

Application for a Resource Consent – Resource Management Act 1991

This application form must be provided with applications to the council for new and replacement resource consents, and changes to the conditions on an existing resource consent.

If you would like to talk or meet with a consents officer to discuss your application prior to lodging with the council, please phone **0800 002 004** or email request to info@nrc.govt.nz.

PART 1: Administration Matters

1 Full Name of Applicant(s) *(the name(s) that will be on the resource consent document)*

Surname: Far North District Council

First Names:

OR

If the application is being made on behalf of a trust, the Trustee(s) who has/have signing authority for the trust must be named.

Trust Name:

Trustee's Name(s):

OR

Company Name:

Contact Person:

Email address: Chris@fnhl.co.nz

Please Note: *If an email address is provided, then all correspondence for this application will be via email.*

Postal address: P O Box 7, Opua 0200

Telephone: *(please tick preferred contact number)*

☐ Residential

☐ Business

☒ Mobile 0274573512

2 Details of the Address for Service of documents if different from the Applicant (e.g. Consultant). This address will be used for all documents if completed.

Company Name: Far North Holdings Limited

Contact Person: Chris Galbraith

Email address: chris@fnhl.co.nz

Please Note: *If an email address is provided, then all correspondence for this application will be via email.*

Postal address:

Telephone: (please tick preferred contact number)

☐ Residential ☐ Business

☒ Mobile

3 Invoices

Charges relating to the processing of this resource consent application should be sent to:

☐ Applicant ☒ Address for service

Charges relating to the ongoing monitoring of a resource consent should be sent to:

☐ Applicant ☒ Address for service

4 Name and Address of all Owners/Occupiers of the Site relating to Application if different from the Applicant

Owner(s):

Postal Address:

Telephone: (please tick preferred contact number)

☐ Residential ☐ Business

☐ Mobile

Occupier(s):

Postal Address:

Telephone: (please tick preferred contact number)

☐ Residential ☐ Business

☐ Mobile

Please Note: *If the applicant is not the owner of the land to which the activity relates, then it is good practice to submit the application with written approval from the landowner.*

5 Extending Timeframes

The Resource Management Act 1991 (RMA) specifies timeframes for processing resource consent applications (e.g. 20 working days for a non-notified application); however, these timeframes can be extended, if necessary, with the Applicant's agreement. If the council does not meet these timeframes, then it is required to refund 1% of the total processing cost of the application for each day it exceeds the timeframe up to a maximum of 50%.

Do you agree to the council extending RMA resource consent processing timeframes?

- ☐ **Yes**, provided that I can continue to exercise my existing resource consent until processing of this application is completed.
(Replacement application only. No refund is required to be paid until after the existing resource consent expires.)
- ☒ **Yes**, provided that the extension is for the specific purpose of discussing and trying to agree on resource consent conditions.
- ☐ **Yes**, provided that the application process is completed before this date (dd/mm/yy):
- ☐ **No**.
-

6 Deposit Fee

An initial minimum fee is payable with this application. These fees can be found on the council's website www.nrc.govt.nz – [Schedule of Minimum Estimated Initial Fees](#) information. Please contact council consents staff if you need assistance with determining the correct minimum initial fee.

Unless agreed to prior to lodging your application, the council will not commence processing your resource consent application until payment of the minimum initial fee is received (i.e. the statutory processing time for the application will not start).

This minimum initial fee may be paid online, by cheque, or by EFTPOS at one of the council's offices.

Instructions for paying online can be found on the council's website at "[Pay online](#)". Please use either the first six numbers of your resource consent (e.g. CONXXXXXX or AUT.XXXXXX), if known, or the Applicant's name as the Reference/Customer number when paying online.

If you do pay online, then please enclose evidence of payment so that the council is aware that the payment has been made.

If the costs of processing the resource consent application are greater than the minimum estimated initial fee, then the applicant will be required to pay the additional actual and reasonable costs of processing the application.

Note: Annual User Charges for Resource Consent Holders

Holders of resource consents will in most cases be required to pay a "Minimum Annual Charge" for administration of the resource consent once issued. There is also likely to be additional annual charges for the monitoring of the resource consent, which will be dependent on the type of activity the resource consent is for. These charges are detailed on the council's website www.nrc.govt.nz in the Annual Charges section of the council's [Charging Policy](#).

7 Applications for Activities within the Coastal Marine Area (CMA)

Prior to lodging an application with the council to undertake any activity in the coastal marine area (CMA), the applicant is required under the Marine and Coastal Area (Takutai Moana) Act 2011 to notify the application to all groups who have applied for customary marine title in that location, and seek their view on the application. This notification should, as a minimum, include a summary of the application that provides sufficient detail for a group to understand what is being proposed

The council cannot accept an application to undertake an activity in the CMA unless the applicant for the resource consent provides evidence of this notification occurring. A response from customary marine title groups is not required by the council.

To ensure you meet the above requirement, you are advised to contact council consents staff to obtain a list of all of the current customary marine title applicant groups within the area where you are proposing to apply for a resource consent.

Information on customary marine titles is available on the [Ministry of Justice/Marine and Coastal Area Applications](#) website.

8 Consultation

The RMA does not require any person, including the applicant or council, to consult with anyone. It is, however, best practice to do so and will allow the council to make a more informed decision.

It is important to remember that consultation does not require reaching an agreement – it is to allow you and the council to be informed about a person's views. If you do consult, and there are concerns raised that cannot be resolved and you still want to go ahead with your application, then you should have made a genuine attempt to consult with that person(s) in an open and honest manner. Their views should be recorded so they can be taken into account by the council when considering your resource consent application.

PART 2: Application Details

1 Description of Activity

Please describe in detail the activity for which resource consent is being sought.

Installation of a rock protection structure for Maori Pont, Mangonui.

2 Location Description of Activity

Site Address: Waterfront Drive, Mangonui

Legal Description: Road Reserve

(Legal description can be obtained from your Certificate of Title, valuation notice, or rates demand)

3 Site Plan

On a separate page (*minimum A4 size*), please provide a site plan showing the location of the activity, site layout, and surrounding environment in relation to property boundaries. Please include any buildings or developments on the site.

These plans should be provided electronically and be of good quality, to enable use in resource consent documentation.

If you do not have access to mapping software, we recommend you use the council's "[Property and Boundaries](https://localmaps.nrc.govt.nz/LocalMapsGallery/)" map available on our website <https://localmaps.nrc.govt.nz/LocalMapsGallery/>.

This council map contains aerial photography and shows property boundaries and details. You can carry out a property search and print maps of aerial photography.

4 Resource Consent(s) being Applied for

Coastal Permit

☐ Mooring

☐ Marine Farm

☒ Structure

☐ Pipeline/Cable

☐ Other (*specify*)

Land Use Consent

☐ Quarry

☐ Earthworks

☐ Dam Structure

☐ Vegetation Clearance

☐ Construct/Alter a Bore

☐ Structure in/over Watercourse

☐ Other (*specify*)

Water Permit

- ☐ Stream/Surface Take ☐ Damming ☐ Groundwater Take
☐ Diverting Water ☐ Other (specify)

Discharge Permit

- ☐ Domestic Effluent to Land ☐ General Discharge to Land ☐ Farm Dairy Effluent to Land/Water
☐ Air ☐ Water ☐ Other (specify)

5 Is this application to replace an existing or expired resource consent(s)? ☐ Yes ☒ No

If Yes:

(a) Please state the resource consent number(s):

.....
.....

(b) Do you agree to surrender the existing resource consent once a new one has been issued:

☐ Yes ☐ No

6 Is this application to change a condition of an existing resource consent? ☐ Yes ☒ No

If Yes, please state the resource consent number(s):

.....
.....

7 Please specify the duration sought for your resource consent(s) –

Only for new or replacement applications.

50 years months

8 Do you also require consent(s) from a district council? ☐ Yes ☒ No

If Yes, please complete the following:

Type of consent required?

Has it been applied for? ☐ Yes ☐ No

Has it been granted? (If Yes, please attach) ☐ Yes ☐ No

PART 3: Assessment of Environmental Effects (AEE)

1 An AEE must be provided with your application that has been completed in accordance with the requirements of [Schedule 4 of the RMA](#).

As a minimum, your AEE must include the following:

- Description of the environmental effects of the activity.
- Description of ways in which adverse environmental effects can be avoided, remedied or mitigated.
- Names of people affected by the proposal.
- Record of any consultation you have undertaken, including with affected persons (if any).
- Discussion of any monitoring of environmental effects that might be required.
- An assessment of the activity against any relevant objectives, policies, or rules in the Regional Plans.
- For a coastal permit, an assessment of your activity against any relevant objectives and policies of the New Zealand Coastal Policy Statement.
- An assessment of effects on tangata whenua and their taonga.

