are also other oceanic driven variations in the water level that affect extreme tidal levels that are captured in the tidal record.

In addition to storm tides, waves have the ability to raise the effective sea-level at the coastline. Wave set up can be considered as additional water level due to wind blowing onto the shore and waves breaking on shore “piling up” water and holding water level higher with the energy expended. This wide scale increase in the water level at the shoreline has the potential to result in direct inundation of the coastal margin. Water will flow from the sea towards all areas of the coast below the “set-up” water level until the area is inundated or the tide drops resulting in a lower water level.

A report prepared by Tonkin & Taylor (2017) for the Northland Regional Council (NRC) performed an in-depth study using hydrodynamic models calibrated against tide-gauges to calculate extreme water levels, including wave effects, along the Northland coastline. Joint probability modelling techniques were then applied to calculate the occurrence likelihood of the extreme sea-level elevations.

Data is provided for two Cells on this coastline, described as ‘Open coast’ and ‘Sheltered’. The Ōmāpere – Opononi coastline is located within the Harbour, and it is assumed the modelling work informing these calculations indicates that open coast waves are propagating through the Harbour entrance. Whilst the reporting does not provide location information on these cells, given that the site at Ōmāpere is approximately opposite the entrance to the Harbour, it is considered that the values provided for ‘Open coast’ are more likely to apply at this location.

The simulated extreme storm tide levels, and the storm tide level including wave set-up for Ōmāpere - Opononi are shown in the table below (Table 3.3). The levels provided in the reporting are relative to One Tree Point Vertical Datum 1964 (OTP1964). These levels have then been converted to the MSL datum (this requires a conversion of -0.23, say -0.2 from OTP1964)

Omapere & Opononi – Cell A	Current 1% AEP (m OTP)	Current 1% AEP (m MSL)
Storm tide	2.4	2.2
Static WL (including set-up)	2.8	2.6

Table 3.3: Predicted storm tide and wave setup extreme levels (ex TnT, 2017)





### 3.4 Wave Environment

The Hokianga Harbour is a semi-enclosed harbour environment, and the majority of the coastline of the Harbour is sheltered from the open ocean wave environment of the west coast. However, the site along the Ōmāpere coastline is immediately adjacent the mouth of the harbour. Accordingly, whilst some sheltering will be provided to the site as these large ocean waves are forced to break on the bars at the mouth of the Harbour, and then diffract into the wider Harbour basin, it is likely that a measure of this wave energy propagates across the harbour basin and impacts the site. This is evident in the aerial images of the Harbour, where the diffraction of wave energy entering the Harbour and then spreading into the bay is evident (Figure 3.4a).

In reporting produced by Tonkin & Taylor (2017) for the Northland Regional Council, wave data from a location approximately 5km offshore from Ahipara (approximately 45km north along the west coast from the Harbour entrance) was presented. Mean wave height and also the 1% Exceedance wave heights are provided below (Table 3.4), with the wave rose also shown (Figure 3.4b). The wave rose indicates a record entirely dominated by the south-westerly wave climate. This wave environment is expected to be very similar offshore from the Hokianga Harbour.

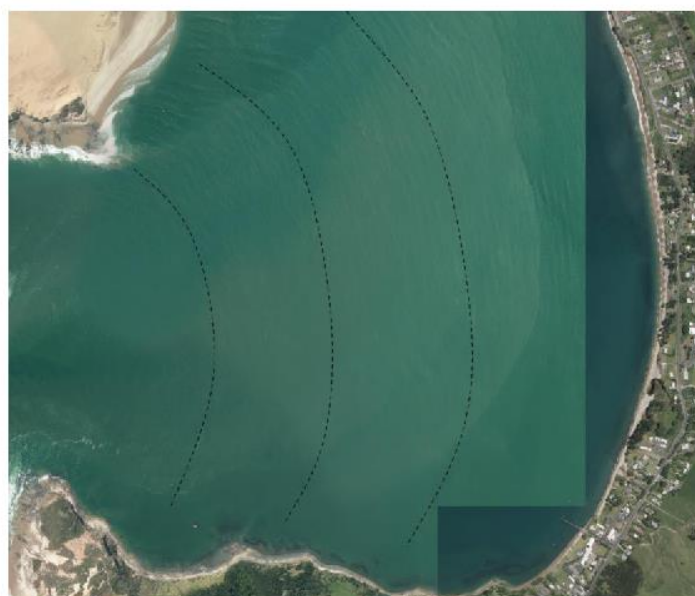


Figure 3.4a: Indicative wave fronts

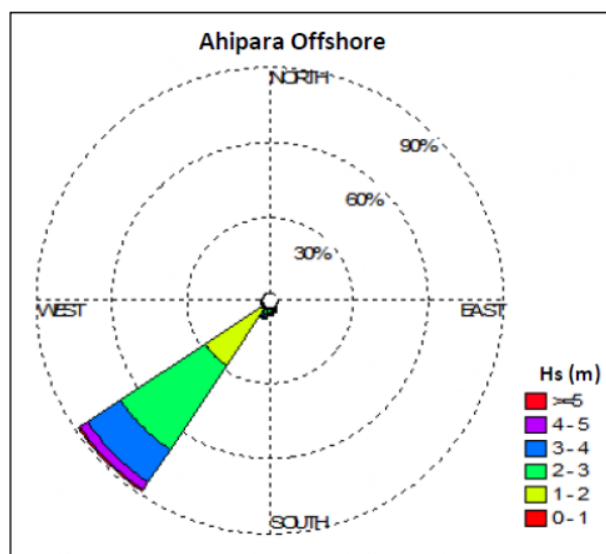


Figure 3.4b: Ahipara wave rose (T&amp;T, 2017)

Wave Event	Hs (m)	Tp (s)
Mean	2.5	13
1% Exceedance	5.0	14

Table 3.4: Offshore wave Ahipara (T&amp;T, 2017)

Depending on tidal state, this offshore wave will likely be forced to break and lose energy as it passes through the Harbour entrance. Waves will then be re-generated again across the 4km fetch across the Harbour basin. This reduction in wave energy through diffraction into the Harbour has not been quantified. However, wave action impacting the base of the dune will occur only on the upper part of the tidal cycle and will be depth limited. At high tides when waves are reaching the upper foreshore, the offshore wave will be reduced by shallow water depth. This reduction will increase during periods of high sand levels on the beach. Observation of the beach indicated a nearshore wave environment dominated by plunging breakers on the steeper upper foreshore (Photograph 3.4), with run-up locally raising water level inbetween beach cusps (see 3.4.1 below).



Photograph 3.4: Plunging breakers

Existing level at the foreshore at the base of the dune was approximately RL 3. MHWS (at RL 1.2 as above) is seaward of the base of the dune and therefore waves are not reaching the scarp. However, during periods of low sand levels on the beach, by projecting the flatter gradient lower intertidal area landward to the base of the dune, sand level could decrease to approximately RL 1.5 – 2.

Assuming a wave period of 7-10s, and calculating incident wave length on this basis, wave height will be limited to approximately 80% of the water depth at a location  $\frac{1}{2}$  of the wavelength offshore from where the still water level intersects the foreshore (Figure 3.4c). Assuming a storm tide event with water level of RL 2.2 (given an AEP of 1% as above), the assumed significant wave height for the site during this extreme event is approximately 0.4 – 0.7m.

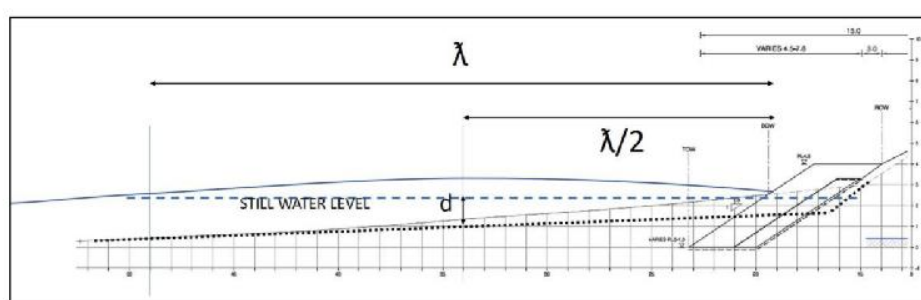


Figure 3.4c: Indicative water depth for depth limited wave height



### 3.4.1 Beach Cusps

A network of beach cusps are present on the shoreline at Ōmāpere, most evident along the 800m of beach north of the site to the northern headland of the Ōmāpere embayment (Figure 3.4.1). These features are approximately 30m across, and are typically described as *“regularly spaced crescentic morphological patterns formed in the swash zone of a beach. They consist of seaward-pointing horns with steep lateral slopes separated by a gentler sloping embayment”* (Dodd et al, 2008).

There are two primary theories as to the formation of these features; the ‘standing edge wave theory’ is based on a near shoreline interaction between waves approaching the shore and waves set up perpendicular to the shoreline called edge waves, and then wave interactions resulting in preferential erosion; and the ‘self-organisation theory’ which is based on positive feedback between beach morphology and the flow of water creating small relief patterns, which then experience preferential erosion / accretion in a positive feedback loop, forming the cusps.

Whilst determining the origin of these cusps is not important for this project, these features do provide information on the nearshore beach processes. That is, there is reasonable agreement that the conditions associated with cusp generation are *“usually associated with reflective wave conditions, relatively steep beach gradients, and normally incident waves, which can be either plunging or surging”* (Dodd et al, 2008). This indicates that the nearshore processes acting on the beach are dominated by the wave climate outlined above, that is the deep water waves propagating through the mouth of the harbour and approaching at approximately shore-normal, that is, the angle of wave approach is at 90° to the general angle of the coastline. Further, and as follows from this shore normal wave approach, there is relatively limited longshore transport otherwise these features would tend to be infilled and flattened. That these features are less prominent at the site is hypothesised to be due to a greater shadowing of the southern end of the Ōmāpere embayment to the offshore wave energy entering through the Harbour mouth.



Figure 3.4.1: Beach cusp formations

### 3.5 Coastal Erosion

At a wider Harbour level, the morphology and areas of erosion is the result of a complex interplay between the effects of tidal flows, waves, and sediment movement. Over time, eroding coastlines tend to become orientated in response to the dominant wave approach, and the shape of the Ōmāpere embayment (Figure 3.5a) suggests a response to the westerly wave entering the mouth of the harbour and propagating directly across the harbour basin. The ebb tidal currents in the Harbour are also likely to be capable of transporting sand off-site, once mobilised by wave energy. The morphology of high steep dune scarps along the embayment suggests a coastline undergoing progressive retreat.

Areas of erosion were also present further north, along the Opononi coastline, which is sheltered from the westerly wave environment. This erosion is likely driven by other factors, including potentially areas of historic reclamation during formation of State Highway 12 in close proximity to the coastline.





Also evident is a large volume of sand on the eastern face of the northern arm of the Harbour, assumed to have been deposited by aeolian transport from the predominant wind. There is evidence of relatively extensive forestry activity to the northern sandspit, which has the potential to affect the sediment balance in the harbour. A change in the supply of sediment to the beach system, leading to lower sand levels more often, may also be driving the progressive retreat of the dune.



Figure 3.5a: Wider harbour coastline

The bare face of the scarp at the site indicates this has been retreating too rapidly for vegetation to establish. The unconsolidated/poorly consolidated sediments comprising the dune are readily eroded by wave action, which based on foreshore contours appears to be only acting at the toe of the dune. In addition to the sandy sediments exposed at the base of the scarp, approximately half way up the dune scarp are older more consolidated sediments (Photograph 3.5a), which are not typically expected in the equilibrium profile of a sandy beach. This is evidence the erosion is progressive rather than part of a natural fluctuation.

The general erosive model for these dune coastlines is the wave action at the toe of the dune scarp erodes and transports these sediments, leaving the upper dune over-steep and prone to failure. This material fails with the talus deposited on the foreshore. This material provides



temporary support to the scarp, however it will tend to be reasonably rapidly eroded once again leaving the toe exposed to wave attack. There is the added complication at the site of the fluvial impacts from the river to the south. The outlet of the river will tend to migrate over time with sand levels on the beach; at times it will angle more to the south away from the site and this is evident in historic aerials, however at the time of the site visit (November 2019, Photograph 3.5b) it was travelling north along the face of the dunes and providing an additional source of scour at the base of the dune scarp. The river scour also reduces the dune height at the upper foreshore, enabling more frequent runup scour. The extent of the erosion present on the cliffs to the north, outside the area of effect of the river scour, indicates that there are two drivers to cliff retreat and it is not purely a fluvial process occurring when the river flows are discharging along the base of the dunes.



**Photograph 3.5a: Dune scarp seaward of No 266 SH12**





**Photograph 3.5b: Dune scarp seaward of No 264 showing older more consolidated dune sediments**

A potential source of retreat data is historic aerial imagery. However, this requires that retreat be of a scale significant enough to be measurable beyond the margins of error involved in the georectification process. Nine images were obtained over a time period from 1942 – 2019, which provides nearly 80 years of historical data. These images were georectified, and then a seaward line of vegetation marked on each image. Comparing the change in this line between images allows interpretation of the change in coastline position over this period (Figure 3.5b). The trends in the data show that along the coastline to the north of the site, where this is remote from the fluvial influence of the river outlet, historic erosion rate is approximately 0.4m/yr. To the south, where there is a combination of wave driven and fluvial erosion, historic erosion rate is approximately 0.5m/yr. With the exception of a period of accretion in the main dune face between 1942-1968, the remainder of the mapped coastlines are showing progressive retreat. This is consistent with observations of the dune face made above. These measured retreats are similar to the 0.3m/yr quoted in the assessment of historic shoreline positions along the beaches of the Omapere / Opononi coastline (Tonkin & Taylor, 2017).



Figure 3.5b: Coastal vegetation lines from historic aerial imagery

The trend of progressive retreat in the historic aerial data is also set out in the Coastal Erosion Hazard Zone Assessment completed by NRC (Tonkin & Taylor, 2017). This reporting used both historic aerals and beach profile data to predict potential future shoreline positions. Two Coastal Erosion Hazard Zones (CEHZ's) were defined in this reporting:

- CEHZ1 – Predicted future shoreline at 2065 with a 66% probability of being exceeded, considered to be a 'likely' CEHZ
- CEHZ2 – Predicted future shoreline at 2115 with a 5% probability of being exceeded, considered to be a 'potential' CEHZ

These CEHZ lines for the subject sites are shown below (Figure 3.5c). As can be seen, both dwellings are predicted to be significantly threatened by 2065, with the coastline predicted to have retreated behind the dwellings by 2115. These predictions are consistent with the erosion scarp at the site, and the erosion being experienced at present being a progressive retreat of the coastline rather than natural fluctuations of a beach around an equilibrium profile.



Figure 3.5c: CEHZ 1 and 2 with respect to the subject properties, plotted from NRC GIS

### 3.6 Sea Level Rise

The Ministry for the Environment (MfE) guidance on sea-level rise (December 2017) adopts a risk-based approach to coastal development, with a range of sea-level rise values specified depending on the type of development proposed. It sets out the sea-level rise projection scenarios to 2150, which cover a range of possible future sea levels:

- A low emissions, effective mitigation scenario (RCP 2.6)
- An intermediate-low emissions scenario (RCP 4.5)
- A high emissions, no mitigation scenario (RCP 8.5)
- A higher, more extreme H+ scenario (RCP 8.5 H+), for stress-testing adaptation plans / major new development at the coast

These scenarios and the resultant sea level projections are shown below (Figure 3.6).

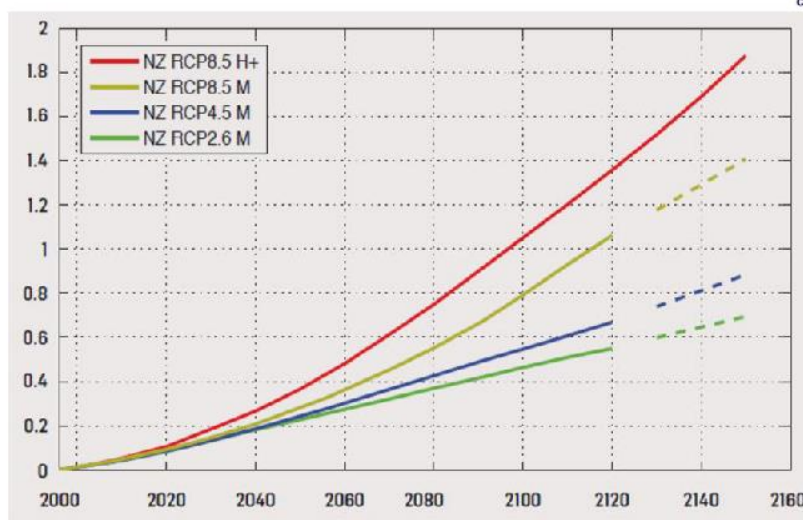


Figure 3.6: Sea-level rise projections for various Concentration Pathways – ex MfE, 2017

The MfE guidance defines Asset Category C as comprising “*land-use planning controls for existing coastal development and assets planning*”. It recommends a transitional response of 1.0m of sea-level rise for the next 100 years out to 2120. This is in accordance with the RCP8.5 emissions scenario, which is considered sufficiently precautionary.

The maximum period for a Coastal Permit Resource Consent is 35 years. Based on using the RCP 8.5 emissions scenarios, this would suggest that allowance for a sea-level rise of 300-400mm over the Consent Period of the structure would be in accordance with these guidelines. However, consideration is also made of the potential effects of sea level rise over the 100-year time scale, and this is discussed further in Section 8.5.2.





## 4.0 Proposal

### 4.1 Rock Riprap Seawall

A new engineered rock riprap seawall is proposed, extending approximately 142m (Figure 4.1a) along the base of the dune scarp and river bank to the south. There are two types of seawall proposed, which differ in their primary function. These are river bank armouring (Type 1) and dune toe protection (Type 2). These are discussed in more detail below.

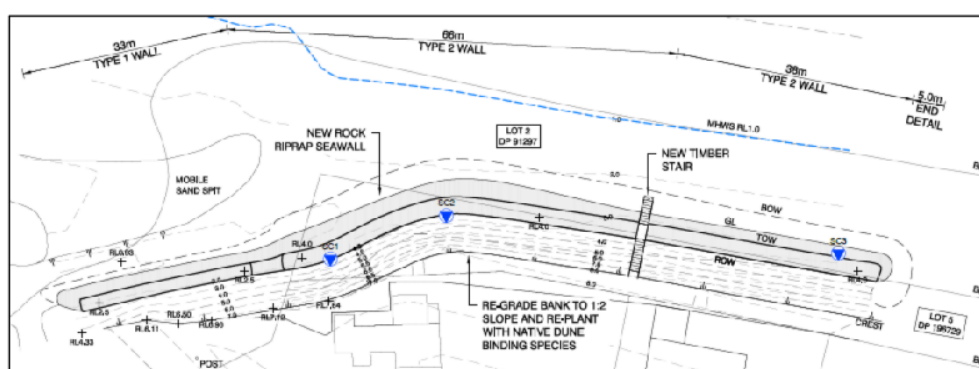


Figure 4.1a: Layout Plan of new seawall

#### Type 1 Wall:

This section of wall is approximately 33m in length and is located along the bank of the river, south of the property at 266 SH 12. The intent of the wall in this location is to prevent further erosion of the river bank, and protect the main wall face from outflanking by the river flows. As a result a lesser specification armour (than the main wall face, see Type 2 below) is suitable in this location.

The wall will comprise a single armour layer of imported 600-800mm rock, with an underlayer comprising imported 200-300mm rock, and a geotextile fines barrier. A typical section is shown below (Figure 4.1b). The wall crest is at RL 2.5, with the base of the wall extending 500mm into the underlying riverbed to approximately RL 0.5.

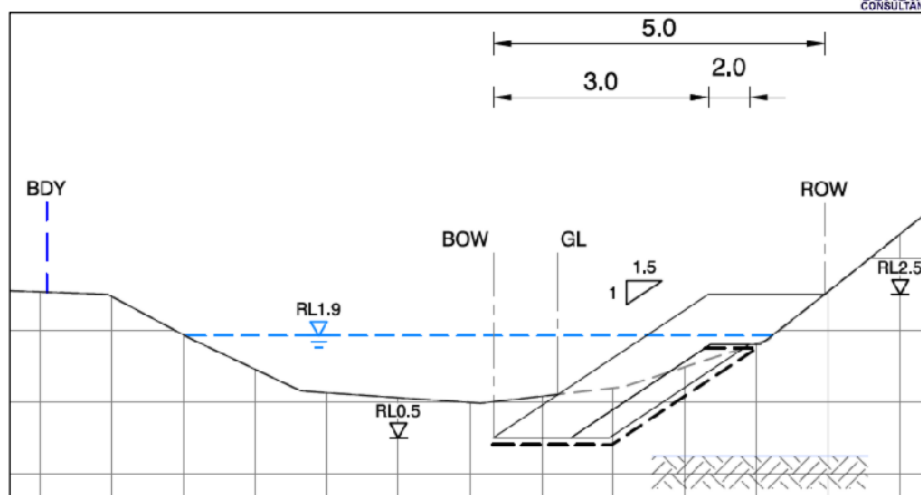


Figure 4.2b: Typical section through Type 1 wall at riverbank

#### Type 2 Wall:

This section of wall is approximately 109m long and is to armour the toe of the main dune scarp, seaward of the properties at No 266 and No 264. The wall will comprise a double armour layer of imported 600-800mm rock, a double underlayer of 200-300mm rock, and a geotextile (Figure 4.2c). It will be founded with a toe detail approximately 500mm into underlying harder material, which varies across the site from RL 0 – 1.0. Crest height of the wall is RL 4.0, with the face of the wall sloping at 1(vertical):1.5(horizontal).

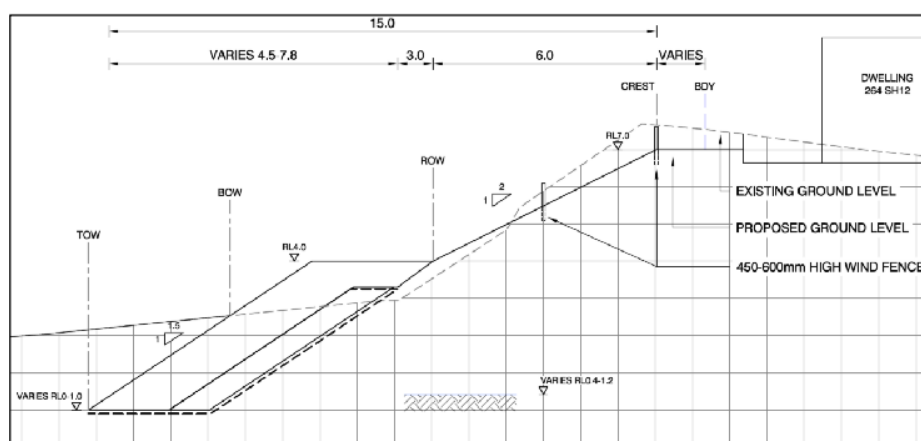


Figure 4.2c: Typical section through Type 2 wall



#### 4.2 Timber Stair

A 12.5m long x 1.5m wide timber stairway is proposed to provide access from the Applicant's properties to the foreshore. It will be placed on the boundary between No 264 and No 266.

The structure will consist of 2 flights with a central landing (Figure 4.2), with 170mm risers and 310mm treads. The stair will be supported on timber piles and run perpendicular to the coastal margin. The stair will be placed over the top of the new rock wall, and will necessitate placement of some foundation piles through the underlying geotextile for the seawall. To prevent this causing issues with loss of fines the likely methodology will be to place stair piles following placement of the geotextile, prior to the armour rock. This will allow small holes to be cut in a continuous geotextile layer to allow pile placement.

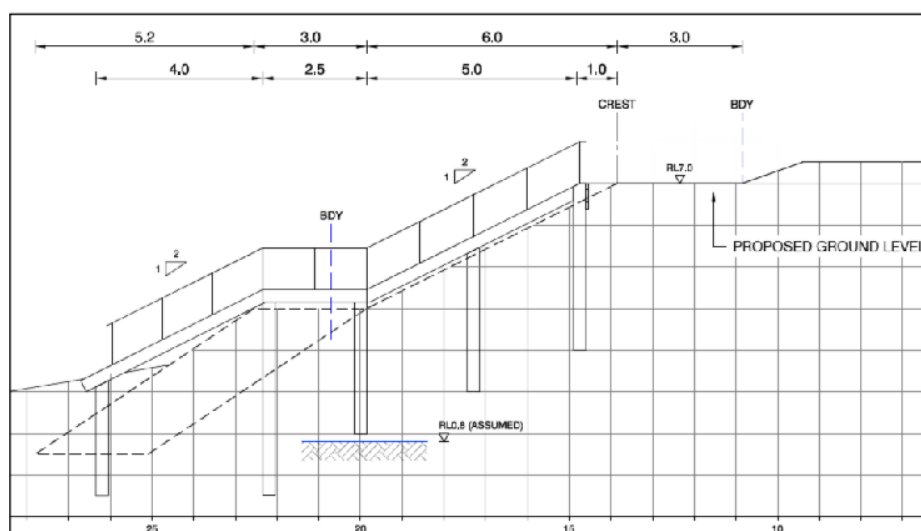


Figure 4.2: Typical section through Type 2 wall

#### 4.3 Earthworks

Following construction of the seawall, the over-steep dune scarp above the wall will be lowered and re-graded to allow establishment of dune planting. This will comprise grading the dune from RL 4.0 at the seawall crest, at a 1(vert):2(horiz) slope, up to RL 7.0 at the dune crest. This material will be re-distributed to the foreshore below the new seawall. Apart from some dune sands at the upper cliff, the majority of the material will comprise cemented sand material (as can be





seen in Photograph 3.5b). This material will be track rolled to assist in breaking it down into smaller sand particles for better integration with the sand of the foreshore. This process evidently occurs naturally as this material has been undergoing erosion, and no evidence of eroded blocks remaining in situ for long periods of time has been seen on site.

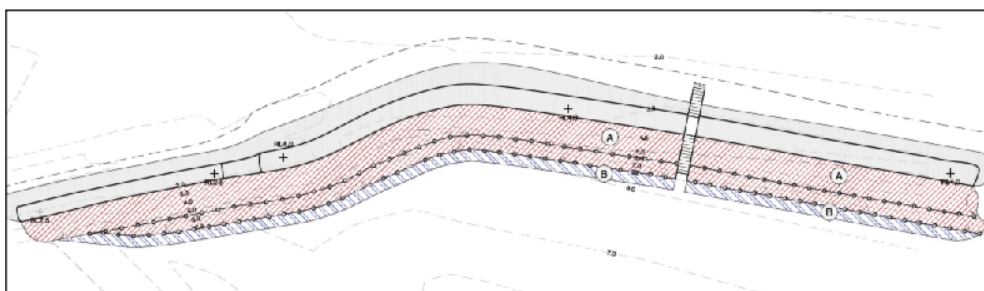
A summary of the indicative cut and fill areas and volumes is provided below (Table 4.3). These volumes are provided for an indication of scale only, as none of this material will be removed off-site.

