Te Kaunihera o Te Hiku o te Ika
Far North District Council

Office Use Only
Application Number:

Application for resource consent or fast-track resource consent

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) (If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Schedule 4). Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — both available on the Council's web page.

1. Pre-Lodgement Meeting

Have you met with a council Resource Consent representative to discuss this application prior to lodgement? ◯ **Yes** ✔ **No**

2. Type of Consent being applied for

(more than one circle can be ticked):

- ◯ **Land Use**
- ◯ **Fast Track Land Use***
- ◯ **Subdivision**
- ◯ **Consent under National Environmental Standard** (e.g. Assessing and Managing Contaminants in Soil)
- ◯ **Discharge**
- ◯ **Change of Consent Notice (s.221(3))**
- ✔ **Extension of time (s.125)**
- ◯ **Other (please specify)** _____

The fast track is for simple land use consents and is restricted to consents with a controlled activity status.

3. Would you like to opt out of the Fast Track Process?

◯ **Yes** ✔ **No**

4. Consultation

Have you consulted with Iwi/Hapū? ✔ **Yes** ◯ **No**

If yes, which groups have you consulted with?	Undertaken during initial application
Who else have you consulted with?	

*For any questions or information regarding iwi/hapū consultation, please contact Te Hono at Far North District Council **tehonosupport@fndc.govt.nz***

5. Applicant Details

Name/s: Far North Holdings Limited c/o Chris Galbraith

Email: [redacted]

Phone number:

Postal address:
(or alternative method of service under section 352 of the act)

6. Address for Correspondence

Name and address for service and correspondence (if using an Agent write their details here)

Name/s: Bay of Islands Plannig c/o Steven Sanspn

Email: [redacted]

Phone number:

Postal address:
(or alternative method of service under section 352 of the act)

**** All correspondence will be sent by email in the first instance. Please advise us if you would prefer an alternative means of communication.***

7. Details of Property Owner/s and Occupier/s

Name and Address of the Owner/Occupiers of the land to which this application relates (where there are multiple owners or occupiers please list on a separate sheet if required)

Name/s: Refer titles attached

Property Address/ Location:

Postcode

8. Application Site Details

Location and/or property street address of the proposed activity:

Name/s: Refer titles attached

Site Address/ Location: Baffin Street, Opua

Postcode

Legal Description: Lot 1 DP 199153; Pt Lot 1 DP 1838 **Val Number:**

Certificate of title: NA125B/735

Please remember to attach a copy of your Certificate of Title to the application, along with relevant consent notices and/or easements and encumbrances (search copy must be less than 6 months old)

Site visit requirements:

Is there a locked gate or security system restricting access by Council staff? ◯ **Yes** ✔ **No**

Is there a dog on the property? ◯ **Yes** ✔ **No**

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details. This is important to avoid a wasted trip and having to re-arrange a second visit.

9. Description of the Proposal:

Please enter a brief description of the proposal here. Please refer to Chapter 4 of the District Plan, and Guidance Notes, for further details of information requirements.

Extension of time for RC 2200220

If this is an application for a Change or Cancellation of Consent Notice conditions (s.221(3)), please quote relevant existing Resource Consents and Consent Notice identifiers and provide details of the change(s), with reasons for requesting them.

10. Would you like to request Public Notification?

◯ **Yes** ✔ **No**

11. Other Consent required/being applied for under different legislation

(more than one circle can be ticked):

- ◯ **Building Consent** Enter BC ref # here (if known)
- ◯ **Regional Council Consent (ref # if known)** Ref # here (if known)
- ◯ **National Environmental Standard consent** Consent here (if known)
- ◯ **Other (please specify)** Specify 'other' here

12. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health:

The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following:

Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL) ◯ **Yes** ✔ **No** ◯ **Don't know**

Is the proposed activity an activity covered by the NES? Please tick if any of the following apply to your proposal, as the NESCS may apply as a result. ◯ **Yes** ✔ **No** ◯ **Don't know**

- ◯ **Subdividing land**
- ◯ **Changing the use of a piece of land**
- ◯ **Disturbing, removing or sampling soil**
- ◯ **Removing or replacing a fuel storage system**

13. Assessment of Environmental Effects:

Every application for resource consent must be accompanied by an Assessment of Environmental Effects (AEE). This is a requirement of Schedule 4 of the Resource Management Act 1991 and an application can be rejected if an adequate AEE is not provided. The information in an AEE must be specified in sufficient detail to satisfy the purpose for which it is required. Your AEE may include additional information such as Written Approvals from adjoining property owners, or affected parties.

Your AEE is attached to this application ✔ **Yes**

13. Draft Conditions:

Do you wish to see the draft conditions prior to the release of the resource consent decision? ◯ **Yes** ● **No**

If yes, do you agree to extend the processing timeframe pursuant to Section 37 of the Resource Management Act by 5 working days? ◯ **Yes** ✔ **No**

14. Billing Details:

This identifies the person or entity that will be responsible for paying any invoices or receiving any refunds associated with processing this resource consent. Please also refer to Council's Fees and Charges Schedule.

Name/s: (please write in full) Far North Holdings Limited

Email: [redacted]

Phone number: [redacted]

Postal address:
(or alternative method of service under section 352 of the act) [redacted]

Fees Information
An instalment fee for processing this application is payable at the time of lodgement and must accompany your application in order for it to be lodged. Please note that if the instalment fee is insufficient to cover the actual and reasonable costs of work undertaken to process the application you will be required to pay any additional costs. Invoiced amounts are payable by the 20th of the month following invoice date. You may also be required to make additional payments if your application requires notification.

Declaration concerning Payment of Fees
I/we understand that the Council may charge me/us for all costs actually and reasonably incurred in processing this application. Subject to my/our rights under Sections 357B and 358 of the RMA, to object to any costs, I/we undertake to pay all and future processing costs incurred by the Council. Without limiting the Far North District Council's legal rights if any steps (including the use of debt collection agencies) are necessary to recover unpaid processing costs I/we agree to pay all costs of recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company in signing this application I/we are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

Name: (please write in full) Refer attachment

Signature:
(signature of bill payer)

Date

MANDATORY

15. Important Information:

Note to applicant
You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.
You may apply for 2 or more resource consents that are needed for the same activity on the same form.
You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

Fast-track application
Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement.
A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

Privacy Information:
Once this application is lodged with the Council it becomes public information. Please advise Council if there is sensitive information in the proposal. The information you have provided on this form is required so that your application for consent pursuant to the Resource Management Act 1991 can be processed under that Act. The information will be stored on a public register and held by the Far North District Council. The details of your application may also be made available to the public on the Council's website, www.fndc.govt.nz. These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

15. Important information continued...

Declaration

The information I have supplied with this application is true and complete to the best of my knowledge.

Name: (please write in full) Steven Sanson

Signature: [redacted] Date 03-Apr-2025

A signature is not required if the application is made by electronic means

Checklist (please tick if information is provided)

- ✔ Payment (cheques payable to Far North District Council)
- ✔ A current Certificate of Title (Search Copy not more than 6 months old)
- ✔ Details of your consultation with Iwi and hapū
- ✔ Copies of any listed encumbrances, easements and/or consent notices relevant to the application
- ✔ Applicant / Agent / Property Owner / Bill Payer details provided
- ✔ Location of property and description of proposal
- ✔ Assessment of Environmental Effects
- ✔ Written Approvals / correspondence from consulted parties
- ✔ Reports from technical experts (if required)
- ✔ Copies of other relevant consents associated with this application
- ✔ Location and Site plans (land use) AND/OR
- ✔ Location and Scheme Plan (subdivision)
- ✔ Elevations / Floor plans
- ✔ Topographical / contour plans

Please refer to Chapter 4 of the District Plan for details of the information that must be provided with an application. Please also refer to the RC Checklist available on the Council's website. This contains more helpful hints as to what information needs to be shown on plans.

14. Billing Details:

This identifies the person or entity that will be responsible for paying any invoices or receiving any refunds associated with processing this resource consent. Please also refer to Council's Fees and Charges Schedule.

Name/s: (please write in ful

Email:

Phone number:

Postal address:
(or alternative method of service under section 352 of the act)

[redacted]

Fees Information
An instalment fee for processing this application is payable at the time of lodgement and must accompany your application in order for it to be lodged. Please note that if the instalment fee is insufficient to cover the actual and reasonable costs of work undertaken to process the application you will be required to pay any additional costs. Invoiced amounts are payable by the 20th of the month following invoice date. You may also be required to make additional payments if your application requires notification.

Declaration concerning Payment of Fees
I/we understand that the Council may charge me/us for all costs actually and reasonably incurred in processing this application. Subject to my/our rights under Sections 357B and 358 of the RMA, to object to any costs, I/we undertake to pay all and future processing costs incurred by the Council. Without limiting the Far North District Council's legal rights if any steps (including the use of debt collection agencies) are necessary to recover unpaid processing costs I/we agree to pay all costs of recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company in signing this application I/we are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

Name: (please write in full) CHRISTOPHER PAUL CALDWELL

Signature:
(signature of bill payer

[redacted]

Date 7/4/2025

MANDATORY

15. Important Information:

Note to applicant
You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.
You may apply for 2 or more resource consents that are needed for the same activity on the same form.
You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

Fast-track application
Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement. A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

Privacy Information:
Once this application is lodged with the Council it becomes public information. Please advise Council if there is sensitive information in the proposal. The information you have provided on this form is required so that your application for consent pursuant to the Resource Management Act 1991 can be processed under that Act. The information will be stored on a public register and held by the Far North District Council. The details of your application may also be made available to the public on the Council's website, www.fndc.govt.nz. These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

BAY OF ISLANDS PLANNING (2022) LIMITED

Kerikeri House
Suite 3, 88 Kerikeri Road
Kerikeri

Email – office@bayplan.co.nz Website - www.bayplan.co.nz

9 April 2025

Dear Team Leaders

s125 Extension to Lapse Period for RC 2200220

Please find a consent application below to extend the lapse period for RC 2200220.

Should you require any further information please do not hesitate to contact me.

Steven Sanson
Consultant Planner

1. APPLICATION DESCRIPTION

Original application number:	RC 2200220
Site Address:	Baffin Street, Opua
Legal Description:	Lot 1 DP 199153; Pt Lot 1 DP 183896
Site Area:	2.1736ha
Zone:	Industrial [ODP]; Light Industrial [PDP]
Overlays, controls, special features:	Marine Exemption Area [ODP], KRH'X' [PDP], Coastal Environment [PDP], Flooding [PDP]

Titles and instruments are provided in **Appendix 1**.

2. LOCALITY PLAN

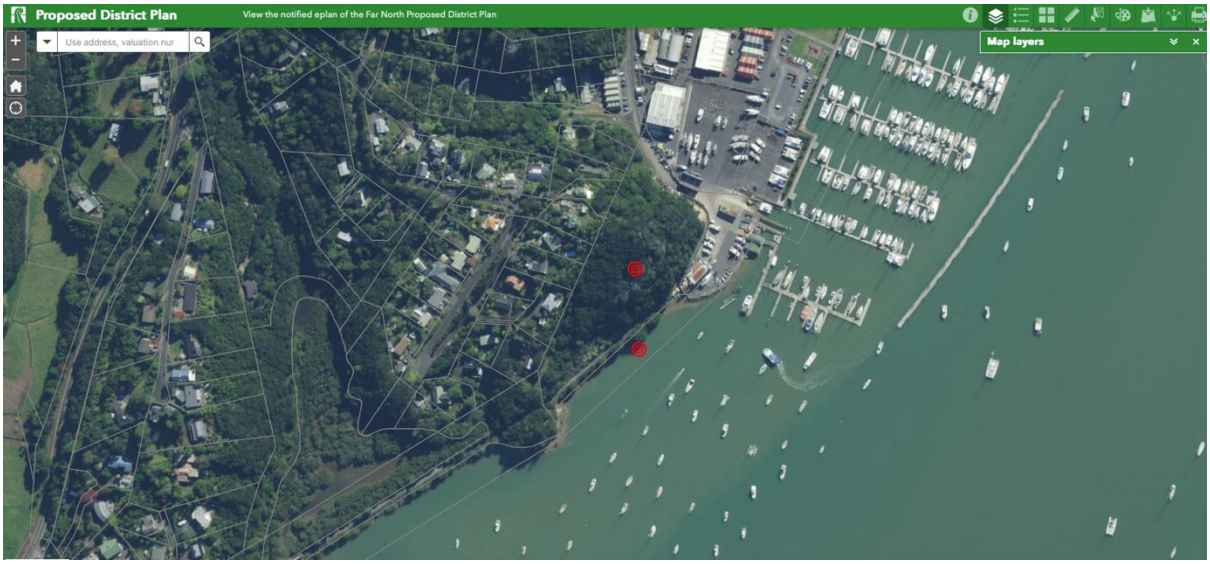


Figure 1 - Site

3. THE PROPOSAL, SITE, AND LOCALITY DESCRIPTION

Background

The proposal was granted consent from the Northland Regional Council and Far North District Council on the 21st January 2021. The relevant FNDC approved activity was described as follows:

- Land use consent to establish and operate an area for barging activities associated with a marine construction operation and a landing facility for marine farming operation at the end of Baffin Street and in the Kawakawa River [CMA] in Opua.

The application was publicly notified.

Figure 1 below provides the approved site plan for the approved application. The overall decision is provided in **Appendix 2**.

As an explanation –

- The area in red is the proposed reclamation.
- A new boat ramp, vehicle accessway, and turning circle are in yellow.
- The area in red is the re-aligned cycle trail, new wharf and pontoon.

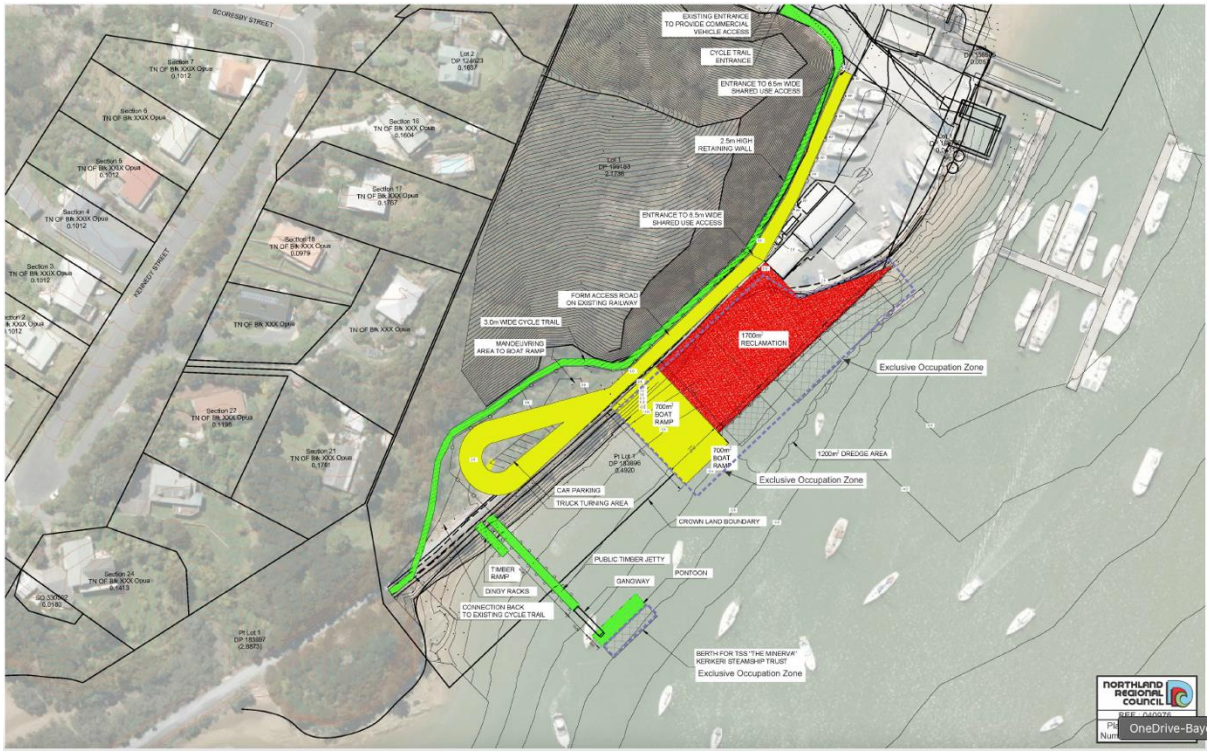


Figure 2 - Site Plan & Proposed Activities

The consent approval from FNDC was considered as a discretionary activity. The consent was given the standard lapse date of 5 years i.e lapses on 21st January 2026.

Note: An extension of time is not sought for the Northland Regional Council authorisations.

Proposal

The consent holder wishes to extend the lapse period of the FNDC consent to 31 November 2030.

This is an increase of 3 years, 10 months, 10 days. This aligns with the first lapse date of the NRC approval.

No changes are proposed to the existing conditions in the FNDC suite nor the NRC suite.

4. APPLICATION ASSESSMENT

Statutory Considerations

In considering any application for an extension to a lapse period under s125, the Council must take the following into account:

- Whether substantial progress or effort has been made, and continues to be made, towards giving effect to the consent [Test 1]; and
- Whether the applicant has obtained the approval from persons who may be adversely affected by the granting of an extensions [Test 2]; and
- The effect of the extension on the policies and objectives of any plan or proposed plan [Test 3].

Test	Assessment
Test 1	A draft business cases has been prepared and economic assessment undertaken to consider the affordability of the development [Refer **Appendix 3**]. The consent holder has been working with Keteriki Limited [Steam Railway and Minerva Steam Boat Trust], the Twin Coast Cycleway and FNDC to align all deliverables from their consented developments.

	Stakeholder groups are existing, and the consent holder has been working with these groups to jointly fund the project with the support of the Government. Swing moorings in the footprint of the development have been acquired to ensure ease of development when financially feasible. For these reasons, I consider that substantial progress / effort has been made and will continue to be made towards giving effect to the consent.
Test 2	No persons are considered to be adversely affected by granting the extension of time as the proposal does not relate to any change to the extent of the works originally consented. An extension of time for the consent will not result in a change to the nature of adverse effects on the neighbouring properties. An extension of time will not introduce any new adverse effects that requires revisiting the original decision to grant the consent.
Test 3	The relevant plan and proposed plan are as follows: • Operative Far North District Plan. • Proposed Far North District Plan[1]. These are considered below. <u>Operative Far North District Plan (ODP)</u> The proposal was considered and approved under the provisions of the ODP. There have been no changes to the relevant objectives and policies in the ODP since the consent was granted. The extension of time application therefore has no effect to the current ODP as the proposal was consented and approved under this regime subject to conditions of consent. No conditions are proposed to be changed. <u>Proposed Far North District Plan (PDP)</u> The relevant land based sites are zoned Light Industrial under the PDP. LIZ-O1 is addressed as the activities are associated with marine based

[1] Please note that it is considered that this Plan has limited weight as it has not been sufficiently considered and decided upon. However, for fullness the relevant objectives and policies have been considered.

	activities that fit within a light industrial character. Land fragmentation and sterilisation are not of concern. Reverse sensitivity was addressed in the original application through conditions associated with noise, lighting, landscaping and other operational conditions. LIZ-O2 is addressed through clause b which allows for marine related industries to locate in the zone. The use is considered an efficient use of the physical land resource being located close to the CMA. Surrounding activities have been considered and addressed through consent conditions. Future activities are not known to be compromised. LIZ-O3 enables land use and subdivision where there is adequacy and capacity of available or programmed development infrastructure. Roading [including the Cycleway] and stormwater were the relevant aspects of infrastructure considered and there are consent conditions that manage this aspect appropriately. LIZ-O4 is addressed through consent conditions which consider effects overall, including zone boundaries. LIZ-O5 is met as strictly commercial activities are not proposed. LIZ-P1 is met as marina based light industrial activities are proposed. LIZ-P2 is met as subdivision is not proposed. LIZ-P3 is met as those type of activities listed are not proposed. LIZ-P4 is met as commercial activities are not proposed and are already existing. LIZ-P5 is met as the land based components are considered commensurate with the existing environment. LIZ-P6 is met through the existing conditions suite which ensures relevant matters are adhered to prior, during and after completion. In terms of the Coastal Environment the following is assessed. CE-O1 has been met as the coastal environment is identified. CE-O2 is met as the previous assessment concluded that effects on landscape and natural character were no more minor when conditions were imposed. Urban sprawl is not proposed. Restoration via conditions is required. Tangata whenua values were considered during

	the previous application. CE-O3 is met as the land use proposed within the Light Industrial Zone is considered consistent with what is intended within the zone. CE-P1 is met for the same reasons as CE-O1. CE-P2 is met as these features are not present and previous assessment concluded that effects on landscape and natural character were no more minor when conditions were imposed. CE-P3 is met for the same reasons noted in CE-O2. CE-P4 is met as the activity is within an urban zone and there is no sprawl proposed. CE-P5 is met for the same reasons as outlined in LIZ-O3. CE-P6 is not relevant. CE-P7 is not relevant. CE-P8 is required through conditions. CE-P9 has been considered and the land use proposed has been considered appropriate. CE-P10 has been addressed through the previous application which required a considered assessment of all of these matters [in general]. Overall, an extension of time considered in the light of these new zones / overlays is considered appropriate.

5. CONCLUSION

The relevant tests within section 125 have been assessed above.

The assessment confirms that an extension of time to RC 2200220 is appropriate.