This AEE needs to be provided in a separate document attached to this application form.

Any activity needing a resource consent will have some environmental effects. The council will not accept an AEE that says there are no environmental effects from the activity.

You will need to complete the AEE at a level that corresponds with the scale and significance of the effects that the activity may have on the environment. Depending on the scale of the activity, you may need to get help from an expert(s) to prepare your AEE.

The council has a set of standard AEE forms for a selection of common activities. These AEE forms do not cover the relevant objectives, policies, or rules in the Regional Plans nor effects on tangata whenua. If you use one of these forms, then you will need to provide a separate assessment of these matters. These AEE forms can be found on the council's website www.nrc.govt.nz – “Forms and Fees”.

It is important that you provide the council with a complete and well-prepared AEE, otherwise the council may not accept your application.

If your application is for a change to a condition of resource consent under Section 127 of the RMA, then your AEE only needs to cover the effects of the change being requested.

2 Assessment of Effects on tangata whenua and their taonga

The Regional Plan for Northland requires that an AEE must also include an assessment of the effects on tangata whenua and their taonga if one or more of the following is likely:

- Adverse effects on [mahinga kai](#) or access to [mahinga kai](#); or
- Any damage, destruction or loss of access to [wāhi tapu](#), sites of customary value and other ancestral sites and [taonga](#) with which Māori have a special relationship; or

- Adverse effects on indigenous biodiversity in the beds of waterbodies or the coastal marine area where it impacts on the ability of tangata whenua to carry out cultural and traditional activities; or
- Adverse effects on [taiāpure](#), [mātaītai](#) or Māori non-commercial fisheries; or
- Adverse effects on protected customary rights; or
- Adverse effects on sites and areas of significance to tangata whenua mapped in the Regional Plan for Northland (refer [Maps | Ngā mahere matawhenua](#)).

Your AEE must include an assessment of whether any of the above affects are likely to occur.

If they are likely to occur, then you will need to complete a Cultural Impact Assessment (CIA) and provide this with your resource consent application. The Regional Plan for Northland provides details of what must be included in this CIA, and should be referred to.

The best way to find out what the effects of your proposal may be on tangata whenua is to contact local iwi/hapū groups (who represent tangata whenua) and discuss your proposal with them. Council consents staff can provide a list of contact details for local iwi/hapū groups in the area of your proposal. You can then send a copy of your proposal to these groups and seek feedback from them prior to lodging your application. Some iwi/hapū have also developed iwi/hapū Environmental Management Plans that are useful documents that can assist to identify issues of concern to those iwi/hapū for activities occurring in their rohe. The iwi/hapū Environmental Management Plans can be obtained directly from the iwi/hapū or from the council upon request.

3 Assessment of Affected Persons

If the adverse effects of your activity on a person are likely to be minor, or more than minor, then that person is deemed to be an “affected person” for your resource consent application.

An affected person may include neighbouring land owners and occupiers, and/or organisations such as the Department of Conservation, Land Information New Zealand (LINZ), Fish and Game Council, Iwi and Hapū, and community groups.

If you do not think there will be any affected persons for your resource consent application, then you do not need to provide any details on this matter in your AEE. However, the council will still undertake an assessment of whether there are any affected persons as part of processing the resource consent application.

If there are persons you have identified who may be affected, and you have discussed your proposal with these persons, please record any comments made by them and your response, and include this information with your application. If you have written approvals from these parties, then these should be provided as well. The council has a written approval form that can be used for this purpose.

Iwi Settlement Acts

If there is an **Iwi Settlement Act** that covers the area of your application, then there may be “Statutory Acknowledgement” areas which could be adversely affected by your activity. If the location of your activity is within, adjacent to, or may have an adverse effect on, a Statutory Acknowledgement area, then you will need to assess whether the trustees of the Statutory Acknowledgement are affected persons. Information about Statutory Acknowledgements in Northland can be found on the council’s webpage at [“Statutory Acknowledgements in Northland”](#).

Checklist

The following information **must** be included in your application to ensure that is not returned as incomplete under Section 88 of the RMA.

- ☒ All applicable application form details have been completed.
 - ☒ Assessment of Environmental Effects in accordance with Schedule 4 of the RMA.
 - ☒ Assessment of effects on tangata whenua and their taonga.
 - ☒ Site plan(s). These are required to be of good quality, and preferably electronically, to enable use in resource consent documentation.
 - ☒ Evidence of payment of the required minimum estimated initial fee.
 - ☐ If you are applying for a coastal permit, evidence that you have provided notice of your application to all groups who have applied for customary marine title in the location of your application and that you have sought their view on the application. The council cannot legally accept an application without evidence of this.
-

Information Privacy Issues

The information you provide in this application is regarded as official information. It is required under the provisions of the Resource Management Act 1991 to process this application. The information will be held by the council and is subject to the provisions of the Local Government Official Information and Meetings Act 1987, and the Privacy Act 1993. The information you provide in this application will generally be available to the public.

Under Section 88 and/or 127 of the Resource Management Act 1991 (RMA), the undersigned makes this application for resource consent(s).

- 1 I/We confirm that I have authority to sign on behalf of the person(s) named as the applicant(s) for this application for resource consent.**
- 2 I/We have read, and understand, all of the information contained within this application form, including the requirement to pay any additional actual and reasonable costs for the processing of the application.**
- 3 I/We confirm that all of the information provided is true and correct and I understand that any inaccurate information provided could result in my resource consent (if granted) being cancelled.**

Signature(s):

Date:

Signature(s):

Date:

Signature(s):

Date:

Please note that a signature is not required if submitting application electronically.



ASSESSMENT OF ENVIRONMENTAL EFFECTS
MANGONUI MAORI POINT ROCK
PROTECTION STRUCTURES



Prepared for:



Contents

1.0	INTRODUCTION.....	2
2.0	BACKGROUND.....	3
3.0	EFFECTS ON SEABED AND HYDROLOGY.....	5
4.0	REGIONAL POLICY STATEMENT STATUS	5
5.0	REGIONAL COASTAL PLAN STATUS	6
6.0	PROPOSED REGIONAL PLAN STATUS	7
7.0	RESOURCE CONSENTS SOUGHT	8
8.0	PROPOSED METHODS OF CONSTRUCTION.....	8
9.0	PERIOD OF CONSENT	8
10.0	ASSESSMENT AGAINST RESOURCE MANAGEMENT ACT (RMA) PART 2.....	9
11.0	ASSESSMENT AGAINST THE NEW ZEALAND COASTAL POLICY STATEMENT (NZCPS).....	11
12.0	ASSESSMENT AGAINST THE REGIONAL POLICY STATEMENT.....	16
13.0	ASSESSMENT AGAINST THE REGIONAL COASTAL PLAN (RCP).....	18
14.0	ASSESSMENT AGAINST THE PROPOSED REGIONAL PLAN (PRP).....	24
15.0	CONCLUSIONS.....	26
	APPENDIX A – PROPOSED PLANS.....	0

This report has been prepared for the sole benefit of our client for the purposes outlined in the introduction. Reliance on this report for any other purposes than that stated shall be done at the full risk of the user. This report shall not be reproduced in part or in full for any other purposes without the express written permission of Shorewise Engineering Consultants Limited.