Zone	Area (m <sup>2</sup> )	Cut (m <sup>3</sup> )	Fill (m <sup>3</sup> )	Net (m <sup>3</sup> )
Conservation (Reserve)	700	530	220	310 cut
Residential	50	10	20	10 fill
Total	750	540	240	300 cut

Table 4.3: Summary table for earthworks to upper dune

#### 4.4 Dune Revegetation

Existing dune vegetation is generally sparse, and this will be removed by the re-grading outlined above. Extensive re-vegetation of the re-graded dune is proposed, over an area of 720m<sup>2</sup> (Figure 4.4a, labelled 'A') from the top of the seawall to the dune crest, comprising the planting of sand-binding dune species spinifex (*Spinifex Sericeus*) and pīngao (*Ficinia Spiralis*). Once established these species will assist in sand retention on the upper dune, and reduce the risk of dune blowouts above the seawall. Rear of the dune crest, planting on the back dune (labelled 'B') will comprise a 1.5m wide strip of bracken (*Pteridium Esculentum*) and Pohuehue (*Muehlenbeckia Complexa*), covering 180m<sup>2</sup> of the site.



To assist in establishment of the dune planting, two lines of wind fencing are proposed. One line of fencing will be located approximately half-way up the slope above the seawall, with the second line of fencing located at the dune crest. The fencing will comprise 100Ø x 1.2m timber posts at 2.0m centres, founded approximately 600mm below ground, with sand-coloured wind cloth running between the piles (Figure 4.4b).

The fencing will remain in place until the Spinifex and Pīngao have established and formed a suitable ground cover to the slope. This is estimated to be approximately 2-5 years.

It is proposed that maintenance conditions be imposed on the planting, with the format of this as follows (or similar):

*“Within the first planting season following the completion of all earthworks, planting as shown on the Davis Coastal Consultants ‘Planting Plan’ File No 1918 / Sheet No 07 / Rev – dated 12.08.2020 will be undertaken. Following this all new plantings shall be maintained for a minimum of three years and any new plantings that die or decline over this three year period shall be replaced. The replacement plants shall be of the same species, grade and size as the original specimens and planted no later than the following planting season (May to August)”.*

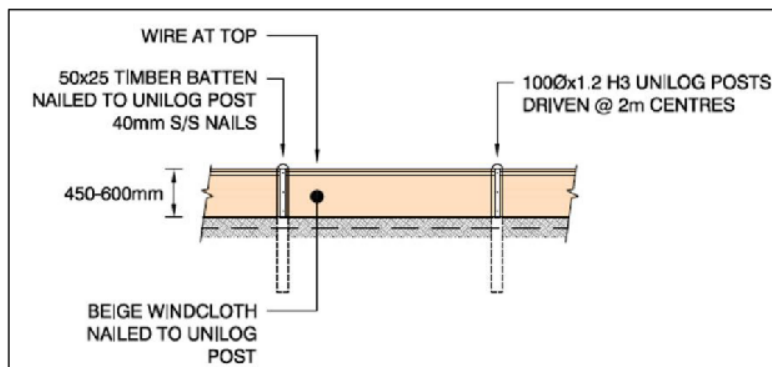


Figure 4.4b: Proposed wind fence typical detail

#### 4.5 Construction Access and Methodology

Access to the CMA will be obtained using a landward access across the Applicant's property at No 266. A Contractor's Area will be set up at 266 SH12, at the head of the cliffs, with all rock delivered to site stored in this location.

The expected construction methodology for the works is:

- Establish excavator (12-15t) to site and establish fenced compound at 266 SH12 (see Figure 4.5), at the head of the cliffs
- Armour rock to be delivered to site via truck and placed within temporary storage area
- Form construction access to CMA down dune scarp as shown, orientating the access away from the predominant SW wind to reduce risk of blowout during construction
- Excavator to access and exit CMA using this access, with the machine to be removed from the CMA prior to the subsequent high tide
- Work to construct the riprap wall will likely be undertaken in sections, with exposure of the bank limited to the extent of wall able to be completed in a tidal cycle
- Excavate existing beach sand down to foundation level, shape toe of dune to design slope
- Place geotextile, followed by the underlayer(s) and armour layer(s)
- Complete each section, before starting new section, leaving geotextile extending past placed rock to allow for overlap between geotextile sheets



- At a minimum geotextile will be placed over any exposed backshore material prior to the subsequent high tide
- Piling for timber stairs to be undertaken before rock is placed, through geotextile
- Piles will be drilled and driven, not concreted
- Timber stairs to be built following rock placement
- Shape dune above seawall following seawall construction, with wind fencing installed immediately following works. Planting to be undertaken in the first planting season following wall construction



Figure 4.5: Extent of contractor's area and access

#### 4.6 Extent of Consent

The proposed structures are to be covered under two separate Resource Consents. The extent of the structures covered by each Consent is set out below (Table 4.6, Figure 4.6).

In general, the Owners of each property will hold Consent for all structures located directly adjacent their property boundaries on the seaward land. Where the wall extends onto land adjacent neighbouring properties at 268 and 270 SH12, the Applicant at 266 SH12 will hold Consent for this section of wall. Boundary marks will be placed on the crest of the seawall by a Registered Surveyor following completion of works to define the extent of Consent.

Table 4.6: Extent of Consent



## 5.0 Options Assessment

### 5.1 Overview

The options considered comprise whether armouring should be placed or not, whether 'soft engineering' solutions might be appropriate, and the type of armouring.

### 5.2 *Do Nothing – Allow Retreat of the Coastline*

When considering a proposal for any form of coastal protection structure, it is a statutory requirement that the option to 'Do Nothing' and allow the coastline to retreat naturally is considered.

The morphology of the steep dune scarp at the site, with older more consolidated sediments exposed, is indicative of a coastline undergoing progressive retreat. This is confirmed by the trend in the historic aerial images, and also the predicted future coastline positions in the NRC's erosion hazard modelling.

The process of erosion and retreat of coastal cliffs is a natural process. However, there is valuable coastal land and development at the head of the cliffs. The threat this ongoing retreat poses to property is prompting measures to attempt to prevent this ongoing retreat elsewhere on the coastline – see for example the NZTA seawall protecting the State Highway (2km north of the site).

It is also understood from preliminary consultation with the local hapū management committee that ongoing erosion of the riverbank on the northern side of the river occasionally releases koiwi (human remains) from a historic burial site (wāhi tapu) in this area. This may continue to occur should ongoing retreat and erosion of this area be unaddressed.

Assuming the 'Do Nothing' option is adopted, the following issues are considered likely:

- Loss of the dwelling at No 266 SH12 within the next 50 years
- Threatening of the dwelling at No 264 within the next 50 years





This option would likely require both Applicants to re-locate the existing dwellings to a landward location, likely landward of the CEHZ2 2115 hazard line. Were this a beach in dynamic equilibrium, and the observed erosion considered to be a temporary state, there would be a much stronger argument for a managed re-alignment of the dwellings. The typical approach on these coastlines is to define the area of fluctuation based on historic data, make allowances for future retreat due to potentially increased erosion due to sea-level rise, allow an additional buffer, and set dwellings landward of that point. In part that work has been done by the defining of these Hazard Zones. However, this would not address the issue of the progressively retreating coastline. At some point in the future, the property owners would later be presented with the same issues they are currently facing, and a decision would again need to be made about the protection of the sections. The Applicants are in effect making that decision at this point, prior to the loss of a large amount of their property. Therefore, relocation is not considered as a practicable long-term management option.

The existing NZTA seawall to the north demonstrates that the management approach at a government level to the threatening of major infrastructure on this coastline will be to provide armouring to protect these assets, as opposed to re-locating them landward. North of the site approximately 300m (Figure 5.2), there are places where the retreating coastal scarp is within 25m of State Highway 12. Based on the erosion rates measured earlier, and assuming no increase in erosion rate due to sea-level rise, this road will be threatened by the retreating cliffline within approximately 50 years. Therefore, over this time period the extent of armouring on the subject coastline is expected to increase significantly.

Given the proximity of the cliff at site to the Applicant's dwellings, and the progressive erosion observed, the option to 'Do Nothing' is not considered to be practicable, and is not an acceptable option for the property owners. Therefore, there is a requirement to address the retreating coastal cliff.



Figure 5.2: Proximity of dune scarp to SH12 300m north of site

### 5.3 'Soft' Protection Solutions

Soft engineering options including beach renourishment and planting were also considered when determining an appropriate response to a coastal hazard threat.

The placement of sand renourishment as an erosion response would typically involve the importing of sand and placement of this material against the dune scarp. This placed sand would provide a temporary barrier to the dune scarp, and planting could be sought to be established to retain it in position. However due to the relatively wide nature of the subject embayment, this material would be located in an artificially seaward position than the adjacent un-nourished coastline. Due to wave action it is likely that it would be preferentially remobilised and then



transported by tidal currents to the wider beach system. The speed at which this would occur would be dependent on the frequency of storms and high tide events, however once transported erosion of the dune scarp would continue. Typically private property owners do not possess the resources to continually move sand as a 'soft' engineering response, and it is considered this management option is not practicable.

The placement of groynes as 'headland' control structures would likely be required to assist in retention of the new renourished material. At a minimum two groynes would be required, one to train river flows at the western end of the site and one at the eastern end of the site (seaward of No 264). These would need to be reasonably large shore-perpendicular structures approximately 1m above beach level would form an impediment to the easy pedestrian access across the beach face. Whilst the net direction of longshore transport is not known at the site, there is the potential for interruption of longshore transport with these structures, which could result in an unacceptable increase in erosion on the adjacent shoreline to the north or south. In addition, this type of response to the erosion hazard is not being adopted elsewhere on the coastline and accordingly it could be considered out of step with the 'character' of the coastline.

Planting of dunes with native sand-binding species helps to retain sand within planted areas, protecting the dunes from blow-outs and providing a buffer to erosion during storm events. Sand-binding species such as Spinifex and Pīngao are particularly useful at growing the dune toe in areas of dune fluctuation. However, they are unlikely to be similarly successful on a retreating coast. Due to the height of the dune scarp, planting would need to be undertaken in conjunction with the renourishment (and groynes), rather than being an appropriate solution by itself to address the progressive erosion. Planting of any disturbed dune areas is to be undertaken as part of the proposal but cannot be considered a suitable erosion mitigation option on its own.

#### **5.4 Hard Protection Armouring Discussion**

It is evident that retreat of the coastal dune is driven by the action of erosion processes at the toe of the bank. It has been demonstrated above that the option to 'Do Nothing' is not appropriate given the progressive nature of the retreat, and also that 'softer' engineering measures such as renourishment or planting are not appropriate on their own. Accordingly, to address the erosion some form of toe armouring is required.



All of the walls on the subject coastline, with the exception of the timber wall with rock toe to the north, are rock riprap walls. The construction of a rock riprap seawall on a relatively remote coastline such as that at Omapere in the Hokianga Harbour has the following advantages:

- The rock for the wall is a relatively easy construction material to source, with a number of potential quarries in reasonably close proximity to the site
- The construction techniques are relatively simple, with a quality wall able to be constructed by a relatively inexperienced contractor provided sufficient engineer supervision is available
- The rock wall is a relatively flexible structure, able to accommodate slow settling or lowering of the underlying firmer material without risking failure
- It is a similar type of structure to the existing types of seawall on the coastline
- The rock wall can be readily extended along the riverbank edge to provide protection from these flows
- Providing there is a suitable source of rock in proximity to the site, these type of seawall are relatively cost effective when undertaking a reasonable length of wall (such as that proposed)

Alternative styles of armouring are not considered to provide any additional benefit and accordingly a riprap wall is proposed at the site.



## **6.0 Statutory Assessment**

### **6.1 Resource Management Act 1991**

#### **6.1.1 Section 88 of the RMA**

Pursuant to Section 88 of the RMA, an application for Resource Consent shall include an assessment of any actual or potential effects that the activity may have on the environment, and the ways in which any adverse effects would be avoided, remedied or mitigated.

Section 88 stipulates that an assessment of effects shall be of a detail that corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment and shall be prepared in accordance with the Fourth Schedule. An assessment of the effects of the proposal is contained within Section 8.0 of this report.

#### **6.1.2 Reserve Land and Marine and Coastal Area Act 2011 Discussion**

The subject residential properties are located landward of two Reserve parcels, being Lot 5 DP196729 (landward) and Lot 2 DP 91297 (seaward). Part 2 Section 11(4) of the Marine and Coastal Area Act 2011 sets out that

*“Whenever, after the commencement of this Act, whether as a result of erosion or other natural occurrence, any land owned by the Crown or a local authority becomes part of the common marine and coastal area, the title of the Crown or the local authority as owner of that land is, by this section, divested...”*

Pursuant to this Section, whenever land that is part of these Reserves becomes ‘*part of the common marine and coastal area*’, that is, becomes inundated below MHWS, then this part of the title is divested and it permanently becomes CMCA. This interpretation has been discussed previously with FNDC (see Appendix E). They provided the following comment:

*“Lot 2 DP 91297 is completely under water and is now part of the Common Marine and Coastal Area. The title is completely divested.”*





*Lot 5 DP 196729 is partially under water and that portion is lost to the Common Marine and Coastal Area. The title is divested for that portion of land now below MHWS" (Kay Meekings, Property Legalisation Officer, email comms 05.08.2019)*

This interpretation has been shown below (Figure 6.1.2). It is confirmed that it is likely that during times of low sand level the seaward Reserve lot is below MHWS and accordingly it is now CMCA. During these times of low sand level, if MHWS was at the base of the dune scarp part of Lot 5 DP 196729 would also therefore be divested. This is most evident seaward in the portion of Reserve seaward of the dwelling at Lot 1 DP 310507. However, the majority of the Reserve land in Lot 5 DP 196729 remains above MHWS and is still held in title.



Figure 6.1.2: Indicative Reserve land seaward of properties

This has the following implications for the subject proposal:

- Landowner Approval (in addition to Resource Consent) must be sought from FNDC for the extent of seawall and stair access located on Lot 5 DP 196729

This process has been initiated in conjunction with lodging the Consent.





### 6.1.3 Extent of CMA and MHWS Discussion

The line of MHWS is defined in the Act as the statutory boundary of the CMA. Uses and Activities are subject to Rules and Plans for the CMA up to the line of MHWS, and terrestrial Rules and Plans landward of that line. Defining the extent of the CMA at the site is important as it determines the relevant infringements for the structure. The Act defines the CMA as being:

*“the foreshore, seabed, and coastal water, and the air space above the water ...  
(b) of which the landward boundary is the line of mean high water springs...”*

On sandy beaches, where the level of the beach is in constant flux, this can result in varying positions of MHWS (and the CMA) over time. As noted in Baker and Watkins (1991), *“from a beach monitoring survey carried out over a 12 month period at Takapuna and Milford Beaches in Auckland, which cannot be classed as fully exposed, it was found that the position of MHWM typically varied by 9 metres and at one position by 17.5 metres due to changes in the beach profile”*.

A survey of the site was undertaken in September 2019. Based on the MHWS level provided by LINZ at Ōmāpere (1.2 MSL), and the sand levels at the time of this survey, MHWS was located approximately 8-10m seaward of the toe of the wall (Figure 6.1.3), meaning the wall is outside the CMA. Conversely, if a survey was undertaken at a time of lower sand level, part of the wall could be located inside the CMA. However, it is important to define a CMA location in order to determine the relevant Plans for assessment.

It is proposed to adopt the surveyed level of MHWS (in September 2019) as the most current data on CMA location, and define the relevant Plans on this basis.

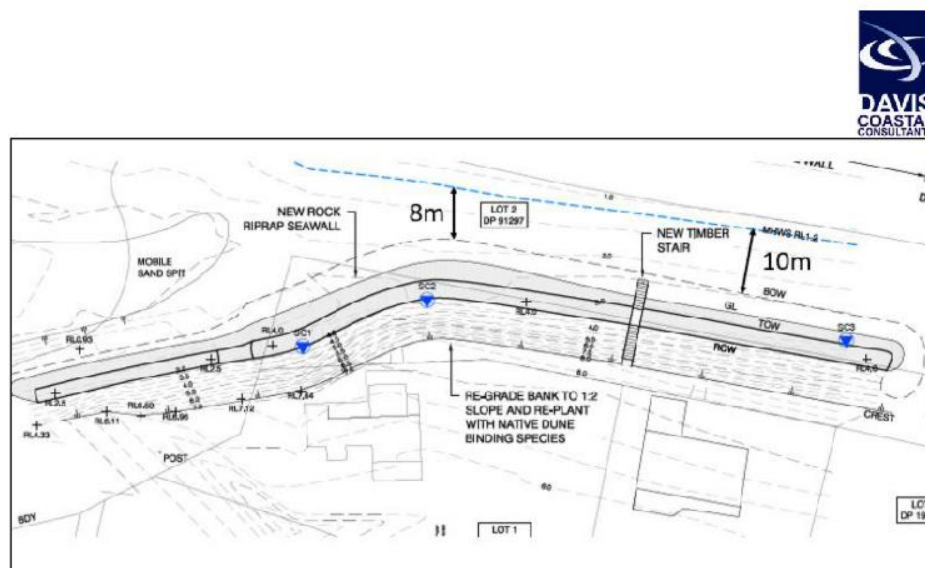


Figure 6.1.3: Location of MHWS seaward of wall

This has the following implications for the subject proposal:

- The Northland Regional Plan – Coastal is not relevant, as the site is above MHWS
- The Far North District Plan is the primary relevant Plan requiring consideration
- The Northland Regional Soil and Water Plan requires consideration
- The Proposed Regional Plan for Northland – Appeals Version requires consideration
- Consultation under the Marine and Coastal Area Act (2011) is not required (see Section 6.2)

#### 6.1.4 Section 104 of the RMA

The application is subject to an assessment under Section 104 and Part 2. Section 104 lists those matters to which the Council shall have regard and provides, in particular, that:

- (1) *When considering an application for resource consent and any submissions received, the consent authority... must have regard to –*
- (a) *Any actual and potential effects on the environment of allowing the activity;*  
*and*
  - (b) *Any relevant provisions of –*
    - (i) *A national policy statement:*
    - (ii) *A New Zealand coastal policy statement: (not relevant)*



- (iii) A regional policy statement or proposed regional policy statement;*
- (iv) A plan or proposed plan; and*
- (c) Any other matters the Consent Authority considers relevant and reasonably necessary to determine the application.*
- (d) When forming an opinion for the purposes of subsection (1)(a), a Consent Authority may disregard an adverse effect of the activity on the environment if the plan permits an activity with that effect...*

This report considers the matters set out in Part 2 of the RMA, and assesses the application against the New Zealand Coastal Policy Statement (NZCPS), and the relevant parts of the Northland Regional Policy Statement. The application has also been considered with respect to the detailed tests in the Northland Regional Soil and Water Plan, and the Proposed Northland Regional Plan – Appeals Version. Additionally, an Assessment of Environmental Effects is undertaken in Section 8.0.

On the basis of this assessment, it was determined that the adverse effects on the environment will be minor and no more than minor. In addition, it was also demonstrated that the application is not contrary to the Objectives and Policies of all the relevant Plans.

#### **6.1.5 Part 2 Assessment**

In the context of this application for a Land Use Consent, where the Objectives and Policies of the Regional Plan was prepared having regard to Part 2 of the RMA, it can be assumed they capture all relevant planning considerations. These Plans also provide a clear framework for assessing all relevant and potential effects, and there is therefore no need to go beyond these provisions and look to Part 2. An assessment against Part 2 would not add anything to the evaluative exercise.

#### **6.1.6 Consents Sought**

This application for Resource Consent is required under the Resource Management Act 1991. Section 9 of the Act places restrictions on the use of land.

#### Land-Use Consent – Section 9



The Act states that under Section 9 (2) that:

*"No person may use land in a manner that contravenes a regional rule unless the use –  
(a) Is expressly allowed by a resource consent..."*

The works contravene rules relating to land disturbance, hard protection structures, natural hazards and building within identified setbacks and management zones within the Regional Plan. Therefore, Resource Consent is sought to undertake these works under Sections 9 (2) of the RMA.

#### **6.1.7 Section 95A-95E - Notification Assessment – Attached as Appendix B**

A full notification is undertaken in Appendix B, with the result summarised below.

It is considered that the proposal is able to be processed on a non-notified basis, without the requirement for limited notification on any person, or public notification on the wider community, because:

- The proposal will have less than minor adverse effects on the environment, including visual amenity or coastal character effects and effects on coastal processes;
- No persons will be adversely affected by the proposal, having regard to the scope of the proposed works and the measuring of these works against the tests provided in the relevant planning documents
- The primary adjacent properties to the works are owned by the Applicants who are seeking to provide a cohesive approach to addressing the erosion issue at the site
- The potential effects on other adjacent neighbours (not party to the application) are less than minor
- The proposal is not considered to give rise to any special circumstances that would warrant public notification.



### 6.1.8 Section 221 Consent Notice on Certificate of Title

In June 2000, a subdivision was undertaken that involved the creation of six new lots (Figure 6.1.8). Of these, one is Esplanade Reserve (Lot 5 DP 196729) and one is an Accessway (Lot 6 DP 196729). As part of this subdivision, a Consent Notice was issued by the Far North District Council pursuant to Section 221 of the RMA 1991.

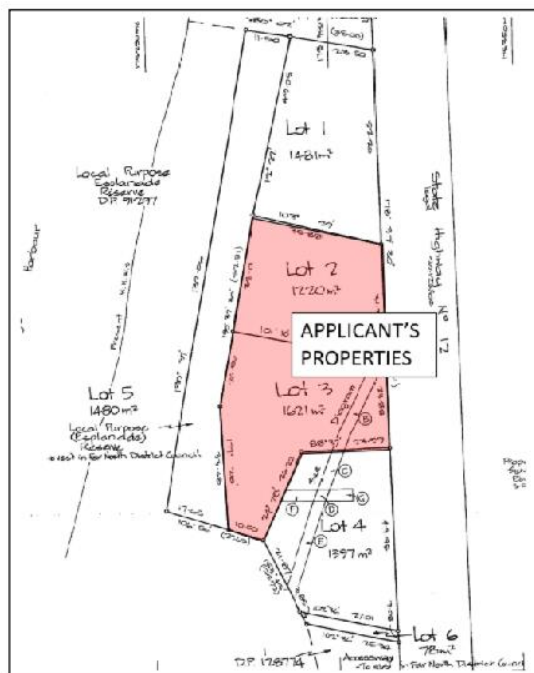


Figure 6.1.8: Subdivision Plan at time of Consent Notice (2000)

This Consent Notice sets out the following;

- *"Any building erected is to be re-locatable for coastal hazard reasons*
- *No buildings shall be erected closer than 40 metres from mean high water springs as shown on the Haigh Consultants report dated 18 December 1996.*
- *Any dwelling erected will be made subject to section 36 of the Building Act 1991 stating that Council will accept no liability for any loss or damage to any building as part of any adverse coastal process*
- *Parts of the sites may contain fill and require specific engineering design for foundations"*



The approach to addressing the potential coastal hazard at the site, at the time of subdivision, was to place this notice on the title of the subdivided lots. This was with the aim of ensuring that any new building would be located outside the area of the natural hazard, which at this point was taken to be *"40 metres from mean highwater springs"* (per Haigh Consultants, 18 December 2006).

This is a valid approach to mitigating the hazard, which would require the Applicants to re-locate their dwellings landward outside the hazard zone, as they become threatened by ongoing retreat of the coastal dune. In the case of No 264 the dwelling predates the subdivision. No provision has been made to make this a relocatable building. However as discussed above (Section 5.1), the progressive retreat of the coastal dune will continue and this will result in a progressive loss of amenity (and coastal property) for the Applicants. This is considered by the Applicants to be an unacceptable management approach and accordingly they are seeking an alternative approach to mitigate this hazard.

This alternative approach is to seek to make adequate provision to *"protect the land, building work, or other property...from the natural hazard"* (Section 71 of the Building Act 2004, which superceded the Building Act 1991 and updated the natural hazard provisions to Sections 71-72).

This will be accomplished through provision of the toe protection wall, re-shaping to the over-steep upper dune scarp, and replanting with native sand binding species.

## **6.2 Marine and Coastal Area (Takutai Moana) Act 2011**

The MACA was passed in 2011, and repealed the Foreshore and Seabed Act 2004. The MACA created a no-ownership regime over the CMCA and introduced mechanisms to recognise customary rights of Māori in that area. These mechanisms include 'protected customary rights' (PCR's) and 'customary marine title' (CMT).

Pursuant to Section 62 of the Act, in the period before the Crown has determined whether an application for CMT is successful, any applicant for Resource Consent is required to notify and seek the views of an applicant for CMT in the relevant area. However, as discussed earlier (Section 6.1.1), the location of the CMA (and therefore the CMCA) has been defined seaward of the proposal. Accordingly, no consultation has been undertaken with MACA Applicants.





### **6.3 New Zealand Coastal Policy Statement (NZCPS)**

The purpose of the NZCPS is to state Policies in order to achieve the purpose of the RMA, in relation to the coastal environment of New Zealand. The proposal is considered to be consistent with the relevant NZCPS Objectives and Policies listed below:

*Objective 2 - To preserve the natural character of the coastal environment and protect natural features and landscape values through:*

- *recognising the characteristics and qualities that contribute to natural character,*
- *natural features and landscape values and their location and distribution;*
- *identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and*
- *encouraging restoration of the coastal environment.*

Objective 2 seeks the preservation of Natural Character in the coastal environment. The effect of the proposal on the Natural Character of the coastline is assessed in Section 8.1. There is the potential for tension to occur between this Objective and the desire of the Applicants to protect their property from ongoing cliff retreat.

Whilst there are no seawall structures immediately adjacent to the proposed structure, along the wider coastline there are numerous examples of armouring being undertaken to protect landward development (see Section 2.4). As noted above, the proximity of State Highway 12 to the retreating coastline has resulted in construction of a significant length of rock riprap armouring approximately 1km north of the site. Observation of additional areas inbetween this armouring and the site where erosion is ongoing (and in reasonable proximity to the Highway) indicate additional armouring to protect this major road is likely in the future.

Subdivision of the site has already occurred. With the inferred Consent decision the sites are not land where subdivision, development and use for residential housing is inappropriate.

The establishment of toe armouring at the site will allow the re-vegetation of the upper dune (approximately half the total dune height) with native dune binding species. This is considered a positive outcome for the Character of the site.