Steven Sanson
Consultant Planner

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD

Guaranteed Search Copy issued under Section 60 of the Land Transfer Act 2017

R.W. Muir
Registrar-General
of Land

Identifier	**NA125B/735**
Land Registration District	**North Auckland**
Date Issued	12 October 1999

Prior References
NA119D/851

Estate	Fee Simple
Area	2.1736 hectares more or less
Legal Description	Lot 1 Deposited Plan 199153
Purpose	railway purposes (rail corridor)

Registered Owners
Her Majesty the Queen

Interests

Subject to a right of way (in gross) over part marked A on SO Plan 49348 in favour of S.J. Ashby Boatbuilder Limited created by Transfer C481773.1 - 19.5.1993 at 2:36 pm

Subject to a right of way over parts marked A on DP 196938 and marked A on SO Plan 49348 created by Transfer D506226.1 - 17.5.2000 at 9.00 am

D506227.1 Certificate under Section 348 Local Government Act 1974 - 17.5.2000 at 9.00 am

New CsT Allocated:
Lot 1:
- 125B/735
Parcel
Formerly
CT Ref
LOT 1
Part Lot 1 DP 183896
119D/851
Total Area: (Lot 1)
2.1736 ha
Approved for CT Diagram Purposes
Chief Surveyor
Deposited for CT Diagram Purposes
Land Registrar-General of Land
N632
15 OCT 1999
DP 199153
01 NOV 1999
BAFFIN STREET
LYON STREET
LOT 1
2.1736 ha
Kawakawa River
5.60
27.24
56.96
23.88
32.78
22.77
94.76
60.76
20.76
144.51
33.27
35.35
PLAN OF LOT 1
FOR CT DIAGRAM PURPOSES
Land District: NORTH AUCKLAND
Survey District: V RUSSELL
Local Authority: FAR NORTH DISTRICT
Prepared by: Nick's Draughting Service
Scale: Proportional

D506226.1 TE

TRANSFER

Land Transfer Act 1952

This page does not form part of the Transfer.

TRANSFER

Land Transfer Act 1952

If there is not enough space in any of the panels below, cross-reference to and use the approved Annexure Schedule: no other format will be received.

Land Registration District

North Auckland

Certificate of Title No.		All or Part?	Area and legal description — *Insert only when part or Stratum, CT*
125B	735	All	

Transferor *Surnames must be underlined*

HER MAJESTY THE QUEEN for railway purposes (rail corridor)

Transferee *Surnames must be underlined*

STIRLING JAMES ASHBY

Estate or Interest or Easement to be created: *Insert e.g. Fee simple; Leasehold in Lease No. .....; Right of way etc.*

Right of Way Easement (continued on page 2 annexure schedule)

Consideration

$1.00 (ONE DOLLAR)

Operative Clause

For the above consideration (receipt of which is acknowledged) the TRANSFEROR TRANSFERS* to the TRANSFEREE all the transferor's estate and interest described above in the land in the above Certificate(s) of Title and if an easement is described above such is granted or created.* Pursuant to Section 24 New Zealand Railways Corporation Act 1981

Dated this 8th **day of** April 2000

Attestation

Signed on behalf of Her Majesty the Queen Pursuant to Section 10A of the New Zealand Railways Corporation Act 1981 Signature, or common seal of Transferor	Signed in my presence by the Transferor Signature of Witness **Witness to complete in BLOCK letters** *(unless typewritten or legibly stamped)* Witness name Owen John Frost Occupation Crown Property Management Address 1160 Lambton Quay Wellington

Certified correct for the purposes of the Land Transfer Act 1952

Certified that no conveyance duty is payable by virtue of Section 24(1) of the Stamp and Cheque Duties Act 1971.

Solicitor for the Transferee

RC 1990831

Ashby + Crown Properties

2211300mE

873000mN

872950mN

872900mN

2211300mE

Approved pursuant to Section 348 of the Local Government Act 1974 is the Right of Way shown hereon on this 26th day of MAY 1999

The Common Seal of the Far North District Council was affixed hereto in the presence of :

Authorised Officer

THE FAR NORTH DISTRICT COUNCIL THE COMMON SEAL OF

Schedule of Proposed Easements

Shown	Purpose	Dominant Tenement	Servient Tenement
(A)	Right of Way Energy, Water Telecommunications	Lot 1 DP 168736 & Lot 2 DP 156505	Lot 1 DP 183896

2
DP 156505
CT 94A/257

Kawakawa River

1
DP 168736
CT 102C/774

Total Area

Comprised in CT 112A/449 (all)

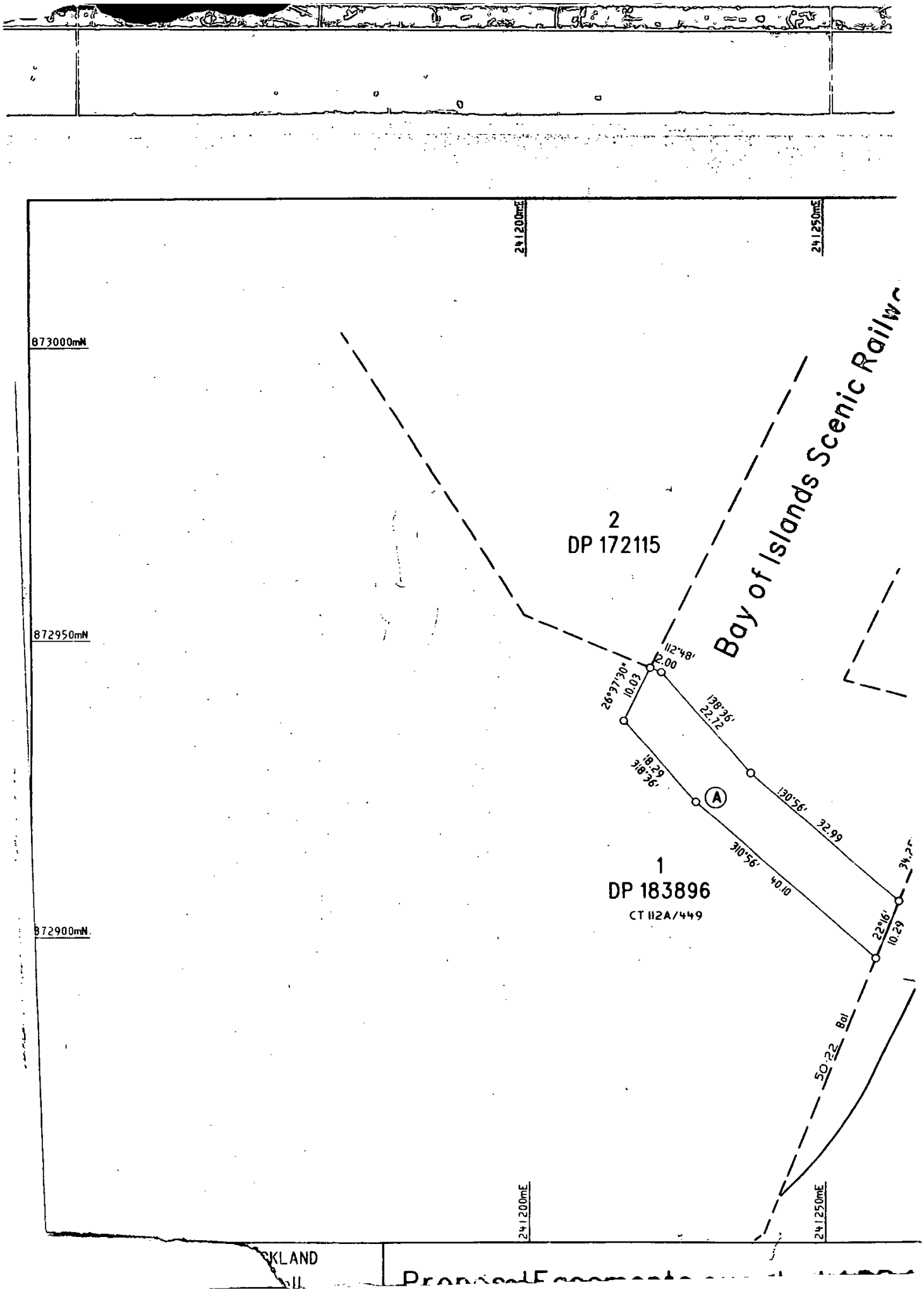
I, David Brett King of Paihia,
Registered Surveyor and holder of an annual practising certificate (or who may act as a registered surveyor pursuant to section 25 of the Survey Act 1986) hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof
Dated at Paihia this 10th day of June 1999 Signature

Field Book ..... p ..... Traverse Book ..... p .....
Reference Plans .....
.....
Examined ..... Correct P. Durkis

Approved as to Survey
20.7.99
Chief Surveyor

Deposited this 22nd day of July 1999

LOCAL AUTHORITY: Far North District


241200mE
241250mE
873000mN
872950mN
872900mN
2
DP 172115
Bay of Islands Scenic Railw
112°48'
12.00
26°37'30"
10.03
138°36'
22.72
318°36'
18.29
130°56'
32.99
310°56'
40.10
22°16'
10.29
A
1
DP 183896
CT 112A/449
50.22 Bal
241200mE
241250mE
KLAND

Annexure Schedule

TRANSFER Dated 29. April 2005 Page 2 of 2 Pages

Continuation of "Estate or Interest or Easement to be created"

The Transferee shall have a right of way over that part of the land in Certificate of Title 125B/735 marked "A" on Deposited Plan 196938 and a right of way over that part of the land in Certificate of Title 125B/735 marked "A" on S.O. Plan 49348 to be forever appurtenant to the land contained in Certificate of Title 102C/774 and Certificate of Title 94A/257

Continuation of "Attestation"

Signed in my presence by the Transferee
STIRLING JAMES ASHBY

Signature of Witness:

Witness Name:

Occupation:

Address: MICHAEL ANTHONY RAY
SOLICITOR
KERIKERI

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

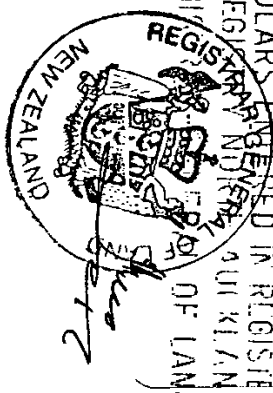
Approved by Registrar-General
of Land under No. 1997/1017

TRANSFER

Land Transfer Act 1952

9.00 17.MAY00 D 506226

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY NORTH AUCKLAND
for REGISTRAR-GENERAL OF LAND



Law Firm Acting
LAW NORTH PARTNERS SOLICITORS KERIKERI

N.Z. Law
REF: 002

This page is for Land Registry Office use only.
(except for "Law Firm Acting")

Approved by the Registrar-General of Land, Wellington, No. 367635.80

C 481773.1 TE

Under the Land Transfer Act 1952

Memorandum of Transfer

CREATING AN EASEMENT IN GROSS

WHEREAS HER MAJESTY THE QUEEN for Railway purposes (hereinafter called "the Transferor")

being registered as proprietor

of an estate in fee simple

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten or endorsed hereon in that piece of land situated in the Land District of NORTH AUCKLAND containing 1,789 square metres

more or less being part Sections 47 and 48 Block V Russell Survey District shown on S.O. Plan 49348 comprised in Certificate of Title Volume 87A Folio 211 (NORTH AUCKLAND Registry) ("the land")

AND WHEREAS STIRLING JAMES ASHBY of Opua Boatbuilder together with his successors and assigns (called "the Transferee") has requested the Transferor to grant to the Transferee as an easement in gross a right-of-way over that part of the land marked "A" on S.O. Plan 49348 ("the servient land") which the Transferor has agreed to do

NOW THEREFORE THIS MEMORANDUM OF TRANSFER WITNESSES

That in consideration of the sum of ONE DOLLAR ($1-00) paid to the Transferor by the Transferee (the receipt of which sum is hereby acknowledged) THE TRANSFEROR DOTH TRANSFER AND GRANT to the Transferee and his tenants servants agents workmen and visitors and all persons having business with him her or them in common with the Transferor her tenants and any other person or persons from time to time lawfully entitled thereto as an easement in gross forever a free and perpetual right-of-way ingress egress and regress on foot and with or without implements and vehicles of every description, loaded or unloaded by night as well as by day through over and along the servient land for the purpose of giving access to and from the public roads delineated on the said Survey Office Plan 49348 and abutting the Servient Tenement the easement of right-of-way hereby created being in common with that of any other person or persons from time to time entitled to any easement of right-of-way over the Servient Tenement or any part thereof.

FAR NORTH DISTRICT COUNCIL
KAWAKAWA SERVICE CENTRE

CERTIFICATE AS TO CONDITIONS : SECTION 348

LOCAL GOVERNMENT ACT 1974

APPLICANT: **S J Ashby**

FILE NAME: **RC 4480**

Resolved, Pursuant to Section 348 of the Local Government Act 1974 that the Far North District Council approves the Right-of Way shown on Plan No: S.O. 49248, being granted over Part Section 47.

Dated at KAWAKAWA this 5th day of May 1993.

AUTHORISED OFFICER

~~In Consideration of~~

~~the receipt of which is hereby acknowledged~~

~~Do hereby Transfer to the said~~

~~all~~ ~~estate and interest therein~~

~~said land above described~~

In witness whereof these presents have been executed this 11th day of January 19 93

SIGNED by STIRLING JAMES ASHBY in the presence of:-

Law clerk to Law North Partners, Paihia.

Signed by ~~the above named~~

for and on behalf of

~~in the presence of~~

HER MAJESTY THE QUEEN as Transferor by ~~BRIAN HUME LOGAN~~ Graham Bessman Quinn for NEW ZEALAND RAILWAYS CORPORATION pursuant to a power delegated to him under Section 10 (3) of the New Zealand Railways Corporation Act 1981 in the presence of:

Sales Manager

Beach Rd, Auckland

No.

TRANSFER OF

......HER MAJESTY THE QUEEN.........Transferor

......STIRLING JAMES ASHBY..........Transferee

Particulars entered in the Register as shown herein on the date and at the time endorsed below.

....

Assistant / District Land Registrar

of the District of ....

LAW NORTH PARTNERS
SOLICITORS,
PAIHIA.

A/C 8746 (F)

MAR

Solicitors for the Transferee

Correct for the purposes of the Land Transfer Act

....

SOLICITOR FOR THE TRANSFEREE

I hereby certify that this transaction does not contravene the provisions of Part 11A of the Land Settlement Promotion and Land Acquisition Act 1952.

....

SOLICITOR FOR THE TRANSFEREE

I hereby certify that for the purposes of the Stamp and Cheque Duties Act 1971 that no conveyance duty is payable on this instrument by reason of the application of Section 24(1) of the Act and that the provisions of subsection (2) of that section do not apply.

....

SOLICITOR FOR THE TRANSFEREE

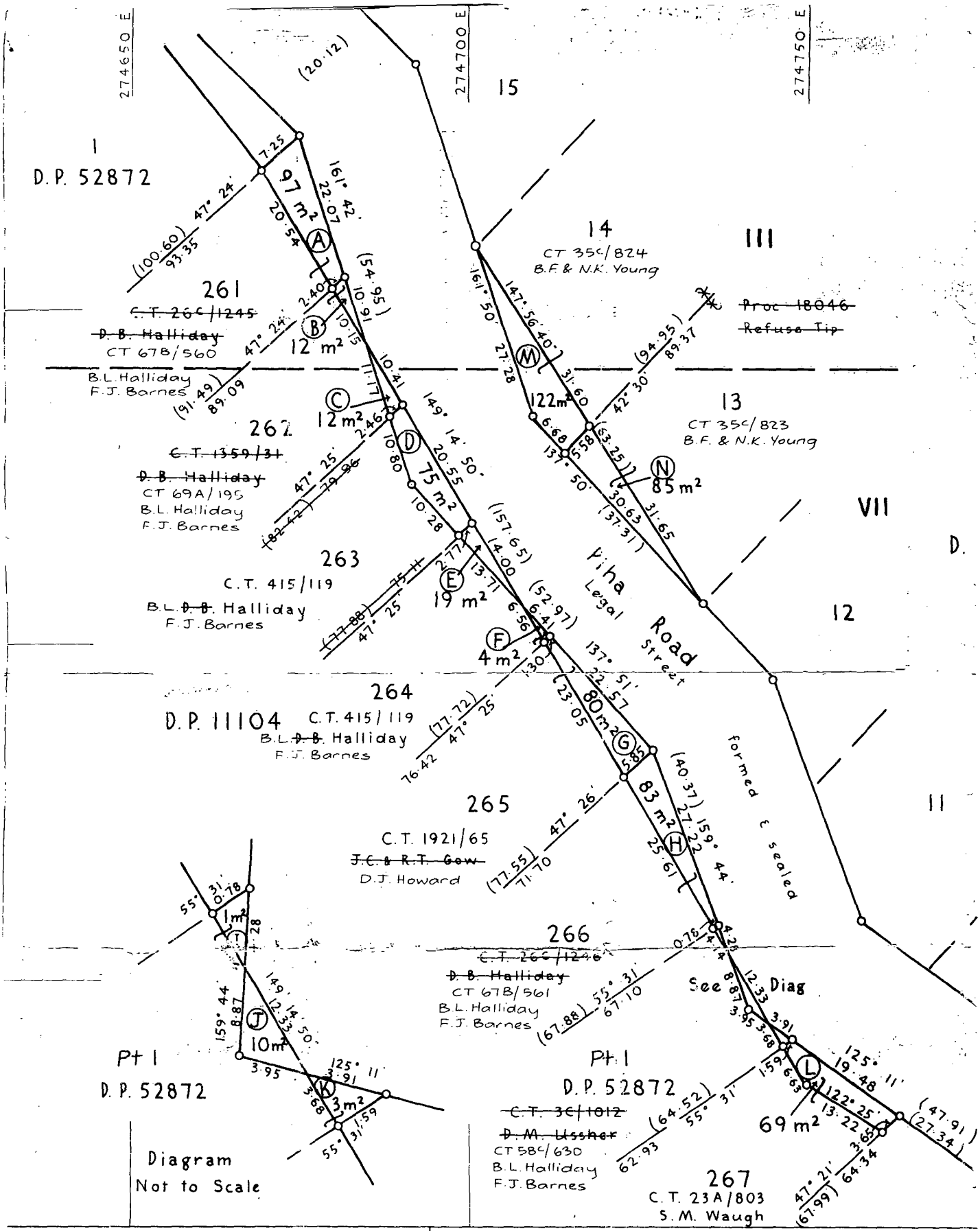
2.36 19.MAY93 C 481773.1F
PARTICULARS ENTERED
LAND REGISTRY AUCKLAND
ASST LAND REGISTRAR

DISTRICT LAND REGISTRAR NORTH AUCKLAND

87A/211

– Transfer granting a right of way easement, in gross, over part marked "A" S.O. Plan 49348 in favour of Stirling James Ashby – 19.5.1993 at 2.36 oc

C481773.1F



AND DISTRICT North Auckland

URVEY BLK.& DIST. III , VII Waitakere

ZMS SHEET No.

Land to be taken for Street being Pts Lot 1 L
Lots 261, 262, 264-267 D.P. 11104 & Pt. Lots 13, 14 D.
Street to be closed adj. Lot 1 D.P. 52872 & Lots 26

Decision Report

Far North Holdings Limited

NRC APP.040976.01.01
FNDC RC2200220

Resource Consent Applications

to

Northland Regional Council
Far North District Council

14 January 2021

Table of Contents

1 Introduction

[001] In June 2019 Far North Holdings Limited[1] (FNHL or applicant) lodged applications with the Northland Regional Council (NRC) for coastal permits and with the Far North District Council (FNDC) for landuse consent to establish and operate an area for barging activities associated with a marine construction operation and a landing facility for marine farming operations at the end of Baffin Street and in the Kawakawa River (CMA) in Opua.

The applications are granted for the reasons herein.

2 Appointment

[002] The NRC and FNDC, both acting under s34A of the Resource Management Act 1991, jointly appointed independent hearing commissioner Rob van Voorthuysen[2] to hear and decide the applications.

3 Process Issues

3.1 Notification, submissions, written approvals and s92 requests

[003] The applications were publicly notified and 41 submissions were received by NRC and 34 submissions were received by FNDC.[3] Many of the submitters lodged separate submissions with both NRC and FNDC with identical or similar content.

[004] No written approvals were provided, although the application included an email of support from Te Kahui Kaitiaki o Ngāti Manu mo te Awatapu o Taumarere. Requests for further information were made by the councils and that information was provided by the applicant.[4]

3.2 Site visit and hearing

[005] I conducted a site visit on Monday 7 December 2020, accompanied by Alissa Sluys, NRC Consents & Hearing Administrator, and Aimee Page, Trainee Projects Engineer at FNHL. I held a hearing in at the Scenic Hotel in Paihia on Monday 7 December and Tuesday 8 December 2020.

[006] The Section 42A Report[5] and the FNHL evidence[6] and opening legal submissions[7] were pre-circulated in conformance with a Minute I issued setting out a filing timetable. The seven lay submitters who spoke at the hearing tabled written statements of lay evidence.[8] Copies of the legal submissions and statements of evidence are held by NRC and FNDC. I do not separately summarise the matters covered here, but I refer to or quote from that material as appropriate in the remainder of this Decision. I took my own notes of any answers given to verbal questions that I posed to hearing participants.

---

[1] FNHL is the commercial trading and asset management arm of FNDC. In addition to managing a range of property, maritime and transport assets across the district, FNHL is tasked with promoting and supporting investment and employment in the Far North. Opening Legal Submissions, paragraph 6.

[2] Commissioner van Voorthuysen is an experienced independent commissioner, having sat on over 310 hearings throughout New Zealand since 1998. He has qualifications in natural resources engineering and public policy and was a full member of the New Zealand Planning Institute (NZPI) from 1998 to 2016.

[3] Several late submissions were accepted by both NRC and FNDC.

[4] Section 42A Report, page 10.

[5] Titled "Northland Regional Council & Far North District Council Hearings Committee Agenda" prepared by independent consultant planner Alister Hartstone.

[6] Chris Galbraith (FNHL General Manager), Simon Cocker (landscape architect), John Papesch (consulting engineer), Gregor Akehurst (consultant economist), Peter Ibbotson (acoustic consultant), Pamela Kane-Sanderson (consultant marine ecologist), Jeffery Kemp (consultant planner). Mr Cocker and Mr Akehurst were excused attendance at the hearing as I had no questions of clarification arising from their written evidence.

[7] Jeremy Brabant.

[8] Pou Herenga Tai twin Coast Cycle Trail trust (Robert Newport), Stirling Ashby, Ronald Cooke, Paula Beck, Peter Nobbs, Myra Larcombe (speaking notes provided after the hearing) and Eunice Kennedy. Katherine Walls and Sophia Clark appeared for MPI via Zoom.

[007] The applicant's verbal Reply submissions were provided at the hearing. A written Reply was provided to the NRC on 23 December 2020 and forwarded to me by the Council on 6 January 2021. I closed the hearing on 13 January 2021, having concluded that I required no further information from any of the participants.