Document Version	Prepared By	Date Released
Version 1	Rob Brown	28-02-2023

ASSESSMENT OF ENVIRONMENTAL EFFECTS

Maori Point Rock Protection Structure (Waterfront Drive Mangonui)

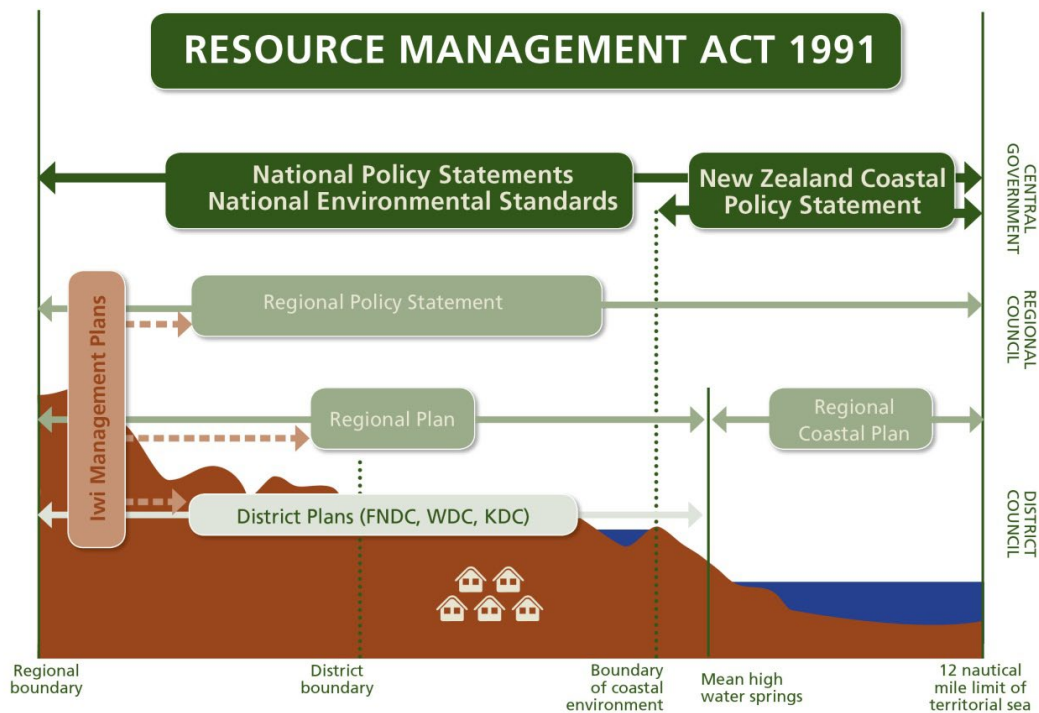
1.0 INTRODUCTION

Shorewise Engineering Consultants Ltd have been engaged by Far North Holdings to provide design advice and an assessment of environmental effects for the rock protection structures to the perimeter of Maori Point, on the edge of the Mangonui Harbour.

The proposal has been assessed against the objectives and policies of the following documents:

- The New Zealand Coastal Policy Statement (NZCPS)
- The Regional Policy Statement (RPS)
- The Regional Coastal Plan (RCP)
- The Proposed Regional Plan (PRP)

The diagram below illustrates how these plans and policies interact.



2.0 BACKGROUND

A key historical site in the town is Maori Point, this lies approximately 550 metres to the south of White Point, there is a walking link to the town starting from the site, the bulk of the site is currently taken up by a turning bay and parking area.

The Mangonui Community Group wish to develop the Maori Point area in the future to reflect its cultural value to the community.



The bulk of the perimeter of Maori Point has experienced excessive erosion, to the point that large Pohutukawa trees have become undermined and may be lost if not protected.





Previous attempts to construct rock protection structures have been unsuccessful and the rocks have been generally washed away, attempts to naturally stabilise the foreshore edge with soft vegetated edges have been unsuccessful, and many of the root systems have become undermined.

3.0 EFFECTS ON SEABED AND HYDROLOGY

Rock Protection:

Other well designed and built rock protection structures around the perimeter of the harbour have worked well with little if any in the way of adverse effects.

The effects on the seabed will be to prevent erosion and prevent the accumulation of siltation into the harbour.

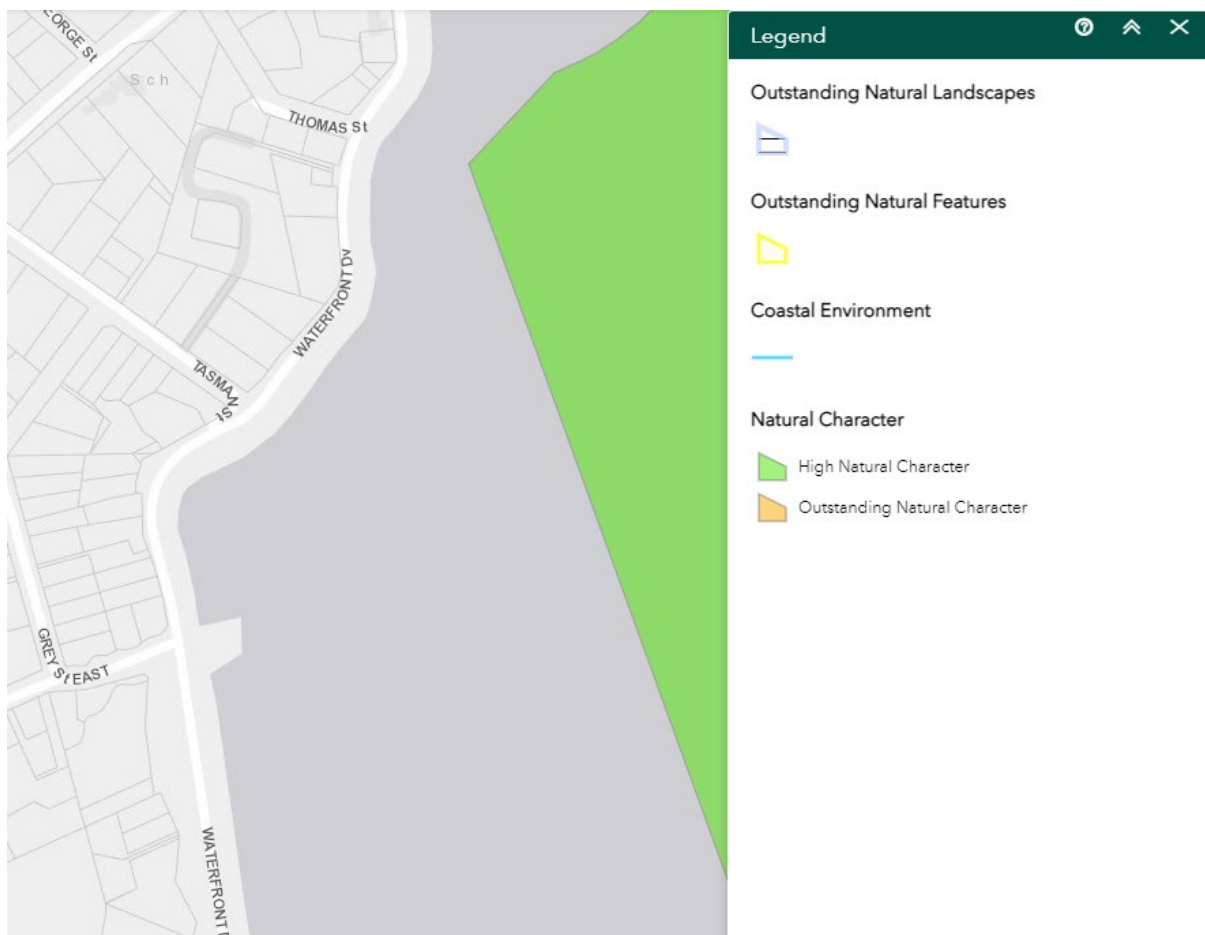
The effects of the construction will be very minor and localised to the construction period only.

Due to the hard seabed no erosion issues are expected and there will be very little effect on the seabed as there is no vegetation in any of these areas.

The structures will not produce a restriction to the natural water flow.