*Objective 5 – To ensure that coastal hazard risks taking account of climate change, are managed by:*

- *locating new development away from areas prone to such risks;*
- *considering responses, including managed retreat, for existing development in this situation*
- *protecting or restoring natural defences to coastal hazards*

The properties are existing dwellings and sites, and as such there is not the opportunity of locating this development away from the area at risk of erosion. The potential relocation of the dwellings at threat has been considered in Section 5.0, however due to the progressive erosion and loss of amenity that this would require, this option is highly undesirable to the Applicants.

The use of 'softer' engineering solutions such as re-nourishment would require additional control structures to maintain it in position. The re-grading of the upper bank and establishment of dune vegetation planting will minimise the risk of dune blowouts in the upper dune, and will assist in binding sand above the wall. However planting alone will not be sufficient to address the eroding dune.

Accordingly, the proposal is considered not to be inconsistent with this Objective, due to the constraints of the site and wider coastal management approach that is being applied along the Ōmāpere / Opononi coastline.

*Objective 6 – To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use and development, recognising that:*

- *the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;*
- *some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;*



- *functionally some uses and developments can only be located on the coast or in the coastal marine area...*

The proposed seawall has a functional need to be located within the coastal environment, in order to provide the armouring required to prevent ongoing erosion of the bank. There is no alternative more landward alignment for the wall, given steep landward dune and that dune retreat is being driven by erosion of the dune toe.

Policy 27 of the NZCPS addresses coastal hazards and provides guidance on hard protection structures:

*1. In areas of significant existing development likely to be affected by coastal hazards, the range of options for reducing coastal hazard risk that should be assessed includes:*

- a. promoting and identifying long-term sustainable risk reduction approaches including the relocation or removal of existing development or structures at risk;*
- b. identifying the consequences of potential strategic options relative to the option of "do-nothing";*
- c. recognising that hard protection structures may be the only practical means to protect existing infrastructure of national or regional importance, to sustain the potential of built physical resources to meet the reasonably foreseeable needs of future generations;*
- d. recognising and considering the environmental and social costs of permitting hard protection structures to protect private property; and*
- e. identifying and planning for transition mechanisms and timeframes for moving to more sustainable approaches.*

*2. In evaluating options under (1):*

- a. focus on approaches to risk management that reduce the need for hard protection structures and similar engineering interventions;*
- b. take into account the nature of the coastal hazard risk and how it might change over at least a 100-year timeframe, including the expected effects of climate change; and*
- c. evaluate the likely costs and benefits of any proposed coastal hazard risk reduction options.*



3. *Where hard protection structures are considered to be necessary, ensure that the form and location of any structures are designed to minimise adverse effects on the coastal environment.*
4. *Hard protection structures, where considered necessary to protect private assets, should not be located on public land if there is no significant public or environmental benefit in doing so.*

A Guidance Note has been provided (December 2017) on both Objective 5 (the coastal hazard objective) and the four Policies that address coastal hazards (Policies 24-27). As outlined in this guidance note:

*“the overarching goal of the coastal hazard objective and policies is to manage coastal hazard risks so that the likelihood of them causing social, cultural, environmental and economic harm is not increased. This includes harm arising from responses to those coastal hazards, such as the addition of hard protection structures. The adoption of long-term risk-reduction approaches is strongly encouraged”*

To determine the appropriateness of a hard protection structure at this section of coastline, it has been demonstrated in Section 5.0, that the ‘soft’ protection options such as planting and renourishment are not appropriate to deal with the progressive erosion hazard at site.

The option of ‘*Managed Retreat*’ has also been considered. If the beach state was providing evidence that the current erosion trend was part of a longer-term fluctuation around an equilibrium profile, then there would be a strong case for a managed retreat at the site comprising relocation of the existing dwellings at threat. Once these were moved landward the duneline could continue retreating, reach its maximum eroded position, before (at some point in the future) beginning to accrete again. However, the material exposed in the dune scarp is old, consolidated sedimentary material, rather than dune sands. This extent of erosion is occurring landward of any potential equilibrium profile, and based on the historical dataset it has been progressive for at least the last 60 years. The exact effects of sea-level rise on future dune retreat are potentially uncertain, although likely to result in an increase in the rate of erosion of these sandy shorelines. A re-location of dwellings to a more landward location does not prevent a progressive loss of land for the Applicants from the combined effect of this progressive erosion and likely future increase. Accordingly it has been determined that this



option is not appropriate, and the Applicants are seeking to reduce the long-term hazard risk by providing toe protection to the coastal dune.

Policy 27(4) sets out that hard protection structures should not be located on public land if there is no significant public or environmental benefit in doing so. It is therefore important to consider whether it is practicable to establish an armouring measure to prevent cliff retreat located entirely on private property. The dwellings are located on raised ground at the head of the cliffs, with the existing property boundaries located at or in close proximity (2m approx.) to the headscarp of the cliffs. In order to prevent erosion the armouring needs to be located at the toe of the dune.

Establishing erosion protection inside the Applicant's property would require relocating the dwellings, allowing the dune line to retreat, and then constructing the armouring as currently designed.

It is noted that pursuant to the Marine and Coastal Area Act 2011 (see Section 6.1.6) the local Authority has been divested of title to the seaward Reserve (Lot 2 DP 91297) and this area is now CMCA. In addition, at times of low sand level, the landward Reserve (Lot 5 DP 196729) is partially under water and that part of the title is also now CMCA. The extent of remaining public land in this area comprises predominantly a steep dune scarp that is unsuitable and unavailable for access. This remaining public land will be imminently lost by ongoing cliff retreat, therefore the additional public value that will be gained by requiring this approach is considered to be negligible.

On balance, due to the constraints of the site, progressive nature of erosion, and management approach being adopted elsewhere on the wider coastline, the establishment of a hard protection structure across the two sites is considered not to be inconsistent with the provisions of the NZCPS 2010.



#### **6.4 Northland Regional Policy Statement**

The aim of the Northland Regional Policy Statement (NRPS) is to promote sustainable management of Northland's natural and physical resources, in accordance with the purpose and principles of the Resource Management Act 1991 (RMA).

The proposal is considered to be consistent with the relevant NRPS Objectives listed below:

*Objective 3.13 – “The risks and impacts of natural hazard events...on people, communities, property...are minimised by...*

*(e) Enabling appropriate hazard mitigation measures to be created to protect existing vulnerable development...”*

The existing dwellings and property are located within an area undergoing progressive retreat, and the close proximity of the cliff scarp to the dwellings mean they are considered highly vulnerable to erosion over the next 50 years. An options assessment has been undertaken and the construction of toe armouring to prevent ongoing retreat demonstrated to be the most suitable option at the site. This is considered therefore an appropriate mitigation measure, being a similar type of structure to that already existing on the subject coastline.

*Objective 3.14 – “...protect from inappropriate subdivision, use and development*

*(a) the qualities and characteristics that make up the natural character of the coastal environment, and the natural character of freshwater bodies and their margin...”*

As identified by the Northland Regional Plan, the characteristics that make up the Natural Character of the coastal environment within the Hokianga Harbour have been identified as wide-scale values of a relatively untouched landscape, with few human structures, with outstanding features including large headland dunes and large areas of native bushland. The subject site is set within an area of localised development within the harbour, remote from these specifically identified features. The Character of the coastline bordering Ōmāpere / Opononi is considered somewhat compromised, due to the development of existing coastal protection structures. The sites are already subdivided and development for residential use, which is not changing as a result of the proposal. The current proposal is rather a consequence of the existing use of these





sections established at the time of the subdivision. As noted above, the Character of the Harbour is established by large scale features, observed from distance. The relatively small scale structure at the toe of the dune will not affect these wider scale landforms and values. Further, the visual effect of the wall from distance will be significantly mitigated by the revegetation planting to the upper dune.

## 6.5 Northland Regional Soil and Water Plan

### 6.5.1 Regional Soil and Water Plan Zoning

The Northland Regional Soil and Water Plan (NRSWP) manages the effects of land use activities on water and soil in Northland above the line of MHWS. The relevant area is identified as a Riparian Management Zone, which extends from MHWS at the seaward extent to 20m landward of the 'top of the bank' where the dominant slope is greater than 15 degrees, as it is at the site (Figure 6.5.1a). This encompasses the entirety of the work proposed at the site, with this line extending to approximately the rear of the existing dwellings (Figure 6.5.1b).

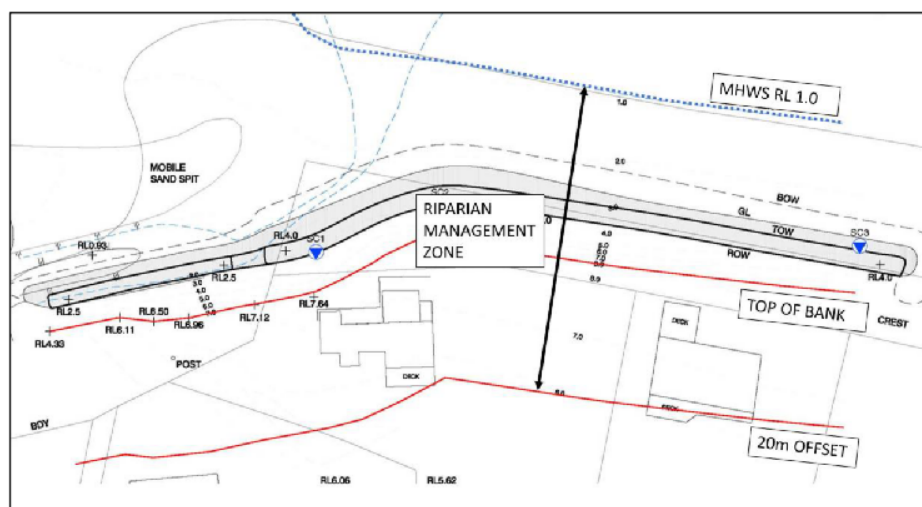


Figure 6.5.1a: Riparian Management Zone – ex Northland Soil and Water Plan

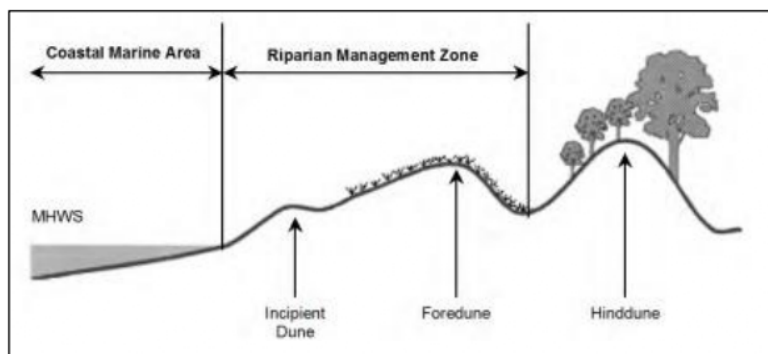


Figure 6.5.1b: Riparian Management Zone overlaid on site aerial

## 6.5.2 Regional Soil and Water Plan Activity Status

### Consent under Section 9 (2) RMA – Land Disturbance within a Riparian Management Zone

Rule 34.3.1 of the NRSWP defines that earthworks activities not complying with the Permitted Rules are a Discretionary Activity, that is, earthworks exceeding an area of 200m<sup>2</sup> and/or a volume of 50m<sup>3</sup>. Earthworks totalling 750m<sup>2</sup> and 300m<sup>3</sup> (net) are proposed (more detail provided in Section 4.3). Therefore, these earthworks within the Riparian Management Zone are defined as a Discretionary Activity.

In addition, Rule 34.1.3 of the Permitted Rules states that earthworks in the Riparian Management Zone also must comply with the General Environmental Standards of Section 32. Where these do not, Rule 34.3.1 defines these as a Discretionary Activity. Standard 32.1.6 states *“the activity shall not interfere with...any other sites known to the local iwi which are of spiritual or cultural significance to Maori...”*. The site is in close proximity to a Site of Cultural Significance to Maori, and therefore the proposed land disturbance is considered as a Discretionary Activity.

## 6.5.3 Regional Soil and Water Plan Statutory Assessment

Land disturbance associated with the proposed Seawall does not comply with General Environmental Standard 32.1.6 in that *“the activity shall not interfere with or destroy any waahi tapu, as defined in the Definitions, urupa or any other sites known to the local iwi which are of spiritual or cultural significance to Maori, which have been identified to the Council...”*. As



detailed below, the site is defined as a Site of Cultural Significance to Maori under the District Plan as a “*tauranga waka; ancestral place*”.

Pre-lodgement consultation has been undertaken by the Applicants with a representative of the local hapū management committee, who represent Ngāti Korokoro, Ngāti Wharara and Te Pouka. It is understood from this initial consultation that a burial site is located immediately south of the seawall, where issues have arisen with koiwi (human bones) being exposed in the retreating dune scarp. Consultation with this party is expected to be ongoing through the Resource Consent process and any further feedback on the proposal will be provided to the Consent Authority when it is received.

Assessment Criteria associated with land disturbance activities are provided in Section 36.4, which generally require Applicants to demonstrate potential for effects on sedimentation, loss of vegetation, and timing and scale of works. A summary of responses to these criteria is provided below.

The land disturbance activity comprises re-shaping of a coastal dune. Following construction of the seawall, approximately 3-4m of the upper dune will remain over-steep above the structure, along approximately 100m of the coastline. This will be re-shaped using an excavator to a more stable 1(vert):2(horiz) batter, and will primarily comprise reducing the height of the upper dune and respreading this material to the foreshore immediately seaward of the new wall. The works will be undertaken immediately following construction of the seawall, and due to the simplicity of the work will be quick to undertake (approximately 1-2 days), with no material needing to be removed from site.

The work is to be undertaken on a coastal dune immediately adjacent to the coastal area. The material to be disturbed comprises unconsolidated dune sands, and more consolidated cemented sandstone. This material is already exposed in the dune scarp, and due to the presence of the seawall is not at risk of further wave attack during the earthworks. As this material is essentially sand, the risk of exacerbated sedimentation of the adjacent Harbour due to mobilised silt is considered to be very low (Criteria 36.4b).



Significant re-vegetation of the re-shaped dune is proposed, which is not currently practicable due to the progressive erosion. This planting will be undertaken in the first planting season following the works. To assist in the establishment of this vegetation two lines of temporary wind fencing are proposed which will assist in minimising mortality of these plants as they establish on the exposed dune face and reduce the risk of dune blowouts as these plants are establishing (Criteria 36.4e). The fencing will remain in place until the plants have established a comprehensive cover to the upper dune, estimated to be approximately 2-5 years.

A full assessment of the proposal against these criteria has been undertaken in Appendix C1 and the work demonstrated to be consistent with these criteria.

### **6.6 Proposed Northland Regional Plan – Appeals Version**

At present, a cohesive Proposed Northland Regional Plan (PNRP), which combines the individual plans (Coastal, Soil and Water, Air Quality) is proposed and in the Appeals stage. This plan is not yet Operative, however a Statutory assessment against the 'Appeals Version' of August 2020 has been presented below.

#### **6.6.1 Proposed Northland Regional Plan Zoning**

The seawall and access structure are above the MHWS line, and also above the 'Cross-River Coastal Marine Area Boundary' as shown on the PNRP maps (Figure 6.6.1). Therefore many of the new protection elements in relation to the CMA (such as Significant Ecological Areas) are not relevant to the proposal.



Figure 6.6.1: Site and indicative Coastal Marine Area Boundary (red line)

#### 6.6.2 Proposed Regional Plan Activity Status

##### Consent under Section 9(2) RMA – ‘CMCA Structures’

Rule C1.1.22 of the Appeals Version of the Northland Regional Plan defines the “*erection, reconstruction, placement, alteration, extension, maintenance, repair, removal or, demolition of a hard protection structure and the occupation of the common marine and coastal area by the hard protection structure...and the use of the hard protection structure*” as a Discretionary Activity.

Rule C1.1.22 addresses hard protection structures within the CMA, and as the seawall is outside the CMA it may be considered this rule does not apply. However the note associated with the rule states “*for the avoidance of doubt it covers RMA activities associated with the erection, placement, replacement, alteration, extension, maintenance, repair, removal or demolition of a hard protection structure (s9(2))*”. As Section 9 of the RMA only relates to restrictions on use of land, then it is interpreted that this rule applies to the proposal. Accordingly it is addressed within this application, which is defined based on the note above as a Discretionary Activity.

Rule C8.3.4 of the Appeals Version of the Northland Regional Plan defines the “*Earthworks outside the bed of a river or lake, a wetland, or the coastal marine area, and any associated*



*damming and diversion of stormwater and discharge of stormwater onto or into land where it may enter water, that are not a permitted or controlled activity under another rule in section C.8.3 of this Plan*” as a discretionary activity. Therefore, earthworks exceeding 200m<sup>2</sup> within the Coastal Dune and Riparian Management zone are defined as a Discretionary Activity.

### **6.6.3 Proposed Regional Plan Statutory Assessment**

Policies for Hard Protection Structures are provided by the PNRP under Sections D.6.1 and D.6.2. The proposed works have been assessed against these in Appendix C2 and demonstrated to be consistent with these Plan provisions.

Policy D4.26 of the PNRP provides Criteria to be adhered to when considering earthworks activities. These are very similar to the issues raised and addressed under the Regional Soil and Water Plan above (Section 6.5) and accordingly these are not assessed again under the PNRP.





## 7.0 Consultation

### 7.1 *Mana Whenua / Customary Marine Title Applicant Consultation*

The proposed works are outside the CMA and therefore not subject to the provisions of the MACA 2011 with respect to consultation with CMT Applicants. This consultation has not been undertaken.

However, due to the identified significance of the site to local iwi, and the proposed undertaking of earthworks at the coastal margin, the Applicant has made contact with a representative from the local hapū management committee, who represent Ngāti Korokoro, Ngāti Wharara and Te Pouka.

The project was discussed, although no formal feedback was received. This correspondence is attached (Appendix D). It is understood that there is a wāhi tapu comprising a historic burial reserve adjacent to the Waihuka stream, on the subject northern side of the river, and that koiwi (human remains) have been periodically exposed by the ongoing erosion. Due to the importance of the site it is expected that consultation will be ongoing with the local hapū. The contact person, Alan Hessel, has advised that Council can also contact them directly regarding the proposal (094058832, [gildahessel@xtra.co.nz](mailto:gildahessel@xtra.co.nz))

Any resulting feedback or reporting will be provided to the Consent Authority as it is available.



## 8.0 Assessment of Environmental Effects (Schedule 4)

### 8.1 Preservation of Natural Character

The majority of the wider Hokianga Harbour is identified as an area of High Natural Character under the PNRP (Figure 8.1). The Plan describes the Harbour Character as having:

*“Largely indigenous cover and infauna. Commercial fishing methods constrained to some degree in the Harbour. Few obvious human structures within the Harbour (apart from navigation marks)”.*



Figure 8.1: Mapped area of High Natural Character, ex PNRP

At a more localised scale, the 4km stretch of coastline between the coastal settlements of Ōmāpere and Opononi has had a moderate degree of human modification and built development. The townships of Ōmāpere and Opononi were areas of historic early settlement on the banks of the Hokianga. This has intensified over time, with these small rural coastal



villages generally established directly adjacent the coastal margin, with the hinterland primarily farmland with sparse dwellings. The State Highway, constructed in the mid 1930's, runs parallel to the line of the coast and can be seen in the foreground below (Photograph 8.1a); in places dwellings are located seaward of the highway, in other places the highway is directly adjacent the coast.

The development of this coast has resulted in associated coastal armouring and foreshore access structures, which are varying in quality. An armoured section of coastline is visible in the image below, with the northern extent of the coastline in this image now armoured, as the shot was taken prior to construction of the NZTA seawall. These structures have been outlined in Section 2.4 above, and consist of a range of rock revetment and rock riprap walls, and also a large seawall and jetty south of the site (Photograph 8.1b).



**Photograph 8.1a: Existing built character north of site ex [www.barfoot.co.nz](http://www.barfoot.co.nz) (accessed Feb 2020)**



Photograph 8.1b: Existing built character south of site ex [www.barfoot.co.nz](http://www.barfoot.co.nz) (accessed Feb 2020)

Elements contributing to the Natural Character of the site are the high coastal dune scarp and sandy foreshore. There is relatively little mature native vegetation on the site, with a generally sparsely vegetated dune crest, the exception being a semi-mature Pōhutukawa located at the northern extent of No 264.

There is tension between the preservation of the Natural Character of the coastline, and the desire of the Applicants to protect their properties from ongoing coastal erosion. The protection of private property from ongoing retreat of the coastal margin has resulted in the construction of a number of existing seawall structures as highlighted above. These structures to an extent compromise the Natural Character of the immediate Ōmāpere/Opononi coastline. As set out earlier, ongoing retreat of this coastal dune is likely to result in increasing pressure on the adjacent development. The existing management approach (for both private property and national infrastructure) has been to address the erosion with armouring rather than shift the property/asset out of the hazard zone, and this proposal is consistent with this management approach.

Applications for coastal armouring are more likely to be appropriate when they are located in areas where armouring exists already, and they are able to maintain a cohesive style. Whilst there are no armouring structures immediately adjacent to the site, there are a number of existing built structures on the coastline north and south. The proposed armouring provides toe protection to the dune only, rather than seeking to armour the entire dune face. This allows



development of a planted dune above the seawall which is considered a positive mitigating factor for the proposal. In addition, the semi-mature Pōhutukawa will be retained and allowed to reach maturity which is another positive mitigating factor. The vegetation will directly mitigate visual effects of the structure by obscuring parts of the seawall, but it will also represent a positive outcome for the wider Natural Character values.

Development within this section of coastline, at the local scale proposed, in an area that is already modified, doesn't detract from the wider scale Character values of the Harbour outlined above. As a consequence, the potential effects on Natural Character of the proposed armouring are considered to be minor.

## **8.2 Cultural / Historic Heritage**

The FNDP identifies an area encompassing the southern extent of No 266, the outlet of the stream, and some of the adjacent headland south of the stream, as a 'Site of Cultural Significance to Māori' (Figure 8.2). The site is scheduled as "*Te Paraoa - tauranga waka; ancestral place*". Further information on the Waihuka stream and its' cultural significance was found online:

*"Midway along Omapere bay is the Waihuka stream. There was once an ancient wahi tapu and a tauranga waka at its mouth. The wahi tapu was on a point of land on the northern bank, the tauranga was on its inland side. Both were completely destroyed by flooding and rough tides in 1904. The foreshore further inland beyond where the wahi tapu and tauranga waka were in 1904, has also eroded. The human remains were gathered up and buried. Fewer human remains are now found. Among the artefacts recovered were unfinished adzes." (WAI 2003, Second Statement of Evidence of John Klarich, dated 18<sup>th</sup> March 2014)*

As discussed, the Applicant has made contact with a representative from the local hapū management committee, who represent Ngāti Korokoro, Ngāti Wharara and Te Pouka, to discuss the project. It is understood that this hapū is best placed to provide advice on potential effects to cultural heritage of the proposed works. The Applicants intend that this consultation will be an ongoing process, however no formal feedback has been received at this point. It is understood that there is a wāhi tapu comprising a historic burial reserve adjacent to the





Waihuka stream, on the subject northern side of the river, and that koiwi (human remains) have been periodically exposed by the ongoing erosion. Due to the importance of the site it is expected that consultation will be ongoing with the local hapū. The contact person, Alan Hessel, has advised that Council can also contact them directly regarding the proposal.

Any information or reporting arising from this consultation will be provided to the Consent Authority as it is available.

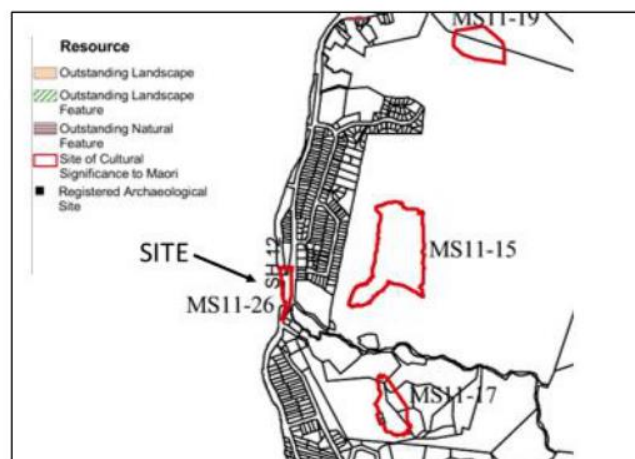


Figure 8.2: Site in proximity to 'Site of Cultural Significance to Māori'

It is expected that standard Resource Consent conditions will be imposed dictating Archaeological Discovery protocols. These protocols will likely dictate that all site works in the vicinity of the discovery should cease; a site supervisor should secure the area to ensure that artefacts or remains are untouched; and that the site supervisor would notify Mana Whenua, the New Zealand Historic Places Trust, Department of Conservation, and both the local (FNDC) and regional (NRC) Councils.

### 8.3 Visual Impact

Three potential viewing audiences of the seawall structure can be defined:

- (a) View for local residents overlooking the site
- (b) View for recreational users of the beach
- (c) View for boat users of the Hokianga





(a) View for local residents overlooking the site

The site extends across the base of the dune scarp seaward of No 264 – 266, and south up the bank of the stream outlet, seaward of No 268 and No 270 (Figure 8.3). These two properties to the south are the closest dwellings to the site and consideration of the potential visual effects of the new structure on these properties needs consideration.

Images have been obtained of the seaward view from both of these properties (Photograph 8.3a - No 268, Photograph 8.3b - No 270). The indicative arc of the photos has been marked up on Figure 8.3a. As can be seen from both properties, there are expansive views looking to the west across to the harbour mouth, to the raised rock cliff and vegetated headland at the southern arm of the harbour, and the large dunes at the northern arm of the harbour.

In the foreground, the raised dune ridge is evident, with the mature pine trees dominating on the dune south of the river outlet, and the grass / pampas evident on the northern dune. As can be seen, with the exception of the river outlet, the raised northern dune ridge entirely obscures the interface at the base of the dune and the foreshore. It is at this location where the proposed seawall is to be located.

The property at No 270, is most likely to be able to see the seawall, with a view looking down the alignment of the river. As can be seen from the photograph, where the approximate end of the structure has been marked, only the low end to the structure at this upstream end is potentially visible. The bulk of the seawall will be hidden behind the raised dune ridge and not visible for this property.

The property at No 268 has a greater level of visual obstruction of the seawall alignment by the dune ridge and as can be seen in the image is unable to see any part of the foreshore.



Figure 8.3a: Adjacent properties and indicative locations of photos



Photograph 8.3a: View from adjacent dwelling at 268 SH 12 ([www.bayleys.co.nz](http://www.bayleys.co.nz), accessed 22/09/20)



**Photograph 8.3b: View from adjacent dwelling at 270 SH 12 (ex [www.bookabach.co.nz](http://www.bookabach.co.nz), accessed 15/10/19)**

Accordingly, as evidenced by the above images, the potential visual effect of the new wall on these adjacent properties is considered to be less than minor.