3.3 Description of the Activity

[008] The nature of the application was thoroughly described in the applicant's two AEE documents,[9] its supporting technical reports,[10] and the Section 42A Report.[11]

[009] By way of summary FNHL proposes the construction of a maritime servicing area incorporating a 1,700m² reclamation with a seawall edge, an adjacent boat ramp, a public timber jetty and pontoon (with a single adjacent berth for the 'TSS Minerva); together with associated capital and maintenance dredging activities, mangrove removal and exclusive occupation of the coastal marina area. Stormwater from all new sealed and metalled surfaces will discharge to the CMA following treatment in proprietary devices. FNHL will construct and operate vehicle access from the end of Baffin Street and provide six short term carparks (for users of a relocated dinghy rack).[12]. The existing Pou Herenga Tai (Twin Coast) cycle trail will be realigned where it currently traverses the site.

[010] FNHL advised that the existing barge dock in Opua needs to be relocated as the recently constructed extension to the Opua Marina renders the barge dock activities incompatible with the increased recreational usage of the wider area, especially the public boat ramp centrally located between the two portions of the marina. The existing dock serves oyster farms in the Waikare Inlet as well as barging operations associated with dredging and construction activities, including maintenance of existing structures on islands or locations not accessible by road within the Bay of Islands.[13]

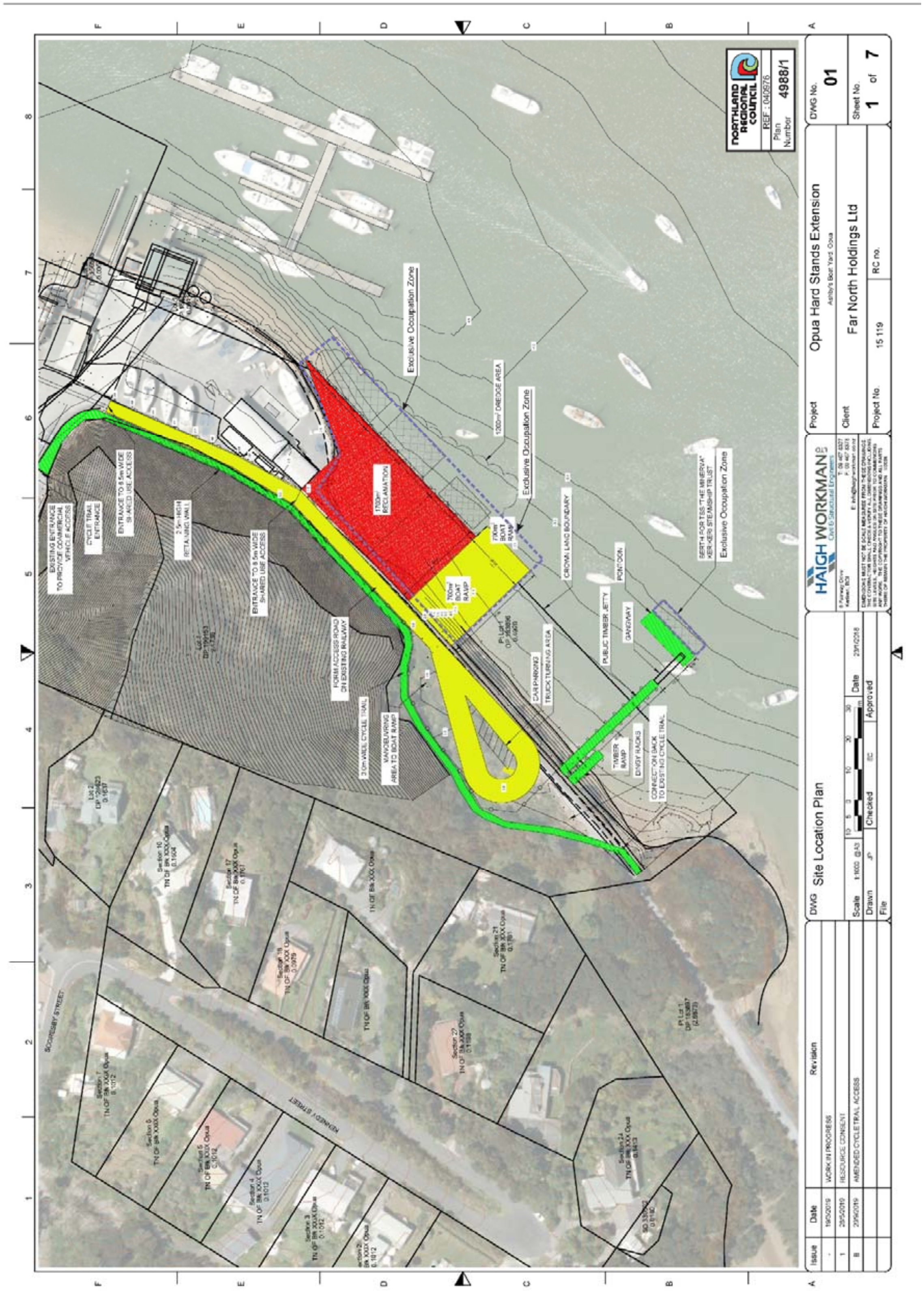
[011] Interestingly, NRC placed a condition on the consent for the extension of the Opua Marina requiring the existing consent for the barge dock within the marina area to be surrendered within a month of the completion of the marina facilities.[14]

[012] The overall proposal is shown on the figure overleaf.

[013] The red area is the proposed reclamation (abutting the existing 'Ashby's Boatyard') and the proposed new boat ramp adjoins the reclaimed area and is shaded yellow. The proposed vehicle accessway and turning circle are also shaded in yellow. The new wharf and pontoon are shown in green and the small new boat ramp for dinghy users (also shown in green) abuts the new wharf. The realigned cycle trail is also shaded green.

[014] More detailed aspects of the proposal are discussed in latter parts of this Decision.

[9] Planning Report (amended September 2019) lodged with the NRC and Planning Report (date October 2019) lodged with the FNDC. For the purposes of this Decision, I refer to the AEE lodged with the NRC unless I state otherwise. For a description of the proposal see paragraphs 13 to 17 of the AEE.
[10] Ten reports covering engineering, ecological effects, landscape character and visual impacts, economic impacts, noise and affected moorings amongst other matters. The report titles are listed on page 13 of the Section 42A Report.
[11] Section1 (page 12).
[12] The dinghies are used by boat owners to access their nearby moored vessels.
[13] AEE, paragraphs 1 and 2.
[14] AEE, paragraph 28.


NORTHLAND REGIONAL COUNCIL
REF : 040976
Plan Number 4988/1
DWG No. 01
Sheet No. 1 of 7
Opua Hard Stands Extension
Far North Holdings Ltd
Site Location Plan
HAIGH WORKMAN
Exclusive Occupation Zone
RECLAMATION
PUBLIC TIMBER JETTY
PONTOON
GANGWAY
CROWN LAND BOUNDARY
KENNEDY STREET

3.4 Consent categories

[015] The landuse consent required from FNDC is a discretionary activity. The Section 42A Report tabulated the various consents required from the NRC and the consent categories ranged from controlled through to noncomplying.[15] Under the bundling approach the overall activity is assessed as a non-complying activity. I note that the applicant agreed with that approach.[16]

3.5 Decision format

[016] FNHL provided a comprehensive application supported by robust technical reports, hearing evidence and legal submissions. A comprehensive Section 42A Report was also provided. Consequently, in the interests of efficiency and as provided for by s113(3) of the RMA, I cross-refer to and adopt substantial parts of the s42A author's report and assessment and the FNHL application documents. The consequence of that approach is that readers of this Decision should as a minimum, obtain and read the Section 42A Report prior to, or at the same time as, they read this Decision.

[017] I note that the s42A author, Alister Hartstone, recommended granting the applications, both in his pre-circulated Section 42A Report and at the conclusion of the hearing.

4 Section 104 and 104D matters

[018] I now address relevant aspects of the application in terms of ss104 and 104D of the RMA.

[019] Turing firstly to s104D, because the overall consent categorisation is non-complying, I may only grant consent if I am satisfied that the adverse effects[17] of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor (s104D(1)(a)), or the application is for an activity that will not be contrary to the objectives and policies of the applicable regional and district plans (s104D(1)(b)). As will become evident from the remainder of this Decision I am satisfied that the first limb of s104D(1) is met and so there is no barrier to me considering the applications under s104 of the RMA.

[020] However, before doing so I mention some of the matters raised by submitters who attended the hearing that I find are not relevant to my assessment.

[021] Several submitters raised grievances that they held with FNHL regarding previous activities and consent processes.[18] Other submitters made unsubstantiated claims that FNHL had as yet undisclosed further plans for development in the area or that they had somehow "intimidated' potential submitters.[19] Some claimed that FNHL had not consulted with the appropriate iwi.[20] Others[21] provided what could best be called 'hearsay' evidence (stating for example "*I spoke to someone who told me* …). Some submitters spoke at length on matters not raised in their actual submissions.[22] I have not given any determinative weight to these matters.

[022] None of the submitters provided any expert evidence yet many of them criticised or disagreed with the expert evidence provided by FNHL and the councils' technical advisors. My noting that fact is not intended as a criticism of the submitters, but I record that in terms of potential adverse effects and the mitigation of them, I assign more weight to the informed opinions and conclusions of the qualified experts.

---

[15] For the reclamation under Rule 31.6.4(b) of the operative Regional Coastal Plan.
[16] AEE, paragraph 25 and Opening Legal Submissions, paragraph 4.
[17] Including proposed mitigation of those effects that is able to be imposed by way of consent conditions.
[18] Including Ronald Cooke, Paula Beck and Peter Nobbs.
[19] Including Ronald Cooke and Paula Beck.
[20] Including Stirling Ashby and Ronald Cooke.
[21] Including Paula Beck.
[22] Including Stirling Ashby.

[023] In that regard all of the FNHL expert witnesses stated that they had read and were familiar with the Code of Conduct for Expert Witnesses set out in the Environment Court Practice Note 2014. Those experts all agree to comply with that Code, confirmed that their evidence was within their scope of expertise and advised that they had not omitted to consider material facts known to them. This adds to the credibility of their evidence in my view.

[024] I now discuss the potential adverse effects of the proposal, referring at times to relevant aspects of the statutory instruments. In saying that I note that many of the effects related issues addressed in the remainder of this Decision were also of concern to submitters and I have had regard of their views on those matters.

4.1 Existing environment

[025] The existing environment was described in the Section 42A Report and I adopt that description.[23]

[026] By way of summary the site directly adjoins a bustling industrial area (the FNHL marine servicing centre formerly known as 'Ashby's Boatyard'). The site (see the above figure) is traversed by a former railway line now followed by the Twin Coast cycle trail. A rock revetment lines the lands edge and some small mangroves occupy the foreshore. A very small public boat ramp and a dinghy rack are located at the northern end of the site. Inland from the cycle trail there is an area of mainly exotic scrub with some native bush adjacent to which the site rises up steeply to residential properties on Lyons and Kennedy Streets.

[027] The site is Crown land and the portion located within the CMA has a certificate of title. The landward site, which comprises the steep bush clad hillside located below Lyons and Kennedy Streets, was gazetted in 1999 as land not required for railway purposes and has subsequently been added to the land bank for Treaty settlements.[24] I was not provided with any evidence suggesting that the land banking precluded development on the land or my consideration of the FNHL applications.

[028] Importantly, the land subject to the FNDC landuse application is zoned as Industrial Zone with an overlay identified as Maritime Exemption Area ('MEA'). Notably, buildings can be constructed on the site as a permitted activity and the MEA overlay allows buildings to be constructed up to MHWS. A maximum of 200 traffic movements per day (100 on and 100 off the site) are permitted. Subject to compliance with matters such as noise, a wide range of industrial activities could be established on the site as a permitted activity. In that regard I note and agree with FNHL's Reply submissions[25] that "*as a result of permitted activities and a range of resource consents, Opua is an industrial marine hub …. providing for industrial and business activities*."

4.2 Positive effects

[029] Positive effects of the proposal were set out in the AEE[26] and the evidence of Mr Akehurst. In summary they include the provision of barging and oyster landing facilities to service the existing aquaculture activities in the Waikare Inlet; and enabling the barging and transportation of other goods and services such as dredging plant and construction materials to sites in the wider Bay of Islands. A base for the SS Minerva as a tourism venture will also be provided. A consequential positive effect is the removal of existing conflict[27] between recreational and commercial users of the existing ramp within the Opua Marina and the health and safety benefits of doing so.

[23] Section 42A Report, pages 18 and 19.
[24] AEE, paragraphs 1 to 8.
[25] Reply Submissions on behalf of Far North Holdings Limited, Dated 23 December 2020, paragraphs 10 and 11.
[26] AEE, paragraphs 85 to 88.
[27] Conflict in terms of limited space as opposed to physical conflict.

[030] Based on my own observations during the site visit, I consider that the proposed new recreational wharf, dinghy rack and dedicated dinghy launching boat ramp (and associated short term carparking spaces) to be provided at the southern end of the site will be a marked improvement on the current somewhat dilapidated facilities.

[031] For FNHL Mr Akehurst advised that the ability to service marine infrastructure[28] and efficiently land oysters for market are critical components of the local and regional economy.[29] The s42A author advised that economic effects and associated social effects of the proposal are substantial and beneficial. He noted that no submissions questioned the value of the proposed activities and nor did submitters provide any contrary evidence on the proposal's positive benefits.

[032] I find that the proposal will have significant positive benefits.

4.3 Alternative sites

[033] A number of submitters suggested alternative sites for the proposed activity.

[034] My scope to consider alternative sites is limited. Clause 6(1)(a) of Schedule 4 of the RMA requires a description of alternatives in an AEE where it is likely the activity will result in any significant adverse effect on the environment.

[035] In this case FNHL contends that their proposal will not result in such effects, but nevertheless Mr Papesch attached to his evidence a 2017 assessment of ten alternative sites prepared by Total Marine Services (TMS) in relation to a previous application to locate the barge dock at Colenso Triangle.[30] The TMS assessment noted that the oyster industry uses barges and the aim is to land the product and get it into refrigerated transport as expeditiously as possible, so that health and safety risk factors in respect of shellfish for human consumption are minimised. Good access to the roading network is essential. All tide access is also preferable, particularly where limits are proposed on hours of operation. The TMS assessment concluded that the eastern side of the Kawakawa River and the Waikare Inlet were not appropriate sites because of limited road access and long distances to major roads.[31]

[036] Mr Papesch considered that the current site was preferable to the alternative sites identified in the TMS assessment. Having read the TMS report myself I agree. In saying that, I note and agree with Mr Brabant's submissions[32] that an assessment of alternatives does not have to capture every possible alternative available and nor it is necessary for FNHL to demonstrate that its proposed site is 'the best'.

[037] A further considered evaluation of specific alternative sites suggested by submitters was undertaken by Mr Kemp for FNHL.[33] I adopt his evaluation and find that alternative sites suggested by submitters would not provide a better means of meeting the oyster farming and marine servicing industry needs. In that regard I note FNHL's Reply submission[34] that "… *its [the proposal's] parameters, its location as proposed and its operation has been discussed with the marine farmers and they have been part of the proces*s."

[038] I therefore limit the remainder of my assessment to the potential adverse effects of the FNHL proposal at the site they have applied for, rather than speculating on the effects of locating the proposal at an alternative site.

---

[28] Wharves, piles, seawalls, jetty's beacons and other constructions in the marine environment.
[29] EIC Akehurst, paragraph 12(a).
[30] Including Smiths motor camp, Hyland's property, Derricks Landing, Frenchman's Swamp, South of Kennedy Street, Opposite Carter's, Veronica Point, Bay to the North of Colenso Triangle, Opua wharf and Colenso Triangle.
[31] EIC Kemp, paragraph 36.
[32] Opening Legal Submissions, paragraph 85.
[33] EIC Kemp, paragraphs 37 to 45.
[34] Ibid, paragraph 16.

4.4 Noise and vibration

[039] The FNHL proposal will generate noise during its construction and operation and this was an understandable issue of concern to a number of submitters.

[040] FNHL commissioned a noise assessment from Marshall Day Acoustics and the issue of noise and vibration was addressed in the evidence of Mr Ibbotson.

[041] He advised that the main noise generating construction activity would be piling and noise emissions from dredging and general construction works were likely to be appreciably quieter.[35] Construction activities are required to comply with the construction noise limits set out in the District Plan which refers to New Zealand Standard NZS 6803: 1999 *"Acoustics - Construction Noise"*. Mr Ibbotson determined that noise from piling might exceed the construction noise limit of 70 dB L_{Aeq} by one decibel at one nearby residence. He considered that to be a minor adverse effect but nevertheless recommended that construction works be managed using a Construction Noise and Vibration Management Plan (CNVMP) that would direct the contractor to take all practicable options to reduce noise effects, such as driving piles during the least sensitive time of day and providing nearby residents with advance warning of piling activity.

[042] I find that to be appropriate.

[043] I note that in answer to my questions Mr Ibbotson advised that if pile driving did not use a 'dollie'[36] or if rock breaking was undertaken then those activities should be restricted to the hours of 9am to 5pm. I agree and have amended FNDC Condition 2 accordingly.

[044] Regarding operational noise Mr Ibbotson advised that activities in the Industrial Zone (including those proposed by FNHL here) must comply with the following noise limits when measured at any point within any site in the adjoining Coastal Residential zone:

- 55 dB $_{LA10}$ between 0700 and 2200 hours (daytime)
- 45 dB $_{LA10}$ and 70 dB $_{LAFmax}$ between 2200 and 0700 hours (night-time)

[045] Mr Ibbotson noted that Marshall Day had assessed likely noise levels from FNHL's proposed marine servicing area, assuming that that work on site would be variable and seasonal and could include the use of power hand tools, a tractor, general traffic, forklifts, trucks and hiabs during the day and busy use of the new boat ramp for a 15-minute period during the night. Based on the Marshall Day calculations, he expected that compliance with the District Plan noise limits would be achieved once the FNHL proposal was operational.[37]

[046] Regarding potential effects of vibration, Mr Ibbotson noted vibration was unlikely to be significant, but for completeness a condition could be imposed requiring vibration from piling to not exceed the guidelines contained in DIN 4150 3:1999 "Structural Vibration - Effects of Vibration on Structures" when measured at adjacent dwellings in accordance with the standard.[38] I agree.

[047] Regarding potential effects of underwater noise effects on marine mammals, in consultation with Ms Kane-Sanderson, Mr Ibbotson recommended specific requirements for the CNVMP to include management measures for underwater noise effects on marine mammals should they enter the area.[39]

[048] I received no qualified evidence contesting that provided by Mr Ibbotson and so I accept his assessments and his recommended conditions.

---

[35] EIC Ibbotson, paragraph 32.
[36] A wooden (or similar) cap placed on the top of the pile to reduce noise.
[37] EIC Ibbotson, paragraphs 42 and 45.
[38] EIC Ibbotson, paragraph 52.
[39] EIC Ibbotson, paragraph 54.

[049] The s42A author considered that the CNVMP approach proposed by FNHL was appropriate.[40]

[050] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects arising from noise and vibration will be no more than minor.

4.5 Landscape character, visual impact and natural character

[051] The effects of the FNHL proposal on the site's landscape character and natural character were of concern to some submitters, as were the potential visual impacts of the proposal.

[052] The issue of natural character is important because Policy 13(1) of the New Zealand Coastal Policy Statement (NZCPS) is to preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development. As the site is question does not have 'outstanding natural character',[41] Policy 13(1)(b) requires the avoidance of significant adverse effects and avoidance, remediation or mitigation of other adverse effects of activities on natural character.

[053] The starting point is to assess the existing natural character of the site. I note that the applicant commissioned a landscape and visual impact assessment from Simon Cocker, an experienced landscape architect. Mr Cocker considered that the level of modification associated with the subject site and its immediate context had resulted in it not displaying elevated natural character values.[42] In his view the overall impression of the site was an area that is settled, 'peri-maritime industrial', and having a very limited sense of wildness or remoteness.[43] I agree and, in my view, the 'natural character' of the site is much diminished. The site directly adjoins a working marine servicing area, its foreshore is modified with rock revetments and discarded structures, its foreshore area is silty and it is backed by a former railway line and now a formed cycle trail. On that basis I conclude that the FNHL proposal will not result in a significant adverse effect on natural character.

[054] Understandably, given the above discussion, Mr Cocker considered that potential adverse effects on landscape values would be low when considered within the wider context of the subject site.[44] I agree.

[055] In terms of visual impacts, Mr Cocker noted that some residents on Kennedy and Scoresby Streets would gain views of the proposal, albeit that those views would be filtered by existing tall vegetation. He concluded that, in the context of a site that has an Industrial Zoning (which anticipates a significant change in the character of the terrestrial portion of the site), the potential adverse visual amenity effect that would be experienced by residents on Kennedy and Scoresby Streets would be, at most, low to moderate. I accept Mr Cocker's uncontested expert opinion on those matters.

[056] In making these findings I note that FNHL has proposed a landscape planting plan which will ensure protection of some existing vegetation and enhancement or replacement planting (with native species) in areas of the site not subject to active use. This includes a triangular area to the south west, to the north of the turning area and within the turning area island.[45] That planting will mitigate the landscape and visual effects of the proposal.

[057] The s42A author accepted Mr Cocker's conclusion that the effects on landscape and natural character were minor.[46]

---

[40] Section 42A Report, paragraph 47.
[41] Its is not identified as such in either the Northland Regional Policy Statement, the operative Regional Coastal Plan or the Proposed Regional Plan for Northland.
[42] EIC Cocker, paragraph 46.
[43] EIC Cocker, paragraph 76.
[44] EIC Cocker, paragraph 48.
[45] As shown on page 1 of 13 in the attachments to the evidence of Mr Cocker.
[46] Section 42A Report, paragraph 80.

[058] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects on natural character and landscape character will be no more than minor. Potential adverse effects on visual amenity will also be no more than minor.

4.6 Earthworks

[059] The FNHL proposal requires earthworks, including the formation of vehicle access from Baffin Street which in turn requires realignment of the existing Twin Coast cycle trail, excavation of the existing rock face to form a 6.5m wide access[47] and construction of an engineered 2.5m high retaining wall to support the toe of the rock face. This was of concern to some submitters who resided above the site on Kennedy and Scoresby Streets as they were worried about future subsidence.[48]

[060] For FNHL Mr Papesch noted that the existing rock face was formed as a box cut in the 1880's to provide access to the Port of Opua and it shows no obvious signs of instability. He considered that construction of a retaining wall at the toe of rock face would not have any adverse effects on surrounding properties or the cycle trail.[49] I heard no qualified evidence to the contrary.