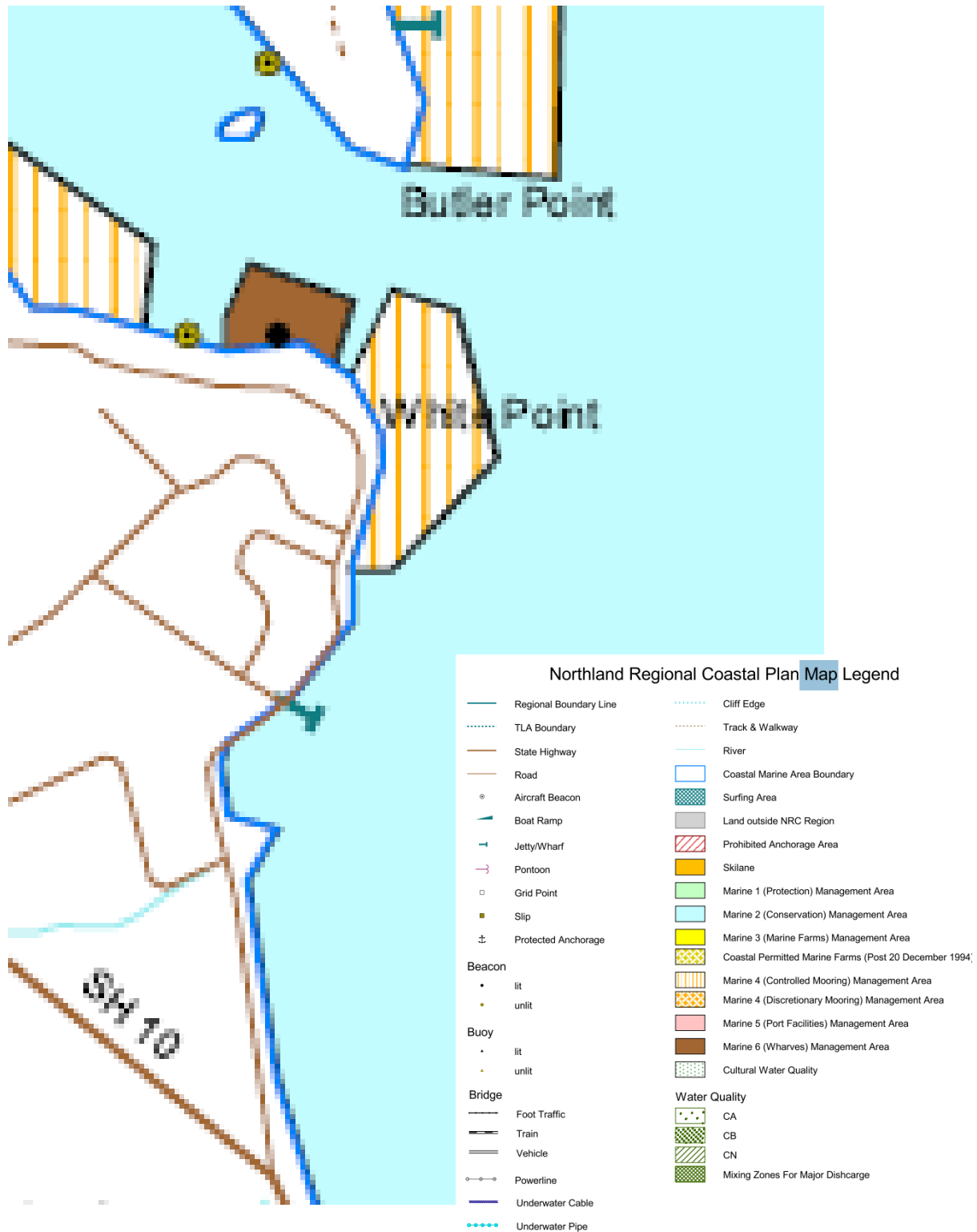
4.0 REGIONAL POLICY STATEMENT STATUS

Under the NRC Regional Policy Statement (RPS) the area is not mapped as an area of natural character.



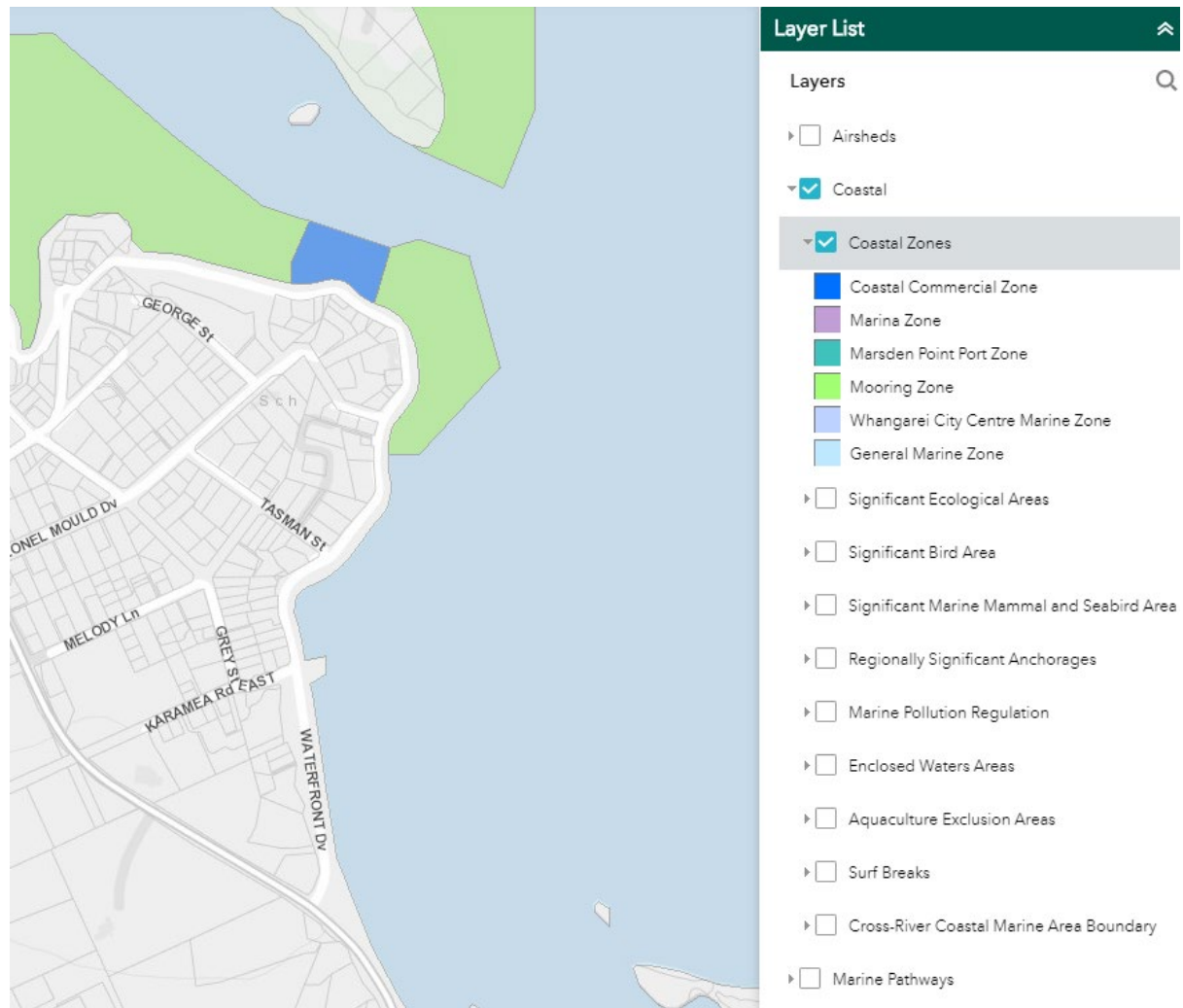
5.0 REGIONAL COASTAL PLAN STATUS

Under the NRC Regional Coastal Plan (RCP) Map C4 Mangonui Harbour the 'Maori Point' is classified as Marine 2 (Conservation) Management area.



6.0 PROPOSED REGIONAL PLAN STATUS

Under the NRC Proposed Regional Plan (PRP) Map C4 Mangonui Harbour the 'Maori Point' area shown in light blue is classified as General Marine Zone



7.0 RESOURCE CONSENTS SOUGHT

Far North Holdings Ltd seek a resource consent to allow them to construct and maintain a hard protection structure to the perimeter of Maori Point:

Consents Sought	For	Detail	Classification	
Coastal	Maintain existing rock protection batters to foreshore, upgrade the rock protection where required.	Mangonui Foreshore south of White Point to State Highway 10	RCP Rule 31.4.4g Discretionary in Marine 2 area. PRP Rule C.1.1.8 Permitted.	
Coastal	Trim or remove mangroves as required	Remove mangroves as required at Maori Point to facilitate construction access	RCP Rule 31.2.12 b Restricted Discretionary in Marine 2 Area PRP Rule C.1.4.1 and C.1.4.2 Permitted activity	

All construction works within the CMA are to comply with PRP rule C1.8 coastal works general conditions.

RCP = Regional Coastal for Northland (Northland Regional Council)

PRP = Proposed Regional Plan (Northland)

8.0 PROPOSED METHODS OF CONSTRUCTION

Access will be gained from above the foreshore, on the existing access roads or the berm, as required. Diggers will be required to displace and stockpile the existing rock armouring, trim and reinforce the existing batters, construct a toe footing for the rock armouring, then reinstate and complete the rock armouring.

9.0 PERIOD OF CONSENT

A minimum seabed occupation period of fifty years is sought.

10.0 ASSESSMENT AGAINST RESOURCE MANAGEMENT ACT (RMA)

PART 2

5 Purpose:

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

- The development will avoid sporadic or ad hoc development in the coastal environment, as the works will be completed to a similar design and specification as the existing rock protection structures, providing a cohesive and continuous design.
- The proposal will enhance public access to the foreshore, but in a way where the foreshore will be protected from erosion effects, and the effects of the access itself i.e. no removing dirt when walking down to the foreshore
- The proposal protects the natural character of the environment by protecting the roots of the Pohutukawa trees that surround the perimeter of Maori Point.
- The proposal works with the natural features of the rock shelf at the end of Maori Point and the rock close to the surface on the foreshore to use the lowest impact design for the harbour environment.
- Risks from coastal hazards have been identified as erosion of the foreshore, the risk of erosion of the foreshore is addressed through the proposal to construct the foreshore rock protection batters.
- The existing foreshore and road edge have already significantly modified the intertidal areas, this proposal seeks to work with and in the same design as the existing structures.