**(b) View for recreational users of the beach**

The two closest public access points to the site (Figure 8.3b), are 220m north at Lucy Baxter Reserve, and 500m south at Freese Park, just north of the boat ramp and jetty. Public access is difficult at Lucy Baxter Reserve due to the height of the dune scarp and lack of any public access structure. However, due to the concentration of dwellings along this coast, pedestrian traffic is likely along the beach, especially during the warmer summer months. The seawall will be visible to users of the beachfront in this area. However, given the reasonable extent of coastal modification already present along the beachfront, and that most beach users will be traversing a reasonable length of beach between access points, encountering a number of different seawalls, this additional length of seawall is considered to be consistent with the experience of



these users. The establishment of a significant area of natural dune vegetation is considered to be a positive aspect of the proposal for these users.



Figure 8.3b: Indicative public access points to foreshore

(c) View for boat users of the Hokianga

There is a public access boat ramp located approximately 650m south from the site, within the centre of Ōmāpere township. An additional public boat ramp is at Opononi, opposite the Opononi hotel, 3km north from the site. As such boat traffic past the site is likely to be relatively frequent when conditions permit.

The harbour is likely to be frequented by recreational boat users, for fishing, seafood collection and water sport activities in the summer months. Ferries also frequent the harbour, taking passengers to dune-boarding activities on the sand dunes opposite Opononi.

Typical expected boat traffic navigational paths are outlined below (Figure 8.3c). Nearshore boat access is likely to be relatively unusual in the harbour, with most boat traffic heading to and from



the harbour mouth, to the boat ramp at Ōmāpere or Opononi, and keeping to the deeper channel. As such, typical viewing distances for boat users will be in the range of 400 to 650m.

The seawall, of which majority will be buried under the beach front, will extend to RL4.0. At sand level at the time of the site investigation, this would result in a structure approximately 1.5m high at the base of the dune. At the viewing distances outlined above, and with the establishment of the dune planting to the upper dune, a structure of this scale is unlikely to be readily discernible from the backing dune.

The access stairs will extend to the head of the dune, approximately RL 7.0, however they are a narrow, natural timber structure, approximately 1.5m wide, and the timber will tend to 'silver' off over time giving it a relatively recessive appearance.

In the context of the wider coastline including armouring structures, a jetty, boat ramp and other modification of the coastal margin, the proposed seawall and stair is considered to be of a similar type and scale to existing structures in the area, and therefore consistent with the visual effect of this stretch of coastline. The wall is not considered to markedly alter the view of the Bay, for boat users viewing the wall.





Figure 8.3c: Typical Boat Movements

#### **8.4 Public Access to and along the CMA**

Primary points of public access to the CMA are shown above (Figure 8.3b), which indicate relatively few points of ready access to the foreshore for beach users along the Ōmāpere embayment. In addition, there is a small Reserve strip located between the boundary of 270 and 268 State Highway 12 (Figure 8.4a). This Reserve access was provided as part of the subdivision in 2000 (DP 196729). This access is available for pedestrian use, although it is not clearly marked and with no defined path to the foreshore it is unlikely that it is used frequently. The approximate location of this access is shown below (Photograph 8.4) although we note this has not been surveyed so is indicative only. Any users of this access seeking to access the beach would not be affected by the wall. As noted above due to the concentration of dwellings along this coast, pedestrian traffic is likely along the beach, especially during the warmer summer months.





Figure 8.4a: Indicative pedestrian access located between 270 and 268 SH12



Photograph 8.4: Indicative location of public access to Reserve

Part 2 of the RMA sets out that the *'maintenance and enhancement of public access to and along the coastal marine area'* is a Matter of National Importance. Accordingly, where any structure is proposed that occupies space both within (and in the case of the proposal adjacent to) the CMA the potential effects on ready public access require consideration.



The wall will occupy a total footprint at the base of the dune of approximately 8m, however when sand levels on the beach are high, the majority of this structure will be buried. Therefore, it is sand level on the beach that exerts the primary control on how the new wall affects access. At sand level at the time of survey, approximately 5m of wall footprint was located above the foreshore (Figure 8.4b). With MHWS at RL 1.8, approximately 8m of high tide beach remains seaward of the structure and available for pedestrian access.

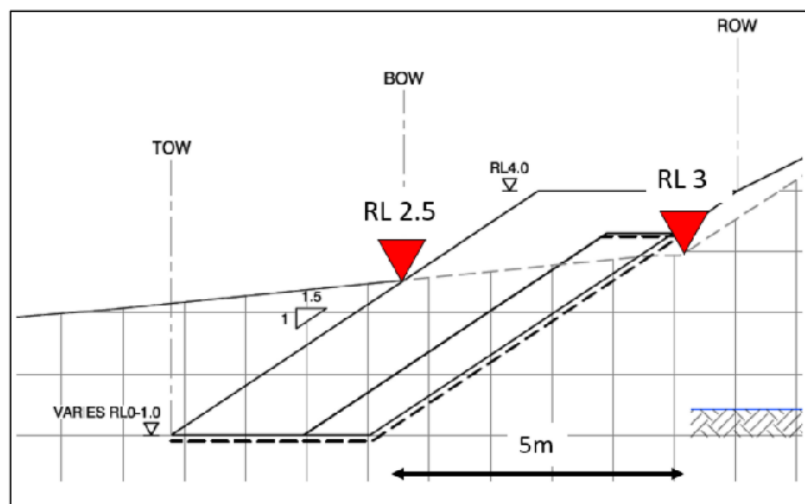


Figure 8.4b: Indicative area of occupation of structure – current sand level

### 8.5 Ecology and Natural Environment

The area of the proposed seawall, foreshore access stair and dune re-shaping is considered to be of relatively low ecological value. This is primarily due to the progressive erosion of the dune scarp preventing the development of any vegetation on the face of the dune. The sandy sediments of the foreshore are likely to provide habitat for small benthic species.

The existing foreshore sand will be excavated down to the design founding depth for the new wall. This has the potential to disturb any small organisms occupying this area. However, benthic communities occupying these dynamic beach features are considered relatively resilient, used to the dynamic influences of the coastal environment such as erosion and fluctuation in surface level. Following industry standards for noise, and ensuring no hydrocarbons / hydraulic fuel and the like are released to the surrounding environment by construction traffic can localise the effects of this disturbance.



The re-shaping of the rear dune will enable the establishment of a significant area of native dune vegetation species, approximately 900m<sup>2</sup> of upper dune and dune crest will be re-vegetated with spinifex, pingao, bracken and pohuehue. This will provide a natural dune habitat where one does not exist at present, and is considered a significant positive benefit to the ecology of the site.

The siting of the contractor's area, and movement of traffic delivering rocks to the site, is remote from the CMA. This contractor's area will be located on one of the Applicant's property, which is a flat grassed site (see Section 4.4.1). A temporary access will be formed down the dune face, and construction plant will comprise an excavator and a tracked dumper for transporting rock to the foreshore. Works will be undertaken on the foreshore as tidal level allows, with all machinery removed from the CMA prior to the subsequent high tide.

The proposed works are not considered to have an ongoing effect on the ecology of the foreshore.

## **8.6 *Effects on Coastal Processes***

### **8.6.1 Coastal Erosion**

The rock riprap wall has been designed to address the existing erosion hazard at the site currently threatening the backshore dwellings. The most vulnerable areas are located at the interface of the dune scarp with the foreshore, which is where erosion processes are concentrated. There is good evidence elsewhere on the coastline (see Photograph 2.4a) of even relatively rudimentary rock walls (at approximately RL 3.5 – 4.0) preventing progressive retreat of the dune. This provides good calibration as to both a wall crest height that is effective (at current sea level), and also the specification of wall (rock size, number of layers) that is likely to be required.

The seawall crest height for the main wall, where it is armouring the dune toe, has been set at RL 4.0. This provides 1.8m of freeboard above the current 1% AEP storm tide level, and 1.4m freeboard above the 1% AEP storm tide including wave set-up. At the existing walls north of the



site, evidence of overtopping (dead kikuyu) was evident at RL 3.6, however it was not where the crest height was RL 3.7 – 3.8. This provides indication the proposed crest height is of the right order and of a similar scale to other existing structures on the coastline.

As can be seen below (Figure 8.6.1a) the geotextile fines barrier behind the wall extends to approximately RL 3.3. This is because it is not practicable to effectively pin the backing geotextile behind the armour layer, where it would be visible and detract from amenity. Providing a geotextile to a higher elevation (say RL 4.0) would effectively require an increase in both wall footprint and crest height, such that the wall underlayer reached this level. This is not considered to be necessary, given demonstrated reasonable performance of lower specification structures on the subject coastline. Given the height of the geotextile level above both MHWS and the more extreme water levels, this 700mm section of wall above the geotextile is considered likely to be subject to swash and uprush only, rather than inundation below the static water level. Given the proposal to establish dune planting to the upper slope, these species are likely to send shoots down into the gaps between this top armour layer and assist in retention of sand in this location. Accordingly, the risk of large-scale erosion of dune sands from behind this upper armour, above the geotextile level, is considered to be low.

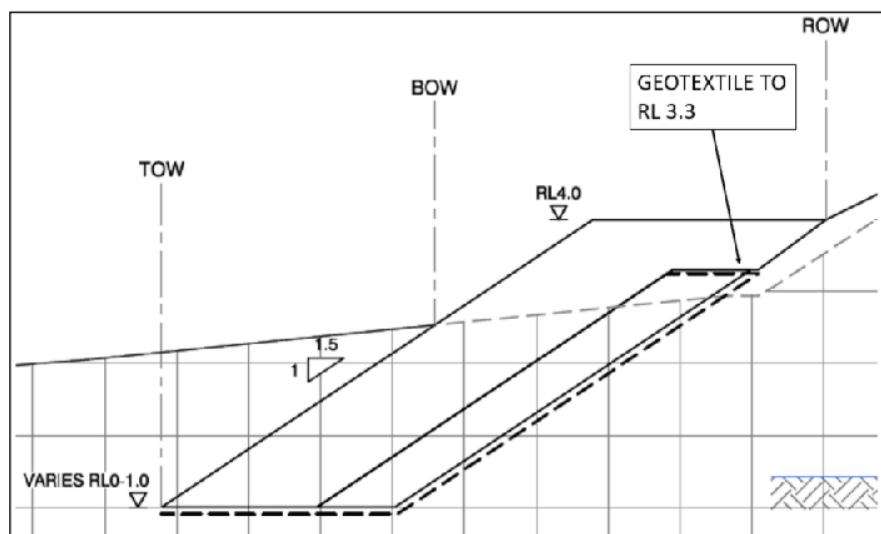


Figure 8.6.1: Indicative section showing geotextile level

The wall toe will be excavated approximately 500mm into underlying harder material, to prevent potential foundation undermining. This allows for the entire loss of the existing beach in front



of the structure (approximately 1.5m deep at time of survey), and lowering of 500mm of the underlying material, before the seawall is at risk of undermining. This is considered a suitably conservative allowance.

At the northern wall end, an end detail will be placed that comprises returning the main wall face at 90° into the backing dune. The wall will return a maximum of 4m into the dune face. Based on an indicative historic retreat of 0.4m, this allows for 10 years of dune line retreat before the wall end is threatened by the retreating coastline. Providing embedment greater than this into the existing over-steep dune would threaten collapse of the adjacent dune and is not considered to be practicable. Should the dune line retreat over the lifetime of the structure such that outflanking of the wall is threatened, it would be far simpler to increase the embedment at the end of the wall another 2-4m into the existing dune material at that time. The interaction with the southern wall end and the fluvial processes is discussed in more detail below (Section 8.6.2).

Potential end effects of this return wall end, adjacent the unarmoured dune, need consideration. Wall end effects can be caused in five primary ways.

- a) Groyne effect
- b) Return flow of over-topping and uprush
- c) Waves acting at an angle to the wall
- d) Rip currents and differential head
- e) Deflection of Swash

#### Groyne Effect

The proposed wall does not extend far enough down the beach profile to create a groyne effect. This would require a structure protruding further into the zone of typical sediment transport in order for any longshore movement of sediment to be disrupted by the groyne. Observation of similar scale structures on the shoreline to the north do not appear to be preferentially trapping sand at one side of the structure. Further evidence for the general lack of longshore transport is indicated by the beach cusps present on the beach, as these are only formed on beaches where incident wave energy is shore normal.



#### Return Flow of overtopping and uprush

Where water overtops a wall it can concentrate and scour an exit path, often at the end of the structure or at a point of weakness. However, the proposed riprap wall is permeable and overtopping will percolate back through the wall without significant concentrate. Accordingly this effect is not considered to result in additional scour.

#### Waves and or Swash Acting at an angle to the wall

This phenomenon can create longshore transport of sediment by resulting in a component of wave energy or swash current acting in a shore parallel direction. The wave environment at Ōmāpere is considered to be dominated by the south-westerly the deep water ocean waves, reducing in energy and spreading as they pass through the mouth of the harbour. This effect is evident in the aerial images (Figure 3.4). These waves are approaching at approximately shore perpendicular, which is also perpendicular to the alignment of the seawall. Whilst there is evidently very localised variations in longshore sediment movement, with wave fronts impacting the 'horns' of the beach cusps and diverging, at the wider embayment scale there does not appear to be any wave driven longshore sediment movement. As a result negative effects due to waves/swash approaching at an oblique angle to the wall face are considered to be negligible.

#### Rip Currents/Differential Head

The cause of rip currents within surf beaches is the subject of much study and some conjecture. The case of rip currents high on the beach face, where the actions are primarily of swash not wave action, is atypical of most rip currents. Swash moving up the beach impacting on a wall face will gain elevation when compared to swash moving up the unarmoured adjacent beach face (Figure 8.6.1b).

For example if the beach is at 1:10 and the wall at 1:2 when the water has flowed 1m past the toe of the wall the water elevation of swash on the wall will be 500mm, while the water elevation on the beach will be 100mm. This is a simplified illustration of the actions for explanation. Greater turbulence and potentially permeability of the wall will change the parameters but the principle holds and the situation creates a differential of head. The net differential in head will





create a component of flow in a shore parallel direction towards the end of the wall. The accelerated greater volume of flow preferentially scours the adjacent unprotected bank causing additional scour at the end of the wall. Similarly, a greater return current is created scouring the foreshore in a rip current type action.

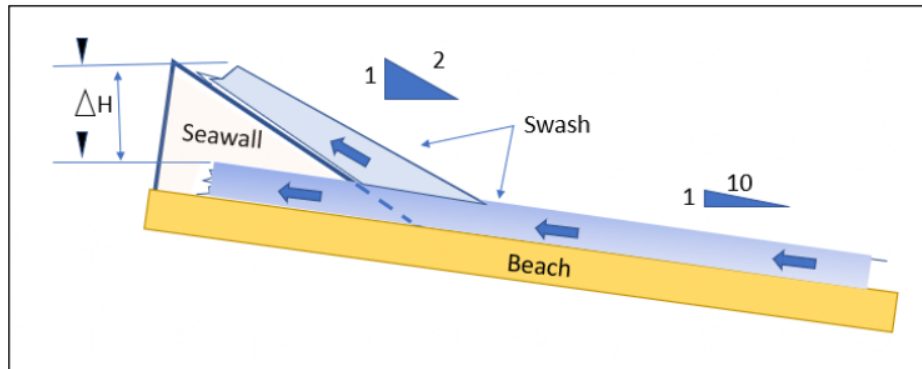


Figure 8.6.1b: Head differential at wall end

The placement of the new structure at the toe of the dune, as high as practicable up the beach profile, minimises the risk of this occurring.

#### Deflection of swash and wave energy by end of wall

This is a special or localised case of a wall being at an angle to the beach face. Where swash acts on the end of the wall it is deflected and channelled along the wall face to the adjoining bank. The return current then also tends to scour more as described above. The wall as proposed is located on an alignment that is directly perpendicular to the dominant angle of wave attack and accordingly there is low risk of deflection of swash and wave energy along the wall. Incoming energy will tend to be deflected directly back out to sea given the shore normal incident angle.

### **8.6.2 Fluvial Processes**

The design intent with the Type 1 wall, extending along the bank of the Waihuka stream, is to protect against fluvial driven erosion on this bank, and also to provide a suitable end detail to the wall that is not at risk of outflanking due to fluvial processes. This allows for a lower crest height (RL 2.5). The upstream wall end has been taken past the point where scour of the river



bank is evident, terminating just downstream of the confluence (Photograph 8.6.2a) between the main river arm and the overland flow path that runs south behind No 266 (see Figure 2.3).

The river planform has been measured (Figure 8.6.2) and is approximately 4m<sup>2</sup>. The new armouring occupies a planform area of 1m<sup>2</sup>, or 25%. This reduction in storage capacity may have the result of increasing the level of the river during catchment flooding events. This will not cause any issues on the northern side of the river due to the new armouring. The facing bank of the river is heavily vegetated at present (Photograph 8.6.2b), and despite some slight undercutting of this vegetation does not appear to be undergoing active erosion or scour due to the river flows. A temporary increase in river level during storm events does not appear likely to expose readily erodible material to fluvial processes, due to the presence of this vegetation. Accordingly the structure is not considered likely to result in undue additional scour to the facing southern bank of the river.



Photograph 8.6.2a: Indicative upstream end to wall

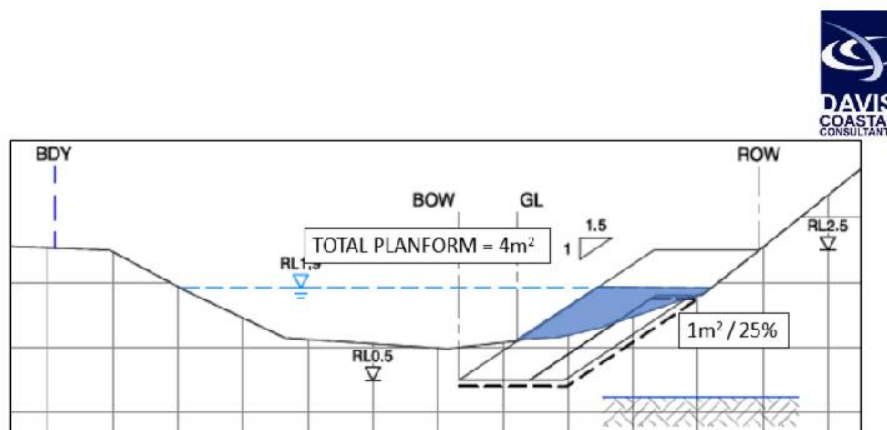


Figure 8.6.2: River planform occupation



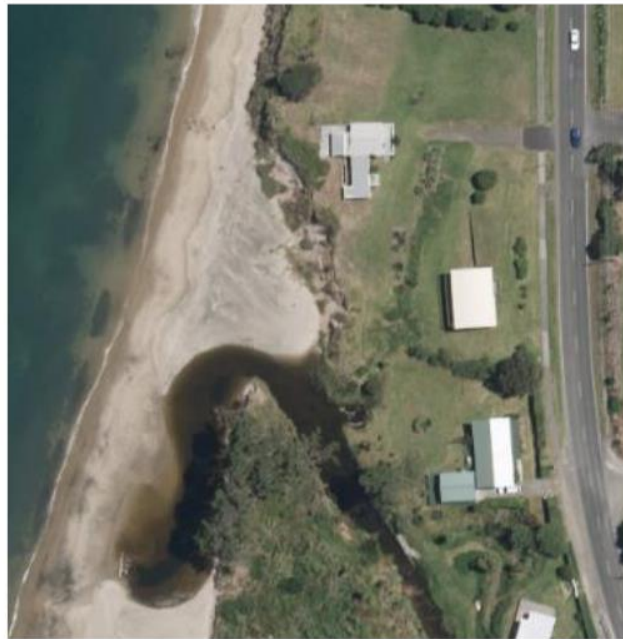
Photograph 8.6.2b: Vegetation on southern bank of Waihuka stream

The historic aerial images indicate the outlet of the stream has meandered over time. At the time of the site visit it was tracking north, running along the base of the dune line before outletting onto the foreshore. However, at other times it has adopted a tight curve around the southern headland, with an outlet south of the vegetated headland (Photograph 8.6.2c). This process appears able to occur reasonably rapidly, with images from 2019 indicating both a north-east outlet direction and the southern alignment shown below.

This outlet location is controlled largely by the presence (or absence) of sand in the upper foreshore. As can be seen above (Photograph 8.6.2b) a large sand spit was present at the southern head of the stream, however clearly this is mobile and prone to fluctuation. It is also likely a river flood event would result in straightening of the outlet location, with the angle of the southern bank likely resulting in an outlet orientated approximately north-east. It is these events that would exacerbate scour of the dune at the site. The presence of the armouring is



considered unlikely to markedly alter the larger processes controlling the outlet location, as the structure is located high on the profile, sand will still be able to accumulate on the adjacent foreshore.



Photograph 8.6.2c: Southern outlet of Waihuka stream

### 8.6.3 Sea-Level Rise

As set out above, the seawall crest height is RL 4.0, with the geotextile fines barrier providing protection to the backshore to RL 3.3. It has been demonstrated above that at present sea-level there is negligible risk to erosion of the backshore sediments above the geotextile height. The potential effect of sea-level rise over the 35 year Consent term and the longer-term timescale (100 years) is set out below (Table 8.6.3).



Event	Current SL (m MSL)	SL + 400mm	SL + 1000mm
MHWS	1.2	1.6	2.2
1% AEP storm tide	2.2	2.6	3.0
1% AEP storm tide + wave setup	2.6	3.0	3.6

**Table 8.6.3: Effect of sea-level rise on high water events**

As can be seen above, even with the effect of sea-level rise over the next 100 years MHWS and the 1% AEP storm tide remain below the geotextile level and accordingly these events will not pose issues for the structure. Further, for current predictions of sea-level rise over the 35 year Consent term, the structure remains resilient to the extreme water level events, including wave setup. Over the longer term, it is evident that at these extreme events water level will be at / above the geotextile, although below the crest of the wall. This may result in scour at this height, with loss of material from behind the wall and potential mortality of the dune revegetation species immediately at/above the wall. Given the significant length of time before this issue arises, an adaptive approach to sea-level rise over the 50-100 year timescale is considered appropriate.

Should overtopping of the wall be occurring such that erosion of the slope above the wall requires addressing, it would be a relatively simple matter to unpick the upper armour of the wall, place a new geotextile lapping with the existing, extend the underlayer, and place new armour to cover (Figure 8.6.3).



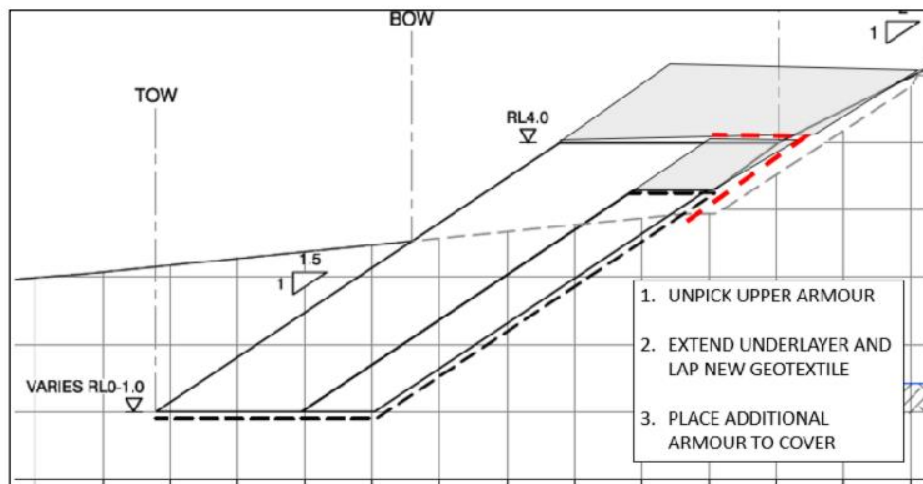


Figure 8.6.3: Indicative adaptive approach to sea-level rise resulting in erosion above proposed structure





## 9.0 Conclusion

This application proposes to construct a rock riprap seawall, and foreshore access stair, at properties 264 and 266 State Highway 12, Ōmāpere within the Hokianga Harbour.

The proposed structures have been outlined in detail in this report and on the accompanying plans. It is concluded that any adverse effects of the structure will be minor, and will not impact on the overall amenity and character of the Ōmāpere coastline.

The proposal is therefore considered to be consistent with the purpose and principles of the RMA, and with the relevant provisions of the Regional Soil and Water Plan, and the Proposed Regional Plan Appeals Version.

Consent, subject to appropriate conditions, can therefore be supported. In accordance with Section 95 of the RMA, given the demonstrated lack of effects, it is considered the Consent Authority is able to process this application on a non-notified basis, and can grant Consent under Section 104 of the RMA.