[061] Regardless, FNHL intends to undertake a more detailed geotechnical assessment of the proposal that will provide specific design details for all proposed earthworks including the design of the retaining wall, suitable protection measures to protect the users of the cycle trail from debris or rock fall above the retaining wall, and recommendations regarding the construction of the internal commercial access road. In addition, the proposed retaining wall at the base of the rock face will require a building consent from FNDC and will therefore be subject to specific engineering design requirements at that time.

[062] The FNDC Resource Consents Engineer noted that FNHL appropriately proposed earthworks control measures in conjunction with a Construction Management Plan.[50] The s42A author considered that earthworks associated with the reclamation and landward works providing for access and the realigned cycleway could be undertaken with appropriate erosion and sediment control measures in place.[51] I agree and note that comprehensive (and in my experience routine) erosion and sediment control conditions have been recommended.[52] The proposed further geotechnical assessment (to be required by conditions of the FNDC landuse consent) and the requirement for a retaining wall building consent provide additional reassurance that potential adverse effects arising from the earthworks can be suitably avoided or mitigated.

[063] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects of the proposed earthworks will be no more than minor.

4.7 Cultural and heritage values

[064] Despite being publicly notified no submissions were received from iwi authorities or groups that represent hapu. A submission from the Chairman[53] of the Waikare Inlet Tāiapure Committee raised issues of cultural effects but he elected not to attend the hearing (despite having requested to be heard) and so I could not enquire as the nature of those alleged cultural effects.[54] Heritage New Zealand Pouhere Taonga were served with a copy of the application as part of the notification process. No submission was received from them, however the recommended general conditions attaching to the NRC consents include a routine archaeological site and kōiwi discovery protocol. I find that to be appropriate.

---

[47] Earthworks over the bulk of the vehicle manoeuvring and parking area are relatively shallow (<0.5 m) and primarily comprises the stripping of vegetation and minor re-contouring
[48] Including Eunice Kennedy.
[49] EIC Papesch, paragraph 16. He did however recommend that the wattle on the rock face above the cycle trail is removed.
[50] Section 42A Report, Attachment C.
[51] Section 42A Report, paragraph 169.
[52] Appropriately based on Auckland Council GD05 recommendations for land-disturbance activities.
[53] Peter Clark.
[54] Mr Clark did provide a written hearing statement. In terms of matters relating directly to the site that is the subject of this hearing (he raised other procedural and unrelated matters) he claimed that "this proposed site is another traditional kaimoana Mahinga Kai" but he provided no further details or evidence of that.

[065] The FNHL application attached an email from Arapeta Hamilton which stated that *'….Te Kahui Kaitiaki o Ngāti Manu mo te Awatapu o Taumarere is supporting the application for Resource Consent for the Commercial Boat Ramp for the Oyster Farmers at Opua'*. The s42A author noted that applicant appeared to rely on the stated support from Te Kahui Kaitiaki o Ngāti Manu mo te Awatapu o Taumarere as evidence that no unacceptable cultural effects will arise from the proposal. Given the lack of submissions to the contrary I find no fault with that approach.

[066] On the evidence I find that potential adverse effects on cultural and heritage values will be no more than minor.

4.8 Traffic and parking

[067] During construction, there will be approximately 725 truck and trailer units of fill transported to the site. If the fill was placed at a rate of 10 truck and trailer units per day it would take two months to place.[55] However, the effect of construction traffic is excluded from traffic effects under Rule 15.1.6A.2.1 of the District Plan.[56]

[068] Once operational the FNHL marine servicing facility will generate additional traffic and associated parking demand. Having said that. the FNHL proposal clearly complies with the District Plan's traffic intensity rules and parking requirements for a site for an Industrial Zone.[57]

[069] Traffic and parking matters were addressed in the Section 42A Report[58] and by the FNDC Resource Consents Engineer. The s42A author noted that sealing of both Baffin Street and the first portion of the shared access up to the proposed cycle trail gates would be expected as part of any industrial development generating additional traffic. The FNDC Resource Consents engineer considered that the section of road to Baffin Street should be reinforced and sealed due to the cumulative effects from dust and vehicle turning movements due to public and commercial activities using this space. In response, at the hearing, Mr Papesch confirmed that FNHL would seal that ≈67m stretch of road (it is currently a gravel road) but not the (informal) road side parking areas.[59] I find that to be appropriate and note that the formation and sealing of that carriageway is now shown on Drawing 03a Sheet 4 of 9 attached to the consent conditions

[070] Mr Papesch also advised that he had considered the option of separating cyclists from the traffic associated with the maritime services facility and had assessed the effects on the cycle trail. He acknowledged the merit in providing separation with a 2.5m wide cycle trail and a 4m wide access road with a 700mm high safety barrier in between. I discuss that further in section 4.10 of this Decision.

[071] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects on traffic and parking will be no more than minor.

4.9 Contaminated soils

[072] FNHL sought consent from FNDC under the NESCS[60] as a controlled activity because the earthworks exceeded the permitted threshold and will be undertaken on land identified as previously being subject to vessel maintenance and railway activities. Both of those activities are identified on the Hazardous Activities and Industries List as potentially resulting in contaminated soils. Preliminary and Detailed Site Investigation reports were provided by FNHL.

---

[55] EIC Papesch, paragraph 60(v).
[56] The Rules states *'Exemptions: The first residential unit on a site, farming, forestry and construction traffic (associated with the establishment of an activity) are exempt from this rule.'*
[57] Chapter 15 – Transportation, District Plan.
[58] Section 42A Report, paragraphs 96 to 101.
[59] The end of the legal road corridor of Baffin Street into the site is demarcated by the end of seal and a speed hump. The land on which the gravel access road is formed is leased from the Crown. The seal coat will be 6.5m wide and lap 10m onto the existing seal of Baffin Street.
[60] Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

[073] The s42A author advised that the concentration of contaminants in soils across the site were below the relevant criteria and were highly unlikely to present a risk to human health.[61] He considered that a Construction Management Plan with standard earthworks controls would be a suitable means of managing potential environmental and human health risks. I agree.

[074] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects associated with potentially contaminated soils will be no more than minor.

4.10 Cycle trail

[075] I have already discussed the Twin Coast cycle trail earlier in this Decision. The Chairman of the Pou Herenga Tai Twin Coast Cycle Trail Charitable Trust (Robert Newport) spoke to the Trust's submission at the hearing. He discussed the use made of the trail and noted that the proposed berthing of the TSS Minerva at the site would likely provide an important destination for cyclists.

[076] Mr Newport sought three outcomes. He wanted the cycle trail to be open at all times during construction, which might require active traffic management. He wanted the trail to be safe for cyclists after construction was completed, especially for young riders. In that regard he was very supportive of the revised width of the realigned trail and the installation of safety fence between the trail and the new access road, but preferred a wire mesh and shade cloth type arrangement as is current used to separate the trail from 'Ashby's Boatyard'. I asked Mr Newport about the preferred surface treatment of the realigned trail and stated a preference for crushed grey shale. I note that these matters are now specified in FNDC Condition 2(c).

[077] In Reply FNHL submitted[62] that "*The Cycle Trust appeared to suggest that the trail must be open "at all times". If what was meant is that the trail must be open as much as possible during the construction phase (the relevant period being identified in Mr Papesch's evidence – approximately a month) then that is reasonable. However, it is not realistic to suggest the trail cannot be closed even for one day. That is not realistic from a health and safety perspective, and frankly does not reflect the reality of the trails operation more broadly where periodic maintenance and works will result in temporary closures*." I agree.

[078] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects on the Twin Coast cycle trail will be no more than minor.

4.11 Reclamation and other structures

[079] As noted earlier, FNHL's proposed marine servicing area will involve a 1700m^2 barge dock reclamation that will effectively extend an area of historically claimed land that is currently the site of the existing FNHL maritime servicing area ('Ashby's Boatyard'). The outer edge of the reclamation will comprise a seawall with a maximum fill face of 4.6m, being the height of the outer reclamation above the seabed.[63] Mr Papesch advised that a retaining wall (seawall) similar to that used for the Opua Marina Stage II reclamation is likely to be used here, namely a tied back pile and panel wall.

[080] Reclamation fill will primarily comprise imported clean fill, however it is also proposed to utilise 600m^3 of dredged material as reclamation fill. Mr Papesch considered settlement[64] would occur within the reclamation fill and 900m^3 of additional filling had been allowed for that purpose.[65] He also considered that kerb and channel, sealing[66] or installation of services should not be undertaken until the bulk of settlement had occurred which could take several years. I find that these matters should be referenced in conditions.

[61] The Detailed Site Investigation report noted that soil excavated from the site can be reused on the site but cannot be used for reclamation fill.
[62] Ibid, paragraph 26.
[63] The overall height of the sea wall is 5.6 m, to provide for 1 m depth of dredging against the vertical wall face.
[64] As a result of the compactible marine muds underlying the reclaimed area.
[65] EIC Papesch, paragraph 27.
[66] Noting that the six car parks will be formed with compacted cleanfill.

[081] On the evidence I am satisfied that the proposed reclamation and seawall have been properly designed and their construction will be appropriately managed. However, the proposed reclaiming of foreshore and seabed was of concern to submitters who bemoaned the loss of the existing small beach area and the necessary removal of a mature Pohutukawa tree. In light of those concerns I now turn to NZCPS Policy 10 which addresses reclamation.

[082] Policy 10(1) is to avoid reclamation unless four criteria are met. In that regard I note that land outside the CMA is not available for the proposed activity because axiomatically a barge loading dock and boat ramp must be located in the water (criteria (a)). The activity (barge loading and unloading) can only occur adjacent to the CMA (criteria (b)) and there are no practical alternative methods of loading and unloading the barges (criteria (c)). The uncontested (in terms of opposing qualified expert evidence) evidence of Mr Akehurst was that the ability to service marine infrastructure[67] and efficiently land oysters for market are critical aspects of the local and regional economy. Marine infrastructure servicing in 2017 was worth $10.2m to the regional economy sustaining 70 jobs and oyster farming (70ha of farms was modelled producing over 1,000 tonnes of oysters annually) generated approximately $12m in export revenue.[68] In addition, the Far North District has around 77 structures (wharves, jetties and other infrastructure) that require maintenance along with a large number of private jetties and other marine structures. The FNHL proposal for Opua allows the marine servicing businesses to meet those needs across the entire region.[69] On that basis I am satisfied that NZCPS Policy 10(1)(d) is also met.

[083] NZCPS Policy 10(1) does not therefore pose a barrier to FNHL's reclamation proceeding.

[084] For FNHL, Pamela Kane-Sanderson advised that there is no significant intertidal habitat or biota such as seagrass or edible shellfish beds (cockles, pipi or oysters) within the site of the reclamation. No significant intertidal bird feeding areas will be affected. Impacts on shorebirds will be minor. She considered that there was a small potential for the reclamation construction to generate localised turbidity, but any turbidity or sedimentation effects on habitats and biota beyond the reclamation and construction works area would be minor and localised.[70] I accept Ms Kane-Sanderson's uncontested expert opinions on those matters.

[085] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects arising from the proposed reclamation will be no more than minor.

[086] The FNHL proposal involves other structures (an adjacent boat ramp, a public timber jetty and pontoon). The s42A author noted that the FNHL commissioned Ecology Report recorded that direct impacts on the seabed "… *will collectively cover a small area of approximately 5m². The physical effect on the substrate will be small and is very low in terms of effects on habitat and biota. Shore based machinery needing to cross any hard-intertidal shore will not cause other than minor effects and these are not significant ecologically*". He considered those effects to be 'acceptable' whereas I find to them to be no more than minor.

4.12 Dredging

[087] The FNHL proposal involves both initial capital and periodic maintenance dredging activities.[71] The potential adverse effects of dredging relate to disturbance of the seabed and release of sediments affecting water quality. Ms Kane-Sanderson advised that the ecological significance of the dredging on subtidal biota would be naturally remediated in a short period of time by natural recruitment and recolonisation of the newly exposed seabed which would be of a similar texture to that which presently exists. She considered that overall, the effects of the dredging would be minor.[72]

[67] Wharves, piles, seawalls, jetty's, beacons and other constructions in the marine environment.
[68] EIC Akehurst, paragraph 12(a).
[69] FNHL response to s92 request dated 15 April 2020.
[70] EIC Kane-Sanderson, paragraphs 4.4, 4.5 and 4.22.
[71] Capital dredging associated with the reclamation requiring removal of approximately 600m³ of spoil, and associated maintenance dredging to provide for the construction of, and maintenance of access to, the proposed reclamation. No dredging is required for the boat ramp.
[72] EIC Kane-Sanderson, paragraph 4.7.

[088] Ms Kane-Sanderson advised that her sampling of foreshore sediments had shown that they were not polluted with cadmium, chromium, lead, nickel or zinc with concentrations of those metals being below, and therefore meeting, the Proposed Northland Regional Plan (PNRP) coastal sediment quality guidelines. At three of the sediment sampling sites copper was above the coastal sediment quality guidelines, but remained well below the Australia and New Zealand Environment and Conservation Council (ANZECC)[73] default guideline values (DGVs). Arsenic was slightly elevated at one site and tributyltin (TBT) was slightly elevated at two sites.

[089] Ms Kane-Sanderson undertook elutriate tests[74] for copper, arsenic and TBT. Those tests showed that the concentrations of the dissolved metals were below (met) the required thresholds in the applicable water quality management unit under the PNRP. She concluded that there was no significant water quality risk from mobilised metals entering the water column during dredging.[75]

[090] I accept Ms Kane-Sanderson's uncontested expert opinions on these matters.

[091] The s42A author noted that there was no indication from FNHL as to where any dredge spoil may be disposed of, although it he understood that it may be deposited in conjunction with material from the Opua Marina at an approved location on a property located on the north side of the Waikare Inlet. Regardless, any spoil will need to be disposed of at a location that is approved by the NRC.[76]

[092] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects arising from the proposed dredging will be no more than minor.

4.13 Stormwater

[093] Stormwater generated from impermeable surfaces on the developed site will be directed to several proprietary treatment devices such as a Humes Stormwater360 or Hynds Downstream Defender treatment system before being discharged into the CMA. The s42A author advised that the use of such proprietary systems was an accepted and appropriate requirement where stormwater is to be discharged into the CMA. I heard no evidence to the contrary and so I accept his advice. Accordingly, I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects arising from the proposed discharge of stormwater to the CMA will be no more than minor.

4.14 Biosecurity

[094] The Ministry for Primary Industries (MPI) lodged a submission expressing concern that the FNHL proposal posed risks associated with management of the *Sabella Spallanzanii* (Mediterranean Fanworm). In response FNHL has offered to prepare Biosecurity Management Plan (BMP) in consultation with MPI. It now also proposes to survey the area to be dredged to check if any Fanworms are present.[77] The MPI representatives[78] who spoke at the hearing were satisfied with that approach.[79] I asked the MPI representatives if the area to be dredged should firstly be surveyed for *Sabella* and the confirmed that would be appropriate and that the BMP should address that matter. I agree and note that FNHL now proposes to survey the area to be dredged to check if any *Sabella* are present.[80]

---

[73] ANZECC (2018) Australian and New Zealand guidelines for fresh and marine water quality, August 2018. National Water Quality Management Strategy, Australian and New Zealand Environment and Conservation Council & Agriculture and Resource Management Council of Australia and New Zealand, Canberra, Australia.

[74] Elutriate tests investigate what is likely to happen when sediments are removed from the seabed and exposed to aerated seawater. The laboratory elutriate test measures the resulting concentration of the target metals in their dissolved form in the water. It effectively simulates what happens during dredging as sediment is disturbed and lost to the water column during excavation.

[75] EIC Kane-Sanderson, paragraphs 4.9, 4.12, 4.14 and 4.19.

[76] Section 42A Report, paragraph 57.

[77] Reply Submissions, paragraph 30.

[78] Katherine Walls and Sophia Clark

[79] NRC has also adopted a Marine Pathway Management Plan as a means of preventing the introduction of new marine pests and to slow the spread of established marine pests within the region. *Sabella* is identified as a sustained control marine pest and the MPMP requires the implementation of an approved site management plan to reduce the risk of *Sabella* spreading from activities such as dredging and marine construction.

[80] Reply Submissions, paragraph 30.

[095] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects on biosecurity matters arising from the proposed dredging will be no more than minor.

4.15 Vegetation removal

[096] As outlined in the evidence of Ms Kane-Sanderson, the formation of the vehicle turning area, car parking spaces and realigned cycle trail at the southern end of the site will require the removal of some existing vegetation. However, that vegetation comprises low value scrub and she considered that the botanical effect of its removal would be less than minor.

[097] The s42A author advised that vegetation clearance across the site was a permitted activity if it did not exceed 500m^2 and there was is no District Plan limit on the clearance of exotic species. Mr Kemp clarified that the area of vegetation removal totalled ≈360m^2, not all of which was indigenous,[81] and so no consent was required.[82]

[098] On the reclamation side of the existing cycle trail vegetation comprising mainly native shrubs and trees, including a large Pohutukawa, will be removed. Ms Kane-Sanderson considered that the ecological significance of that would be small and minor. She noted that the loss of the shrubs and small trees would be offset by enhancement plantings elsewhere (see section 4.5 of this Decision regarding the landscape planting to be undertaken) and the removal of pest weeds. In terms of the foreshore area, Ms Kane-Sanderson noted that scattered small and juvenile mangroves would be removed from a small area. She considered that, relative to the extensive mangrove habitat present nearby in the Kawakawa River estuary, the effect of that mangrove removal would be less than minor.

[099] I accept Ms Kane-Sanderson's uncontested expert opinion on these matters.

[100] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects arising from vegetation removal will be no more than minor.

4.16 Coastal processes and flooding

[101] The proposed reclamation and structures have the potential to affect coastal processes. This was addressed by Mr Papesch who referred to extensive investigations of hydraulic effects that was carried out for the Opua Marina by Uniservices in 1996 and by MetOcean Solutions Ltd in 2013 for Opua Marina Stage II, which also covered the present site. Mr Papesch noted that although the reclamation was not part of the 2013 model, that model did include sediment transport at the site and the modelling results indicated that peak velocity and changes in bed shear stress were not of concern. Mr Papesch added that the site is relatively sheltered from tidal flows and wave action and that the main channel is well to the east of the site.[83]

[102] The s42A author obtained comments from a specialist NRC staff member (Mr Sher Khan) who advised him that "*catchment hydrology or river flooding is not much of concern due the site being at the end of the catchment and draining directly to sea. It will not effect [sic] any flooding upstream of the catchment.*"[84]

[103] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects on coastal processes and flooding will be no more than minor.

[81] The majority of the area to be cleared consists of exotic weed species with the indigenous vegetation being limited to the scattered individual mangrove and Pohutukawa along the shoreline and parts of the toe of the slope where the cycle trail is diverted.
[82] EIC Kemp, paragraph 14.
[83] EIC Papesch, paragraphs 52 and 54.
[84] Section 42A Report, paragraph 66.

4.17 Navigational safety

[104] A number of existing swing moorings will need to be relocated to enable the FNHL proposal to proceed. This includes providing a safe navigation pathway for vessels and barges using the new facility. I understand from the information provided this will involve ten existing moorings.[85]

[105] Interestingly the relocation of these moorings is a permitted activity under the operative and proposed regional plans if the relocation is directed by the NRC Harbourmaster. The s42A author noted that the FNHL application therefore does not (and cannot) seek any consent for the relocation or removal of the affected moorings. Mr Hartstone considered that the effects of relocating the moorings did not therefore fall within the scope of the application in accordance with s104(2) of the RMA. Counsel for FNHL submitted that was the correct legal situation.[86]

[106] The s42A author understood that should consent be granted, FNHL would then be required to approach the Harbourmaster requesting that the moorings be relocated for navigational safety purposes to allow for the construction and occupation of the CMA by the proposed FNHL activities. How the relocation of the moorings would be addressed would then largely be a matter of discretion applied by the Harbourmaster as a permitted activity.[87]

[107] No party contested the s42A author's advice on this matter and so I take this particular issue no further.

4.18 Dinghy user access

[108] Some submitters[88] were concerned about the loss of the existing dinghy storage area and boat ramp. Based on the evidence before me I consider that the FNHL proposal will improve the existing situation. A new dinghy storage rack will be provided along with a new purpose-built dinghy launching boat ramp and wharf at the southern end of the site. In addition, temporary parking spaces for up to six dinghy users will be provided within the proposed vehicle turning area. Accordingly, I find that potential adverse effects on existing dinghy users will be no more than minor.

4.19 General public access and exclusive use and occupation

[109] The reclamation and associated structures will necessarily require exclusive occupation of the CMA. The whole purpose of the FNHL proposal is to provide a new marine servicing facility which can be categorised as an industrial activity. Accordingly, I find public access to the reclamation and main boat ramp needs to be restricted for health and safety purposes. Indeed, as discussed earlier, one of the drivers behind the proposal is to address health and safety issues at the current boat ramp within the Opua Marina.

4.20 Cumulative effects

[110] The s42A author briefly addressed cumulative effects and considered that effects associated with matters such as traffic generation or nuisance effects, when combined with similar effects in the existing environment, would not be significant. Similarly, cumulative or incremental adverse effects on natural character or water quality were minor.[89] I agree.

4.21 Overall conclusion on effects

[111] Based on the assessments undertaken in sections 4.3 to 4.20 of this Decision I find that subject to the imposition of appropriate conditions of consent, potential adverse effects arising from the FNHL proposal for a marine serving facility at Opua will be no more than minor.

[85] Section 92 response dated 1 October 2020, page 13 of 14.
[86] Opening Legal Submissions, paragraph 70.
[87] Section 42A Report, paragraphs 108 and 109.
[88] Including Ronald Cooke.
[89] Section 42A Report, paragraphs 113 and 114.

4.22 National environment standards and other regulations

[112] I have already addressed the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. No other relevant national environmental standards or regulations were brought to my attention and I am not aware of any.

4.23 National policy statements

[113] The New Zealand Coastal Policy Statement 2010 (NZCPS) is relevant. The s42A author undertook a thorough assessment of the provisions of the NZCPS, paying particular attention to policies that had been raised in submissions.[90] My understanding of his assessment is that the FNHL proposal is generally appropriate in terms of the relevant NZCPS objectives and policies. Mr Hartstone expressed some uncertainty in relation to several provisions, but I find that those matters have been adequately addressed in the FNHL legal submissions and evidence.