7 Other matters

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

(a) kaitiakitanga:

(aa) the ethic of stewardship:

(c) the maintenance and enhancement of amenity values:

(d) intrinsic values of ecosystems:

(f) maintenance and enhancement of the quality of the environment:

(i) the effects of climate change:

- The Mangonui community group has conducted extensive consultation with local Iwi prior to the rock armoring works related to the Mangonui Boardwalk project, adjacent to the site.
- The development will avoid sporadic or ad hoc development in the coastal environment, as the works will be completed to a similar design and specification as the existing rock protection.
- The proposal will enhance public access to the foreshore, but in a way where the foreshore will be protected from erosion effects, and the effects of the access itself i.e. no removing dirt when walking down to the foreshore.
- The proposal protects the natural character of the environment by preventing erosion and the loss of the Pohutukawa trees on the foreshore edge.
- The proposal works with the natural features of the rock shelf at Maori Point and the rock close to the surface on the foreshore to use the lowest impact design for the harbour environment.

8 Treaty of Waitangi

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

- The Mangonui community group has conducted extensive consultation with local Iwi prior to the rock armoring works related to the Mangonui Boardwalk project, adjacent to the site.

11.0 ASSESSMENT AGAINST THE NEW ZEALAND COASTAL POLICY STATEMENT (NZCPS)

The NZCPS has seven key objectives, and these are considered, where appropriate, as follows:

Objective 1:

To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:

- *maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature;*
 - *protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and*
 - *maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.*
-
- The natural bathymetry of the area will be unaffected by the works, there will be no reshaping of the seabed.
 - The natural substrate of the seabed will be unaffected, apart from where the rock protection is placed.
 - The natural water and sedimentation movements will not be affected.
 - The biodiversity of the seabed will be unaffected, except for a small strip where the rock protection is placed, it is expected that the adjacent areas will quickly recover to its natural state.
 - There will be no restriction to the movement of fish and other mobile species.

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.*
-
- The proposal protects the natural character of the environment by preventing erosion, and loss of the foreshore vegetation.
 - The proposal works with the natural features of the rock shelf at Maori Point and the rock close to the surface on the foreshore to use the lowest impact design for the harbour environment.

Objective 3:

To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:

- *recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;*

- *promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;*
 - *incorporating matauranga Maori into sustainable management practices; and*
 - *recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.*
- The Mangonui community group has conducted extensive consultation with local Iwi prior to the rock armoring works related to the Mangonui Boardwalk project, adjacent to the site.

Objective 4:

To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:

- *recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy;*
 - *maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and*
 - *recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland.*
- The proposed plan both maintains and enhances recreational facilities in the coastal marine area, due to protecting the land that provides the recreational area.

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; and*
 - *protecting or restoring natural defences to coastal hazards.*
- The proposal seeks to reinstate and upgrade the existing foreshore batter rock armouring, to protect the land, road and infrastructure from the effects of coastal erosion and prevent silt deposition into the harbour.

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 coastal environment contains renewable energy resources of significant value;*
 - the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;*
 - the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;*
 - the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and*
 - historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.*
-
- The development will avoid sporadic or ad hoc development in the coastal environment, as the works will be completed to a similar design and specification as the existing rock protection structures, providing a cohesive and continuous design
 - Due to the rocky and intertidal nature of the foreshore, there are limited habitats that occupy the space that will be rock armored, these species that exist will quickly reoccupy the new structure.

New Zealand Coastal Policy Statement Policies:

The NZCPS has twenty-nine policies, these are considered where applicable as follows:

Policy 1 Extent and characteristics of the coastal environment:

- (1) Recognise that the extent and characteristics of the coastal environment vary from region to region and locality to locality; and the issues that arise may have different effects in different localities.*
- (2) Recognise that the coastal environment includes:*
 - (d) areas at risk from coastal hazards;*
 - (e) coastal vegetation and the habitat of indigenous coastal species including migratory birds;*
 - (f) elements and features that contribute to the natural character, landscape, visual qualities or amenity values;*
 - (h) inter-related coastal marine and terrestrial systems, including the intertidal zone; and*

(i) *physical resources and built facilities, including infrastructure, that have modified the coastal environment.*

- The proposal seeks to build new structures, adjacent to the existing structures that have permanently modified the intertidal area. The proposed structures will compliment the existing and provide public access in a way that provides protection to the intertidal area.
- Risks from coastal hazards have been identified as erosion of the foreshore, and inundation due to sea level rise, the risk of erosion of the foreshore is addressed through the proposal to build and reinstate the foreshore rock protection batters.
- The existing adjacent rock protection structures have already significantly modified the intertidal areas, this proposal seeks to work with the design of the existing structures.

Policy 2 The Treaty of Waitangi, tangata whenua and Māori heritage:

In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment:

(a) recognise that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations;

(d) provide opportunities in appropriate circumstances for Māori involvement in decision making, for example when a consent application or notice of requirement is dealing with cultural localities or issues of cultural significance, and Māori experts, including pūkenga², may have knowledge not otherwise available;

- The Mangonui community group has conducted extensive consultation with local Iwi prior to the rock armoring works related to the Mangonui Boardwalk project, adjacent to the site.

Policy 3 Precautionary approach:

(1) Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.

(2) In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that:

(a) avoidable social and economic loss and harm to communities does not occur;

(b) natural adjustments for coastal processes, natural defences, ecosystems, habitat and species are allowed to occur; and

(c) the natural character, public access, amenity and other values of the coastal environment meet the needs of future generations.

The effects on the coastal environment from the proposed structures have been proven by the performance of the adjacent, well constructed, rock protection structures. The effects to the environment from the construction of the structures are much less than the effects if the erosion is allowed to continue, siltation accumulates in the harbour and the trees fall into the harbour.

Policy 4 Integration

Provide for the integrated management of natural and physical resources in the coastal environment, and activities that affect the coastal environment. This requires:

- (a) *co-ordinated management or control of activities within the coastal environment, and which could cross administrative boundaries, particularly:*
 - (i) *the local authority boundary between the coastal marine area and land;*
 - (ii) *local authority boundaries within the coastal environment, both within the coastal marine area and on land; and*
 - (iii) *where hapū or iwi boundaries or rohe cross local authority boundaries;*
 - (c) *particular consideration of situations where:*
 - (i) *subdivision, use, or development and its effects above or below the line of mean high water springs will require, or is likely to result in, associated use or development that crosses the line of mean high water springs; or*
 - (ii) *public use and enjoyment of public space in the coastal environment is affected, or is likely to be affected; or*
 - (iii) *development or land management practices may be affected by physical changes to the coastal environment or potential inundation from coastal hazards, including as a result of climate change; or*
- The proposed plan both maintains and enhances recreational facilities in the coastal marine area, due to preventing erosion and loss of the foreshore land, preventing siltation of the harbour and providing a means of access to the foreshore.

Policy 6 Activities in the coastal environment

- (1) *In relation to the coastal environment:*
 - (b) *consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment;*
 - (f) *consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable;*
 - (2) *Additionally, in relation to the coastal marine area:*
 - (a) *recognise potential contributions to the social, economic and cultural wellbeing of people and communities from use and development of the coastal marine area*
 - (b) *recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area;*
 - (c) *recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places;*
 - (e) *promote the efficient use of occupied space, including by:*
 - (i) *requiring that structures be made available for public or multiple use wherever reasonable and practicable;*
 - (ii) *requiring the removal of any abandoned or redundant structure that has no heritage, amenity or reuse value; and*
- The proposal will provide wide ranging benefits to the community and visitors alike by maintaining a local cultural site.
 - The proposed plan both maintains and enhances recreational facilities in the coastal marine area, by preventing siltation which degrades the harbour.
 - The development will avoid sporadic or adhoc development, in the coastal environment, as the design is similar to the adjacent rock protection structures

- The proposal is in keeping with the character of the existing rock protection structures directly adjacent it seeks to extend upon and add to the existing structures in a complimentary way.