## **Appendix A** **Drawings**

1918– Ōmāpere Seawall - AEE

# OMAPERE SEAWALL

FOR  
**M.J CLUTTERBUCK & P.L HARVEY**  
**A.N PETRIE, H PETRIE & C.A ATCHISON**

PREPARED BY  
**DAVIS COASTAL**  
**CONSULTANTS**

**RESOURCE CONSENT**



DRAWING SCHEDULE			
No	TITLE	REV	DATE
01	DRAWING SCHEDULE AND LOCATION PLAN	B	25.09.20
02	EXISTING LAYOUT	B	25.09.20
03	EXISTING SECTIONS	B	25.09.20
04	PROPOSED PLAN	B	25.09.20
05	PROPOSED SECTIONS 1 OF 2	A	12.08.20
06	PROPOSED SECTIONS 2 OF 2	A	12.08.20
07	PLANTING PLAN	-	12.08.20

		DESIGN: DAVIS COASTAL CONSULTANTS	
		SURVEY: -	
		DRAWN: JMA	
		CHECKED: -	
B	MIHWS UPDATED	25.09.2020	DATE: SEPTEMBER 2020
A	RESOURCE CONSENT ISSUE	12.08.2020	SCALE: NTS
-	PRELIMINARY ISSUE	21.10.2019	CAD FILE: 1918-02 266 SH12 Omapere
No.	REVISION DETAILS	DATE	

JOB TITLE:

**OMAPERE SEAWALL**  
**264 & 266 STATE HIGHWAY 12**  
**OMAPERE**



**COASTAL MANAGEMENT AND ENGINEERING**  
P.O. Box 185  
Orewa  
  
Phone: 09 428 0040  
Mobile: 021 627 193  
Email: coastal@daviscoastal.co.nz

DRAWING TITLE:

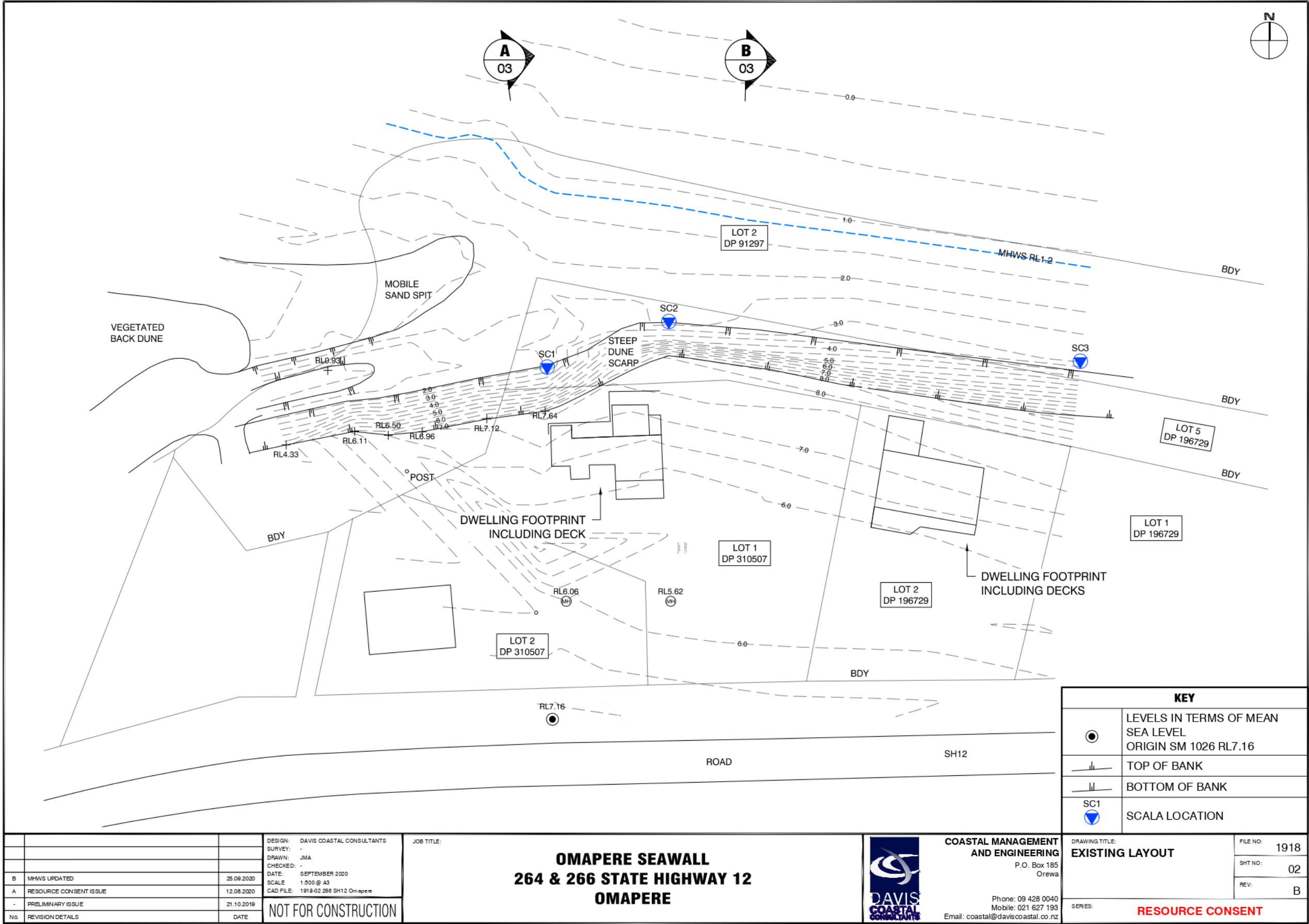
**DRAWING SCHEDULE AND LOCATION PLAN**

SERIES: **RESOURCE CONSENT**

FILE NO: 1918

SHT NO: 01

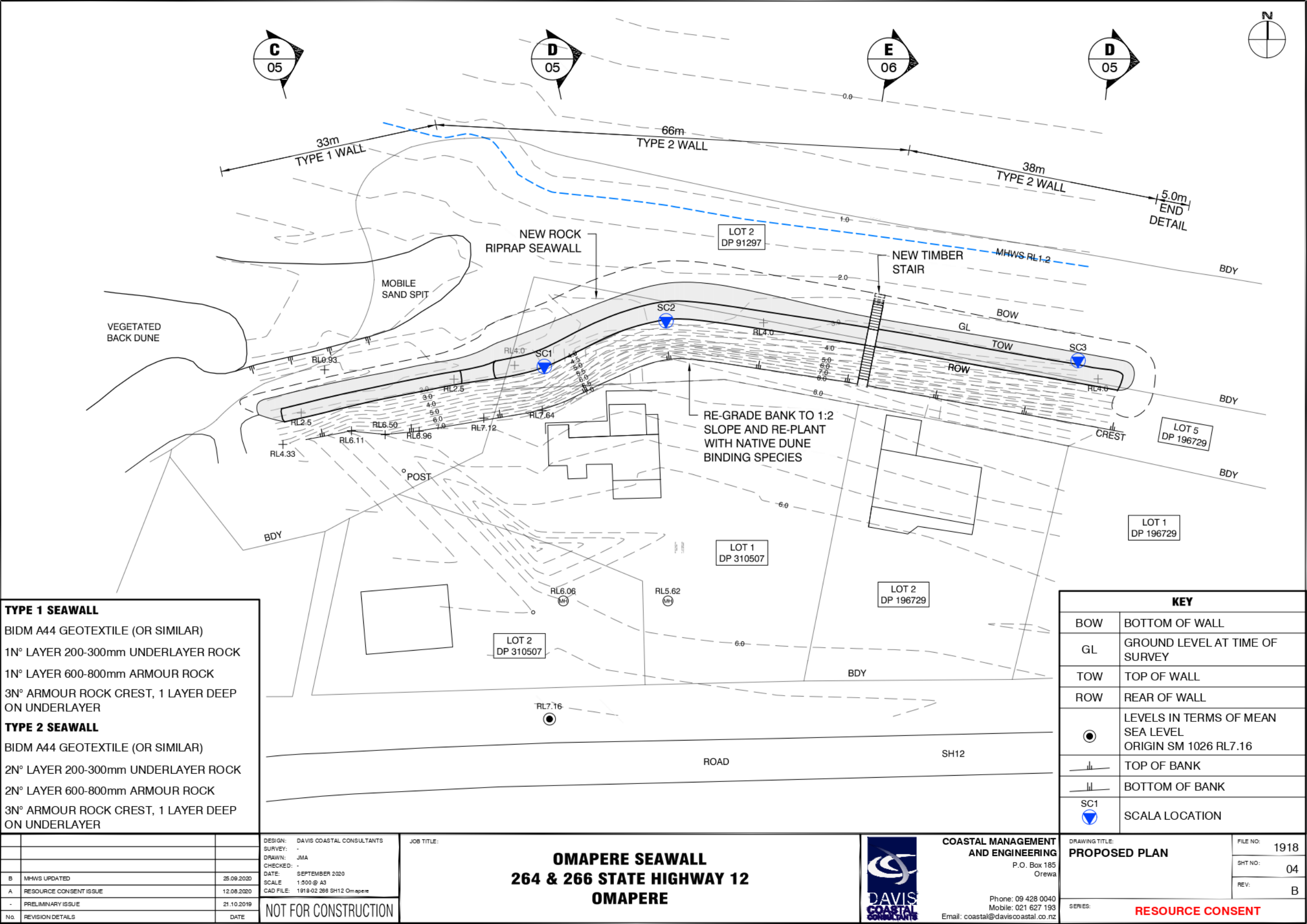
REV: B



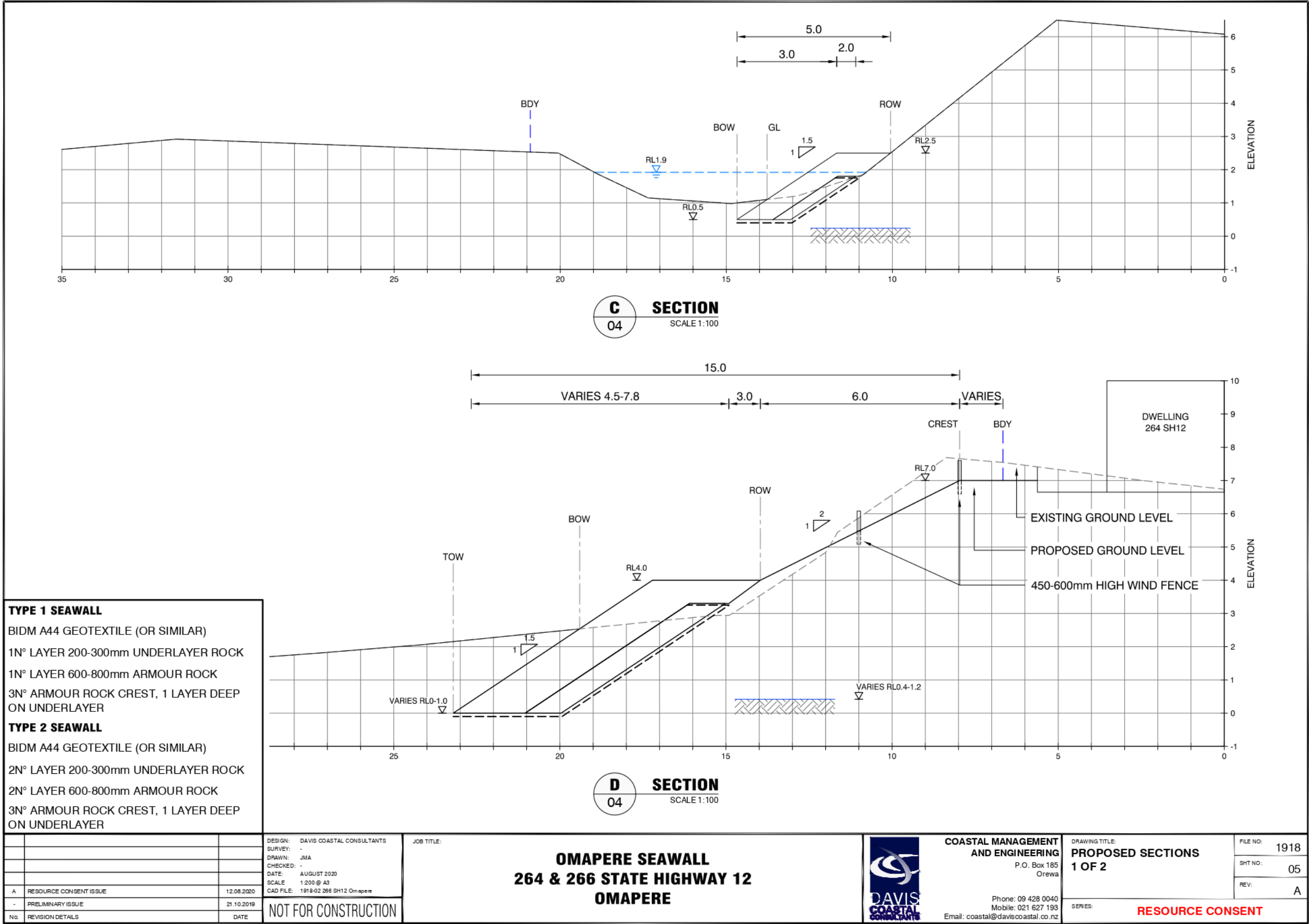


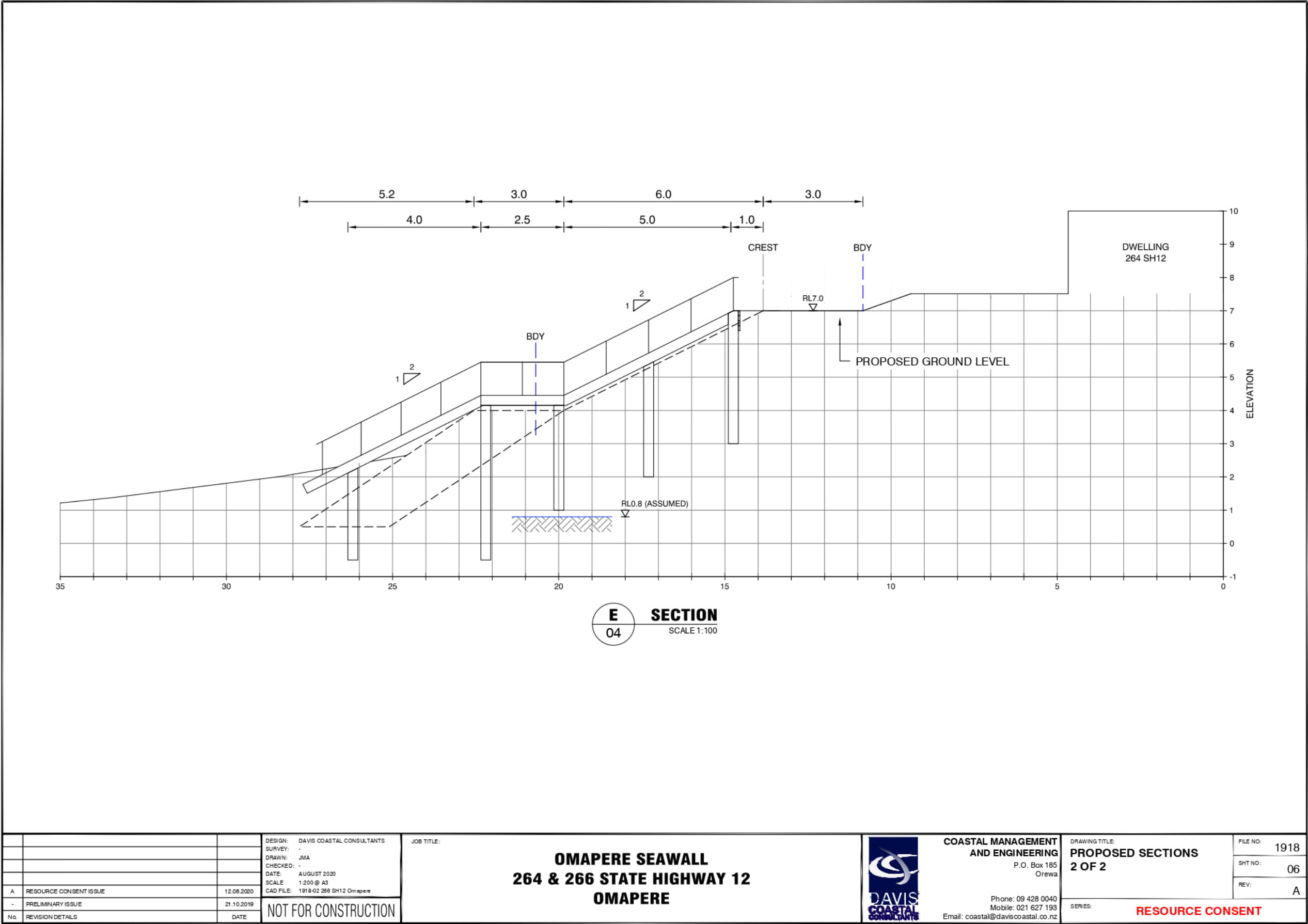
			DESIGN: DAVIS COASTAL CONSULTANTS	JOB TITLE:	 <div>COASTAL MANAGEMENT AND ENGINEERING P.O. Box 185 Orewa  Phone: 09 428 0040 Mobile: 021 627 193 Email: coastal@daviscoastal.co.nz</div>	DRAWING TITLE:	FILE NO:	
			SURVEY: -			<b>EXISTING SECTIONS</b>	191	
			DRAWN: JMA	<b>OMAPER SEAWALL 264 &amp; 266 STATE HIGHWAY 12 OMAPER</b>			SHT NO:	
B	MHW'S UPDATED	25.09.2020	CHECKED: -					03
A	RESOURCE CONSENT ISSUE	12.08.2020	DATE: SEPTEMBER 2020					REV:
			SCALE 1:200 @ A3					
			CAD FILE: 1918-02 265 SH12 Omapere					
-	PRELIMINARY ISSUE	21.10.2019						
NO.	REVISION DETAILS	DATE	NOT FOR CONSTRUCTION			SERIES:	<b>RESOURCE CONSENT</b>	

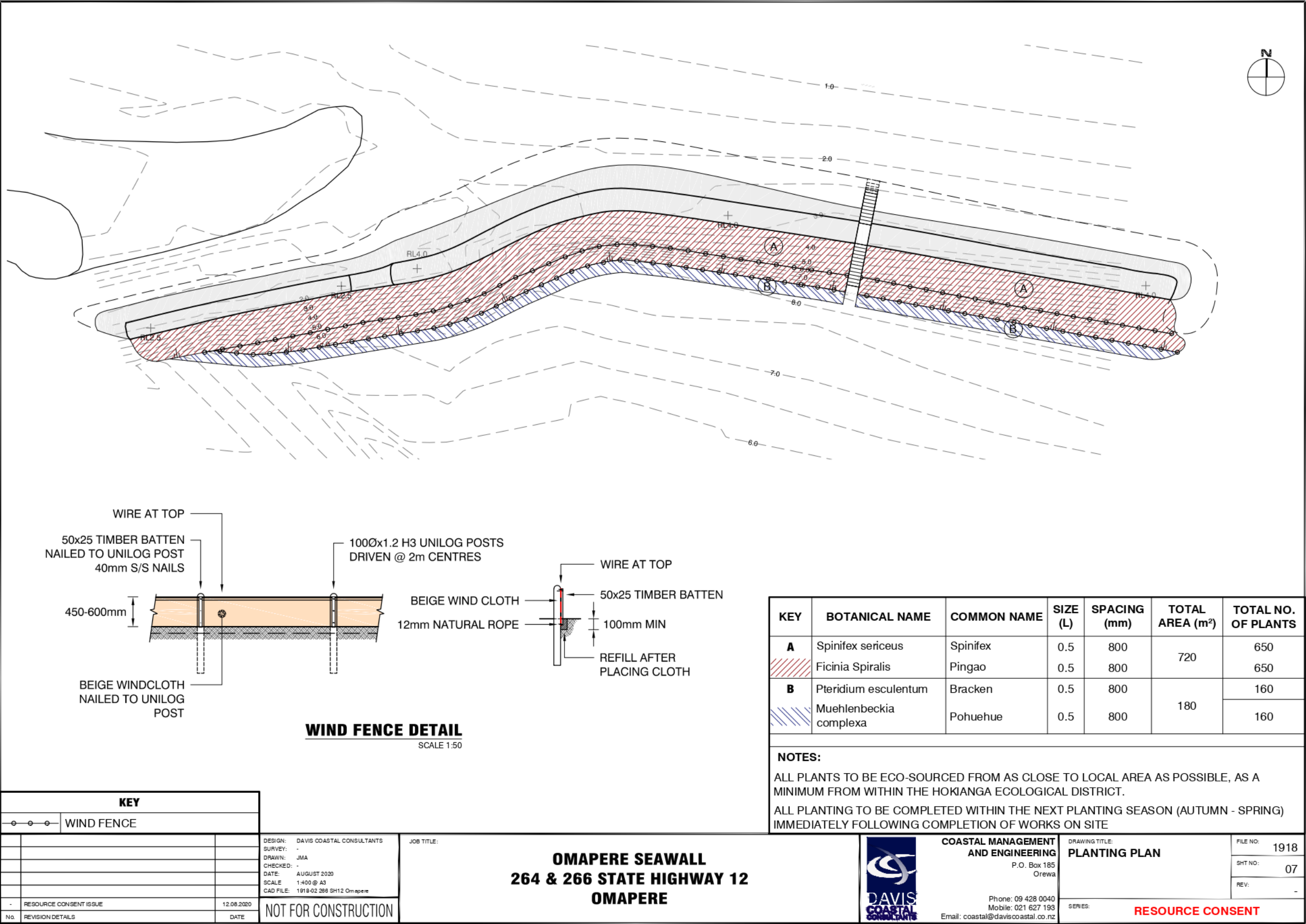














## **Appendix B**

# **Notification Assessment**

Section 95A - Public Notification

Under Section 95A of the RMA, the Consent Authority is required to follow the following four step process to determine whether to publicly notify an application for a Resource Consent.

*“Step 1: mandatory public notification in certain circumstances*

*(2) Determine whether the application meets any of the criteria set out in subsection (3) and, -*

*(a) If the answer is yes, publicly notify the application; and*

*(b) If the answer is no, go to step 2*

*(3) The criteria for Step 1 are as follows:*

*(a) The applicant has requested that the application be publicly notified;*

*(b) Public notification is required under Section 95C:*

*(c) The application is made jointly with an application to exchange recreation reserve land under Section 15AA of the Reserves Act 1977”*

With regard to Step 1, the Applicant has not requested the application be publicly notified, Section 95C has not yet been considered as further information has not yet been requested by the Consent Authority, and no application is being made to exchange Recreation Reserve land. Therefore, Step 2 applies as below:

*“Step 2: if not required by step 1, public notification precluded in certain circumstances*

*(4) Determine whether the application meets either of the criteria set out in subsection (5) and,*

*-*

*(a) If the answer is yes, go to step 4 (step 3 does not apply); and*

*(b) If the answer is no, go to step 3*

*(5) The criteria for step 2 are as follows:*

*(a) The application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification:*

*(b) The application is for a resource consent for 1 or more of the following, but no other, activities:*

*(i) a controlled activity:*

*(ii) a restricted discretionary or discretionary activity, but only if the activity is a subdivision of land or a residential activity:*

*(iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity:*

*(iv) a prescribed activity”*



With regard to Step 2, the application is for a Resource Consent for more than 1 activity, and there is no rule or environmental standard precluding public notification for these activities. The Application is for activities other than residential activity / boundary activity, with an overall Discretionary Status. Therefore, the application meets neither of the criteria set out in Step 2 above and Step 3 applies as below:

*“Step 3: if not precluded by step 2, public notification required in certain circumstances*

*(7) Determine whether the application meets either of the criteria set out in subsection (8) and,-*

*(a) if the answer is yes, publicly notify the application; and*

*(b) if the answer is no, go to step 4*

*(8) The criteria for step 3 are as follows:*

*(a) The application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification;*

*(b) The consent authority decides, in accordance with Section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor”*

With regard to Step 3, there is no rule or national environmental standard that requires public notification of the application. The potential adverse effects on the environment are assessed in Section 8.0. The assessment is guided by our experience in construction of similar structures across the country. It is considered as a result of that assessment that any adverse effects arising from the proposed rock riprap wall and timber stairway on the dune will be minor. On the basis of this assessment, the application meets neither of the criteria set out in Step 3 and Step 4 applies, as below:

*“Step 4: public notification in special circumstances*

*(9) Determine whether special circumstances exist in relation to the application that warrant the application being publicly notified, and –*

*(a) if the answer is yes, publicly notify the application; and*

*(b) if the answer is no, do not publicly notify the application, but determine whether to give limited notification of the application under Section 95B”*

With regard to Step 4, special circumstances have been defined through case law as circumstances *“outside the common run of things which is exceptional, abnormal or unusual, but they may be less than extraordinary or unique”* (Far North DC v Te Runanga-iwi o Ngati Kahu [2013]).

The proposed works are provided for under the relevant Regional Plans as a Discretionary Activity. They are similar in type and scale to other existing structures on the subject coastline, which to an extent has a compromised Character by these existing structures. Whilst there are no armouring structures immediately adjacent to the site, there are a number of existing built structures on the

coastline north and south. The scale of the structure has been minimised through design, with the structure providing toe protection to the dune only, rather than seeking to armour the entire dune face. This allows development of a planted upper dune above the seawall. As such, the structures in this coastal location is considered to be provided for and cannot be described as out of the ordinary or giving rise to special circumstances. Public notification in this regard is therefore not considered to be required.

Pursuant to this process, Step 4 directs that the Consent Authority should not publicly notify the application, but determine whether limited notification is required under Section 95B of the RMA.

#### Section 95B - Limited Notification

Under Section 95B of the RMA, the Consent Authority is required to follow the following four step process to determine whether to give limited notification of an application for a Resource Consent, if the application is not publicly notified under Section 95A.

*“Step 1: certain affected groups and affected persons must be notified*

- (1) Determine whether there are any-*
  - (a) Affected protected customary rights groups; or*
  - (b) Affected customary marine title groups*
- (2) Determine –*
  - (a) Whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11;*
  - and*
  - (b) Whether the person to whom the statutory acknowledgement is made is an affected person under Section 95E*
- (3) Notify the application to each affected group identified under subsection (2) and each affected person identified under subsection (3)”*

With regard to Step 1, the footprint of the proposed structures is outside the CMA, therefore notification is not required for either Protected Customary Rights or Customary Marine Title Groups stated in Step 1. However, ground disturbance is proposed for an area of historic significance to iwi, therefore consultation has been undertaken with the local hapū management committee, who represent Ngāti Korokoro, Ngāti Wharara and Te Pouka. They are best placed to provide advice on potential effects to cultural heritage of the proposed works. The Applicants intend that this consultation will be an ongoing process, however no formal feedback has been received at this point. Any information or reporting arising from this consultation will be provided to the Consent Authority

as it is available. No additional notification to these groups is considered required at this point and Step 2 applies as below:

*“Step 2: if not required by step 1, limited notification precluded in certain circumstances*

- (4) Determine whether the application meets either of the criteria set out in subsection (6) and,*
- (a) If the answer is yes, go to step 4 (step 3 does not apply); and*
- (b) If the answer is no, go to step 3*
- (5) The criteria for step 2 are as follows:*
  - (a) The application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification:*
  - (b) The application is for a resource consent for either or both of the following, but no other, activities:*
    - (i) A controlled activity that requires consent under a district plan (other than a subdivision of land):*
    - (ii) A prescribed activity”*

With regard to Step 2, the application is for a Resource Consent for more than 1 activity, and there is no rule or environmental standard precluding limited notification for these activities. The Application is for activities other than Controlled or Prescribed Activities, with an overall Discretionary Status. Therefore, the application meets neither of the criteria set out in Step 2 above and Step 3 applies as below:

*“Step 3: if not precluded by step 2, certain other affected persons must be notified*

- (6) Determine whether, in accordance with Section 95E, the following persons are affected persons:*
  - (a) In the case of a boundary activity, an owner of an allotment with an infringed boundary; and*
  - (b) In the case of any activity prescribed under section 360H(1)(b), a prescribed person in respect of the proposed activity.*
- (7) In the case of any other activity, determine whether a person is an affected person in accordance with Section 95E*
- (8) Notify each affected person identified under subsections (7) and (8) of the application”*

With regard to Step 3, the proposed Resource Consent is neither a boundary activity nor an activity prescribed under Section 360H(1)(b). With respect to Section 95E, it must be determined whether there are any affected persons in relation to the activity. This includes consideration of owners of adjacent properties. Under Section 95E, *“a person is an affected person if the consent authority decides*

*that the activity's adverse effects on the person are minor or more than minor (but are not less than minor)."*

The potential effects on the adjacent property owners to the site have been assessed in Section 8.0 and demonstrated to be minor. Accordingly, consultation with these parties is not considered to be required.