[114] I adopt the s42A author's assessment of the NZCPS and having done so I am satisfied that having regard to the relevant NZCPS objectives and policies does not weigh against a grant of consent.

[115] No other relevant national policy statements were brought to my attention and I am not aware of any.

4.24 Regional Policy Statement

[116] The s42A author considered that the assessment of the Northland RPS provided in the FNHL application, and particularly the assessment contained in Table 6 of the AEE, could be accepted and adopted for the purposes of his Section 42A Report. I have read the FNHL assessment and agree with the s42A author that the applicant's assessment of the RPS is adequate.

[117] I am therefore satisfied that having regard to the relevant RPS objectives and policies does not weigh against a grant of consent.

4.25 Regional Plans and District Plan

[118] The s42A author noted that there were three relevant plans:

- Operative Northland Regional Coastal Plan (RCP);
- Proposed Regional Plan for Northland (PRPN); and
- Operative Far North Plan (FNDP).

[119] In terms of the regional plans, the site is located within the Marine 4 [Moorings] Management Area under the RCP. The site is subject to three different zones in the PRPN – the bulk of it falls within a Mooring Zone, and small portions are located within General Marine Zone and Marina Zone. As noted earlier, the site is within the Industrial Zone of the FNDP.

[120] The s42A author undertook a comprehensive and considered assessment of the relevant provisions of the plans[91] and I adopt his assessment, noting that he in turn accepted and adopted parts of FNHL's assessment of those matters. Mr Hartstone concluded that the FNHL proposal was generally consistent with the provisions of all of the Plans. I agree, and find that any minor inconsistencies[92] do not weigh against a grant of consent.

4.26 Section 104(1)(c) other matters

[121] The s42A author addressed the issue of 'precedent effects' given the overall 'bundled' status of the application suite as non-complying. He considered that in this case with the site being zoned Industrial under the FNDP, its proximity to the cycleway and established Opua Marina area, and the specific

[90] Section 42A Report, paragraphs 125 to 154.
[91] Section 42A Report, paragraphs 157 to 184.
[92] Such as the intent of the Mooring Zone or minor infringements associated with visual amenity and noise which may generate off-site effects.

components of the proposal inclusive of a reclamation and hard stand, boat ramp, and public jetty/pontoon, collectively defined a unique set of circumstances that were unlikely to be replicated by any subsequent application.[93] I agree and find that 'precedent effects' such as they are do not weigh against a grant of consent.

[122] No further 'other matters' were bought to my attention.

4.27 Section 105(1) matters

[123] Section 105(1) of the RMA states that where an application is for a discharge permit to do something that would otherwise contravene s15 or s15B of the Act I must have regard to certain matters. In this case while the receiving environment (Kawakawa River and CMA and the adjacent nearshore area) could be considered sensitive, the supporting technical reports have adequately demonstrated that potential adverse effects from the sediment and stormwater discharges can be managed effectively and there are no practically feasible alternative methods of discharge or alternative receiving environments.

4.28 Section 107(1) matters

[124] Section 107(1) of the RMA states that a discharge permit shall not be granted if, after reasonable mixing, the contaminant or water discharged is likely to give rise to certain listed effects. The s42A author recommended a condition that included parroting ss107(1) (d), (e) and (g) of the Act amongst other things. I consider that to be a sufficient safeguard, although I note that even if such discharges did arise, they would either be temporary or associated with necessary maintenance work and they could therefore be allowed under ss107(2)(b) and (c) of the RMA.

4.29 Section 104D matters

[125] I discussed s104D of the RMA earlier in this Decision. As I have found that in overall terms the FNHL proposal will result in effects on the environment that are no more than minor, the first gateway test under s104D(1)(a) is met.

5 Part 2 matters

[126] The s42A author considered that the lower order statutory instruments appropriately dealt with Part 2 matters such that no further assessment of Part 2 matters was required.[94] Counsel for FNHL submitted that the applicable Plans addressed the relevant Part matters.[95] I agree that recourse to Part 2 matters would not add anything to the assessment already undertaken.

6 Consent Conditions

[127] I was provided with recommended consent conditions by both Mr Kemp for FNHL and the s42A report author Mr Hartstone. During the hearing I posed a number of questions regarding the recommended conditions in light of issues raised by submitters and specific recommendations made by the FNHL and FNDC technical experts. Mr Hartstone and Mr Kemp agreed to jointly prepare a revised suite of recommended conditions for my consideration, taking into account the queries I had raised and clearly outlining any areas of residual disagreement (with alternative wording provided). That suite of conditions would form part of FNHL's written Reply submissions.

[128] The Reply submissions duly included updated conditions agreed as between Mr Kemp and Mr Hartstone. The submissions advised that further amendments had been made subsequent to Mr Hartstone last viewing the agreed conditions to address:

- updating references to the Haigh Workman Limited drawings;
- Schedule 1 Environmental Standards – Noise was amended to update measurement assessment locations as advised by Mr Ibbotson;

[93] Section 42A Report, paragraph 189.
[94] Section 42A Report, paragraph 199.
[95] Opening Legal Submissions, paragraph 93.

- in the FNDC conditions, amendments were made to the condition requiring a CNVMP to introduce more specificity as to the requirements to be met, also as advised by Mr Ibbotson.[96]

[129] I am satisfied those further amendments are appropriate.

[130] I have reviewed the final suite of recommended conditions and find them to be largely appropriate, subject only to some minor amendments relating to numbering, grammar and spelling. I was initially inclined to remove any duplication of consent holder obligations arising from the NRC and FNDC conditions (including those relating to noise, dust, erosion and sediment controls for example) but have decided not to do that on the assumption that the NRC and FNDC compliance monitoring staff will work cooperatively to address any duplicate monitoring or enforcement responsibilities. I also note with approval advice note 8 to the FNDC conditions which states that "*Where conditions are duplicated between the Regional Council and District Council consents (such as provision of a Construction Management Plan), the District Council may accept any documents previously submitted to the Regional Council as a means of compliance with any conditions."*

[131] It is conceivable that some conditions may still contain errors. Accordingly, should the applicant, NRC or FNDC identify any minor mistakes or defects in the attached conditions, then I am prepared to issue an amended schedule of conditions under s133A of the RMA correcting any such matters. Consequently, any minor mistakes or defects in the amended conditions should be brought to my attention prior to the end of the 20-working day period specified in s133A of the RMA.

7 Determination

[132] My determinations on the FNHL applications are set out below.

7.1 NRC consents

[133] I grant consents AUT.040976.01.01 to AUT.040976.17.01 sought by Far North Holdings Limited.

[134] My reasons are detailed in the body of this Decision, but in summary they include:

(a) The provision of a new marine servicing facility at Opua will meet a clearly defined need and will alleviate health and safety issues present at the current facility located within the Opua Marina;

(b) The proposal will result in substantial positive effects for the oyster farming industry, the marine servicing industry, and dinghy owners currently operating from the site;

(c) Potential adverse effects of the proposal are either minor or can be suitably avoided, remedied or mitigated by the imposition of appropriate conditions of consent; and

(d) The proposal is generally consistent with the relevant statutory instruments and any inconsistencies are minor and do not weigh against a grant of consent.

7.2 FNDC landuse consents

[135] I grant the land use consent RC2200220 01 sought by Far North Holdings Limited.

[136] I also grant a landuse consent under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

[137] My reasons are detailed in the body of this Decision, but in summary they include:

(a) The provision of a new marine servicing facility at Opua will meet a clearly defined need and will alleviate health and safety issues present at the current facility located within Opua Marina;

(b) The Industrial Zoning of the site is particularly well suited to the activities proposed to be undertaken therein;

[96] Reply Submissions, paragraphs 4 and 5.

(c) Contaminated soil matters have been appropriately investigated and can be dealt with in a Construction Management Plan;

(b) The proposal will result in substantial positive effects for the oyster farming industry, the marine servicing industry, dinghy owners currently operating from the site, and Twin Coast cycle trail users[97] once the realigned cycle trail is completed;

(c) Potential adverse effects of the proposal are either minor or can be suitably avoided, remedied or mitigated by the imposition of appropriate conditions of consent; and

(d) The proposal is generally consistent with the relevant statutory instruments and any inconsistencies are minor and do not weigh against a grant of consent.

Signed by the commissioner:

Rob van Voorthuysen
Dated: 14 January 2021

[97] The realigned trail will be safe, well surfaced and arguably follow a more interesting route close to mature indigenous vegetation. Access to the start of the trail will be on a sealed road.

Appendix 1: NRC and FNDC Consent Conditions

Conditions – Northland Regional Council

FAR NORTH HOLDINGS LIMITED

To undertake the following activities associated with the development of a marine industry servicing facility on and adjacent to Lot 1 DP 199153 and Pt Lot 1 DP 183896 and in the Kawakawa River, Opua between and about location co-ordinates 1701654E 6091073N and 1701523E 6099089N.

Note: All location co-ordinates in this document refer to Geodetic Datum 2000, New Zealand Transverse Mercator Projection.

AUT.040976.01.01	**Reclaim approximately 1,700 square metres (0.1700 ha) of the coastal marine area.**
AUT.040976.02.01	**Place structures in the coastal marine area inclusive of:** • **hard protection structures;** • **a barge dock (fender piles providing for 3 berths);** • **a boat ramp;** • **a jetty facility (jetty, gangway pontoon and piles); and** • **a dinghy ramp.**
AUT.040976.03.01	**Use and occupy space in the coastal marine area with structures inclusive of a barge dock, a boat ramp, a jetty facility and a dinghy ramp.**
AUT.040976.04.01	**Use and occupy space in the coastal marine area with hard protection structures.**
AUT.040976.05.01	**Occupy part of the coastal marine area to the exclusion of others.**
AUT.040976.06.01	**Capital dredging within the coastal marine area.**
AUT.040976.07.01	**Maintenance dredging in the coastal marine area.**
AUT.040976.08.01	**Remove mangroves from the coastal marine area.**
AUT.040976.09.01	**Divert stormwater from a reclamation.**
AUT.040976.10.01	**Discharge treated stormwater to the coastal marine area.**
AUT.040976.11.01	**Deposit dredge spoil within the coastal marine area to develop a reclamation.**
AUT.040976.12.01	**Discharge decant water and contaminants to the coastal marine area associated with reclamation construction, dredging, dredge spoil disposal and other activities that disturb the foreshore and seabed.**
AUT.040976.13.01	**Deposit dredge spoil to land.**
AUT.040976.14.01	**Discharge contaminants (leachate) to land from dredge spoil disposal.**
AUT.040976.15.01	**Earthworks in the coastal riparian management area.**

AUT.040976.16.01	**Divert stormwater during land disturbance activities and construction of a reclamation.**
AUT.040976.17.01	**Discharge stormwater to land during land disturbance activities.**

Subject to the conditions below:

General Conditions

1 These consents apply only to the reclamation, structures and activities identified on the **attached** Haigh Workman Limited drawings referenced as Northland Regional Council Plan Numbers **4988/1**, **4988/2**, **4988/3**, **4988/4**, **4988/5**, **4988/6**, **4988/7, 4988/8 and 4988/9**.

2 At least 10 working days prior to commencement of any construction or dredging works the Consent Holder shall notify the Council's assigned monitoring officer in writing of the date that the works are intended to commence on each occasion.

3 On provision of notice under Condition 2 above, the Consent Holder shall arrange for a site meeting between the Consent Holder's contractor and the Council's assigned monitoring officer within the 10 working day period before commencement of any construction or dredging works. No works shall commence until the Council's assigned monitoring officer has completed the site meeting. If this site meeting cannot occur during this period due to the Council's assigned monitoring officer not being available, then works may commence as soon as Conditions 2, 4, and 13 have been complied with and confirmed in writing by the Council's assigned monitoring officer.

Advice Note: *Notification of the commencement of works may be made by email to info@nrc.govt.nz.*

4 As part of the written notification required under Condition 2 above, the consent holder shall provide to the Council's assigned monitoring officer:

(a) Written certification from a suitably qualified and experienced person confirming that all plant and equipment entering the coastal marine area associated with the intended works are free from unwanted or risk marine species; and

(b) Suitable evidence to confirm that any and all required building consents have been sought and obtained from the Far North District Council.

5 The coastal marine area shall be kept free of debris resulting from the activities authorised by these consents.

6 Monitoring of these consents shall be carried out in accordance with Schedule 2 attached.

7 Noise levels associated with the exercise of these consents shall not exceed those set out in Schedule 1, **attached,** except where exceedances of the construction noise limits are managed using the Construction Noise and Vibration Management Plan specified in Condition 13(d) below.

8 The Consent Holder shall, on becoming aware of any discharge associated with the Consent Holder's operations that is not authorised by these consents:

(a) Immediately take such action, or execute such work as may be necessary, to stop and/or contain the discharge; and

(b) Immediately notify the Council by telephone of the discharge; and

(c) Take all reasonable steps to remedy or mitigate any adverse effects on the environment resulting from the discharge; and

(d) Report to the Council's Compliance Manager in writing within one week on the cause of the discharge and the steps taken, or being taken, to effectively control or prevent the discharge.

For telephone notification during the Council's opening hours, the Council's assigned monitoring officer for these consents must be contacted. If that person cannot be spoken to directly, or it is outside of the Council's opening hours, then the Environmental Hotline must be contacted.

Advice Note: *The Environmental Emergency Hotline is a 24 hour, 7 day a week, service that is free to call on 0800 504 639.*

9 Prior to a cancellation or expiring of these consents the structures and other materials and refuse associated with these consents shall be removed from the consent area and the consent area shall be restored to the satisfaction of the Council, unless an application has been properly made to the Council for the renewal of these consents or the activity is permitted by a rule in the Regional Plan.

10 In the event of archaeological sites or kōiwi being uncovered during construction or dredging works, activities in the vicinity of the discovery shall cease and the Consent Holder shall contact Heritage New Zealand Pouhere Taonga. Work shall not recommence within the area of the discovery until the relevant Heritage New Zealand Pouhere Taonga approval has been obtained.

Advice Note: *The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site without the prior authority of Heritage New Zealand Pouhere Taonga.*

11 These consents shall lapse on 31 July 2030, unless before this date the consents have been given effect to.

12 The Council may, in accordance with Section 128 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions annually during the month of September to deal with any adverse effects on the environment that may arise from the exercise of the consents and which it is appropriate to deal with at a later stage. The Consent Holder shall meet all reasonable costs of any such review.

AUT.040976.01, AUT.040976.02 and AUT.040976.15 – Construction of Reclamation, Barge dock, Boat Ramp and Jetty Facility and Dinghy Ramp and Earthworks

13 At least 10 working days prior to commencing construction of the reclamation, boat ramp and jetty facility and dinghy ramp, the Consent Holder shall provide the following information for certification by the Council's Compliance Manager:

(a) A detailed geotechnical investigation and report from a Chartered Professional Engineer addressing all works to be carried out within the coastal marine area as detailed on the attached Northland Regional Council Plan Number **4988/1**.

(b) A Navigation Safety Plan (NSP) prepared by a suitably qualified and experienced person that identifies a safe access channel through the adjacent mooring field to the facilities and defines the extent of safe manoeuvring room around the proposed barge dock, boat ramp and jetty facility. As part of the NSP, the consent holder shall provide confirmation that all moorings, where necessary, have been relocated or removed to accommodate the required channel and manoeuvring areas.

***Advice Note**: The NSP should be prepared in consultation with the Regional Harbourmaster for Northland.*

(c) A Construction Management Plan (CMP) prepared by a suitably qualified and experienced person that provides details addressing the following matters relating to all construction activities:

(i) Key project and management personnel and their contact details.

(ii) Detailed construction drawings of the reclamation, hard protection structures, boat ramp, jetty facility and dinghy ramp prepared and certified by a Chartered Professional (Structural) Engineer.

(iii) Details of the proposed construction methodology for the structures.

(iv) Details of the erosion and sediment controls to be established during works on land and within the coastal marine area. The erosion and sediment controls shall be designed in general accordance with the principles and practices contained within the Auckland Council document entitled *"2016/005: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region"* (GD05).

(v) Details of the proprietary stormwater treatment system(s) to be installed to treat stormwater from the completed reclamation and surrounding area, including confirmation of the locations of the stormwater outlets.

(vi) Construction timetable and hours of operation.

(vii) Means of avoiding any conflict between construction vessels and public within the Kawakawa River, including any existing moorings.

(viii) Means of avoiding any potential discharge or spill of fuel into the coastal marine area or in any other location at or near the site where fuel or oil could enter the coastal marine area, or in such a way that soil or water at or near the site is contaminated.

(ix) Noise control measures.

(x) Management of any construction lighting.

(d) A Construction Noise and Vibration Management Plan (CNVMP) prepared by a suitably qualified and experience acoustician prepared in general accordance with the Marshall Day report, ref Rp 001 20190467 dated 13 June 2019. The CNVMP shall identify management measures to address the effects of underwater noise on marine mammals should they enter the area. These measures may include the following:

(i) Restricting in-water impact or vibration pile driving to within half an hour after sunrise and half an hour before sunset (i.e. daylight hours only);

(ii) Using in-water piling methods that minimise underwater noise including 'soft starts' (gradually increasing the intensity of impact piling);

(iii) Using a non-metallic 'dolly' or 'cushion cap' between the impact piling hammer and the driving helmet, (e.g. plastic or plywood);

(iv) Ensuring construction workers are trained to look for signs of marine mammals and are required to routinely observe for marine mammals within 300m of the piling operation; and

(v) Ceasing or not commencing impact or vibration piling activities if a marine mammal or diver is observed within the 300m area.

Advice Note: *This* CNVMP *shall be consistent with that Plan required under Condition 2(a) of the Far North District Council consent RC2200220.*

(e) A Biosecurity Management Plan (BMP) prepared by a suitably qualified and experienced person that details the measures required prior to, during, and on completion of all construction works. The BMP is to be prepared generally in accordance with the Council's Marine Pathway Management Plan and is to address the potential for pathways for any pest organisms to be introduced, prevention and monitoring measures, and response should any organism be identified during or after the construction period. A pre-construction survey of the area to be dredged to determine the presence or absence of unwanted pest organisms shall form part of the BMP.

Advice Note: *The Council's Compliance Manager's certification of the Geotechnical report, the NSP, CMP, CNVMP and BMP is in the nature of certifying that adoption of the documents is likely to result in compliance with the conditions of this consent. The Consent Holder is encouraged to discuss its proposed NSP, CMP, CNVMP and BMP with relevant Council staff prior to finalising these plans.*

14 No construction works shall commence until Conditions 2, 3, 4, and 13 have been complied with and confirmed in writing by the Council's assigned monitoring officer.

15 A copy of these consents and the certified documents required under Condition 13(a)-(e) shall be provided to the person who is to carry out the construction works. A copy of these consents and documents shall be held on site, and be available for inspection by the public, during construction.

16 The reclamation, boat ramp, jetty facility and dinghy ramp shall be constructed in general accordance with the **attached** Haigh Workman Limited drawings referenced as Northland Regional Council Plan Numbers **4988/1**, **4988/2**, **4988/3**, **4988/5**, **4988/6**, **4988/7**, and **4988/8**, and in accordance with detailed design drawings provided in the certified CMP.

17 All vehicles or equipment entering the coastal marine area associated with the exercise of these consents shall be in good state of repair and free of any leaks e.g. oil, diesel etc.

18 Works associated with construction of the structures and facilities shall only be carried out between 7.00 a.m. and sunset or 6.00 p.m., whichever occurs earlier, and only on days other than Sundays and public holidays.

19 An oil spill kit, appropriate to the plant and equipment being used, to be readily available and maintained on site during construction or maintenance works.

20 A certificate of compliance, or a written statement, from an independent Chartered Professional Engineer that the works are constructed in accordance with the certified plans and documents provided in accordance with Condition 13(a)-(e) shall be provided to the Council's assigned monitoring officer within two weeks of completion of the works.

21 Immediately upon completion of the construction of the reclamation and installation of the barge dock, boat ramp and jetty facility, the Consent Holder shall notify the following organisations in writing of the completion of the structures. Evidence of this notification shall be provided to the Council's assigned monitoring officer.

Hydrographic Surveyor
Land Information New Zealand
Private Box 5501
Wellington 6145

Maritime New Zealand
P O Box 27006
Marion Square
Wellington 6141

Far North District Council
Private Bag 752
Kaikohe 0440

A scale plan of the completed works shall be included with the notification.

AUT.040976.03 – AUT.040976.04 – Use and Occupy Space with Structures

22 The structures and facilities covered by these consents shall be maintained in good order and repair.

23 The seaward edge of the jetty facility and a central pile on the barge dock shall be marked with the number **40976** in black lettering on a white background clearly displayed and in such a manner as to be visible from the sea at all times.

24 With the exception of the berth identified for occupation and use by the SS Minerva, the jetty facility shall be available for public use, free of charge, at all times.

25 Any boat maintenance which includes the removal or application of paint or antifouling, or activities involving grease or oil shall not be carried out within or adjacent to the facilities authorised by these consents.

26 No discharge of wastes (e.g. sewage, oil, contaminated bilge water) shall occur from any vessel secured to the barge dock or jetty facility, on the boat ramp, or from any other activity carried out at the facilities unless the discharge is authorised by a resource consent, or is permitted by a rule in a Regional Plan or by provisions of the Resource Management (Marine Pollution) Regulations 1998.

27 The exercise of these consents shall not cause the following effects on the water quality of the receiving waters as measured at any point at or beyond 10 metres from the structures:

(a) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials.

(b) A conspicuous change in the colour or visual clarity.

(c) An emission of objectionable odour.

(d) A significant adverse effect on aquatic life.

(e) The natural pH of the water shall not fall outside the range of 7.0 to 8.5.

(f) Change the natural water temperature by more than 3° Celsius.

28 The median concentrations of total copper, lead, zinc, chromium, nickel, and cadmium from at least three samples in intertidal or subtidal sediment, as measured at any point 10 metres from the facilities, shall not exceed the following:

(a) 65 milligrams per kilogram of total copper;

(b) 50 milligrams per kilogram of total lead;

(c) 200 milligrams per kilogram of total zinc;

(d) 80 milligrams per kilogram of total chromium; or

(e) 21 milligrams per kilogram of total nickel.