Policy 18 Public open space:

Recognise the need for public open space within and adjacent to the coastal marine area, for public use and appreciation including active and passive recreation, and provide for such public open space, including by:

- (a) ensuring that the location and treatment of public open space is compatible with the natural character, natural features and landscapes, and amenity values of the coastal environment;*
- (b) taking account of future need for public open space within and adjacent to the coastal marine area, including in and close to cities, towns and other settlements;*
- (c) maintaining and enhancing walking access linkages between public open space areas in the coastal environment;*
- (d) considering the likely impact of coastal processes and climate change so as not to compromise the ability of future generations to have access to public open space; and*

- The protection of Maori Point from the effects of erosion maintains the existing level of public open space, and the Pohutukawa trees on the perimeter of the site.

Policy 19 Walking access

- (1) Recognise the public expectation of and need for walking access to and along the coast that is practical, free of charge and safe for pedestrian use.*

The proposal enhances easy public access to the foreshore and rocky shelf.

12.0 ASSESSMENT AGAINST THE REGIONAL POLICY STATEMENT

The Regional Policy Statement includes fifteen objectives, these are considered, where applicable, as follows:

3.5 Enabling economic wellbeing

Northland's natural and physical resources are sustainably managed in a way that is attractive for business and investment that will improve the economic wellbeing of Northland and its communities.

- The protection of the foreshore land structures will encourage tourism, and investment in the local economy.

3.8 Efficient and effective infrastructure

Manage resource use to:

- (a) Optimise the use of existing infrastructure;*
- (b) Ensure new infrastructure is flexible, adaptable, and resilient, and meets*

the reasonably foreseeable needs of the community; and

(c) Strategically enable infrastructure to lead or support regional economic development and community wellbeing.

- The protection of Maori Point, a cultural site, from erosion protects the public land space for the use and wellbeing of the community.

3.13 Natural hazard risk

The risks and impacts of natural hazard events (including the influence of climate change) on people, communities, property, natural systems, infrastructure and our regional economy are minimised by:

(b) Becoming better prepared for the consequences of natural hazard events;

(d) Not compromising the effectiveness of existing defences (natural and man-made);

(e) Enabling appropriate hazard mitigation measures to be created to protect existing vulnerable development; and

(f) Promoting long-term strategies that reduce the risk of natural hazards impacting on people and communities.

- The structure will absorb wave energy and lessen the effects to the adjacent land during storm events.

3.15 Active management

Maintain and / or improve;

(a) The natural character of the coastal environment

(e) Public access to the coast; and

by supporting, enabling and positively recognising active management arising from the efforts of landowners, individuals, iwi, hapū and community groups.

The development will avoid sporadic or adhoc development in the coastal environment, as the design is similar to the adjacent rock protection structures, for continuity.

13.0 ASSESSMENT AGAINST THE REGIONAL COASTAL PLAN (RCP)

Section 32 of the Regional Coastal Plan sets out the criteria for assessing consent applications and these are considered where applicable as follows:

32.1 General Criteria

The primary criteria for assessing applications for coastal permits are the relevant provisions of the Resource Management Act, New Zealand Coastal Policy Statement and the Regional Policy Statement which in turn require regard to be had to the objectives and policies within this Plan. These criteria are intended to assist the consent authority and applicants in determining the actual and potential effects of activities which are subject to consent requirements under section 26 of this Plan.

Additional general assessment criteria which will be applied in the consideration of applications for discretionary activities and non-complying activities within all marine management areas are set out below:

32.1.1

The reasons for and operational requirements of the proposed use or development within the coastal marine area and the extent to which alternative options to a location within the coastal marine area have been considered.

Reason for Consent - Alternatives

The alternative options to a rock protection structure, namely using vegetation and soft measures to protect the foreshore has been tried over many years but has not been successful. The well designed and installed adjacent rock protection structures have been shown to work very well for protecting the road embankments.

There are no alternative options for the protection of the land that will integrate well into the local landscape and existing structures.

32.1.2

The extent to which existing facilities of a similar scale and nature to the proposed use or development are:

- (a) located in the vicinity of the site of the proposed use or development especially on land; and,*
- (b) are fully utilised or otherwise not able to satisfy the potential demand for such use or development.*

- (a) The existing facilities, located in the vicinity of the site, of similar nature are the existing rock protection batters along Waterfront Drive adjacent to the path that leads to the Mangoinui Boardwalk.

32.1.3

The extent to which the proposal will add to the cumulative adverse effects of use and development on the coastal environment, including those associated with similar existing uses or developments within the same locality.

No adverse effects are expected from the rock protection batters.

32.1.4

The extent to which cumulative effects on the coastal environment can be minimised.

The cumulative effects of the existing erosion and sedimentation deposition into the harbour will be halted by the works.

32.1.5

The extent to which the proposal will avoid sprawling, sporadic or ad hoc use or development in the coastal environment.

The development will avoid sporadic or adhoc development in the coastal environment, as the design will be similar to the adjacent existing rock batters.

32.1.6

The extent to which the proposed activity is consistent with the planning provisions of the adjacent land (where there are associated land-based requirements)

The adjacent land on the opposite side of Waterfront Drive is zoned commercial where building heights up to ten metres are allowable.

32.1.7

The extent to which the proposed use or development will maintain or enhance public access to and along the coastal marine area, or to land, with consideration being given to the adverse effects such access would have on the natural character of the coastal environment.

The proposed plan will maintain and enhance public access to the foreshore adjacent to the works.

32.1.8

The extent to which the proposed activity will maintain or enhance recreational opportunities in the coastal marine area or on adjacent land.

The proposed plan both maintains, and enhances recreational facilities in the Coastal Marine Area, due to preventing erosion of the land, maintaining the existing trees and preventing siltation deposition into the harbour.

32.1.9

The extent to which the proposal may require dredging, reclamation, impoundment, and/or foreshore protection works and structures, and the likely effectiveness of any provisions to avoid, mitigate, or remedy actual or potential adverse environmental effects caused by such activities.

The proposed works do not require any dredging or reclamation works.

32.1.10

Any effects of the proposed activity on those in the neighbourhood and, where relevant, on the wider community, including any socio-economic and cultural effects.

The proposal will provide wide ranging benefits to the community and visitors alike, by maintaining the land on a key local cultural site and maintaining access to the foreshore.

32.1.11

The effect of the proposed activity on the natural character of the site or area within which the activity is proposed and the measures to be undertaken to ensure that natural character will be preserved, particularly in relation to:

- (a) the topography or bathymetry within the site or area;*
- (b) the natural substrate composition within the site or area;*
- (c) the natural water and sediment movement patterns;*
- (d) the biodiversity of the site or area;*
- (e) the biological productivity of the area;*
- (f) patterns of distribution and abundance of aquatic plants and animals within the site or area;*
- (g) natural migration or movement of fish and other mobile species.*

- a) The natural bathymetry of the area will be unaffected by the works, there will be no reshaping of the seabed.
- b) The natural substrate of the seabed will be unaffected apart from where the rock armoring is keyed in at the toe.
- c) The natural water and sedimentation movements will be unaffected.

- d) The biodiversity of the seabed will be unaffected, except for the area where the rock is directly placed, this is expected to recover quickly after construction.
- e) See comment (d) above.
- f) See comment (d) above.
- g) There will be no restriction to the movement of fish and other mobile species.

32.2.1.1

Within Marine 1 and Marine 2 Management Areas, whether the proposed structure will be the only structure or the first of its type or the first of any significant size, within an estuary, embayment, or unmodified stretch of coastline and whether the approval of the proposed structure is likely to lead to additional proposals for structures or other types of use and development.

The entire stretch of coastline is currently occupied by a road frontage, the bulk of the road frontage is retained and protected by a seawall, multiple marine structures exist along the stretch of coastline. The approval of the proposed structures is unlikely to lead to additional proposals for further structures as the adjacent structures occupying the public foreshore land were developed by the Mangonui community group in consultation with the community and Iwi to provide for the requirements of the community for the foreseeable future.

32.2.1.8

Whether the proposed structure is the appropriate size to avoid, remedy or mitigate adverse effects (the hierarchy of “avoidance” then “mitigation” then “remediation” shall be interpreted in accordance with Policy 3.2.2 of the NZCPS, 1994) on the coastal environment, taking into account its location and proposed function.

The proposed structures are appropriate to avoid adverse effects on the coastal environment, the structures will have minimal construction and long-term impact on the foreshore and will provide safe access to the coastal marine area for the public.

32.2.1.9

The method of construction employed.

Refer to Section 8.0

32.2.1.10

The extent to which adverse visual effects are considered and the likely effectiveness of any mitigation measures proposed. In particular in relation to proposed buildings, consideration will be given to building height, roof pitch, size and orientation of glazing, colours of external surfaces, and the interrelationship with any existing buildings, towards minimising adverse visual effects.