Therefore, the application meets neither of the criteria set out in Step 3 and Step 4 applies as below:

*"Step 4: further notification in special circumstances*

- (9) Determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section (excluding persons assessed under Section 95E as not being affected persons), and,-*
  - (a) If the answer is yes, notify these persons; and*
  - (b) If the answer is no, do not notify anyone else"*

With regard to Step 4, it has been determined under Step 4 of Section 95A that special circumstances do not exist in relation to the application, and the same conclusion applies in this instance. Therefore, pursuant to Section 95B Subsection 10, there are no other persons determined to be eligible for limited notification, and no notification of the application is required.

**Appendix C**  
**Detailed Statutory  
Assessment**



## Northland Regional Soil and Water Plan

### C1. Land Disturbance within the Riparian Management Zone – Assessment Criteria provided by Section 36.4

<b>Assessment Criteria 36.4</b>		<b>Comment</b>
<i>a</i>	<i>The scale, method and timing of the land disturbance activity and the nature of the surrounding catchment.</i>	<p>The land disturbance activity comprises re-shaping of a coastal dune. Following construction of the seawall, approximately 3-4m of the upper dune will remain over-steep above the structure, along approximately 100m of the coastline.</p> <p>This will be re-shaped using an excavator to a more stable 1(vert):2(horiz) batter, and will primarily comprise reducing the height of the upper dune and respreading this material to the foreshore below the seawall.</p> <p>The works will be undertaken immediately following construction of the seawall, and due to the simplicity of the work will be quick to undertake (approximately 1-2 days), with no material needing to be removed from site.</p>
<i>b</i>	<i>The proximity of the land disturbance activity to any water body, the nature and sensitivity of the water body and any associated values and the likely effects on that water body</i>	<p>The work is to be undertaken on a coastal dune immediately adjacent to the coastal area. The material to be disturbed comprises unconsolidated dune sands, and more consolidated sandstone. This material is already exposed in the dune scarp and due to the presence of the seawall is not at risk of further wave attack during the earthworks.</p> <p>The risk of exacerbated sedimentation of the adjacent Harbour due to mobilised silt is considered to be low due to the composition of this material</p>
<i>c</i>	<i>The proximity of the land disturbance activity to any areas of significant indigenous vegetation and significant habitats of indigenous fauna that meet the criteria in Appendix 13B, any outstanding or significant natural feature identified in a regional or district plan, any known archaeological site or historic feature, waahi tapu or urupa; and any effects on them</i>	<p>The dune is currently sparsely vegetated. The re-shaped dune will be replanted with native dune-binding species.</p> <p>Consultation has been initiated with the local hapū management committee and this consultation is expected to be ongoing.</p>





<i>d</i>	<i>The expected efficiency of sediment control measures and any other mitigation measures.</i>	No sediment control measures are considered to be required due to the type of material being re-shaped being material that is already exposed, and is a combination of dune sands and cemented sand
<i>e</i>	<i>The removal and/or any retention of vegetation and the expected efficiency of any revegetation and/or rehabilitation programme.</i>	Significant re-vegetation of the re-shaped dune is proposed, which is not currently practicable due to the progressive erosion. This planting will be undertaken in the first planting season following the works. To assist in the establishment of this vegetation two lines of wind fencing are proposed which will reduce the risk of dune blowouts as these plants are establishing, and assist in minimising mortality of these plants as they establish on the exposed dune face
<i>f</i>	<i>The adequacy of any proposed monitoring programme to assess the effects of the activity on the environment.</i>	It is proposed that maintenance conditions be imposed on the planting, with the format of this as follows (or similar): <i>"Within the first planting season following the completion of all earthworks, planting as shown on the Davis Coastal Consultants 'Planting Plan' File No 1918 / Sheet No 07 / Rev – dated 12.08.2020 will be undertaken. Following this all new plantings shall be maintained for a minimum of three years and any new plantings that die or decline over this three year period shall be replaced. The replacement plants shall be of the same species, grade and size as the original specimens and planted no later than the following planting season (May to August)".</i>
<i>g</i>	<i>The practicality of alternative methods to undertake the activity and their likelihood of having reduced environmental effects.</i>	The armouring has been demonstrated as the best practicable option for the site given the existing issues present. The earthworks proposed are necessary to allow planting to be established on the dune above the structure. The establishment of the planting is a key mitigating feature of the work as it will provide positive ecological benefit to the dune system following the works



## Proposed Northland Regional Plan – Appeals Version Aug 2020

### C2. Policies for Hard Protection Structures D.6.1 – D.6.2

<b>Policies D.6.1 – Appropriateness of hard protection structures</b>		<b>Comment</b>
1	<i>alternative responses to the hazard (including soft protection measures, restoration or enhancement of natural defences against coastal hazards and abandonment of assets) are demonstrated to be impractical or have greater adverse effects on the environment, or</i>	The Options Assessment undertaken in Section 5.0 has reviewed the various alternative approaches to the erosion issue, including relocation of the threatened dwellings and 'soft' engineering approaches. These have been shown to either not address the issue or produce undesirable outcomes for the subject properties.
2	<i>they are the only practical means to protect:</i>	
c	<i>concentrations of existing vulnerable development, and</i>	The proposal includes two adjacent property owners working together to address an issue which will provide a more cohesive structural approach than individual property owners
d	<i>they provide a better outcome for the local community, district or region, compared to no hard protection structure, and the works form part of a long-term hazard management strategy, which represents the best practicable option for the future.</i>	With reference to existing structures elsewhere on the coastline, the existing hazard management strategy in place is to undertake armouring to either protect dwellings seaward of the Highway, or to protect the Highway itself. Therefore the proposal is in accordance with the current management of the issue of the retreating coastal dune on the Ōmapere / Opononi coastline
<b>Policies D.6.2 – Design and location of hard protection structures</b>		
1	<i>be located as far landward as possible in order to retain existing natural defences against coastal hazards as much as possible, and</i>	The new seawall will be located at the base of the existing dune, and will involve revegetation of a significant area of the upper dune. This revegetation work will restore the natural defence of the upper dune to protect against blowouts and wind blown erosion
2	<i>be designed and constructed by a suitably qualified and experienced professional, and</i>	The wall has been designed by Davis Coastal Consultants who have a nearly 20 year history designing coastal protection works at a number of different locations around New Zealand



3	<i>incorporate the use of soft protection measures where practical, and</i>	Due to the steep progressively eroding dune face softer protection measures such as replanting or renourishment are not considered to be practicable. Due to the relatively open nature of the coastline any renourished material would be reasonably rapidly re-distributed to the adjacent coastline and would therefore require headland control structures (groynes) to retain this material for any length of time
4	<i>be designed to take into account the nature of the coastal hazard risk and how it might change over at least a 100-year time-frame, including the projected effects of a sea level rise, using the latest national guidance and best available information.</i>	Climate change over the 100 year timescale, using the current best guidance from the Ministry for the Environment, has been factored into the design of the seawall

## **Appendix D**

# **Iwi Consultation**

**Sam Scott-Kelly**

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**From:** Matt Clutterbuck <mj.clutterbuck@gmail.com>  
**Sent:** Wednesday, 16 September 2020 2:55 p.m.  
**To:** sam@daviscoastal.co.nz  
**Subject:** Fwd: FW: Omapere - Seawall - Drawing Set  
**Attachments:** image001.jpg; 1918-02 266 SH12 Omapere-Resource Consent Set.pdf

Hi Sam,

Please see below an email i sent to Alan Hessel. I also sent the plans as supplied by yourself. below is also abit more information Alan spoke to me about.

As part of this application, it is important to me that consultation is made to all stakeholders and kaitiaki. Having grown up in Hokianga and my parents still living in Broadwood, I know alot of Hokiangas history and importance.

Before submitting this application, as land owner i have made contact with Alan Hessel and talked him through what we are wanting to achieve and build. Alan is a member of the Hapu Management committee which represents Ngati Korokoro, Ngati Wharara and Te Pouka.

Alan explained to me the importance and cultural significance of the Waihuka burial reserve and the significance of the area our property is located; with the remains of the chief and his two children on the point north of our boundary. In recent times, Alan said John Claracich has been recovering any remains that become exposed exposed and relocating them to a local uru pa.

Alan spoke positively about what we are requesting consent for and indicated that the hapu management committee might be more favorable to this seawall as it will protect in area of cultural significance. I have sent the plans to Alan and hope to catch up with him when we next go home. I have asked Alan to review and advise if these plans need to be modified to further protect the area where Nuku Tawhiti, Morewarewa and Papatuanuku are buried.

Alan has agreed to be contacted by the groups involved in this project and council. We will also be using local contractors and suppliers who know the cultural significance of this area.

Alan Hessel's contact details are [gildahessel@xtra.co.nz](mailto:gildahessel@xtra.co.nz) and phone number is 094058832. He is best to contact via phone.

Please feel free to contact me anytime to discuss this application.

Kind regards,  
Matt clutterbuck  
021304363

[Mj.clutterbuck@gmail.com](mailto:Mj.clutterbuck@gmail.com)

----- Forwarded message -----

From: **Matt Clutterbuck** <[mj.clutterbuck@gmail.com](mailto:mj.clutterbuck@gmail.com)>  
Date: Mon, Aug 31, 2020 at 7:58 AM  
Subject: Fwd: FW: Omapere - Seawall - Drawing Set  
To: <[gildahessel@xtra.co.nz](mailto:gildahessel@xtra.co.nz)>

Morena Alan,

Thanks you for your time on the phone last week, I really appreciated it and it was good for me to get a better understanding about the Waihuka burial reserve and the significance of the area our property is located with the remains of the chief and his two children.

As mentioned, I grew up in Broadwood. Mum and Dad are still on the farm there and have been there for 40years. I now live in Tauranga, but have always wanted to have a property back home so our kids can experience the life we had growing up in Hokianga, its also a place that hopefully my parents use more as they get older.

We are going through the consent process for a retaining wall in conjunction with our neighbour, Tony Petrie through a firm Davis Coastal Constructions. They are based in Orewa and the guy leading the project is Sam, he was a flat mate of my brothers at uni and has links back to Broadwood also, I think his Dad lived there for a period of time.

Thank you for agreeing to allow me to put your contact details on our submission as a representative of the Hapu Management committee representing Ngati Korokoro, Ngati Wharara and Te Pouka. Please see the proposed seawall plans attached, if these need to be modified to further protect the area where Nuku Tawhiti, Morewarewa and Papatuanuku.

Please feel free to call me anytime to discuss, my number is 021304363. We hope to get up soon as it would be good to meet up in person. However, i am not keen to travel too much with this COVID hanging around and we definitely would hate to bring it to the home if by some chance we picked it up on the way North. Tony Petrie might touch base with you next time he is up to further discuss these.

Kind regards,

Matt Clutterbuck

---

**Subject:** Omapere - Seawall - Drawing Set

Hi Matt,

As discussed – Resource Consent set attached.

Pretty similar to what you've seen already, rock specification included, and a planting plan at the rear of the set.

We are progressing the AEE and will aim to lodge with both Council's as soon as practicable. Keep us updated with the iwi consultation so we can include this in the documentation.

Regards,

**Sam Scott-Kelly**

Coastal Engineer



**Davis Coastal Consultants Ltd.**

**PO Box 185**



## **Appendix E**

# **Status of Esplanade Reserve**

**Sam Scott-Kelly**

---

**From:** Matt Clutterbuck <matt.clutterbuck@bayleystauranga.co.nz>  
**Sent:** Thursday, 12 September 2019 3:33 p.m.  
**To:** Sam Scott-Kelly  
**Subject:** FW: Esplanade Res adjoining 264 and 266 SH 12

Hi Sam,

Please see below, might be of use.

Cheers,

Matt

Matt Clutterbuck  
Sales Manager, Bayleys Country  
Bay of Plenty

P: 07 571 4674 | M: 021 304 363 | F: 07 578 2119 | Visit: [www.bayleys.co.nz](http://www.bayleys.co.nz)  
Bayleys Tauranga, 247 Cameron Road, Tauranga, New Zealand  
Success Realty Ltd. MREINZ, Licensed under the Real Estate Agents Act 2008



**New Government Legislation:** The introduction of the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 to the real estate sector means that we will be asking clients for more information from 1 January 2019 - [Learn more](#)

**Statement of Passing Over:** This information has been supplied by the vendor or the vendor's agents and Success Realty Limited (Bayleys) is merely passing over this information as supplied to us. We cannot guarantee its accuracy as we have not checked, audited, or reviewed the information and all intending purchasers are advised to conduct their own due diligence investigation into this information. Where you have been supplied with a Council Property File or a LIM Report, please note there may be matters relating to pre-1992 consents or permits in this file which may need further investigation in order to determine their relevance. To the maximum extent permitted by law we do not accept any responsibility to any party for the accuracy or use of the information herein.

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---

**From:** ANDRE & ROBIN LA BONTE <labonte@xtra.co.nz>  
**Sent:** Monday, 5 August 2019 1:48 PM  
**To:** Kay Meekings <Kay.Meekings@fndc.govt.nz>  
**Subject:** Re: Esplanade Res adjoining 264 and 266 SH 12

Hello Kay,

Thank you for the information and analysis. You have answered our questions.

Kind regards,

Andre' & Robin

On 05 August 2019 at 13:16 Kay Meekings <[Kay.Meekings@fndc.govt.nz](mailto:Kay.Meekings@fndc.govt.nz)> wrote:

Hi Andre and Robin,

In reply to your query "do the boundaries of these parcels shift landward with progressive erosion or are they potentially lost through erosion as the MHWS boundary moves landward?"

**They are potentially lost through erosion as the MHWS boundary moves landward.**

The status of the reserved parcels:

- Lot 2 DP 91297, Local Purpose (Esplanade )Reserve vested in Council on deposit of DP 91297, subject to the Reserves Act 1977.
- Lot 5 DP 196729, Local Purpose (Esplanade )Reserve vested in Council on deposit of DP 196729, subject to the Reserves Act 1977.

Having looked at the Marine and Coastal Area Act 2011(MACA Act), DP 91297, DP 196729 and Office of Treaty Settlements advice to Local Government: <https://tearawhiti.govt.nz/assets/MACA-docs/13b81079fa/Part-2-Interests-in-land-and-structures-residual-Crown-functions-public-rights-subdivision-and-reclamations.pdf> - see paragraph on "Land added to the CMCA."

The titles show the parcels have moveable water boundaries. They are not fixed water boundaries. This is determined as the seaward boundary is described as MHWM and MHWS rather than a surveyed line.

MACA Act provides:

Interpretation: common marine and coastal area means the marine and coastal area other than—(iii) a reserve within the meaning of section 2(1) of the Reserves Act 1977

S11 Special status of common marine and coastal area - (4)Whenever, after the commencement of this Act, whether as a result of erosion or other natural occurrence, any land owned by the Crown or a local authority becomes part of the common marine and coastal area, the title of the Crown or the local authority as owner of that land is, by this section, divested. *(This applies only to the portion that is inundated up to the MHWS)*

S13 Boundary changes of marine and coastal area - (2) However, if, because of a change caused by a natural occurrence or process, any land, other than a road, that is owned by the Crown or a local authority becomes part of the marine and coastal area, then that land becomes part of the common

marine and coastal area (even if that land consists of or is included in a piece of land defined by fixed boundaries).

Conclusion: Lot 2 DP 91297 is completely under water and is now part of the Common Marine and Coastal Area. The title is completely divested.

Lot 5 DP 196729 is partially under water and that portion is lost to the Common Marine and Coastal Area. The title is divested for that portion of land now below MHWS.

The parcels lose the land to the Common Marine and Coastal Area as the MHWS mark rises.

I hope this helps.

Give me a call if you wish to discuss.

Regards



**Kay Meekings**  
**Property Legalisation Officer**

Corporate Services, Far North District Council | **24-hour Contact Centre** 0800 920 029  
ddi +6494015294 | [Kay.Meekings@fndc.govt.nz](mailto:Kay.Meekings@fndc.govt.nz)  
[Website](#) | [Facebook](#) | [LinkedIn](#) | [Careers](#)

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Get it done online at your convenience, visit our website - [www.fndc.govt.nz](http://www.fndc.govt.nz)

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Far North District Council | Te Kaunihera o Tai Tokerau Ki Te Raki  
Ph. 09 401 5200 | Fax. 09 401 2137 | Email. [ask.us@fndc.govt.nz](mailto:ask.us@fndc.govt.nz)  
Address. Memorial Avenue, Private Bag 752, Kaikohe 0440, New Zealand

Please consider the environment before printing this email.

**Appendix F**  
**Communication**  
**With LINZ**

**Sam Scott-Kelly**

---

**From:** Glen Rowe <growe@linz.govt.nz>  
**Sent:** Tuesday, 29 September 2020 9:13 a.m.  
**To:** sam@daviscoastal.co.nz  
**Subject:** Hokianga Hbr - MHWS query

Kia ora Sam,

Thank you for your enquiry about MHWS in Hokianga Harbour.

You have quoted values for MHWS at Opononi/Omapere given by T&T in terms of OTP. T&T must have made some assumptions to come up with those values as there are no heights in terms of OTP in the Hokianga region so I can't tell you how they got those numbers.

You have tried to find a relationship between TCD and OTP through NZVD16. The differences between NZVD16 and TCD/OTP are valid only at AGMH and DJM9 respectively. As NZVD16 is not a plane the offsets to TCD and OTP are not the same everywhere. As you have found, Northland is out of bounds as far as Taranaki Vertical Datum is concerned so our online converter is unable to calculate an offset. Therefore there is no correct conversion factor between TCD and OTP and, anyway, at a fundamental level relating those two systems does not make sense as they are spatially disparate.

**Therefore, can LINZ please advise what is the correct conversion factor to apply, in order to convert between TCD (source data) and OTP (target output data).**

As described above, LINZ is unable to provide this information.

For DY1B the reference to MSL is an approximation. Historically height network adjustments were either based on a defined datum or something close to MSL and designated as such. We have tied EVXA to sea level data recorded at the Opononi wharf and MSL is 2.50m below that mark (MHWS is 1.35m below EVXA). As I have said above, there are no OTP heights in the Hokianga area but from the conversion tool OTP comes in 0.054m below NZVD16. Using the above information and the geodetic database, I make MSL and MHWS 0.18m and 1.33m above NZVD16 respectively. Using the conversion tool offset for OTP, MSL and MHWS are 0.23m and 1.38m above OTP respectively.

Ngā mihi nui,

**Glen Rowe**

**Technical Leader Sea Level Data**

New Zealand Hydrographic Authority

[growe@linz.govt.nz](mailto:growe@linz.govt.nz) | DDI 04 460 0569



Wellington Office, Level 7, Radio New Zealand House, 155 The Terrace  
PO Box 5501, Wellington 6145, New Zealand  
[www.linz.govt.nz](http://www.linz.govt.nz) | [data.linz.govt.nz](http://data.linz.govt.nz)



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**Appendix G**  
**Certificate of  
Title**

D 519985. 2 cons



## FAR NORTH DISTRICT COUNCIL

### THE RESOURCE MANAGEMENT ACT 1991

#### SECTION 221 : CONSENT NOTICE

#### REGARDING RC 1960605

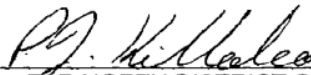
The subdivision of  
Lot 3 DP 91297  
North Auckland Registry.

PURSUANT to Section 221 for the purposes of Section 224 of the Resource Management Act 1991, this Consent Notice is issued by the FAR NORTH DISTRICT COUNCIL to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and is to be registered on the titles of Lots 1,2,3, & 4 DP 196729.

#### SCHEDULE

- Any building erected is to be re-locatable for coastal hazard reasons.
- No buildings shall be erected closer than 40 metres from mean high water springs as shown on the Haigh Consultants report dated 18 December 1996.
- Any dwelling erected will be made subject to section 36 of the Building Act 1991 stating that Council will accept no liability for any loss or damage to any building as a result of any adverse coastal process.
- Parts of the sites may contain fill and require specific engineering design for foundations.

SIGNED:

  
by the FAR NORTH DISTRICT COUNCIL  
under delegated authority:  
RESOURCE CONSENTS MANAGER

DATED at **KAIKOHE** this 23<sup>rd</sup> day of June 2000

RC 1960605

SRM\CERT\3bridge221

② CONO-88

**LINZ COPY**   
255 03 JUL 00 D 519985.2  
PARTICULARS ENTERED IN THE  
LAND REGISTRY NO 211  
for REGISTRAR GENERAL OF  
NEW ZEALAND





**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



R. W. Muir  
Registrar-General  
of Land

**Identifier** **41164**  
**Land Registration District** **North Auckland**  
**Date Issued** 21 October 2002

**Prior References**

NA124C/657                      NA124C/658

**Estate**                      Fee Simple  
**Area**                      1904 square metres more or less  
**Legal Description** Lot 1 Deposited Plan 310507

**Registered Owners**

Matthew James Clutterbuck and Philippa Louise Harvey

**Interests**

D519985.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 3.7.2000 at 2.55 pm

Subject to a stormwater right (in gross) over part marked A on DP 310507 in favour of Far North District Council created by Transfer D519985.6 - 3.7.2000 at 2.55 pm

The easements created by Transfer D519985.6 are subject to Section 243 (a) Resource Management Act 1991

D616625.1 Gazette Notice (NZ Gazette 9.11.2000 No152 p 3942) declaring part of State Highway 12 in Northland commencing at its intersection with the northern end of Waiotemarama Gorge Road at Pakanae and proceeding in a Southerly direction to its intersection with the southern end of Waiotemarama Gorge Road at Waiotemarama to be a limited access road

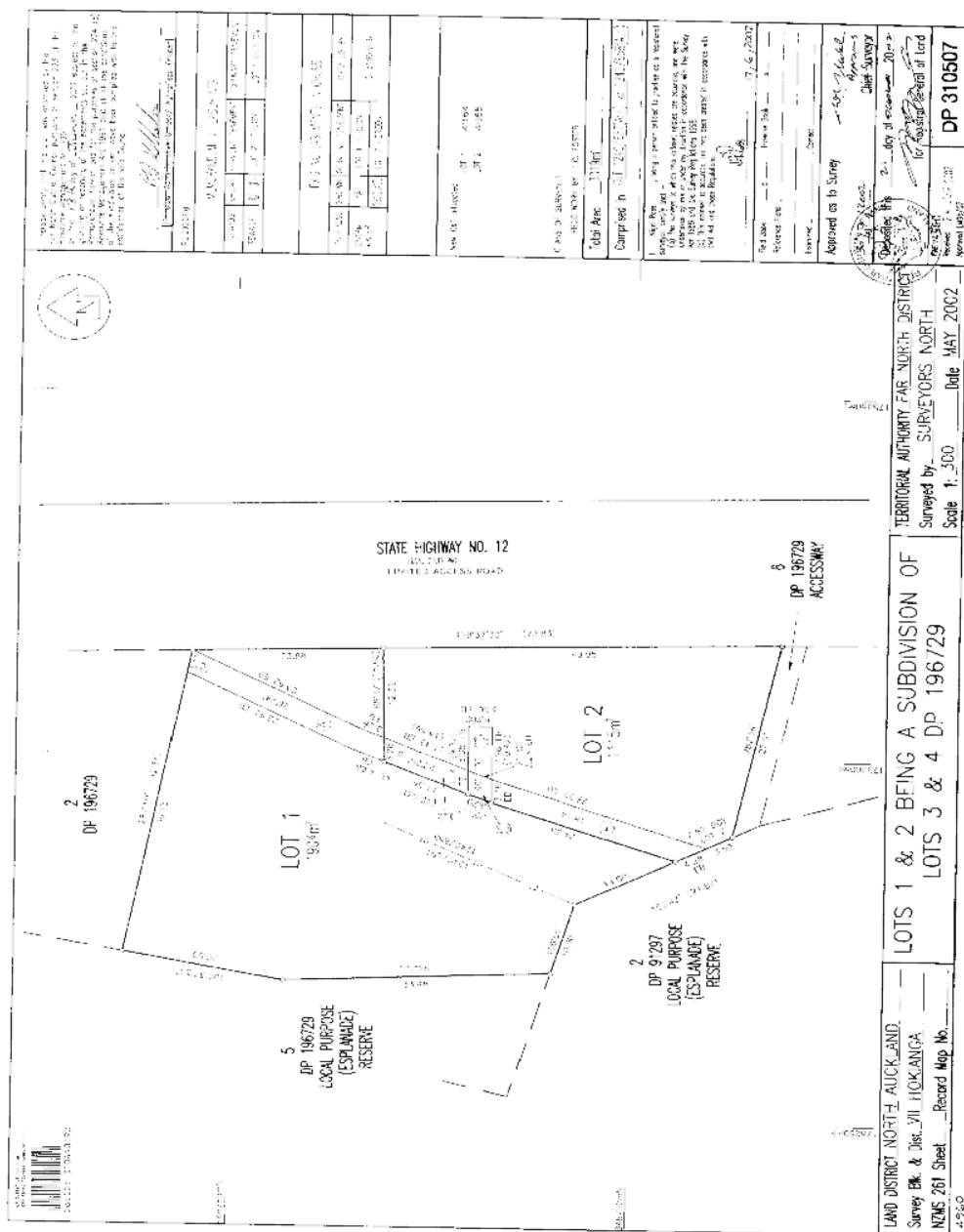
D616743.3 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 27.6.2001 at 9.01 am

Appurtenant hereto is a right to drain sewage created by Transfer 5379959.6 - 21.10.2002 at 3:33 pm

The easements created by Transfer 5379959.6 are subject to Section 243 (a) Resource Management Act 1991

5900053.1 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 16.2.2004 at 9:00 am

41164



**Attachment 2:** Summary of relevant technical matters contained within the Assessment of Environmental Effects

The resource consent application for the proposed erosion protection structure is supported by a detailed technical assessment of the effects of the proposed seawall on coastal processes. A summary of technical matters relevant to the consideration of Council approval is given below.

**Storm effects**

The seawall has been designed with 1.8m freeboard above current 1% AEP storm tide levels and includes engineered design elements to reduce the risk of large scale erosion of dune sands behind the proposed wall. Foundation undermining is proposed to be prevented by excavating the wall 500mm into underlying harder base material. This allows for the entire loss of the existing beach in front of the structure (approximately 1.5m deep at the time of application), and lowering of 500mm of the underlying material, before the seawall is at risk of undermining.