29 No vessel shall be used for overnight accommodation while berthed at the jetty facility or barge dock, unless either:

(a) The vessel is equipped with a sewage treatment system specified in Schedule 5 and 7, or is compliant with Schedule 6, of the Resource Management (Marine Pollution) Regulations 1998 and which is installed, maintained, and operated in accordance with the manufacturer's instructions; or

(b) The vessel is equipped with a sewage holding tank that has an effective outlet sealing device installed to prevent sewage discharges, this device remaining activated in the sealed state or position at all times while the vessel is secured to the structures; or

(c) The vessel is equipped with a portable toilet on board. For the purposes of this condition a portable toilet is defined as a sewage containment device constructed of impermeable materials which is fully self-contained and removable, and consists of two independently sealed chambers comprising a water holding tank and a sewage holding tank separated by a slide valve; or

(d) The vessel (if equipped with a built-in through hull toilet facility and no sewage holding tank) has an effective outlet sealing device installed on the toilet facility, with the outlet sealing device from the toilet facility being maintained in a sealed state, and the toilet sealed, at all times while the vessel is secured to the structures.

30 The Consent Holder shall have the structural integrity of the barge dock, boat ramp, jetty facility and dinghy ramp structures inspected and reported on by a Chartered Professional (Structural) Engineer. The first inspection shall be undertaken prior to November 2035 and the wharf and marina facility structures shall be re-inspected at ten yearly intervals prior to the month of November in 2045, with a final inspection undertaken prior Chartered Professional Engineer shall be provided to the Council's assigned monitoring officer within two weeks of completion of each inspection. The inspection report shall identify any maintenance that is required, the timeframe within which this maintenance is required to be carried out, and shall confirm, or otherwise, the ongoing structural integrity and security of the structures.

31 The Consent Holder shall carry out all the maintenance required as a result of the inspections undertaken in accordance with Condition 30 within the timeframe(s) prescribed in the inspection report. The Consent Holder shall notify the Council's assigned monitoring officer, in writing, as soon as the maintenance works have been completed on each occasion. This notice shall be accompanied by a statement from a Chartered Professional (Structural) Engineer confirming that any identified maintenance works have been undertaken to his/her satisfaction as prescribed in the inspection report.

32 In the event of failure or loss of structural integrity of any part of the structures, the Consent Holder shall immediately:

(a) Retrieve all affected elements and debris that might escape from the facilities and dispose of these on land where they cannot escape to the coastal marine area; and

(b) Advise the Regional Harbourmaster for Northland and the Council's Compliance Manager of the event and the steps being taken to retrieve and dispose of the affected elements and debris.

Advice Note: *The principal purpose of this condition is to avoid navigation safety being compromised by floating debris and avoid contamination of the coastal marine area by debris arising as a result of loss of structural integrity of the structures.*

AUT.040976.05 – Exclusive Occupation of the Coastal Marine Area

33 The exclusive occupation of the Exclusive Occupation Zone as defined on attached Haigh Workman Limited drawing referenced as Northland Regional Council Plan Number **4988/1** shall not commence until such time as construction works commence.

34 The public shall have reasonable access to navigate vessels within the Exclusive Occupation Zone, where there is no impediment to the operation of the barge dock or boat ramp.

35 The berth identified as an exclusive occupation zone for occupation and use by the SS Minerva shall be available for public use for the drop off and pick up of passengers and goods when it is not occupied by the SS Minerva.

AUT.040976.06, AUT.040976.07, AUT.040976.11 – AUT.040976.14 Capital and Maintenance Dredging, Deposition of Spoil to the Coastal Marine Area and to Land and Associated Discharges

36 Dredging works shall only be carried out between 1 April and 30 September by a barge-mounted hydraulic excavator and/or by a shore based hydraulic excavator.

37 Dredging shall only be carried out between 7.00 a.m. and sunset or 6.00 p.m., whichever occurs earlier, and only on days other than Sundays and public holidays.

38 At least 10 working days prior to capital dredging being undertaken the consent holder shall provide a Dredging Management Plan (DMP) to the Council's assigned monitoring officer for certification by the Council's Compliance Manager. The DMP shall include the following:

(a) Detailed dredging design plans (including cross sections) showing the extent of the dredging area and batter slopes. The design plan shall include location co-ordinate data (in NZ Transverse Mercator projection) for the seaward extent of dredging area, and the extent of the batter slopes.

(b) A description of circumstances where a geotextile boom will be utilised during dredging activities to control localised turbidity.

(c) Dredging timetable and hours of operation.

(d) Details of the location of the deposition of dredging spoil.

(e) Means of containing and transporting all dredge spoil material to an approved disposal site.

(f) Means of avoiding any conflict between dredging vessels and public within the Kawakawa River, including any existing moorings.

Advice Note: *The Council's Compliance Manager's certification of the DMP is in the nature of certifying that adoption of the plan is likely to result in compliance with the conditions of these consents. The Consent Holder is encouraged to discuss its proposed DMP with Council monitoring staff prior to finalising the plan.*

39 The depth of capital and maintenance dredging shall not exceed 3.1 metres below One Tree Point Datum.

40 Any discharge from dredging activities, including fugitive discharges, shall not cause the water quality of the receiving waters, as measured at or beyond a 100 metre radius mixing zone from the dredger, or 10 metres from a point of discharge to coastal waters from land, to result in, or fall below any of the following standards:

(a) The visual clarity, as measured using a Secchi disk, shall not be reduced by more than 50% of the background visual clarity at the time of measurement.

(b) The turbidity of the water (Nephelometric Turbidity Units (NTU)) shall not be increased by more than 50% of the background turbidity at the time of measurement.

(c) The Total Suspended Solids shall not exceed 40 grams per cubic metre above the background measurement.

(d) There shall be no conspicuous oil or grease films, scum or foams, or floatable or suspended materials, or emissions of objectionable odour.

(e) There shall be no destruction of natural aquatic life by reason of a concentration of toxic substances.

(f) The concentration of dissolved oxygen shall not be reduced below 80% saturation.

(g) The natural water temperature shall not be changed by more than 3° Celsius.

(h) The natural pH of the waters shall not be changed to more than 0.2 units.

41 A copy of these consents shall be provided to the person who is to carry out the work, prior to commencement of the dredging on each occasion. A copy of the consents shall be held on site, and be available for inspection by the public, during the works on each occasion.

42 The Consent Holder shall notify the Council's assigned monitoring officer in writing as soon as each stage and/or season of dredging has been completed, providing details of the locations where dredging has been undertaken and the volume of dredged spoil removed from each area on each occasion.

43 All dredged spoil shall be fully contained upon being excavated and whilst being transported to an authorised disposal site.

44 All dredged spoil shall be disposed of at an authorised disposal site.

AUT.040976.10 – Stormwater Discharge

45 Prior to any discharge activities commencing under this consent, the proprietary stormwater treatment system(s) and the discharge point(s) into the coastal marine area shall be installed in accordance with CMP identified in Condition 13 (c).

46 The discharge of stormwater from the proprietary stormwater treatment system shall not result in any of the following effects, as measured at or beyond a 20 metre radius from the stormwater outlets:

(a) Cause the pH of the receiving water to fall outside of the range 6.5 to 9.

(b) Cause the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials in the receiving water.

(c) Cause any emission of objectionable odour in the receiving water.

(d) Cause any significant adverse effects on aquatic life or public health.

47 The concentration of the contaminants in the stormwater discharges, as measured at any stormwater discharge point into the coastal marine area, shall not exceed:

(a) 0.014 milligrams per litre of total copper;

(b) 0.048 milligrams per litre of total lead;

(c) 0.165 milligrams per litre of total zinc; or

(d) 100 milligrams per litre of Total Suspended Solids.

Advice Note: *The limits on heavy metal concentrations in the stormwater discharge have been calculated by applying a dilution factor of 11 to the coastal water quality standards required by Policy H.3.3 of the Proposed Regional Plan for Northland (PRP).*

48 The proprietary stormwater treatment system, and all associated equipment, shall be adequately maintained so that it operates effectively at all times. The Consent Holder shall keep a written record of all maintenance carried out on the proprietary stormwater treatment system and shall supply a copy of this record to the Council's assigned monitoring officer immediately on written request.

AUT.040976.01, AUT.040976.15 – AUT.040976.17 – Reclamation, Earthworks and Diversion and Discharge of Stormwater During Land Disturbance Activities

49 Prior to the commencement of earthworks on-site, a stabilised construction entrance to the site shall be installed to minimise the tracking of spoil or debris onto off-site public road surfaces. All material tracked onto off-site surfaces as a result of the exercise of this consent shall be removed as soon as possible, but at least daily. The stabilised construction entrance shall be maintained throughout the duration of earthworks operations.

50 Erosion and sediment controls shall be installed prior to the commencement of earthworks (other than those required for the erosion and sediment controls) within an area of works.

51 The installation of all erosion and sediment controls shall be supervised by an appropriately qualified and experienced person.

52 No earthworks shall be carried out between 1 May and 30 September in any year unless the prior written agreement of the Council's Compliance Manager has been obtained.

53 Any request to undertake works between 1 May and 30 September in any year must be in writing and shall be made at least two weeks prior to the proposed date that the works are required to be undertaken. This written request shall include amended details of the erosion and sediment controls for the works that have been prepared as part of the CMP in accordance with Condition 13(c).

54 No slash, soil, debris or detritus associated with the exercise of these consents shall be placed in a position where it may be washed into any downstream water body.

55 No drainage pathways shall be constructed, or permitted to flow, over fill areas in a manner that creates erosion of the fill material.

56 All earthworks operations shall be carried out in a manner that minimises the potential for slope instability and soil erosion. Effective mitigation measures shall be installed as required to mitigate and/or remedy any slope failures.

57 All bare areas of land and fill (including the reclamation) shall be covered with aggregate, or topsoiled and established with a suitable grass/legume mixture to achieve an 80% groundcover within one month of the completion of earthworks, and the completion of the reclamation. Temporary mulching or other suitable groundcover material shall be applied to achieve total groundcover of any areas unable to achieve the above requirements.

58 The exercise of these consents shall not cause any of the following effects on the water quality of the Kawakawa River, as measured approximately 10 metres downstream of a discharge point into the river, when compared to a site upstream of all land disturbance activities during the same sampling event:

(a) The production of any conspicuous oil or grease films, scums or foams, floatable or suspended materials;

(b) A conspicuous change in colour or visual clarity;

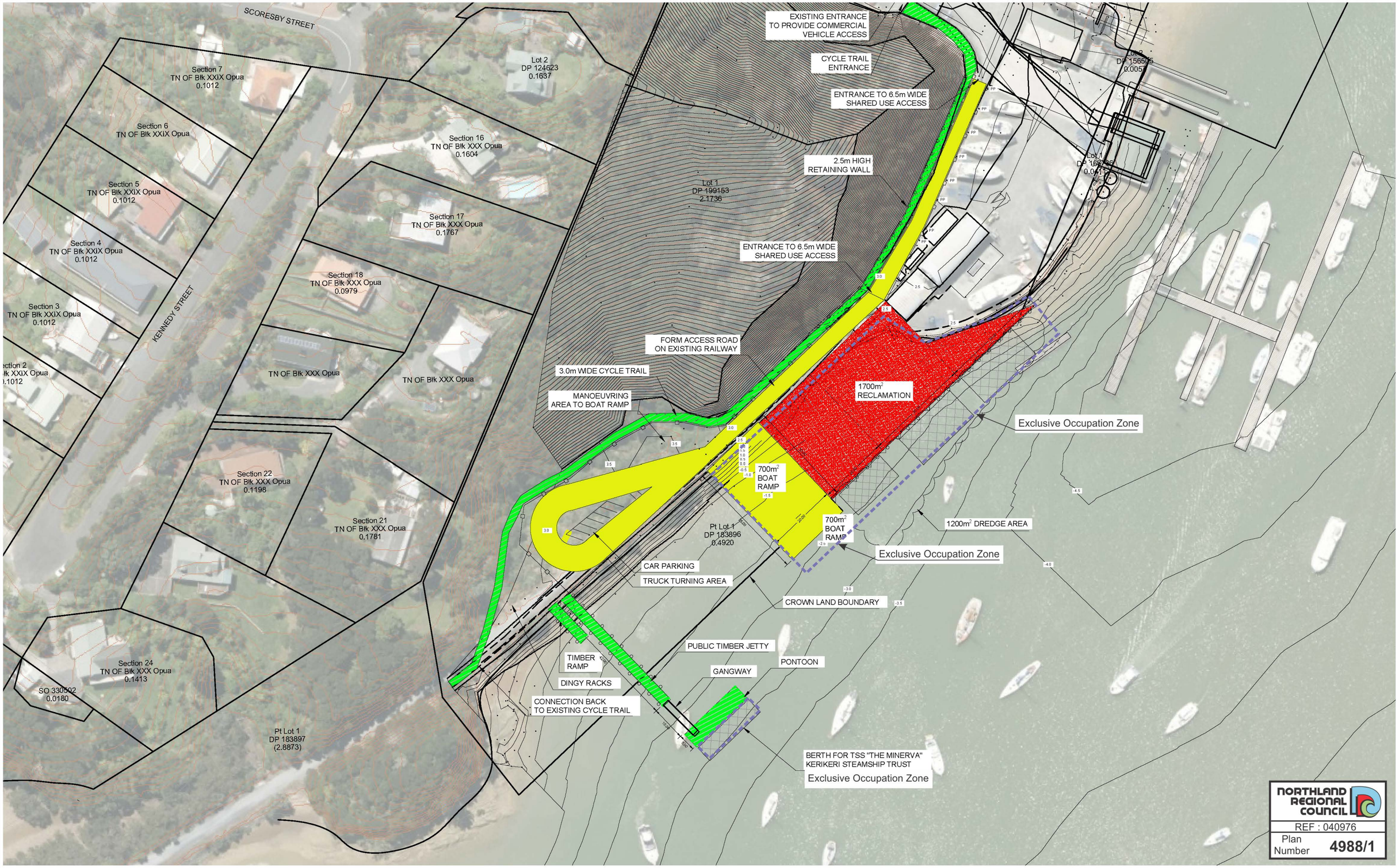
(c) An emission of objectionable odour;

(d) An increase in suspended solids concentration greater than 100 grams per cubic metre.

59 The exercise of these consents shall not give rise to any discharge of contaminants, including dust, which in the opinion of a monitoring officer of the Council is noxious, dangerous, offensive or objectionable at or beyond the property boundary.

EXPIRY DATES:	**AUT.040976.01**	**UNLIMITED**
	AUT.040976.02 – AUT.040976.05, AUT.040976.07, AUT.040976.09, AUT.040976.10, AUT.040976.12 - AUT.040976.14	**31 NOVEMBER 2055**
	AUT.040976.06, AUT.040976.08, AUT.040976.11, AUT.040976.15 - AUT.040976.17	**31 NOVEMBER 2030**

Advice Note: *The plans attached to this consent are reduced copies and therefore may not be to scale and may be difficult to read. In the event that compliance and/or enforcement action is to be based on compliance with the attached plans, it is important that the original plans, are sighted and used.*



Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT
B	20/9/2019	AMENDED CYCLE TRAIL ACCESS

DWG Site Location Plan

Scale 1:1000 @A3 — 10 5 0 10 20 30 m — Date 23/1/2018

Drawn JP | Checked EC | Approved

File

HAIGH WORKMAN LTD
Civil & Structural Engineers
6 Fairway Drive
Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

Project: Opua Hard Stands Extension
Ashby's Boat Yard, Opua

Client: Far North Holdings Ltd

Project No. 15 119 | RC no.

DWG No. 01

Sheet No. 1 of 9

NORTHLAND REGIONAL COUNCIL
REF : 040976
Plan Number 4988/2

ACCESS ROAD AND CYCLE TRAIL
FORM ACCESS ROAD ON RAILWAY LOWER FROM 2.9m TO 2.5m OTP
LIGHT POLE
LP
3.0m WIDE PUBLIC ACCESS / CYCLE TRAIL
MANOEUVRING AREA TO BOAT RAMP
SURFACE DRAIN
FENCE BETWEEN CYCLE TRAIL AND MANOEUVERING AREA
1700m² RECLAMATION
MARINE CONTRACTORS BERTH
STORMWATER TREATMENT TANKS
STORMWATER OUTFALL
CHANNEL DRAIN
MARINE CONTRACTORS BARGE DOCK
OYSTER FARMERS BARGE DOCK
RECLAMATION AREA 2.5m OTP TO MATCH ASHBYS BOAT YARD
700m² BOAT RAMP
1200m² DREDGE AREA DOWN TO -3.1m OTP
BOAT RAMP SLOPE DOWN FROM ROADWAY AT 2.5m TO -2.0m OTP
6 No. CAR PARKS (MIN)
TRUCK TURNING AREA OUTSIDE RADIUS R25m
STORMWATER TREATMENT TANKS
STORMWATER OUTFALL
CROWN LAND BOUNDARY
PUBLIC TIMBER JETTY 42m LONG x 3m WIDE (TYP) DECK LEVEL 2.0m OTP
TIMBER RAMP
DINGY RACKS
CONNECTION BACK TO EXISTING CYCLE TRAIL
20m LONG x 4m WIDE (TYP) CONCRETE PONTOON
12m LONG ALUMINIMUM GANGWAY
BERTH FOR TSS "THE MINERVA" KERIKERI STEAMSHIP TRUST

DATUM REFERENCE

	(OTP DATUM) RL	CD
CYCLE TRAIL	2.9	4.5
2115 1% AEP	2.7	4.3
ASHBYS BOATYARD (TYP)	2.5	4.1
2065 2% AEP	2.1	3.7
MARINA RECLAMATION AREA	2.0	3.6
CURRENT 1% AEP (CYCLONE WILMA 1.65)	1.7	3.5
(APPROX.) HAT	1.2	2.8
MHWS	0.9	2.5
OTP DATUM	0	1.6
MLWS	-1.2	0.4
CHART DATUM	-1.6	0
TMS BERTHING	-3.1	-1.5

EARTHWORKS

DREDGING - 1,200 m²
EXCAVATION - 600 m³

RECLAMATION - 1,700 m²
FILL FROM DREDGING - 600 m³
FILL FROM BANK EXCAVATION - 250 m³
IMPORTED CLEAN FILL & HARD FILL - 4,750 m³
TOP UP FOR SETTLEMENT - 900 m³

BOAT RAMP - 700 m²
IMPORTED HARD FILL- 1,000 m³
(INCLUDES SETTLEMENT ALLOWANCE)

LAND-SIDE EARTHWORKS - 3,000 m²
RETAINING WALL - EXCAVATION - 250 m³
EARTHWORKS - CUT TO FILL - 800 m³
IMPORTED HARD FILL - 600 m³

COMBINED TOTAL
DISTURBED AREA - 6,800 m²
VOLUME - 9,200 m³

Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT
B	20/9/2019	AMENDED CYCLE TRAIL ACCESS

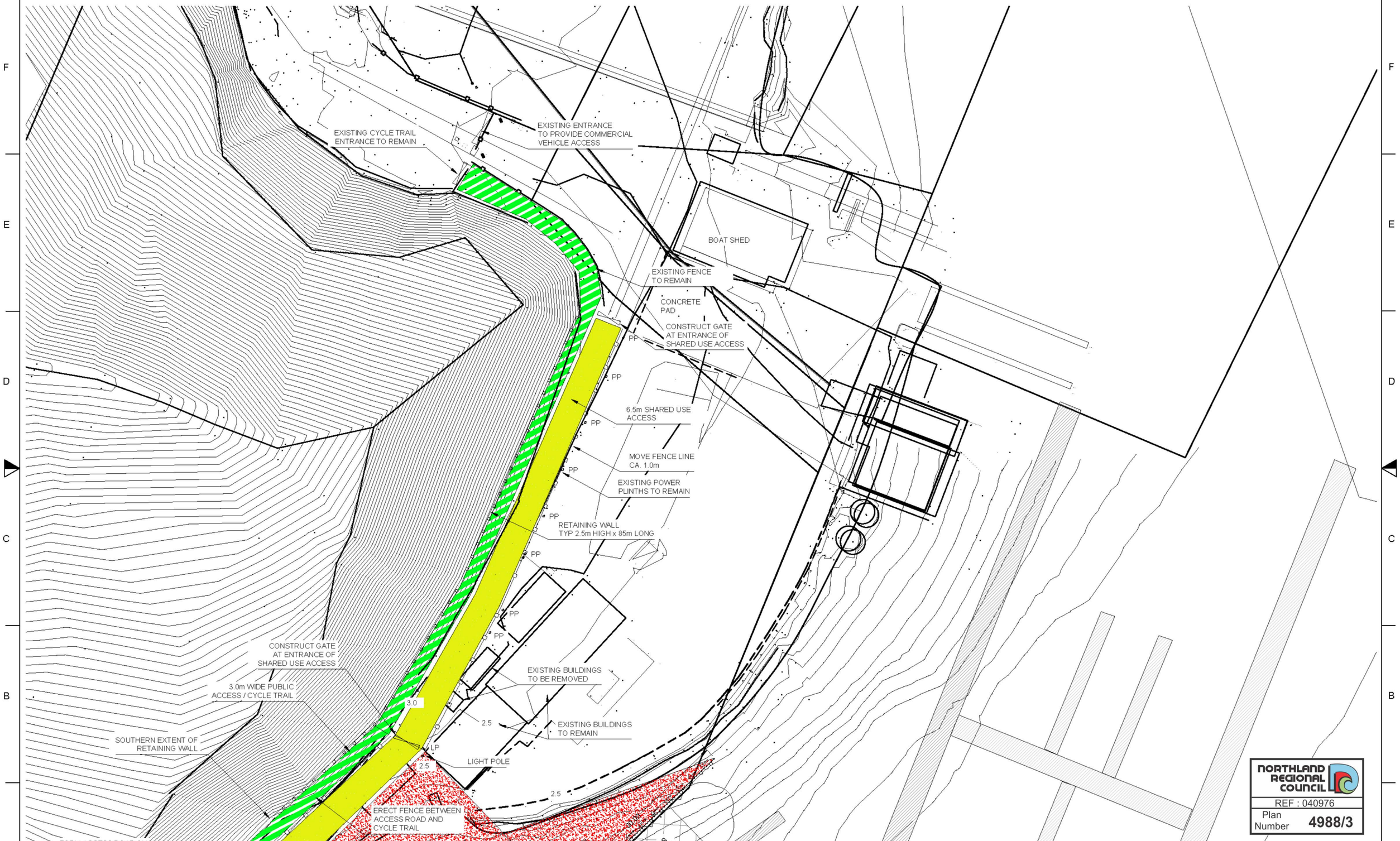
DWG Proposed Development Plan

Scale 1:500 @A3 | Date 23/1/2018
Drawn JP | Checked EC | Approved
File

HAIGH WORKMAN Ltd
Civil & Structural Engineers
6 Fairway Drive, Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

Project: Opua Hard Stands Extension
Ashby's Boat Yard, Opua
Client: Far North Holdings Ltd
Project No. 15 119
RC no.