The visual effects are expected to be minor and are in keeping with the existing coastal structures adjacent to the site.

32.2.1.12

Whether the proposed structure will be located in an area known to be prone to erosion and, if so, the extent to which alternatives to erecting or using the structure have been considered, including for structures associated with erosion control.

The proposed structures are mostly located on foreshores with exposed rock, erosion is not likely.

36.1.18

The extent to which the proposed activity will restrict public access and the likely effectiveness of any proposed measures to avoid or mitigate adverse effects, including the provision of alternative routes or points of public access.

The proposal will only enhance public access to the foreshore, but in a way where the foreshore will be protected.

36.1.19

The extent to which the proposed activity will adversely affect any site building, place or area of cultural heritage value within the site or area of the proposed activity, including effects resulting from enhanced public access, and the likely effectiveness of any proposed measures to avoid or mitigate adverse effects.

The proposal will protect the land of Maori Point, the Mangonui Community Group propose to remove the carriageway and parking area within Maori Point and enhance its cultural significance through the development of a cultural heritage site in the future.

36.1.23

The location of the proposed activity in relation to navigation channels, ski lanes, and protected anchorages and the extent to which the proposed activity will adversely affect the use of these areas.

The structures are all situated clear of the navigation channel and moorings.

36.1.24

Whether use of the proposed activity will require facilities such as carparking or refuse disposal facilities and the extent to which these are provided for, or are available on land.

- No additional parking will be required, the site is adjacent to a recently developed parking area on the opposite side of the road.

14.0 ASSESSMENT AGAINST THE PROPOSED REGIONAL PLAN (PRP)

Section C.1.8 sets out the Coastal works general conditions that all works are to comply with, all works are to comply with the relevant rules of this section.

Section D of the Proposed Regional Plan sets out the criteria for assessing consent applications and these are considered where applicable as follows:

D.6.Appropriateness of hard protection structures infrastructure

Particular regard must be had to the national, regional, and locally significant social, economic, and cultural benefits of regionally significant infrastructure.

1 - Alternative measures for protecting the land from erosion in the form of vegetation and soft structures have been tried for some time at the site and have not been successful. The rock protection structures adjacent to the site, when constructed well, have been shown to provide very good protection to the foreshore without any adverse effects.

2d - The rock protection will provide the best outcome for the local community as it integrates in with the existing rock protection structures, is relatively cost effective and non-invasive to install and has minimal if any effect on the surrounding seabed.

D.6.2 Design and location of hard protection structures

3) other adverse effects arising from the regionally significant infrastructure are avoided, remedied, mitigated or offset to the extent they are no more than minor.

1 – The structures will be located as far landward as possible, up to the edge of the existing trees.

2 – The structures have been designed by a qualified coastal engineer, and installed by a suitably qualified contractor

4- The structure can be readily adapted to the effects of sea level rise, and coastal risk, as required.

D.5.26 Mangrove removal

Consent is sought for minor mangrove trimming and removal for the purposes of allowing access to remediate the foreshore protection rock armouring where required. The typical mangrove ingress into the rock armouring area is shown below.



15.0 CONCLUSIONS

- The proposed structures are in keeping with the existing adjacent rock protection structures and will have a less than minor effect on the bathymetry, tidal flow, passage of fish and the seabed ecology.
- The proposed structures will have a beneficial effect for the local community and tourism economy for the town.
- The proposal is considered to align well with the relevant objectives and policies.
- Provided the construction works are carried out in accordance with any new consent granted, we are satisfied that the environmental effects will be no more than minor.

Prepared By:

Rob Brown



Chartered Professional Engineer
CPEng, CMEngNZ, IntPE(NZ)

APPENDIX A – PROPOSED PLANS

MAORI POINT



SHEET LIST - MAORI POINT			
SHEET NO	SHEET DESCRIPTION	Current Revision	Current Revision Date
601	MAORI POINT - COVER SHEET	0	28/02/2023
602	MAORI POINT ROCK WORKS - OVERVIEW	0	28/02/2023
603	MAORI POINT ROCK WORKS - SECTIONS	0	28/02/2023

Filename:
Plot Date: 28/02/2023 8:47:49 am



SCALE 1 : 3000



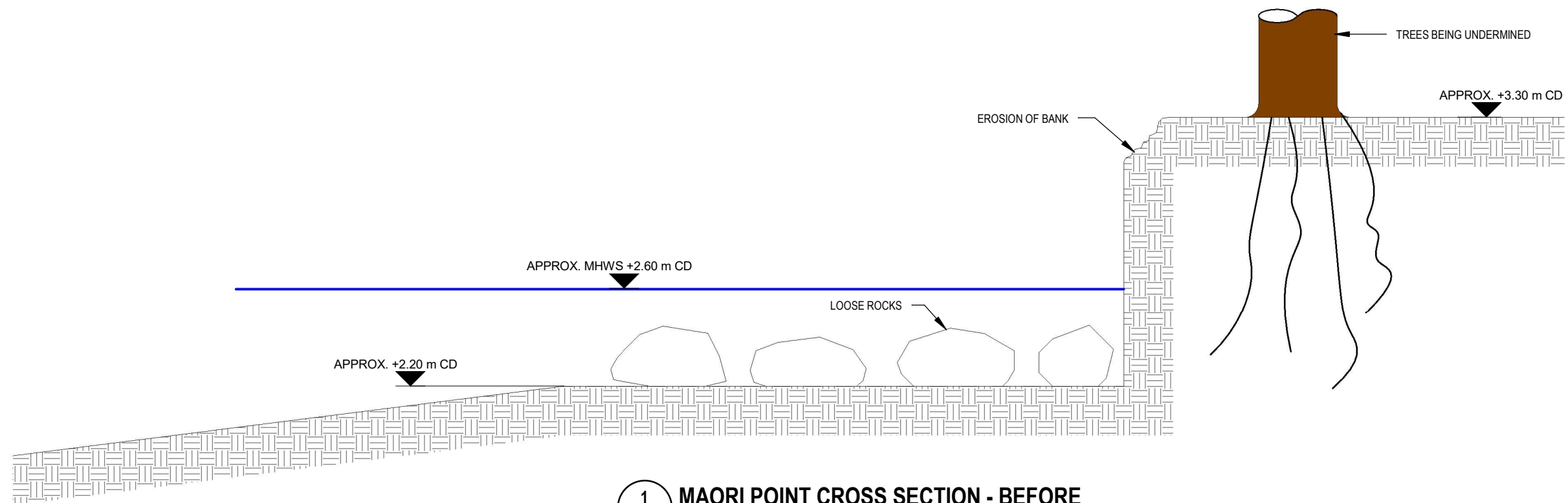
MAORI POINT ROCKS PLAN

1 : 500

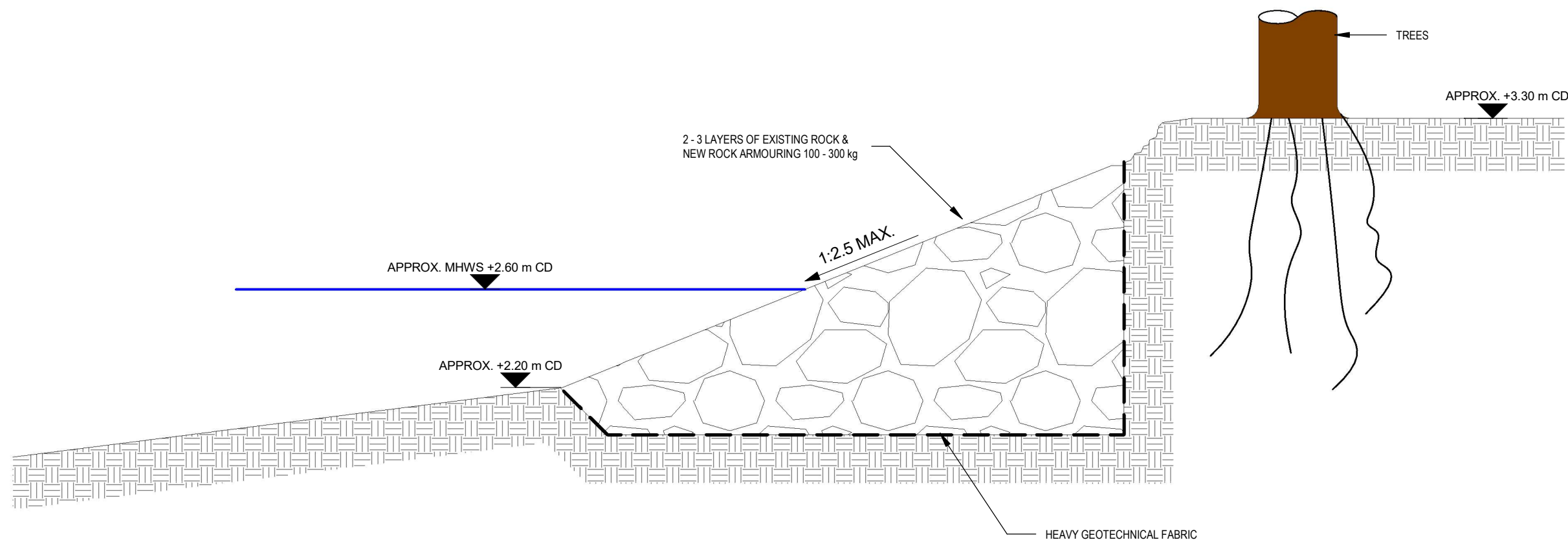
REV	DETAILS	DATE
0	ISSUED FOR CONSENT	28/02/2023