**End erosion**

End erosion can occur as a result of wave or current differentials created by a hard protection structure transferring energy to unprotected portions of the dune or beach. The application report has provided a detailed assessment of the potential effects of end erosion associated with the proposed structure that take into account the detailed analysis of the wave environment, historic extreme water levels, sediment transport mechanisms and the existing foreshore environment. The application report sets out that the wall as proposed to be located on an alignment that is directly perpendicular to the dominant angle of wave attack and accordingly there is low risk of deflection of swash and wave energy along the wall. Incoming energy will tend to be deflected directly back out to sea given the shore normal incident angle. The applicant also proposes to bed the northern end of the wall 4m into the dune face at an angle of 90° into the backing. This will provide futureproofing for the end portion of the wall against future retreat of the coastline. This embedment can be increased as the coastline continues to retreat and imposing requirements of that nature though conditions of consent would be within the ambit of the consent authority.

**Sea level rise**

The application report provides an assessment of the proposal taking into account a sea level scenario based on the RCP 8.5 emissions scenario (i.e. the worst case scenario) in accordance with MfE Guidelines<sup>2</sup>. Based on the RCP 8.5 emissions scenarios, those guidelines indicate a

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<sup>2</sup> Ministry for the Environment (2017). *Preparing for coastal change: A summary of coastal hazards and climate change guidance for local government*.



sea-level rise of 300-400mm over the next 35 years and a sea level rise of 1m within the next 100 years. The applicant has sought a term of 35 years for the coastal permit authorising the occupation of the structure within the common marine and coastal area. A 35 year assessment period is therefore appropriate.

The application report demonstrates that, for current predictions of sea-level rise over the 35 year consent term, the structure remains resilient to the extreme water level events, including wave setup. It should be noted that the report also demonstrates that the structure will be unaffected by 1% AEP storm tides up to the 1m sea level rise scenario.

## 6.2 KAIKOHE-HOKIANGA FOOTPATH PROGRAMME

**File Number:** A3201345

**Author:** Sandi Morris, Road Safety and Traffic Planning Engineer

**Authoriser:** Andy Finch, General Manager - Infrastructure and Asset Management

### TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek approval for the 2021/2022-year footpath programme for the Kaikohe-Hokianga Community Ward.

### WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- There is a total of \$150,000 available for New Footpath in the Kaikohe-Hokianga Community Ward.
- An additional \$320,000 has been proposed to Waka Kotahi New Zealand Transport Agency (NZTA) for new footpath projects from the 2021/2022 financial year at the revised Financial Assistance Rate of 69%.
- Waka Kotahi requires footpaths to have a strong emphasis on safety and accessibility so new measures have been introduced into the 'footpath matrix'.
- Due to recent impacts on Central Government budgets, the previous funding allocations from the 'Low Cost Low Risk Activity Class, is unlikely to be accepted for the 2021/2022 financial year. The outcome of this funding allocation may not be known until September 2021.

### TŪTOHUNGA / RECOMMENDATION

**That the Kaikohe-Hokianga Community Ward.:**

- Agree to the 2021/2022 footpath programme to include the following 'top nine' prioritised and subject to funding availability:**
  - Parnell Street Rawene - Hospital to Clendon Esplanade (Est \$500,000)**
  - Manning Street Rawene - Existing to House #54 Manning Street (Est \$70,000)**
  - Koutu Point Road Koutu - SH12 to 68 Koutu Point Road (Est \$340,000)**
  - Old Wharf Road Omapere - SH12 to Wharf (Est \$40,000)**
  - Freese Park Road Omapere – Old Wharf Road to end (Est \$40,000)**
  - Horeke Road Okaihau - Existing to house 2054 (Est \$230,000)**
  - Honey Street – Parnell Street to End (Est \$120,000)**
  - Taumataiwi Street Opononi – Walkway to SH10 - via bowling green (Est \$30,000)**
  - Michie Street – Start to Playschool (Est \$30,000)**
- Identify and recommend to Council a list of footpaths from the above priority safety programme to the values of \$150,000 to be constructed 100% funded from Far North District Council Funds.**

### 1) TĀHUHU KŌRERO / BACKGROUND

#### NZTA Footpath Funding

Government, through the Ministry of Transport, published the Road to Zero strategy for 2020-2030 and the initial 3-year implementation plan in December 2019, prior to the COVID pandemic.

The Road to Zero strategy prioritises funding commitments for its transport vision, and 'new footpaths' were placed at number 4 on a list of 15 strategic priorities for funding to 'Enhance safety and accessibility of footpaths, bike lanes and cycleways'.

Due to the global pandemic, some funding prioritises have been reorganised to enhance general road safety with more stringent guidelines.

The outcome of any funding changes will not be realised until August/September 2021.

### **Kaikohe-Hokianga Community – Footpath Matrix Amendments**

While the former footpath matrix methodology was accepted by Waka Kotahi NZTA, under the new central government strategy additional safety and accessibility measures have been added. The new matrix attributes are now as follows:

- School (within certain distance)
- Tourist Route
- Berm Space
- Existing Footpath
- Existing Link
- Trip Generation
- NEW - Posted and Operated Speed Limit
  - *Posted = Roadside signs/Legal Speed Limit*
  - *Operating = the speed at which drivers operate the vehicle*
- NEW - One Network Framework (ONF)
  - *The ONRF is the national classification system. It is used to determine the function of our roads and streets, and to inform decision making.*
- NEW - Crash Analysis System (CAS)
  - *CAS is a data collection system which provides tools to analyse and map crashes and enables users to identify high risk locations and monitor trends and crash sites. The source data is gathered from NZ Police crash reports.*
- NEW - Annual Average Daily Traffic (AADT)
  - *AADT is a measure used primarily in transportation planning, engineering and retail location. It is the total volume of vehicle traffic of a highway or road for a year divided by 365.*

These new measures have now been accepted by Waka Kotahi NZTA.

## **2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS**

There is a total of \$150,000 available for New Footpaths in the Kaikohe-Hokianga Community Ward. This is allocated by Far North District and is 100% funded from Far North District funds.

An additional \$320,000 per annum, has been proposed to Waka Kotahi New Zealand Transport Agency for new footpath projects from the 2021/2022 to 2023/2024 financial years (3-year programme). The annual programme should attract the revised financial assistance rate (FAR) of 69%.

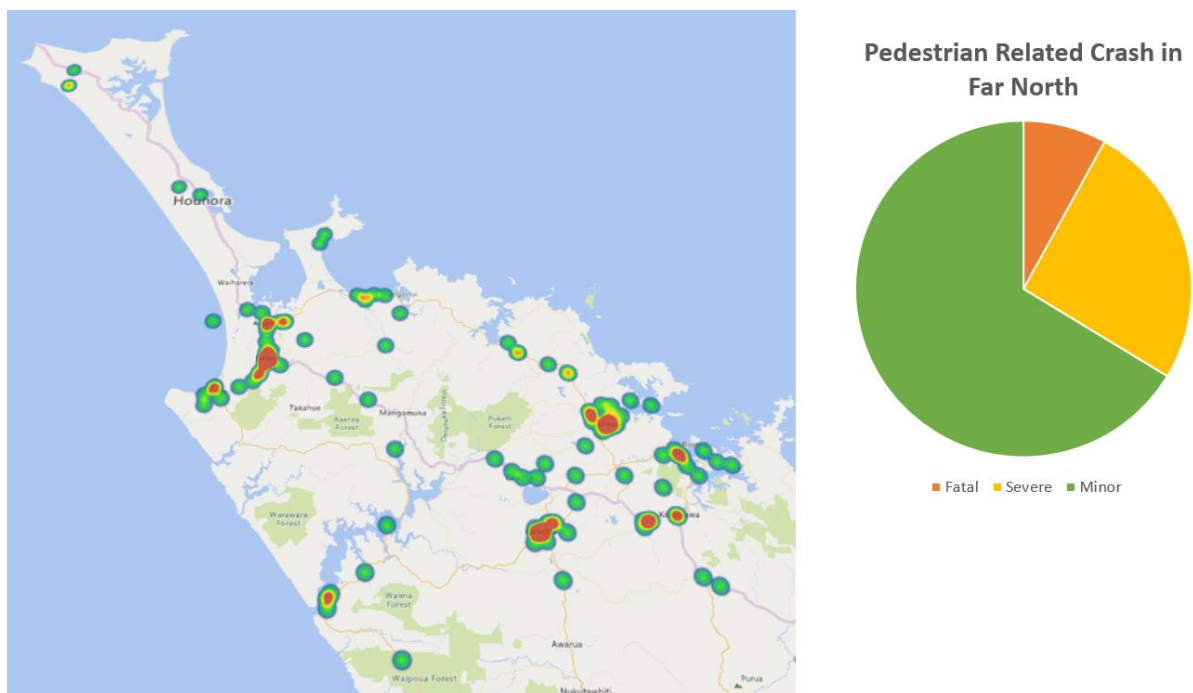
While the former footpath matrix methodology was accepted by Waka Kotahi New Zealand Transport Agency, under the new central government strategy additional safety and accessibility measure have been added. The new matrix attributes are now as follows:

- School (within certain distance)
- Tourist Route
- Berm Space
- Existing Footpath
- Existing Link
- Trip Generation
- NEW – Posted and Operating Speed Limit
  - Posted = Roadside signs/Legal speed limit
  - Operating = the speed at which drivers operate the vehicle (where available)
- NEW – One Network Framework (ONF)

- The ONF is the national classification system. It is used to determine the function of our roads and streets, and to inform decision making.
- NEW – Crash Analysis System (CAS)
  - CAS is a data collection system which provides tools to analyse and map crashes and enables users to identify high risk locations and monitor trends and crash sites. The source data is gathered from NZ Police crash reports. A copy of the
- NEW – Annual Average Daily Traffic (AADT)
  - AADT is a measure used primarily in transportation planning, engineering and retail locality. It is the total volume of vehicle traffic of a highway or road for a year divided by 365.

The new attributes have been accepted by Waka Kotahi NZTA and now been placed into the footpath matrix to further analyse the highest ranked footpaths to be delivered across Far North District.

It is important to note that CAS data has been explored to highlight where the Far North District are experiencing the greatest pedestrian risk. NTA staff analysed data from 2010-2021 for all crashes involving a pedestrian, the results are shown in the below heat map:



Due to early notification of potential funding shortfall from Waka Kotahi NZTA, other programmes are being explored to deliver pedestrian improvement programmes. These could be raised pedestrian platforms and speed tables, delivered through Waka Kotahi NZTA's new activity class of 'Road to Zero – Safety Network Programme'.

### Take Tūtohunga / Reason for the recommendation

It is recommended that the Kaikohe-Hokianga Community Ward agrees that the Northland Transport Alliance for Far North District implement footpaths as prioritised in the 'top 9' from the footpath matrix, (budget \$320,000) as follows:

1. Parnell Street Rawene - Hospital to Clendon Esplanade (Est \$500,000)
2. Manning Street Rawene - Existing to House #54 Manning Street (Est \$70,000)
3. Koutu Point Road Koutu - SH12 to 68 Koutu Point Road (Est \$340,000)

4. Old Wharf Road Omapere - SH12 to Wharf (Est \$40,000)
5. Freese Park Road Omapere – Old Wharf Road to end (Est \$40,000)
6. Horeke Road Okaihau - Existing to house 2054 (Est \$230,000)
7. Honey Street – Parnell Street to End (Est \$120,000)
8. Taumataiwi Street Opononi – Walkway to SH10 - via bowling green (Est \$30,000)
9. Michie Street – Start to Playschool (Est \$30,000)

These new footpaths are proposed as funding from Waka Kotahi NZTA is made available, with a FAR of 69%. The order in which they are delivered will be determined by the available fund for each financial year.

Kaikohe-Hokianga Community Ward will still need to identify a list of footpaths for delivery for 2021/2022 financial year, to be constructed from Far North District Council funds (100%). The Community Ward could opt to prioritise from the 'top nine' proposed new footpaths or nominate another 'new footpath' for consideration (budget \$150,000).

### **3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION**

There is a total of \$150,000 available for New Footpaths in the Kaikohe-Hokianga Community Ward. This is allocated by Far North District and is 100% funded from Far North District funds.

An additional \$320,000 per annum, has been proposed to Waka Kotahi New Zealand Transport Agency for new footpath projects from the 2021/2022 to 2023/2024 financial years (3-year programme). The annual programme should attract the revised financial assistance rate (FAR) of 69%.

### **ĀPITI HANGA / ATTACHMENTS**

**Nil**

**Hōtaka Take Ōkawa / Compliance Schedule:**

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
  - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
  - b) Assess the options in terms of their advantages and disadvantages; and
  - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	This is a footpath programme and is of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Land Transport Act, National Policy Statement, NZ Standards 4404, Policy #5004 Footpaths
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	There is limited district wide relevance; footpaths are a public asset. The Community Board have the delegated authority to approve footpath priorities.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	Not applicable.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Footpath standards include provision for design for elderly and disabled. Communities are in support of footpaths being built to current standard.
State the financial implications and where budgetary provisions have been made to support this decision.	Footpaths are subsidised by Waka Kotahi NZTA with a financial assistance rate of 69%. FNDC has planned for \$320,000 to be funded by Waka Kotahi NZTA. The application is awaiting approval.  The Community Ward influences 100% of Far North District Rate Payer funds up to \$150,000 for footpaths.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report



### 6.3 KAIKOHE-HOKIANGA STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 30 APRIL 2021

**File Number:** A3190706

**Author:** Ajay Kumar, Management Accountant

**Authoriser:** Janice Smith, Chief Financial Officer

#### PURPOSE OF THE REPORT

The Community Fund account provides information on financial matters relating to the Kaikohe-Hokianga Community Board's Community Fund which is allocated in accordance with the Community Grant Fund Policy.

#### RECOMMENDATION

**That the Kaikohe-Hokianga Community Board receives the report Kaikohe-Hokianga Statement of Community Board Fund Account as at 30 April 2021.**

#### BACKGROUND

The statement is attached for the Board's information and to provide sufficient information to enable the Board to allocate funds in accordance with the funds available.

<b>Community Fund Account balance as at 1 July 2020</b>	<b>\$115,902.00</b>
• <b>Plus, uncommitted funds from 2019-20 carried forward</b>	<b>\$40,545.99</b>
• <b>Plus, Unspent from 2018/19 - Matihetihe School support children participating in regular sporting activity during 2019 winter season</b>	<b>\$85.00</b>
• <b>Plus, Unspent from 2018/19 - Rawene Golf Club Inc. to assist with the cost of The Hokianga Golf Fun Day 2019</b>	<b>\$115.79</b>
• <b>Plus, Unspent from 2019/20 - Kaikohe Community &amp; Youth Centre Trust for installation of the basketball court and hoops at Memorial Park</b>	<b>\$21,019.01</b>
• <b>Plus, Commitments from 28/06/17 meeting towards Junior Bike Park</b>	<b>\$14,376.54</b>
• <b>Less funds granted and uplifted to 30 April 2021</b>	<b>\$107,893.00</b>
• <b>Less funds not uplifted from 09 December 2020 for Kaikohe Business Association</b>	<b>\$4,750.00</b>
• <b>Less funds not uplifted from 03 February 2021 for North Harbour A&amp;P Society</b>	<b>\$3,720.00</b>
<b>Community Fund Account balance as at 30 April 2021</b>	<b>\$75,681.33</b>

#### DISCUSSION AND NEXT STEPS

Board members will consider the applications on the agenda and decide on what level of funding to allocate. The uncommitted balance in the Community Fund account as at 30 April 2021 is \$75,681.33.

Recent amendments to the Community Grant Fund Policy allow the Community Board to allocate, by resolution, funding directly to key projects identified in their strategic plan to the maximum amount of \$20,000 in any financial year.

### **FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION**

The Far North District Council has delegated the allocation of relevant community board funds to the Kaikohe-Hokianga 30 April 2021 is attached.

### **ATTACHMENTS**

1. **Statement of Kaikohe-Hokianga Community Board Fund Account as at 30 April 2021 - A3190704**  

**Far North District Council  
Kaikohe - Hokianga Community Board  
Statement of the Community Fund Account as at 30 April 2021**

Allocation Grants & Donations Annual Budget 2020-21	82,569.00
Community Board Placemaking Fund	33,333.00
Uncommitted funds from 2019-20 carried forward	40,545.99
Unspent from 2018/19 - Matihetihe School support children participating in regular sporting activity during 2019 winter season	85.00
Unspent from 2018/19 - Rawene Golf Club Inc. to assist with the cost of The Hokianga Golf Fun Day 2019	115.79
Unspent from 2019/20 - Kaikohe Community & Youth Centre Trust for installation of the basketball court and hoops at Memorial Park	21,019.01
Commitments from 28/06/17 meeting towards Junior Bike Park	14,376.54
	192,044.33
<b>Less Expenditure 2020/21 (Funds Uplifted)</b>	

**July 20**

Volunteering Northland for volunteer centre, recruitment and promotion	3,000.00
Kaikohe Business Association for costs towards Community Patrol vehicle	1,000.00
Kaikohe Pioneer Village for the annual Halloween community event	1,500.00
Wekaweka Valley Community Trust for costs towards updating the Waimamaku Community Centre	3,000.00

**September 20**

Kaikohe Intermediate School for installing swimming pool covers	3,000.00
Bay of Islands Waldorf Education Trust for costs towards parent workshops	500.00
Kaikohe & Districts Sportsville costs towards Lindvart Park Promotional Video	625.00
Te Rau o Te Huia costs towards running a four day community weaving workshop	3,100.00
Hokianga Community Educational Trust for costs towards clearing/cleaning Rawene Campus	2,619.00

**October 20**

Kaikohe Community Arts Council for costs towards Te Wairua o Kaikohe art exhibition	1,095.00
Kaikohe Sewing Club for costs towards Community Sewing Skills Course	5,300.00
Jacman Entertainment for costs towards Hullabaloo Children's Arts Festival 2020	5,000.00
Ngawha Springs Forward Charitable Trust on behalf of Te Whakamanamai Whanau Trust costs towards where to whenua	20,000.00
South Hokianga Memorial Hall costs towards erecting a hall sign	1,000.00
Okaihau Bowling Club for costs towards new mats and jacks	1,300.00

**November 20**

**Far North District Council****Kaikohe - Hokianga Community Board****Statement of the Community Fund Account as at 30 April 2021**

Te Puna o Kūpenuku Inc costs towards establishing and furnishing the Rawene Campus	17,291.00
Kaikohe Business Association costs towards Kaikohe Christmas in the Village 2020	2,500.00
Kaikohe Rugby and Sports Club towards adjusting lighting for televised Mitre 10 Rugby game at Lindvart Park	3,972.00
Ngāpuhi Hokianga Ki te Raki Inc towards Mangamuka Christmas in the Park 2020	2,320.00
Hokianga Treks 4 Kids for costs towards refreshing the display at the Rawene turnoff	3,400.00
Far North Environment Centre for costs towards Te Tai Tokerau Timebank – Kohukohu and Kaikohe branches	1,300.00

**December 20**

Wekaweka Valley Community Trust for costs towards sports equipment for community use	1,000.00
Heritage New Zealand for costs towards 181st Commemorations of signing of Te Tiriti at Mangungu Mission	3,230.00

**February 2021**

Okaihau Bowling Club for costs towards Okaihau Bowling Club renovations and repairs	5,000.00
Man vs Wild Fishing Competition for costs towards the 2021 fishing competition	1,600.00
Manaki Tinana Trust for costs towards hall hire for one year	1,560.00
Niniwa Collective for costs towards the Te Whenua Tupu Ora	2,000.00

**April 2021**

Life Education Trust costs towards mobile classroom refurbishment	5,001.00
Kaikohe Rugby Football and Sports Club Inc for costs towards installation of additional lights at Lindvart Park	3,075.00
Kaikohe & District Historical & Mechanical Trust (Pioneer Village) Inc for costs towards construction of a stage for entertainment	2,605.00

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107,893.00
**Balance as at 30 April 2021**


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**\$84,151.33**


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**Less Commitments 2020/21 as at 31 March 2021 (Funds not yet up lifted)****Meeting 09.12.20**

Kaikohe Business Association for costs towards updated town/cycle trail signage	4,750.00
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**Meeting 03.02.21**

North Hokianga A&P Society Inc for costs towards entertainment at the 2021 show	3,720.00
---	----------

**Far North District Council  
Kaikohe - Hokianga Community Board  
Statement of the Community Fund Account as at 30 April 2021**

8,470.00

**Balance 30 April 2021 Uncommitted/(Overcommitted)**

**\$75,681.33**

## 6.4 FUNDING APPLICATIONS

**File Number:** A3188304

**Author:** Kathryn Trewin, Funding Advisor

**Authoriser:** Ana Mules, Team Leader - Community Development and Investment

### TAKE PŪRONGO / PURPOSE OF THE REPORT

This report summarises applications for Local Community Grant funding to enable the Kaikohe-Hokianga Community Board to determine which application/s will receive funding at the 12 May 2021 meeting.

### WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- The Kaikohe-Hokianga Community Board has \$19,331.78 unallocated funding available for the 2020/21 financial year.
- Two new applications for funding have been received, requesting \$8128

### TŪTOHUNGA / RECOMMENDATION

**6.4a)** That the Kaikohe-Hokianga Community Board approves the sum of **\$4928** (plus GST if applicable) be paid from the Board's Community Fund account to Bay of Islands Canine Association for costs towards community dog education and training to support the following Community Outcomes:

- i) Communities that are healthy, safe, connected and sustainable
- ii) Proud, vibrant communities

### TŪTOHUNGA / RECOMMENDATION

**6.4b)** That the Kaikohe-Hokianga Community Board approves the sum of **\$3200** (plus GST if applicable) be paid from the Board's Community Fund account to Kaikohe and Districts Sportsville for costs towards a bike track feasibility study to support the following Community Outcomes:

- i) Communities that are healthy, safe, connected and sustainable
- ii) Proud, vibrant communities



**1) TĀHUHU KŌRERO / BACKGROUND**

Each application has been checked by staff for completeness and complies with the conditions of the Community Grant Policy, Community Outcomes as stated in the LTP and all provisions listed on the application form.

**2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS**

Applicant	Project	Requested	Recommended	Comments	Community Outcome(s)	Type
a) Bay of Islands Canine Association	Community dog-training and education	\$4928 50%	\$4928 50%	This is the second year that the association have come to the Board for funding, with a duplicate application going to Bay of Islands-Whangaroa Board. As they have funds remaining (\$550), they have not provided a project report form, but have indicated that the classes they have run have been well-attended and supported.	i) Communities that are healthy, safe, connected and sustainable ii) Proud, vibrant communities	Community Development
b) Kaikohe and Districts Sportsville	Bike track feasibility study	\$3200 50%	\$3200 50%	Sportsville are working with Ākau Design and the NZ Police on the possibility of developing a moto-x track in the Kaikohe area as part of a larger picture with the Cycle Trail, a learner's bike trail and a pump/BMX track. This would benefit the community by getting bikes (including motorbikes) off the streets and into a purpose-built area.	i) Communities that are healthy, safe, connected and sustainable ii) Proud, vibrant communities	Infrastructure

**Take Tūtohunga / Reason for the recommendation**

The applicant was required to complete a standard application form and provide supporting information.

For each application, the Board has three options.

**Option 1** Authorise funding for the full amount requested

**Option 2** Authorise partial funding

**Option 3** Decline funding

Each application has been assessed and meets the criteria of the Community Grant Policy, Community Outcomes as listed in the LTP, and the conditions listed on the application form.

**3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION**

Budgetary Provision has been made and the grant is allocated in accordance with the Community Grant Policy

**ĀPITI HANGA / ATTACHMENTS**

1. Pages from KHCB - Application - Bay of Islands Canine Association - A3200899 [↓](#) 
2. Pages from KHCB - Application - Kaikohe and Districts Sportsville Inc - A3200900 [↓](#) 

**Hōtaka Take Ōkawa / Compliance Schedule:**

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
  - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
  - b) Assess the options in terms of their advantages and disadvantages; and
  - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Community Grant Policy.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This report does not have district-wide relevance.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	No implications for Māori in relation to land and/or water.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Considered in the application.
State the financial implications and where budgetary provisions have been made to support this decision.	Budgetary Provision has been made and the grant is allocated in accordance with the Community Grant Policy.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

## Local Grant Application Form



### Instructions

#### Please read carefully:

- Read this application form in full before you start filling it in. It is easier to complete an application if you have the information you need at your fingertips.
- Please see Section 1 of the [Community Grant Policy](#) to ensure you are eligible.
- All applications are to be submitted 15 clear working days prior to the Community Board meeting where the application will be considered. Deadlines dates are on Council's website [www.fndc.govt.nz](http://www.fndc.govt.nz)
- **Incomplete, late, or non-complying** applications will not be accepted.
- Applicants who have failed to complete a Project Report for previous funding granted within the last five years are not eligible for funding.
- **If there's anything on this form you're not sure of**, please contact the Community Development team at freephone 0800 920 029, or [funding@fndc.govt.nz](mailto:funding@fndc.govt.nz) – we're happy to help.
- **Send your completed form** to [funding@fndc.govt.nz](mailto:funding@fndc.govt.nz) or to any Council service centre

#### The following must be submitted along with this application form:

- ☐ Quotes (or evidence of costs) for all items listed as total costs on pg 3
- ☒ Most recent bank statements and (signed) annual financial statements
- ☒ Programme/event/project outline
- ☐ A health and safety plan
- ☐ Your organisation's business plan (if applicable)
- ☐ If your event is taking place on Council land or road/s, evidence of permission to do so
- ☒ Signed declarations on pgs 5-6 of this form

### Applicant details

Organisation	Bay of Islands Canine Association		Number of Members	40
Postal Address	255b Raihia Road, RD2, KAWAKAWA		Post Code	0382.
Physical Address	As above		Post Code	
Contact Person	Julia Northcoat	Position	Treasurer + Dog Trainer	
Phone Number	09 4040065	Mobile Number	027 2920995	
Email Address	northcoatextra.co.nz			

#### Please briefly describe the purpose of the organisation.

To promote Dog interests in Bay of Islands and wider Far North district communities including Dog education and Dog training of all dogs



## Local Grant Application Form



### Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

☐ Te Hiku

☒ Kaikohe-Hokianga

☒ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Activity Pet Dog Training Date 2021-2022

Location A+P Showgrounds, KAIKOHE Time 5-30-8

Will there be a charge for the public to attend or participate in the project or event? ☒ Yes ☐ No

If so, how much? Required to join club, then offered training Per free.

Outline your activity and the services it will provide. Tell us:

- Who will benefit from the activity and how; and
- How it will broaden the range of activities and experiences available to the community.

It will benefit Pet Dog owners to learn about dog ownership and training at a very low cost.