DWG No. 02
Sheet No. 2 of 9



NORTHLAND REGIONAL COUNCIL
REF : 040976
Plan Number 4988/3

Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT
B	20/9/2019	AMENDED CYCLE TRAIL ACCESS

DWG Proposed Access Plan

Scale 1:500 @A3 (5 2.5 0 5 10 15 m) Date 23/1/2018

Drawn JP | Checked EC | Approved

File

HAIGH WORKMAN Ltd
Civil & Structural Engineers
6 Fairway Drive
Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

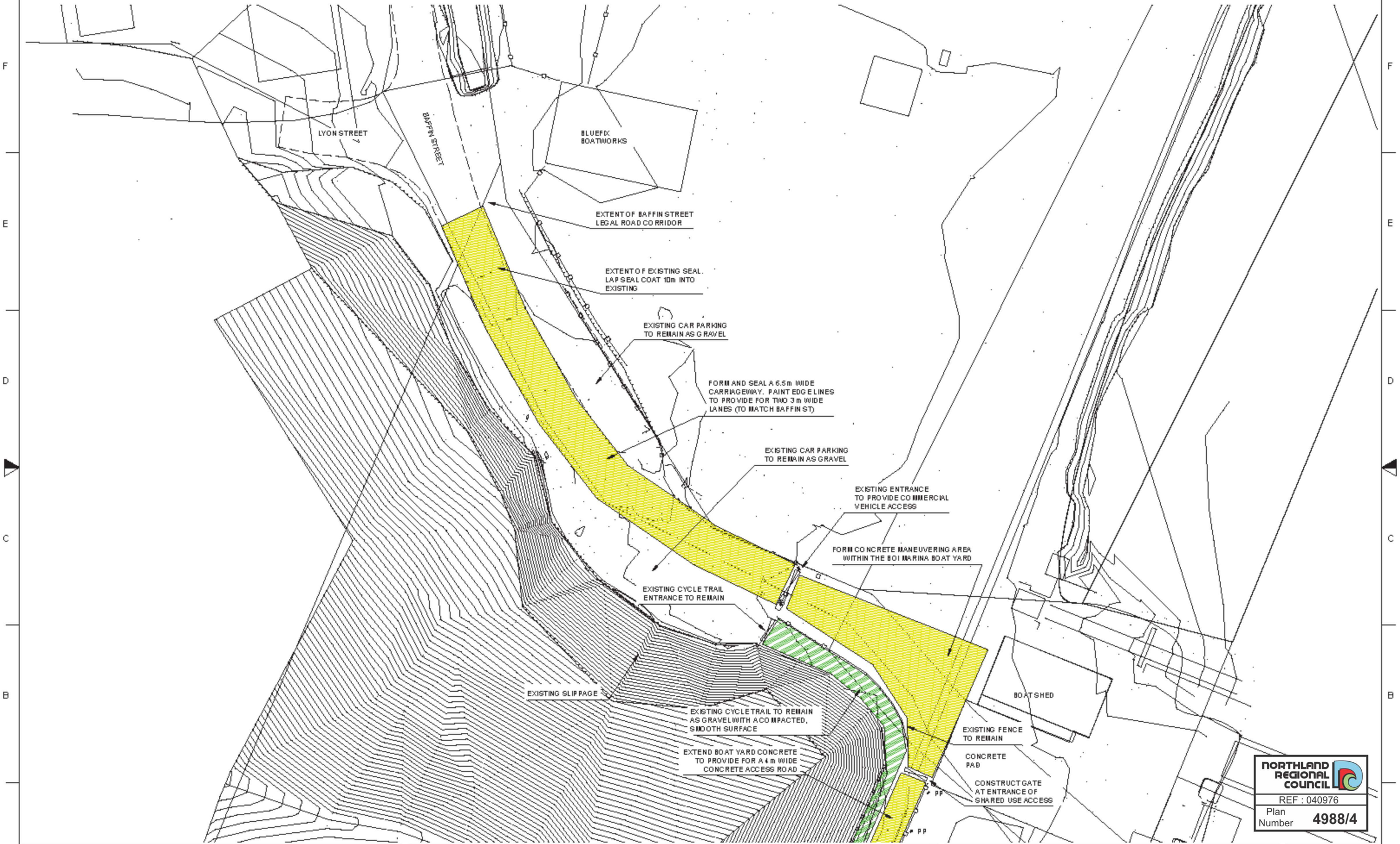
Project: Opua Hard Stands Extension
Ashby's Boat Yard, Opua

Client: Far North Holdings Ltd

Project No. 15 119 | RC no.

DWG No. 03

Sheet No. 3 of 9



NORTHLAND REGIONAL COUNCIL
REF : 040976
Plan Number 4988/4

Issue	Date	Revision
A	7/12/2020	FIRST ISSUE - RESOURCE CONSENT HEARING

DWG Proposed Access Plan - Baffin Street

Scale 1:500 @ A3 (5 2.5 0 5 10 15 m) Date 7/12/2020

Drawn JP | Checked | Approved

File

HAIGH WORKMAN Civil & Structural Engineers
6 Fairway Drive
Kerikeri, 0230
T: 09 407 5027
F: 09 407 5275
E: info@haighworkman.com

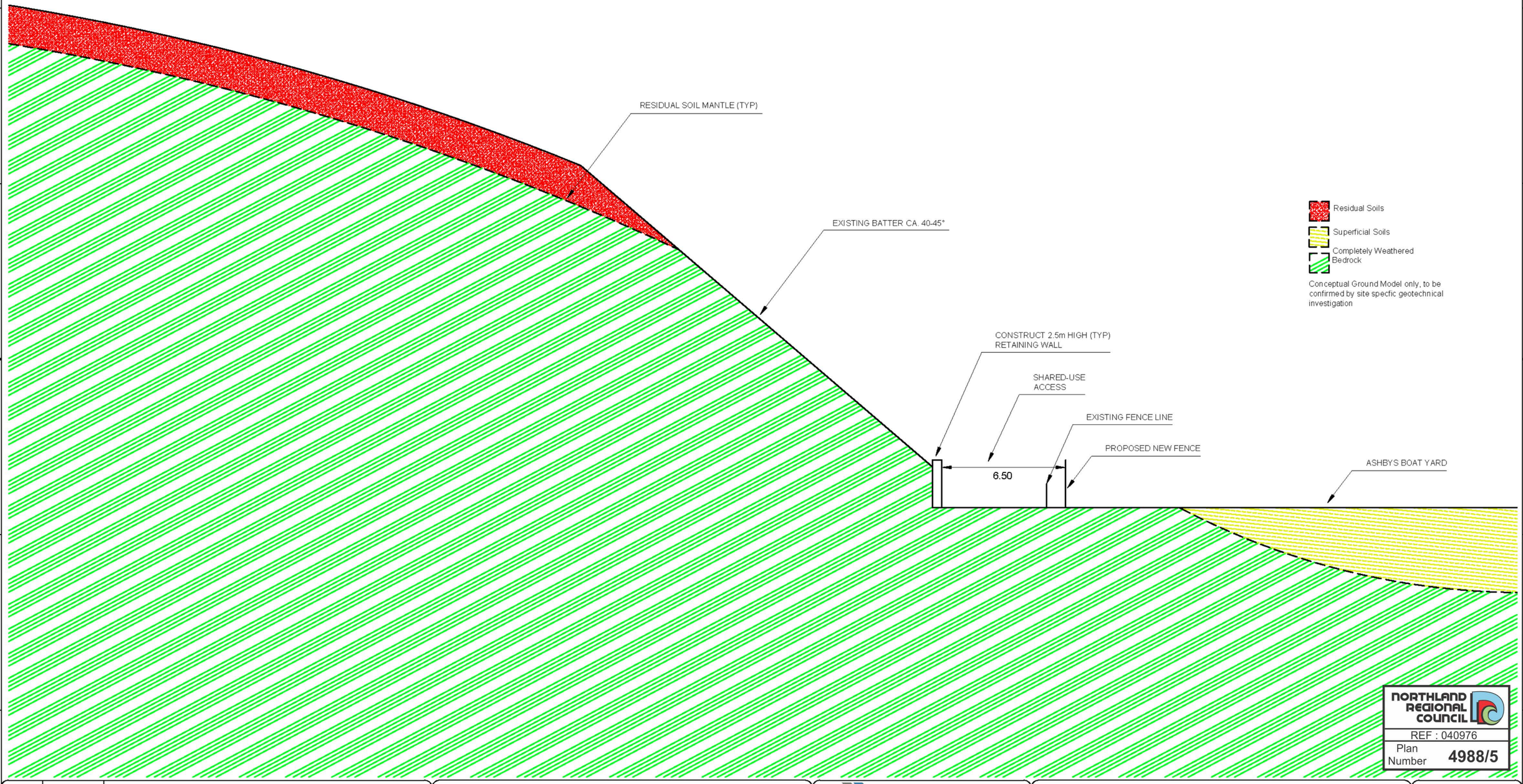
Project Opua Hard Stands Extension
Ashby's Boat Yard, Opua

Client Far North Holdings Ltd

Project No. 15119 | RC no.

DWG No. 03a

Sheet No. 4 of 9



Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT
B	20/9/2019	AMENDED CYCLE TRAIL ACCESS

DWG: Proposed Access - Typical Cross Section

Scale 1:200 @A3 (2 1 0 2 4 6 m) Date 23/1/2018

Drawn JP | Checked EC | Approved

File

HAIGH WORKMAN Ltd
Civil & Structural Engineers
6 Fairway Drive
Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

Project: Opua Hard Stands Extension
Ashby's Boat Yard, Opua

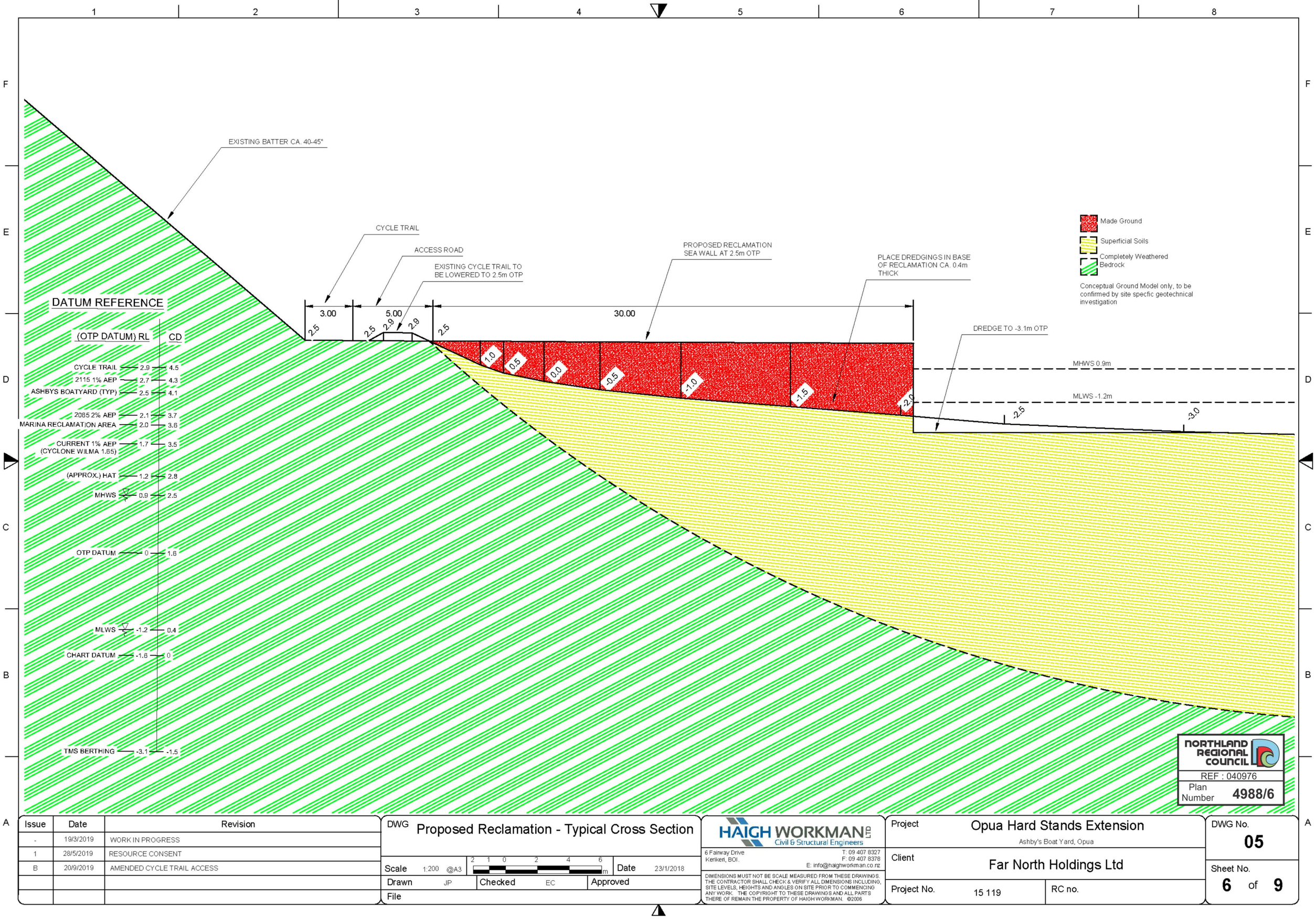
Client: Far North Holdings Ltd

Project No. 15 119 | RC no.

DWG No. 04

Sheet No. 5 of 9

NORTHLAND REGIONAL COUNCIL
REF : 040976
Plan Number 4988/5



NORTHLAND REGIONAL COUNCIL
REF : 040976
Plan Number 4988/6

Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT
B	20/9/2019	AMENDED CYCLE TRAIL ACCESS

DWG: Proposed Reclamation - Typical Cross Section

Scale 1:200 @A3 | 2 1 0 2 4 6 m | Date 23/1/2018

Drawn JP | Checked EC | Approved

File

HAIGH WORKMAN Ltd
Civil & Structural Engineers
6 Fairway Drive
Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

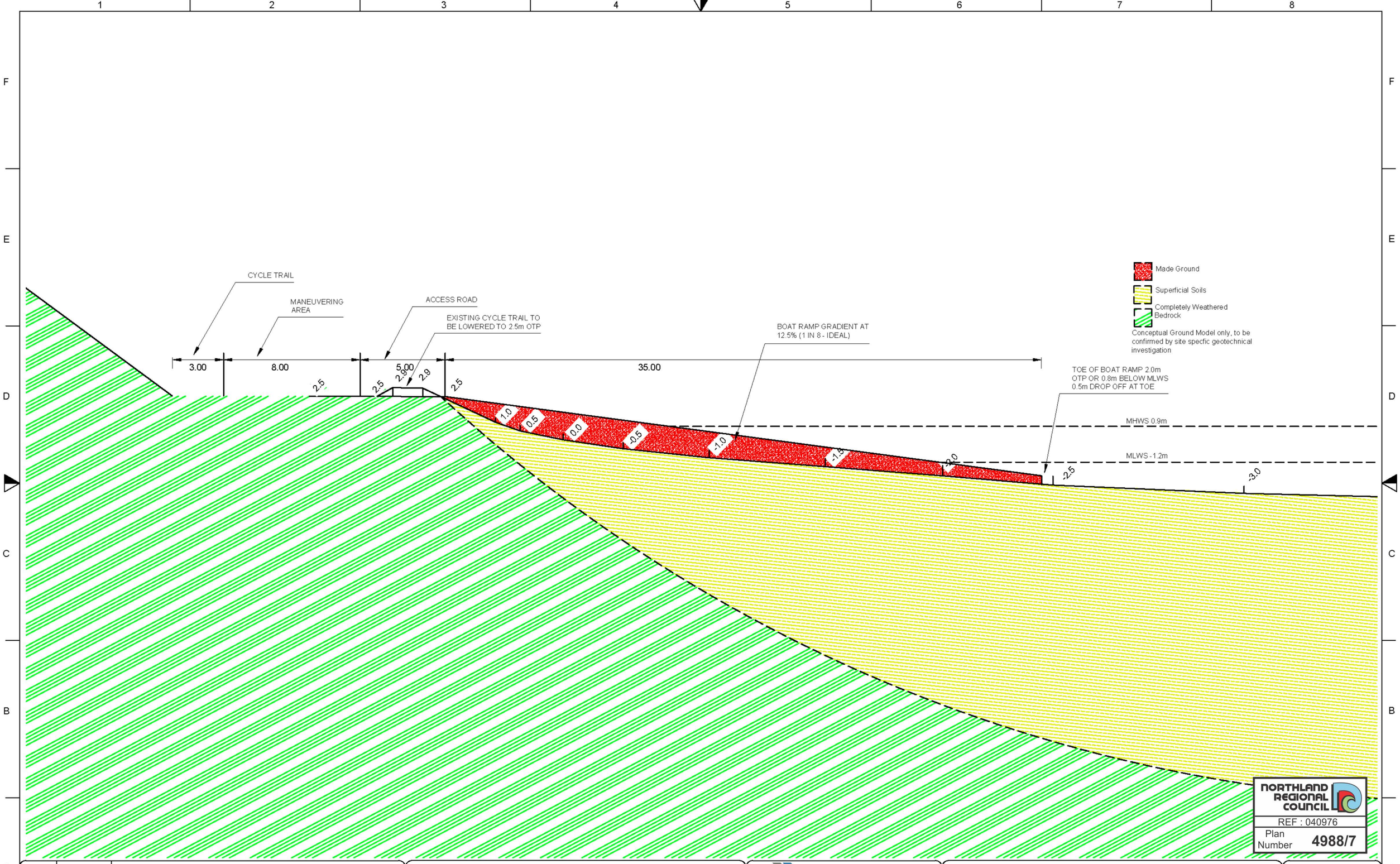
Project: Opua Hard Stands Extension
Ashby's Boat Yard, Opua

Client: Far North Holdings Ltd

Project No. 15 119 | RC no.

DWG No. 05

Sheet No. 6 of 9



Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT
B	20/9/2019	AMENDED CYCLE TRAIL ACCESS

DWG: Proposed Boat Ramp - Typical Cross Section

Scale 1:200 @A3 (2 1 0 2 4 6 m) Date 23/1/2018

Drawn JP | Checked EC | Approved

File

HAIGH WORKMAN LTD
Civil & Structural Engineers
6 Fairway Drive
Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

Project: Opua Hard Stands Extension
Ashby's Boat Yard, Opua

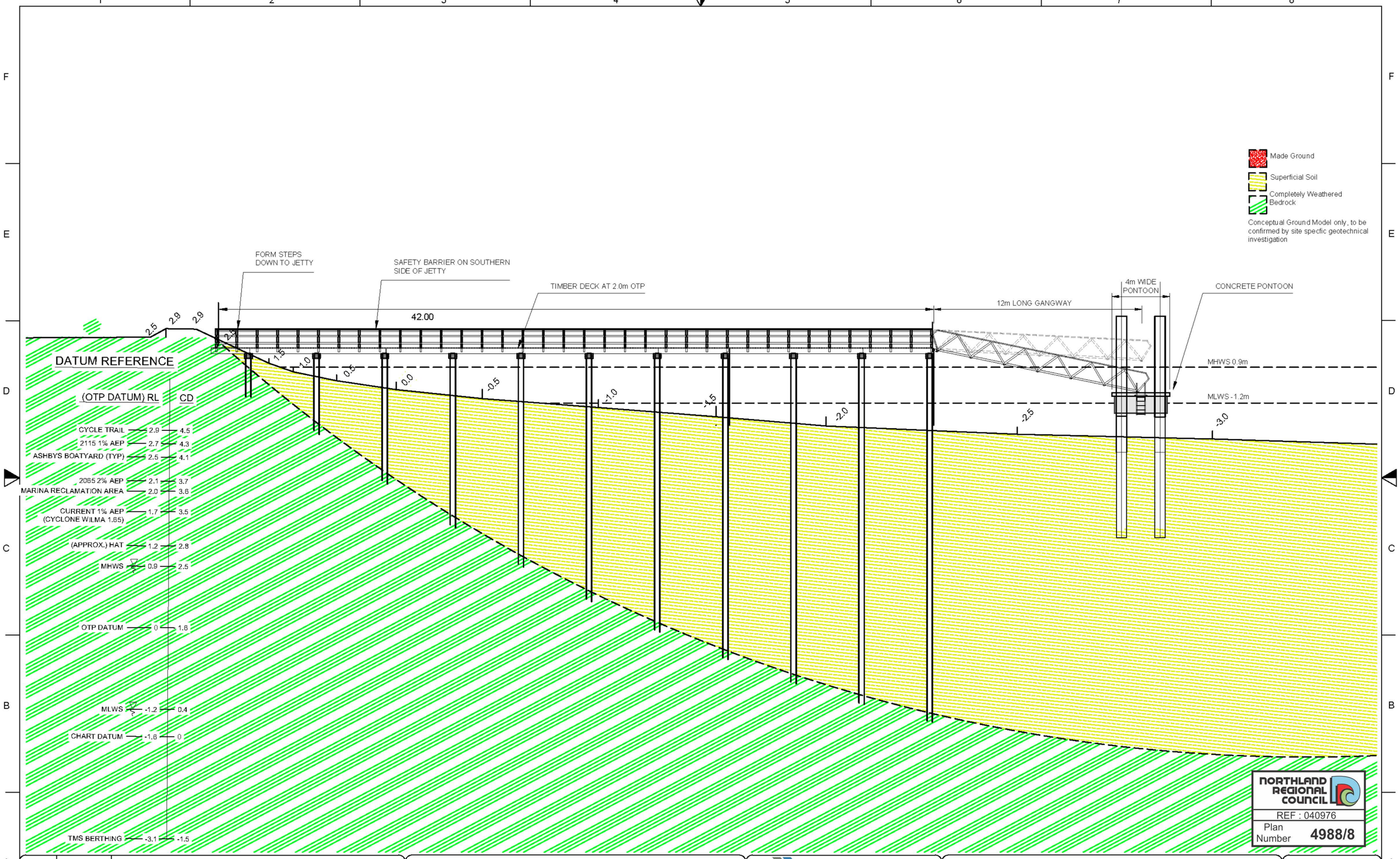
Client: Far North Holdings Ltd

Project No. 15 119 | RC no.