PROJECT
MAORI POINT
SHEET DESCRIPTION
MAORI POINT ROCK WORKS - OVERVIEW

STATUS		
FOR CONSENT		
DRAWN BY	APPROVED BY	SHT
MW	RB	A3
PROJECT NO.	SHEET NO.	REV
23-0004	602	0



1 MAORI POINT CROSS SECTION - BEFORE
1 : 20



2 MAORI POINT CROSS SECTION - AFTER
1 : 20

REV	DETAILS	DATE
0	ISSUED FOR CONSENT	28/02/2023

PROJECT
MAORI POINT
SHEET DESCRIPTION
MAORI POINT ROCK ARMOURING SECTIONS

STATUS		
FOR CONSENT		
DRAWN BY	APPROVED BY	SHT
MW	RB	A3
PROJECT NO.	SHEET NO.	REV
23-0004	603	0

MAORI POINT



SHEET LIST - MAORI POINT			
SHEET NO	SHEET DESCRIPTION	Current Revision	Current Revision Date
601	MAORI POINT - COVER SHEET	0	28/02/2023
602	MAORI POINT ROCK WORKS - OVERVIEW	0	28/02/2023
603	MAORI POINT ROCK WORKS - SECTIONS	0	28/02/2023

Filename:
Plot Date: 28/02/2023 8:47:49 am



SCALE 1 : 3000



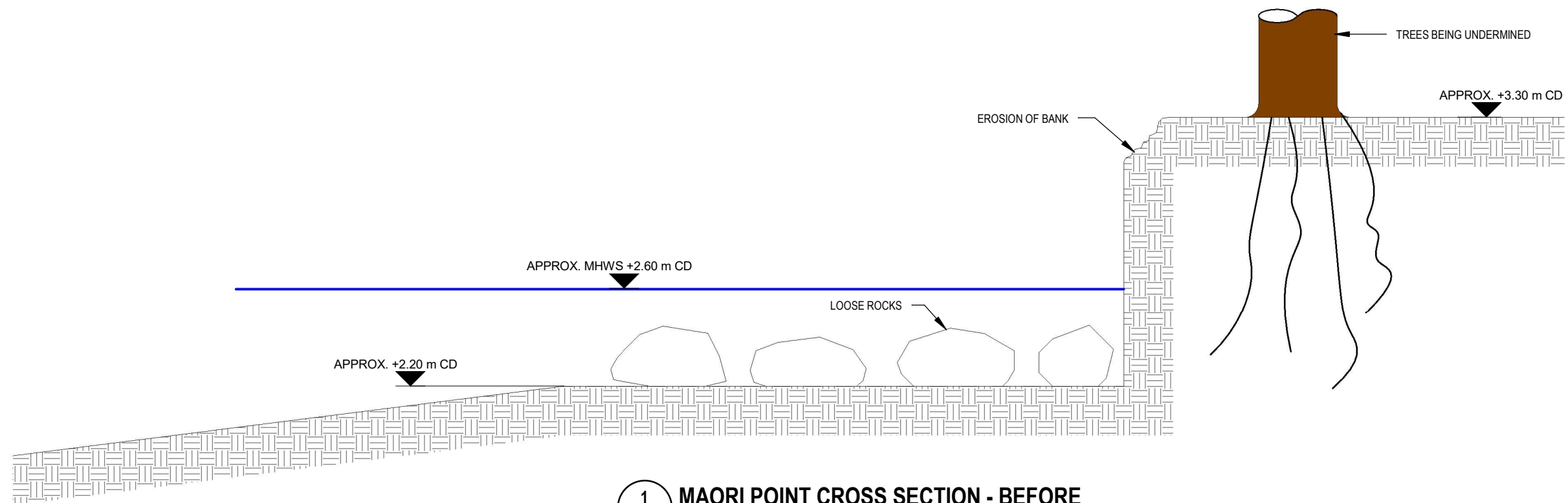
MAORI POINT ROCKS PLAN

1 : 500

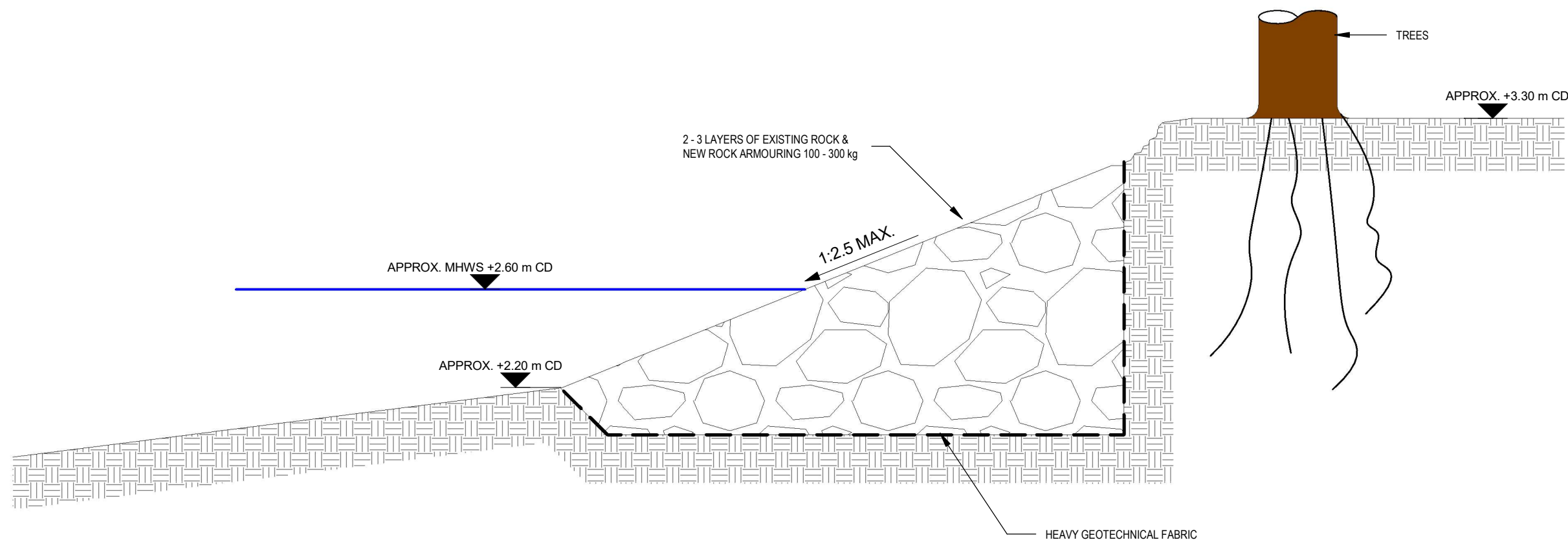
REV	DETAILS	DATE
0	ISSUED FOR CONSENT	28/02/2023

PROJECT
MAORI POINT
SHEET DESCRIPTION
MAORI POINT ROCK WORKS - OVERVIEW

STATUS		
FOR CONSENT		
DRAWN BY	APPROVED BY	SHT
MW	RB	A3
PROJECT NO.	SHEET NO.	REV
23-0004	602	0



1 MAORI POINT CROSS SECTION - BEFORE
1 : 20



2 MAORI POINT CROSS SECTION - AFTER
1 : 20

REV	DETAILS	DATE
0	ISSUED FOR CONSENT	28/02/2023

PROJECT
MAORI POINT
SHEET DESCRIPTION
MAORI POINT ROCK ARMOURING SECTIONS

STATUS		
FOR CONSENT		
DRAWN BY	APPROVED BY	SHT
MW	RB	A3
PROJECT NO.	SHEET NO.	REV
23-0004	603	0