Please see attached letter and also supporting documents.

Letter

Program Outline + Application split 6m work

Financial return from last years funds

Bank Statement showing all balances 23/4/21.

Canine Good Citizen Brochure Dogs NZ

Letters of Support - Jen Fabb

Lyn Lucas

Go Healty

Lois Buchanan

Bay of Islands Animal Rescue

## Local Grant Application Form



### Project Cost

Provide a detailed costs estimate for the activity. Funding requested may not exceed 50% of the total cost.

Total Cost - provide the **total** amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

**Please Note:**

- You need to provide quotes (or evidence of costs) for everything listed in the total costs column
- If your organisation is GST registered, all requested amounts must be GST exclusive.
- Do not enter cents – round the values up or down to the nearest dollar
- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire		
Advertising/Promotion		
Facilitator/Professional Fees <sup>2</sup>		
Administration (incl. stationery/copying)		
Equipment Hire		
Equipment Purchase (describe)		
Utilities		
Hardware (e.g. cement, timber, nails, paint)		
Consumable materials (craft supplies, books)		
Refreshments		
Travel/Mileage		
Volunteer Expenses Reimbursement		
Wages/Salary		not applicable
Volunteer Value (\$20/hr)		not applicable
Other (describe)		
<b>TOTALS</b>		

*Please see attached.  
Split into two board  
community board  
applications.*



## Local Grant Application Form



### Financial Information

Is your organisation registered for GST? ☐ Yes ☐ No GST Number N/A

How much money does your organisation currently have? 2014121 6729.39.

How much of this money is already committed to specific purposes? 5696.21.

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
Club Reserves in hope of a base one day.	4546.00
A/C relating to recent C9C Event	
fees paid and A/C returns required	600.00.
Less 1/2rs funding not yet spent	550.21
<b>TOTAL</b>	<b>5696.21.</b>

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
		Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
FNDC - Kaikohe - Hokianga	1500.00	11/6/20.	Y / (N)
Bol - Whangaroa	1732.00		Y / (N)
			Y / N

\$3232  
16951

## Local Grant Application Form



### Privacy Information

The information you have provided on this form is required so that your application for funding can be processed. Once this application is lodged with the Council it becomes public information and may be made available on the Council's website. **If there is sensitive information in the proposal or personal details you wish to be withheld, please advise.** These details are collected to inform the general public and community groups about all funding applications which have been submitted to the Far North District Council.

### Applicant Declaration

*This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.*

On behalf of: (full name of organisation)

Bay of Islands Canine Association

We, the undersigned, declare the following:

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
  - Two signatories to all bank accounts (if applicable)
  - A regularly maintained and current cashbook or electronic equivalent
  - A person responsible for keeping the financial records of the organisation
  - A regularly maintained tax record (if applicable)
  - A regularly maintained PAYE record (if applicable)
  - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
  - Tracking of different funding, e.g. through a spreadsheet or journal entry
  - Regular financial reporting to every full meeting of the governing body

Signatory One

Jim Northcott

Signatory Two

Jo-Anne Heatley

www.fndc.govt.nz | Memorial Ave, Kaikohe 0440 | Private Bag 752, Kaikohe 0440 | funding@fndc.govt.nz | Phone 0800 920 029



## Local Grant Application Form



### We agree to the following conditions if we are funded by Local Community Grant Funding:

1. To uplift any funding granted within 3 months of the date on the letter of agreement. Failure to do so will result in loss of the grant money.
2. To spend the funding within 12 months of the date of grant approval unless written approval for an extension is obtained from Council before that 12 month period ends.
3. To spend the funding only for the purpose(s) approved by Far North District Council unless written approval for a change of purpose(s) is obtained in advance from the Community Board.
4. To return to the Far North District Council any portion of the funding that we do not spend. If our payment includes GST we will return the GST component of the amount to be returned.
5. To acknowledge the receipt of Community Board funds as a separate entry in our accounts, or in a note to our accounts, in our organisation's annual report.
6. To acknowledge any financial contribution from Far North District Council on signage and in any publicity relating to the project. Contact Governance Support for digital imagery.
7. To make available any files or records that relate to the expenditure of this funding for inspection if requested by the Far North District Council or its auditors.
8. To complete and return a Project Report within **two months** of the end of the project, or, if the activity is ongoing, within two months of the funding being spent. Applicants who fail to provide a project report within this timeframe will not be considered for funding for stand-down period of five years.
9. To inform the Far North District Council of significant changes in our organisation before this application has been considered, or the funding has been fully used and accounted for (such as change in contact details, office holders, financial situation, intention to wind up or cease operations, or any other significant event).
10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.

### Signatory One

Name Jim KATHRYN N. Naitheoat Position Treasurer, Dog Trainer  
 Postal Address 2556 Pahiia Road, RD2, KAWAKAWA Post Code 0882  
 Phone Number 09 4040065 Mobile Number 027 2920995  
 Signature [Signature] Date 6/5/21

### Signatory Two

Name Jo-Anne Heatley Position Vice President  
 Postal Address 7048 State Highway 1, R.D.2, Kaikohe Post Code 0472  
 Phone Number 0976 Mobile Number 0274943235  
 Signature [Signature] Date 01.05.2021

www.fndc.govt.nz | Memorial Ave, Kaikohe 0440 | Private Bag 752, Kaikohe 0440 | funding@fndc.govt.nz | Phone 0800 920 029

**Schedule of Supporting Documentation****Bay of Islands Canine Association**

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

1	Westpac Bank Statement from 12 April 2021 to 23 April 2021
2	Program Outline costs 2021 to 2022 x2 pages
3	Summary of Revenue and costs 2020 to 2021
4	Annual Report for the year ended 30 June 2020 x4 pages
5	FNDC Letter of agreement 12 June 2020
6	The Project x4 pages
7	Support Letter – Bay of Islands Animal Rescue
8	Support Letter – Jo Heatly (Vice President B.O.I Canine Assoc)
9	Support Letter – Jen Z
10	Support Letter – Lois Buchanan
11	Support Letter – Lynne Lucas
12	Photos / Brochure x2 pages

**Offer Pet Dog training to public for no fee  
just to join the club.  
Estimated costs from now thru to June next**

As pre FNDC Form layout and split across two Community Boards	Kaikaha BOI	
	Hokianga	Whangaroa
rent/thrriage facilities	\$ 1,180	\$ 590 \$ 590
Advertising/promotion	\$ 100	\$ 50 \$ 50
Administration/Stationery	\$ 280	\$ 140 \$ 140
Equipment Purchase	\$ 200	\$ 100 \$ 100
Hardware	\$ -	\$ - \$ -
Consumables refreshments	\$ 110	\$ 55 \$ 55
travel Village( 2 Trainers)	\$ 3,608	\$ 1,804 \$ 1,804
Volunteer expenses reimbursement		
<b>Volunteer Value (\$20ph)</b>	<b>\$ 5,760</b>	<b>\$ 2,880 \$ 2,880</b>
	<u>\$ 11,238</u>	
<b>Total costs (including Vol hrs)</b>		<b>\$ 5,619 \$ 5,619</b>
<b>Amount Requested ( excl Vol Hours)</b>		<b>\$ 2,739 \$ 2,739</b>
<b>less funds still unspent</b>		<b>\$ 159 \$ 391</b>
<b>Amount Funding sought per Comm Board</b>		<b>\$ 2,580 \$ 4,928</b>
		<b>\$ 5,478 \$ 550</b>
		<b>\$ 4,928 \$ 5,760</b>



## Local Grant Application Form



### Instructions

Please read carefully:

- Read this application form in full before you start filling it in. It is easier to complete an application if you have the information you need at your fingertips.
- Please see Section 1 of the Community Grant Policy to ensure you are eligible.
- All applications are to be submitted 15 clear working days prior to the Community Board meeting where the application will be considered. Deadlines dates are on Council's website [www.fndc.govt.nz](http://www.fndc.govt.nz)
- **Incomplete, late, or non-complying** applications will not be accepted.
- Applicants who have failed to complete a Project Report for previous funding granted within the last five years are not eligible for funding.
- **If there's anything on this form you're not sure of, please contact the Community Development team at freephone 0800 920 029, or [funding@fndc.govt.nz](mailto:funding@fndc.govt.nz) – we're happy to help.**
- **Send your completed form** to [funding@fndc.govt.nz](mailto:funding@fndc.govt.nz) or to any Council service centre

The following must be submitted along with this application form:

- ☒ Quotes (or evidence of costs) for all items listed as total costs on pg 3
- ☒ Most recent bank statements and (signed) annual financial statements
- ☒ Programme/event/project outline
- ☐ A health and safety plan
- ☐ Your organisation's business plan (if applicable)
- ☐ If your event is taking place on Council land or road/s, evidence of permission to do so
- ☒ Signed declarations on pgs 5-6 of this form

### Applicant details

Organisation	<u>Kaikohe and Districts Sportsville Inc</u>	Number of Members	<u>13</u>
Postal Address	<u>PO Box 473 Kaikohe</u>	Post Code	<u>0440</u>
Physical Address	<u>11 Penney Crescent, Kaikohe</u>	Post Code	<u>0405</u>
Contact Person	<u>Debbie Raphael</u>	Position	<u>Facilities Coordinator</u>
Phone Number	<u>021 0821 1637</u>	Mobile Number	<u>n/a</u>
Email Address	<u>admin@kaikoheport.org.nz</u>		

Please briefly describe the purpose of the organisation.

Developing and promoting sport in the greater Kaikohe area especially at Lindhart Park in Kaikohe

[www.fndc.govt.nz](http://www.fndc.govt.nz) | Memorial Ave, Kaikohe 0440 | Private Bag 752, Kaikohe 0440 | [funding@fndc.govt.nz](mailto:funding@fndc.govt.nz) | Phone 0800 920 029



## Local Grant Application Form



### Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

- ☐ Te Hiku
 ☒ Kaikohe-Hokianga
 ☐ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Activity  Date   
 Location  Time   
 Will there be a charge for the public to attend or participate in the project or event? ☐ Yes ☒ No  
 If so, how much?

Outline your activity and the services it will provide. Tell us:

- Who will benefit from the activity and how; and
- How it will broaden the range of activities and experiences available to the community.

We are presently working with Matt Cotching from NZ Police and Ana Heremaia from Akau Design about the possibility of a Moto X park in or around Kaikohe.

It is part of a larger biking picture with the Cycle Trail, a learner's bike trail at Memorial Park, and a Pump / BMX track at Lindvart Park.

Kaikohe and Districts Sportsville are interested in providing venues for all sports including motorbikes (now excluded from Lindvart Park)

This Moto X park will benefit all motorbike riders and Kaikohe community by getting bikes off the streets into a purpose built area

The feasibility study is aimed at finding the right venue, talking to local motorbike riders, getting a quote and forming a working party

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## Local Grant Application Form



### Project Cost

Provide a detailed costs estimate for the activity. Funding requested may not exceed 50% of the total cost.

Total Cost - provide the **total** amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

#### Please Note:

- You need to provide quotes (or evidence of costs) for everything listed in the total costs column
- If your organisation is GST registered, all requested amounts must be GST exclusive.
- Do not enter cents – round the values up or down to the nearest dollar
- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire	0	0
Advertising/Promotion	0	0
Facilitator/Professional Fees <sup>2</sup> <i>feasibility report not including other studies</i>	6,300	3,150
Administration (incl. stationery/copying)	0	0
Equipment Hire	0	0
Equipment Purchase (describe)	0	0
Utilities	0	0
Hardware (e.g. cement, timber, nails, paint)	0	0
Consumable materials (craft supplies, books)	0	0
Refreshments - <i>meetings with Taitamānaki</i>	100	50
Travel/Mileage <i>included in facilitator's fees</i>	0	0
Volunteer Expenses Reimbursement	0	0
Wages/Salary	0	not applicable
Volunteer Value (\$20/hr)	0	not applicable
Other (describe)		
<b>TOTALS</b>	<b>6,400</b>	<b>3,200</b>

<sup>2</sup> If the application is for professional or facilitator fees, a job description or scope of work must be attached.



## Local Grant Application Form



### Financial Information

Is your organisation registered for GST? ☒ Yes ☐ No GST Number **115-987-518**

How much money does your organisation currently have? **\$1,146,716.55**

How much of this money is already committed to specific purposes? **\$1,146,716.55**

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
New multi-sport complex Lindvart Park	\$1,078,846.88
Other capital projects	\$ 24,868.76
Lindvart Park management funding	\$ 43,009.91
<b>TOTAL</b>	<b>\$1,146,716.55</b>

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
Residue management funding	3,200	Yes / <b>Pending</b>
(to be consulted with FNOC Facilities)		Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
FNOC Lindvart Operation Funds	\$113,966.80	2018/2019/2020	<b>Y</b> / N
Kaik Hoki CB funding for Pump video	\$ 625	14/9/20	Y / <b>N</b>
Reserve Management Fund for	\$145,962	28/10/20	Y / <b>N</b>
design+ consultation phase of Lindvart Park redevelopment			Y / N

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## Local Grant Application Form



### Privacy Information

The information you have provided on this form is required so that your application for funding can be processed. Once this application is lodged with the Council it becomes public information and may be made available on the Council's website. **If there is sensitive information in the proposal or personal details you wish to be withheld, please advise.** These details are collected to inform the general public and community groups about all funding applications which have been submitted to the Far North District Council.

### Applicant Declaration

*This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.*

On behalf of: (full name of organisation)

Kaikohe and Districts Sportsville Incorporated

We, the undersigned, declare the following:

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
  - Two signatories to all bank accounts (if applicable) ✓
  - A regularly maintained and current cashbook or electronic equivalent ✓
  - A person responsible for keeping the financial records of the organisation ✓
  - A regularly maintained tax record (if applicable) ✓
  - A regularly maintained PAYE record (if applicable) ✓
  - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts ✓
  - Tracking of different funding, e.g. through a spreadsheet or journal entry ✓
  - Regular financial reporting to every full meeting of the governing body ✓

Signatory One

Signatory Two

Debbie Raphael

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## Local Grant Application Form



### We agree to the following conditions if we are funded by Local Community Grant Funding:

1. To uplift any funding granted within 3 months of the date on the letter of agreement. Failure to do so will result in loss of the grant money.
2. To spend the funding within 12 months of the date of grant approval unless written approval for an extension is obtained from Council before that 12 month period ends.
3. To spend the funding only for the purpose(s) approved by Far North District Council unless written approval for a change of purpose(s) is obtained in advance from the Community Board.
4. To return to the Far North District Council any portion of the funding that we do not spend. If our payment includes GST we will return the GST component of the amount to be returned.
5. To acknowledge the receipt of Community Board funds as a separate entry in our accounts, or in a note to our accounts, in our organisation's annual report.
6. To acknowledge any financial contribution from Far North District Council on signage and in any publicity relating to the project. Contact Governance Support for digital imagery.
7. To make available any files or records that relate to the expenditure of this funding for inspection if requested by the Far North District Council or its auditors.
8. To complete and return a Project Report within two months of the end of the project, or, if the activity is ongoing, within two months of the funding being spent. Applicants who fail to provide a project report within this timeframe will not be considered for funding for stand-down period of five years.
9. To inform the Far North District Council of significant changes in our organisation before this application has been considered, or the funding has been fully used and accounted for (such as change in contact details, office holders, financial situation, intention to wind up or cease operations, or any other significant event).
10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.

### Signatory One

Name Justin Blaikie Position Chairman  
 Postal Address 273 Te Ahu Ahi Road, Kaikohe Post Code 0472  
 Phone Number 09 4059868 Mobile Number 0275422992  
 Signature [Signature] Date 3/5/2020

### Signatory Two

Name Debbie Raphael Position Facilities Coordinator  
 Postal Address 19 Oromahoe School Road, RD2 Kaikohe Post Code 0472  
 Phone Number  Mobile Number 021 0821 1637  
 Signature Debbie Raphael Date 1/5/21

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**Schedule of Supporting Documentation****Kaikohe and Districts Sportsville Inc**

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

1	<b>ASB Bank Statement as at 15 March 2021</b>
2	<b>Performance Report x19 pages</b>
3	<b>Job Description – Feasibility Study</b>
4	<b>Quote – Freeman Associates</b>



## 7 INFORMATION REPORTS

### 7.1 UPDATE ON SPEED LIMIT BYLAW REVIEW

**File Number:** A3177116

**Author:** Roger Ackers, Manager - Strategy Development

**Authoriser:** William J Taylor MBE, General Manager - Strategic Planning and Policy (Acting)

#### TAKE PŪRONGO / PURPOSE OF THE REPORT

To update the Kaikohe and Hokianga Community Board on the Speed Limit Review Programme, including the review process and upcoming consultations.

#### WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

The purpose of this item is to provide the Community Board with background to the ongoing speed review programme. The paper also includes an overview of the current speed review programme, prioritisation, and review process. The item also provides information on upcoming consultation and how the Board can provide input into that process.

The rolling review of all speed limits in Far North District is being undertaken as part of the implementation of the National Road Safety Strategy: *Road to Zero: A Road Safety Strategy for New Zealand 2020-2030*.

#### TŪTOHUNGA / RECOMMENDATION

**That the Kaikohe-Hokianga Community Board receive the report Update on Speed Limit Bylaw Review.**

#### TĀHUHU KŌRERO / BACKGROUND

Far North District Council is a Road Controlling Authority (RCA) within the Far North District and has a statutory role in managing the District's local roads (except State Highways), including the setting of speed limits. This statutory role as an RCA is set out under the Land Transport Act 1998, which also enables Council to make a bylaw that fixes the maximum speed of vehicles on any road for the safety of the public, or for the better preservation of any road (*Section 22AB(1)(d)*).

As part of the national Road Safety Strategy: *Road to Zero: A Road Safety Strategy for New Zealand 2020-2030*, Northland Transportation Alliance (NTA), as part of the Far North District (Council) is undertaking a rolling review of speed limits across the District. This is part of a Northland wide speed limit review project and is being undertaken in coordination with other Road Controlling Authorities, including Whangarei District Council, Kaipara District Council and Waka Kotahi (NZTA).

#### MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

##### Speed Limit Review Program

The speed limit review programme is part of a region-wide project to reduce serious injury and fatal crashes on Northland roads, in part by setting safe and appropriate speeds that better reflect the road environment.

The programme is coordinated with both Kaipara and Whangarei Districts which enables cross boundary issues to be addressed. NTA also coordinates with Waka Kotahi (NZTA) who are responsible for managing the State Highway network.

NTA has recently completed and implemented a review of speed limits in the Waimate-Okaihau-Kaeo area. This review was the first significant speed review to be completed in Northland. The next area to be reviewed is:

- Kaitaia-Awaroa
- Broadwood-Kohukohu
- Te Oneroa-a-Tōhe Ninety Mile Beach
- Moerewa urban area

### **Prioritisation of Reviews**

All speed limits in the Far North will be reviewed over time in a rolling review. To achieve this, NTA, in collaboration with FNDC are taking a catchment-based approach where each review will cover a significant number of roads within an identified catchment area. This approach has been taken to:

- Ensure an efficient review process that aligns with Council's resources and budgets
- Reduce the number of speed limit inconsistencies where a lower quality road has a higher speed limit than a connecting high-quality road
- Avoid community engagement fatigue.

Catchment areas are prioritised based on risk. A variety of data is utilised, including crash data, vehicle movement and road environment information to assign every road in Northland a risk rating. The National Road Safety Strategy and Speed Management Guidance requires the RCA to prioritise the top 10% high risk roads.

The high-risk roads are identified, and a catchment area is extrapolated from those roads to determine a reasonable review area. The first catchment areas to be reviewed are those that have the highest risk rating, and where a speed review will have the greatest impact on fatal and serious injury crash reduction.

Prioritisation based on risk is essential to ensure that the districts high risk roads are addressed first. Secondary to risk, other aspects that influence the prioritisation process include:

- Co-ordination of cross-boundary review areas within other Council areas, for example, Russell Road.
- The benefits of combining two catchment areas into one review, for example, Kaitaia-Awaroa and Broadwood-Kohukohu catchment areas.
- The implementation of related legislation or policy commitments, for example: Te Oneroa-a-Tōhe Beach Management Plan as part of the Te Hiku Iwi Treaty of Waitangi Settlement legislation.

The Kaitaia-Awaroa Road has the highest crash risk rating in Northland and is currently the highest priority for a speed review to be undertaken.

### **Community Board Input into the Kaitaia-Awaroa; Broadwood-Kohukohu; and Moerewa Review**

The Review area incorporates the areas set out in the attached maps.

A Draft Statement of Proposal (SOP), setting out proposed new speed limits and the principal reasons for the proposed speed limits has been prepared. In accordance with Council delegations, the Statement of Proposal will be presented to the Strategy and Policy Committee to approve for consultation purposes on 15 June 2021.

Subject to approval and media publication, the SOP will be publicly notified in the week ending 25 June 2021. Submissions will be sought over a six-week period, which will allow for additional community engagement events to run alongside the submission process.

The SOP is supported by Technical Reports and other background information to enable the community to make informed submissions. The additional information will be available on Council's website. Submitters are provided the opportunity to present their views to Council at a Hearing.

Community Board members will have the opportunity to provide feedback on proposals. To enable this, the SOP will be circulated to Community Boards once it is approved by the Strategy and Policy Committee.

An engagement plan is currently being developed. This Plan will incorporate the use of local media, Council website, electronic and social media and drop-in sessions to reach the widest cross section of the community as possible. The Plan will also identify strategies to engage with Māori within the review area.

### Forward Programme

The speed limit review programme is being undertaken as a regional project in collaboration with all three districts and Waka Kotahi. This allows for coordination of speed reviews on cross boundary roads and consistency throughout Northland.

The current forward programme for the Far North District includes:

Catchment Area	Planned Notification
Kerikeri – Bay of Islands	November 2021
Aucks Road – Russell	November 2021
Old Russell Road	2022 to be coordinated with Whangarei District Council
Kawakawa	2022 to be coordinated with Whangarei District Council

It should be noted that the setting of Speed Limit Rule 2017 is currently being reviewed. Any changes to this Rule may impact on the current forward programme.

Experience to date shows that the entire speed review process, from start to implementation takes between 6 and 12 months. This allows for significant procurement issues associated with Covid-19 related delays in supply chains and to ensure that implementation is undertaken within current Council budgets.

### Next steps

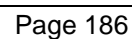
A Statement of Proposal setting out proposed new speed limits will be produced. Once approved by the Strategy and Policy Committee, the SOP will be circulated to Community Boards for information and feedback at the 7 July 2021 Community Board meeting.

### PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

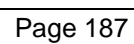
There are no financial implications associated with this agenda item and report.

### ĀPITIHINGA / ATTACHMENTS

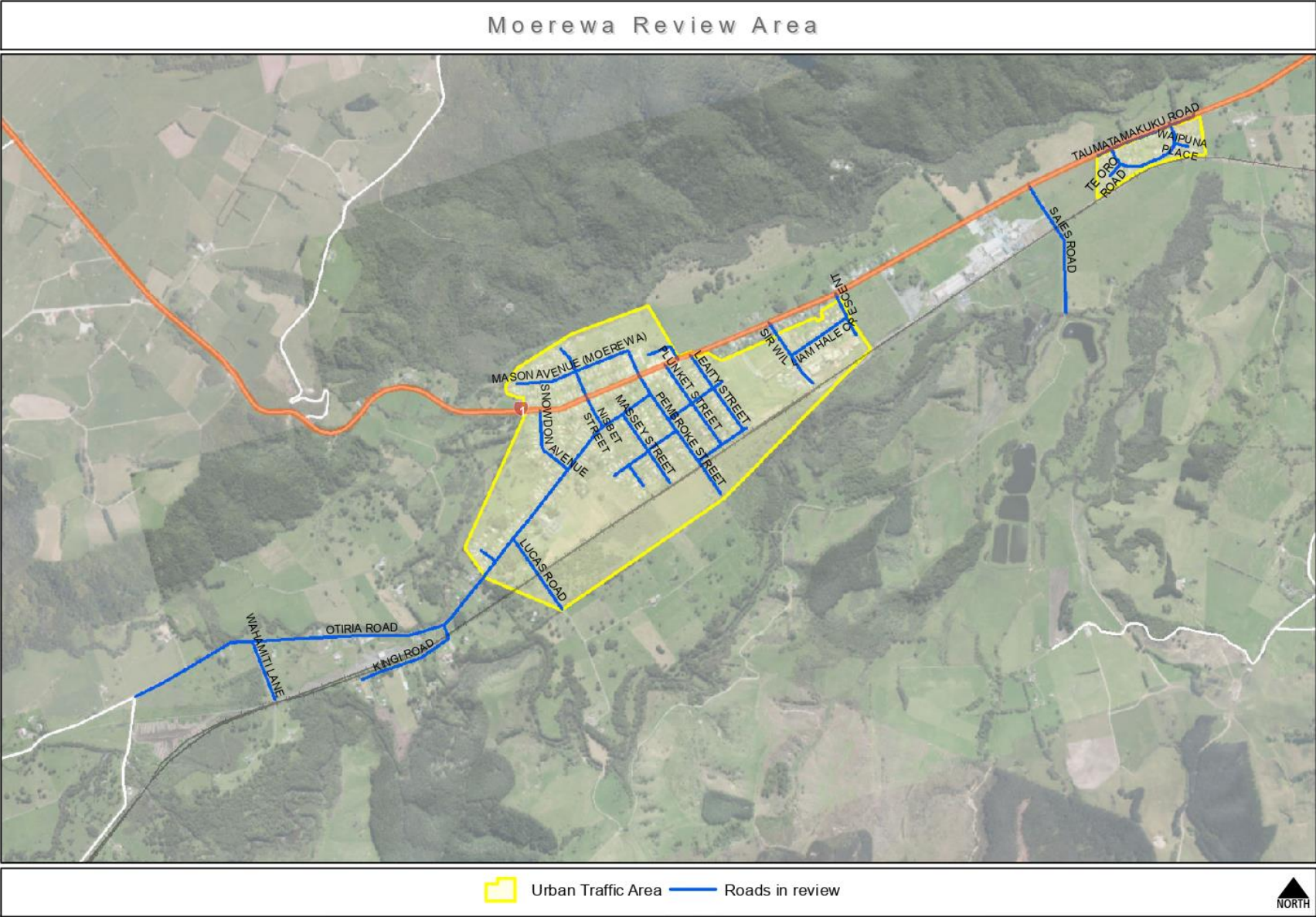
1. Kaitaia Awaroa Road Speed Limit Review Area Map - A3177185 [↓](#) 
2. Kohukohu Broadwood Speed Limit Review Area Map - A3177187 [↓](#) 
3. Moerewa Speed Limit Review Area Map - A3177186 [↓](#) 













**8        TE KAPINGA HUI / MEETING CLOSE**