NORTHLAND REGIONAL COUNCIL
REF : 040976
Plan Number 4988/7

DWG No. 06

Sheet No. 7 of 9



NORTHLAND REGIONAL COUNCIL
REF : 040976
Plan Number 4988/8

Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT
B	20/9/2019	AMENDED CYCLE TRAIL ACCESS

DWG Proposed Jetty - Typical Cross Section

Scale 1:200 @A3 | 2 1 0 2 4 6 m | Date 23/1/2018

Drawn JP | Checked EC | Approved

File

HAIGH WORKMAN Ltd
Civil & Structural Engineers
6 Fairway Drive
Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

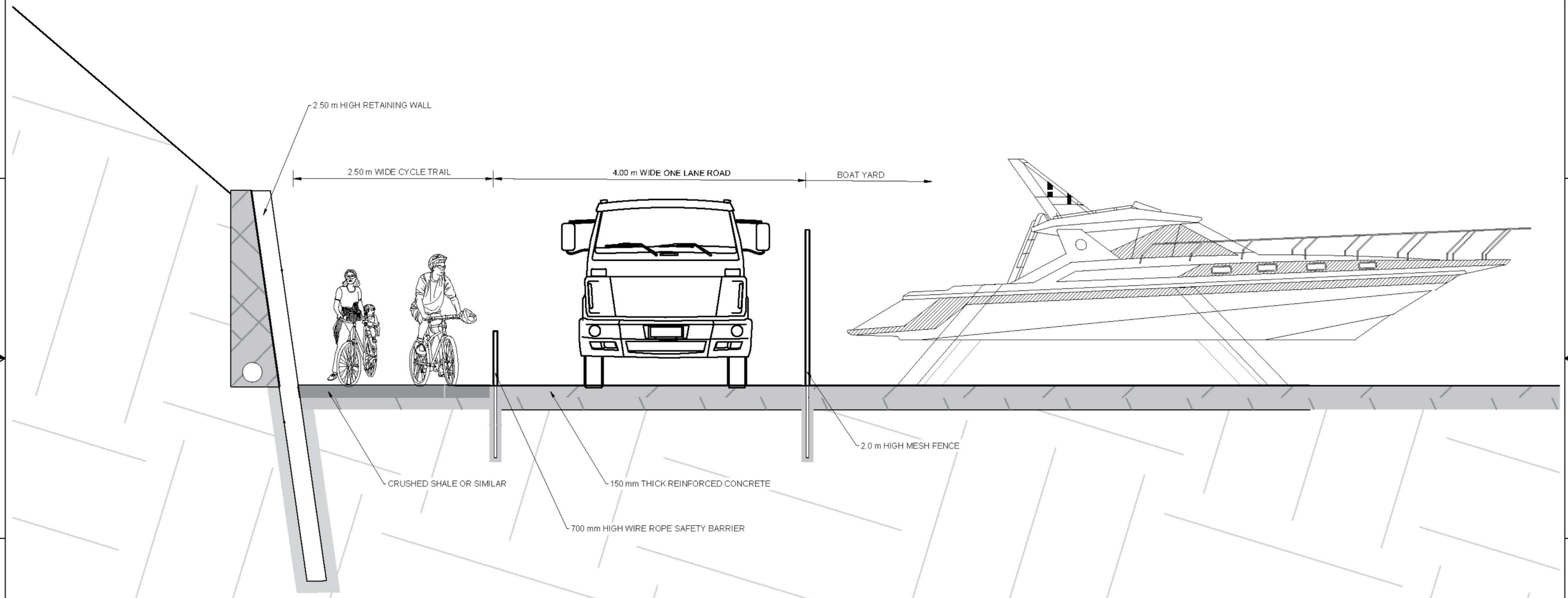
Project: Opua Hard Stands Extension
Ashby's Boat Yard, Opua

Client: Far North Holdings Ltd

Project No. 15 119 | RC no.

DWG No. 07

Sheet No. 8 of 9



NORTHLAND REGIONAL COUNCIL
REF : 040976
Plan Number 4988/9

Issue	Date	Revision
A	14/12/2020	FIRST ISSUE - RESOURCE CONSENT HEARING

DWG Typical Cross Section
Shared Use Access

Scale 1:50 @A3 (0.5 0.25 0 0.5 1 1.5 m) Date 14/12/2020
Drawn EJC Checked JP Approved JP
File

HAIGH WORKMAN Ltd
Civil & Structural Engineers
6 Fairway Drive
Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

Project Opua Hard Stands Extension
Ashby's Boat Yard, Opua

Client Far North Holdings Ltd

Project No. 15 119 RC no.

DWG No. 08

Sheet No. 9 of 9

SCHEDULE 1

ENVIRONMENTAL STANDARDS – NOISE

CONSTRUCTION NOISE

Based on Table 2, NZS 6803: 1999 "Acoustics – Construction Noise", Standards New Zealand:

Time of Week	Typical Duration	Typical Duration (dBA)		Short Term Duration		Long Term Duration	
		L_{eg}	L_{max}	L_{eg}	L_{max}	L_{eg}	L_{max}
Weekdays	0630 – 0730	60	75	65	75	55	75
	0730 – 1800	75	90	80	95	70	85
	1800 – 2000	70	85	75	90	65	80
	2000 – 0630	45	75	45	75	45	75
Saturdays	0630 – 0730	45	75	45	75	45	75
	0730 – 1800	75	90	80	95	70	85
	1800 – 2000	45	75	45	75	45	75
	2000 – 0630	45	75	45	75	45	75

Construction Sound levels shall be measured in accordance with New Zealand Standard NZS 6803:1999 "Acoustics – Construction Noise". Measurement assessment locations shall be at residential receivers using the methodology set out in Section 6 of NZS 6803:1999 "Acoustics – Construction Noise"

Advice Notes:

1 *"Short-term" means construction work any one location for up to 14 calendar days.*

"Typical duration" means construction work at any one location for more than 14 calendar days, but less than 20 weeks.

"Long-term" means construction work at any one location with a duration exceeding 20 weeks.

2 *Noise levels L_{10}, L_{95} and L_{max} are measured in dBA. Definitions are as follows:*

(a) *dBA means the sound level obtained when using a sound level meter having its frequency response A-weighted. (See IEC 651);*

(b) *L_{max} means the maximum noise level (dBA) measured;*

(c) *L_{95} means the noise level (dBA) equalled or exceeded for 95% of the measurement time;*

(d) *L_{10} as for L_{95} except that the percentage figure is 10%.*

OPERATION NOISE

Noise from any activity authorised by these consents (except for construction noise) must comply with the following noise standards at the notional boundary of any noise sensitive activity.

Time Period (Mon – Sun)	*Noise Limit*
0700 hrs to 2200 hrs	*55dBA LAeq(15min)*
2200 hrs to 0700 hrs	*45dBA LAeq(15min)*
	75dBA LAmax

Operational Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:2008 Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise.

Advice Note: *The boundary of the facilities, for the purposes of measuring noise levels, shall be the notional boundary of any residential property not under the control of the consent holder.*

SCHEDULE 2

TESTING PROGRAMME FOR WATER QUALITY

DURING CONSTRUCTION OF RECLAMATION, BARGE DOCK, BOATRAMP AND JETTY FACILITY, MANGROVE REMOVAL, CAPITAL DREDGING AND MAINTENANCE DREDGING

Testing will be carried out for compliance with the standards in Condition 58.

DURING OPERATION OF BARGE DOCK AND BOATRAMP FACILITIES AND STORMWATER DISCHARGE

Water Quality Sampling

Testing will be carried out for compliance with the standards in Conditions 27, 46, 47 and 58.

The stormwater discharge shall be sampled at least once annually at the point of discharge, being after the proprietary system but before any mixing, during a moderate rainfall event following an extended dry period. Samples shall be analysed for total suspended solids (TSS), total copper, total lead, and total zinc and the result compared against the discharge standards specified in Condition 47.

Results of this monitoring shall be reported to the council's assigned monitoring officer in writing within one week of the result being obtained from the laboratory.

Marine Sediment Quality Sampling

Testing for metals in the seabed from at least one site within each of the exclusive occupation areas will be carried out annually. Samples will be collected from the top two centimetres of the sediment.

Sediments will be analysed for copper, zinc, lead, chromium, nickel, and cadmium for compliance with standards in Condition 28.

DURING CAPITAL DREDGING AND MAINTENANCE DREDGING OPERATIONS

Testing will be carried out for compliance with the standards in Condition 40.

During dredging operations, the consent holder, or its assigned agent, shall take secchi disc readings at least daily of the waters 50m upstream and 100m downstream of the dredging operation. Results of the daily inspections are to be recorded in a written log book by the Consent Holder. This log will be made readily available for viewing by the Council upon request. A copy of the log shall be provided to the Council's assigned monitoring officer upon written request. Should two consecutive sets of secchi disc readings indicate water quality outside that allowed for by Condition 40 at or beyond the compliance boundary, then the Consent Holder will notify the Council as soon as practical (but not longer than the following day) and take steps to improve water quality at the compliance boundary.

CONDITIONS – FAR NORTH DISTRICT COUNCIL

FAR NORTH HOLDINGS LIMITED, PO BOX 7, OPUA 0241

1. The activity shall be carried out generally in accordance with the Resource Consent Application and Assessment of Environmental Effects prepared for Far North Holdings Limited dated 8 October 2019 prepared by Bay of Islands Planning Limited inclusive of attached documents, and approved plans prepared by Haigh Workman Limited entitled 'Opua Hard Stands Extension' Sheets 1 – 9:

   (a) Sheet 1, Site Location Plan, DWG 01, Issue B, dated 20/9/2019.

   (b) Sheet 2, Proposed Development Plan, DWG 02, Issue B, dated 20/9/2019.

   (c) Sheet 3, Proposed Access Plan, DWG 03, Issue B, dated 20/9/2019.

   (d) Sheet 4, Proposed Access Plan – Baffin Street, DWG 03a, Issue A, dated 7/12/2020.

   (e) Sheet 5, Proposed Access – Typical Cross Section, DWG 04, Issue B, dated 20/9/2019.

   (f) Sheet 6, Proposed Reclamation – Typical Cross Section, DWG 05, Issue B, dated 20/9/2019.

   (g) Sheet 7, Proposed Boat Ramp – Typical Cross Section, DWG 06, Issue B, dated 20/9/2019.

   (h) Sheet 8, Proposed Jetty – Typical Cross Section, DWG 07, Issue B, dated 20/9/2019.

   (i) Sheet 9, Typical Cross Section Shared Use Access, DWG 08, Issue A, dated 14/12/2020.

Construction Conditions

2. Prior to the commencement of any site preparation or construction, the Consent Holder shall provide the following documents to the Far North District Council Compliance Team Leader or delegated staff member for certification:

   (a) A Construction Noise and Vibration Management Plan (CNVMP) prepared by a suitably qualified and experience acoustician prepared in general accordance with the Marshall Day report, ref Rp 001 20190467 dated 13 June 2019. The CNVMP shall:

      (i) specify that any construction works involving heavy machinery or power tools shall only occur between the hours of 7.00 a.m. and sunset or 6.00 p.m., whichever occurs earlier, and only on days other than Sundays and public holidays.

      (ii) specify that any pile driving that does not utilise a 'dollie' (or similar device) shall only occur between the hours of 9.00 a.m. and 5.00 p.m. and only on days other than Sundays and public holidays.

      (iii) ensure that vibration due to piling shall not exceed the guidelines contained in DIN 4150 3:1999 "Structural Vibration – Effects of Vibration on Structures" when measured at dwellings in accordance with the standard.

      (iv) set out all practicable measures to meet the guidelines in NZS6803:1999 NZS 6803:1999 "Acoustics – Construction Noise" and provide details of required noise management and mitigation for any activities that cannot readily meet these guidelines.

(b) A Construction Management Plan (CMP) prepared by a suitably qualified and experienced person. The CMP shall contain information on, and site management procedures for, the following:

(i) The timing of construction including hours of work, contact details for key project and site management personnel, noting that construction hours shall be limited to the times specified in the CNVMP as per Condition 2(a) above.

(ii) The transportation of bulk hardfill and construction materials from and to the site and associated controls on vehicles through sign-posted site entrance/exits and the loading and unloading of materials.

(iii) The bulk earthworks construction, including retaining structures.

(iv) Control of dust and noise on-site and any necessary avoidance or remedial measures.

(v) Prevention measures for earth and other material being deposited on surrounding roads from vehicles and remedial actions should it occur.

(vi) Publicity measures and safety measures, including signage, to inform adjacent landowners and occupiers, pedestrians, cyclists and other users of affected roads.

(vii) A specific site hazard and management plan for the operation of cycleway.

(viii) Erosion and sediment control plan and measures to be in place for the duration of the works.

(ix) Earth and siteworks mitigation and protection measures for the site for a significant storm event.

(c) A detailed design of the cycleway relocation and the internal commercial access road to be sealed from the end of the existing Baffin Street seal to the reclamation (excluding the parking and turning area). The section of road from the existing Baffin St seal to the existing cycleway and 'Ashby's Boatyard' entrance (excluding the parking and turning area) shall be stabilised, with a minimum 6.5m width of seal, lapped 10m into the existing Baffin St formation, with road markings. The design shall be prepared by a suitably qualified and experienced person. The design for the cycleway shall comply as far as practicable with the New Zealand Cycle Trail Design Guide (August 2019 5th Edition) and shall specifically include a suitable fence/barrier structure (which may comprise a wire mesh and shade cloth arrangement) with a maximum height of 700mm to separate the cycleway from the access formation for the full length that the cycleway adjoins the proposed access as shown on cross-section plan prepared by Haigh Workman Limited entitled 'Typical Cross Section Shared Use Access' dated 14th December 2019.

As a minimum, the length of the relocated cycleway surface shall be finished to a 2.5 metres wide formation using compacted grey shale or similar. In addition, the design shall provide specific detail regarding the timing of any closure of the cycleway due to the proposed works and/or any alternative route that may be used temporarily while construction works occur.

(d) A detailed geotechnical investigation report prepared by a suitably qualified and experienced geotechnical engineer. That report shall provide specific design details for all proposed earthworks, including retaining structure design, suitable protection measures to protect the users of the cycle trail from debris or rock fall above retaining walls, and any recommendations regarding construction of the internal commercial access road.

(e) A pre-construction roading infrastructure condition assessment report for those portions of public road that may be subject to construction traffic damage as a result of the consented activity, prepared by a suitably qualified and experienced person. The report shall include as a minimum the following information:

(i) Current condition of road infrastructure in the following locations:

- Intersection of Kellet Street and Franklin Street (only if transportation of bulk hardfill and construction materials from and to the site utilises Kellet Street).
- Intersection of Franklin Street and Baffin Street.
- Section of Baffin Street's S bend from the entrance to the existing public boat ramp to end of current seal formation (including intersections with Kellet and Lyon Streets).

(ii) Where roading infrastructure is to include the following elements:

- Existing road pavement and any kerbing.
- Drainage channels and cesspits located within the road pavement.
- Street lighting.
- Existing vehicle crossings.

(iii) Any recommended repairs or maintenance requirements to avoid or mitigate adverse effects from the transportation of imported fill material.

(iv) A monitoring regime to be implemented during the construction period identified in Condition 2 (b) above where, as a minimum, a weekly review of infrastructure condition is undertaken, and results provided to the Council's Monitoring Officer.

The costs of the pre-construction roading infrastructure condition assessment report shall be at the Consent Holders expense.

(f) A Landscape Planting Plan prepared by a suitably qualified and experienced landscape architect to be prepared in general accordance with the 'Assessment of Landscape, Natural Character and Visual Amenity Effects' report prepared by Simon Cocker Landscape Architecture dated 16th September 2019, and Figure 1A as attached to the Statement of Evidence of Simon Cocker on behalf of Far North Holdings Limited dated 20 November 2020. More particularly, the plan shall define the following:

(i) The location of all existing vegetation to be retained on the site.

(ii) The location, species, and number of plantings to be provided.

(iii) Any features that are required to accommodate design requirements under Conditions 2(c) and (d) above.

(iv) A maintenance programme to provide for assurance of establishment and ongoing maintenance of all existing and proposed planting, including any weed and pest management that may be required.

(v) Any specific management and maintenance requirements associated with vegetation located on the batter and/or retained slopes created due to earthworks approved under this consent.

3. Prior to the commencement of any site preparation or construction, the Consent Holder shall undertake the following:

(a) Provide a stabilised construction entrance to the construction site to minimise the tracking of spoil and debris onto public road surfaces. The stabilised construction entrance shall be constructed in accordance with the Auckland Council document entitled *"2016/005: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region"* (GD05) and be maintained throughout the duration of the earthworks operations. A wheel wash may be required if excessive debris or spoil is tracked onto roads.

(b) Establish and mark the location of the boundary pegs and mark all property boundaries adjacent to the proposed earthworks.

Advice Note: *No authorisation is given for works on the legal road or private property other than the lot(s) subject to the land use consent. Where the Consent Holder is not the lot owner, the Consent Holder is responsible for obtaining approval from the lot owner prior to commencing work.*

4. During the undertaking of all construction works on site, the Consent Holder shall:

(a) Adhere to all requirements specified in the certified documents under Conditions 2(a) – (f). A copy of the certified documents is to be retained on the site and be made available to all contractors prior to and during all works.

(b) Be responsible for arranging for buried services to be located and marked prior to commencing earthworks and is also responsible for the repair and reinstatement of any underground services damaged as a result of the earthworks.

(c) Remove any debris deposited on the public road as a result of the earthworks. Debris shall be removed by or at the expense of the applicant.

(d) Ensure that all earthworks, erosion and sediment control measures are monitored by a suitably qualified Chartered Professional Engineer, with a Construction Review Certificate (PS4) provided to council's Resource Consents Monitoring Officer or designate upon completion of the works.

(e) Ensure during and on completion of bulk earthworks construction that all exposed surfaces are covered with aggregate or mulch to suppress dust or erosion.

(f) Provide on a monthly basis to council's Resource Consent Monitoring Officer or designate, a copy of noise and vibration monitoring records, erosion and sediment control inspections including an assessment from a suitably qualified engineer on the effectiveness of mitigation measures to meet limits, standards and level of compliance throughout earthworks and private infrastructure construction phase until completed.

(g) Not utilise any soil excavated from the location of the former Opua Rail Line as any part of the reclamation activities within the Coastal Marine Area.

5. Prior to the operating and operation of any facility approved under this consent (with the exclusion of the cycleway), the Consent Holder shall:

(a) Provide evidence by way of written confirmation from a suitably qualified and experienced person that all landscape planting as certified under Condition 2 (f) has been undertaken and completed.

(b) Provide an Operation and Maintenance Plan that sets out the roles and responsibilities associated with the operation and maintenance of all land-based public and private assets, inclusive of the dinghy racks, dinghy ramp and jetty access. The Plan shall include specific provision to allow for vehicular access for members of the public on request to access the jetty, dinghy racks, and ramp.

(c) Provide a Construction Review Certificate (PS4) to council's Resource Consent Monitoring officer or designate. That Certificate shall verify that all construction works as identified under Conditions 2(c) and (d) have been constructed and completed.

(d) Confirm in writing whether any soil has been removed from the site and, if so, confirm that it has been disposed of to an approved managed fill facility in recognition of presence of PAH and TPH compounds as well as heavy metals elevated above volcanic background concentrations.

(e) Provide an infrastructure condition assessment report, prepared by a suitably qualified and experienced person, that evaluates the roading and infrastructure conditions post-construction against that recorded in the pre-construction roading infrastructure condition assessment report under Condition 2 (e). The purpose of the report shall be to ensure that any/all damage to existing infrastructure caused by the construction works covered under this consent has been identified and remediated, repaired, or replaced by the Consent Holder to a minimum standard acceptable to the Council.

Operational Conditions

6. The operation of the facilities on completion shall comply with the following conditions on an on-going basis:

(a) A minimum of 6 carparks are to be available for use by users of the barge dock and boat ramp facility.

(b) Any/all lighting to be established and operated on land as part of the facility is to be constructed and operated so that artificial light is shielded in such a manner that light emitted by the fixture is projected below a horizontal plane running through the lowest point on the fixture; where the lower edge of the shield is to be at or below the centreline of the light source.

(c) All landscape planting completed under Condition 5 (a) is to be maintained in perpetuity in accordance with maintenance recommendations made in the plan provided under Condition 2 (f) iv. and v. above.

(d) Noise generated at all times (excluding construction) from the areas located above Mean High Water Springs measured at the notional boundary of any dwelling shall not exceed the following:

- 55 dB L_{Aeq} between 0700 and 2200
- 45 dB L_{Aeq} and 70 dB L_{AFmax} between 2200 and 0700

Sound levels shall be measured in accordance with NZS 6801:2008 "Measurement of Sound" and assessed in accordance with NZS 6802:2008 "Assessment of Environmental Sound". The notional boundary is defined in NZS 6802:2008 "Assessment of Environmental Sound" as a line 20m from any part of any dwelling, or the legal boundary where this is closer to the dwelling.

Review Condition

7. The Council may, in accordance with Section 128 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review Conditions 1 – 6 annually from the date of commencement of the consent to deal with any adverse effects on the environment that may arise from the exercise of the consents and which it is appropriate to deal with at a later stage. The Consent Holder shall meet all reasonable costs of any such review.

Advice Notes:

1 This resource consent will lapse five years after the date of commencement of this consent unless:

- *It is given effect to before the end of that period; or*
- *An application is made to the Council to extend the period after which the consent lapses, and such application is granted prior to the lapse of consent. The statutory considerations which apply to extensions are set out in Section 125 of the Resource Management Act 1991.*

2 Section 120 of the Resource Management Act 1991 provides a right of appeal to this decision. Any appeal must conform with Section 121 of the Act.

3 A copy of this consent should be held on site at all times during the establishment and construction phase of the activity.

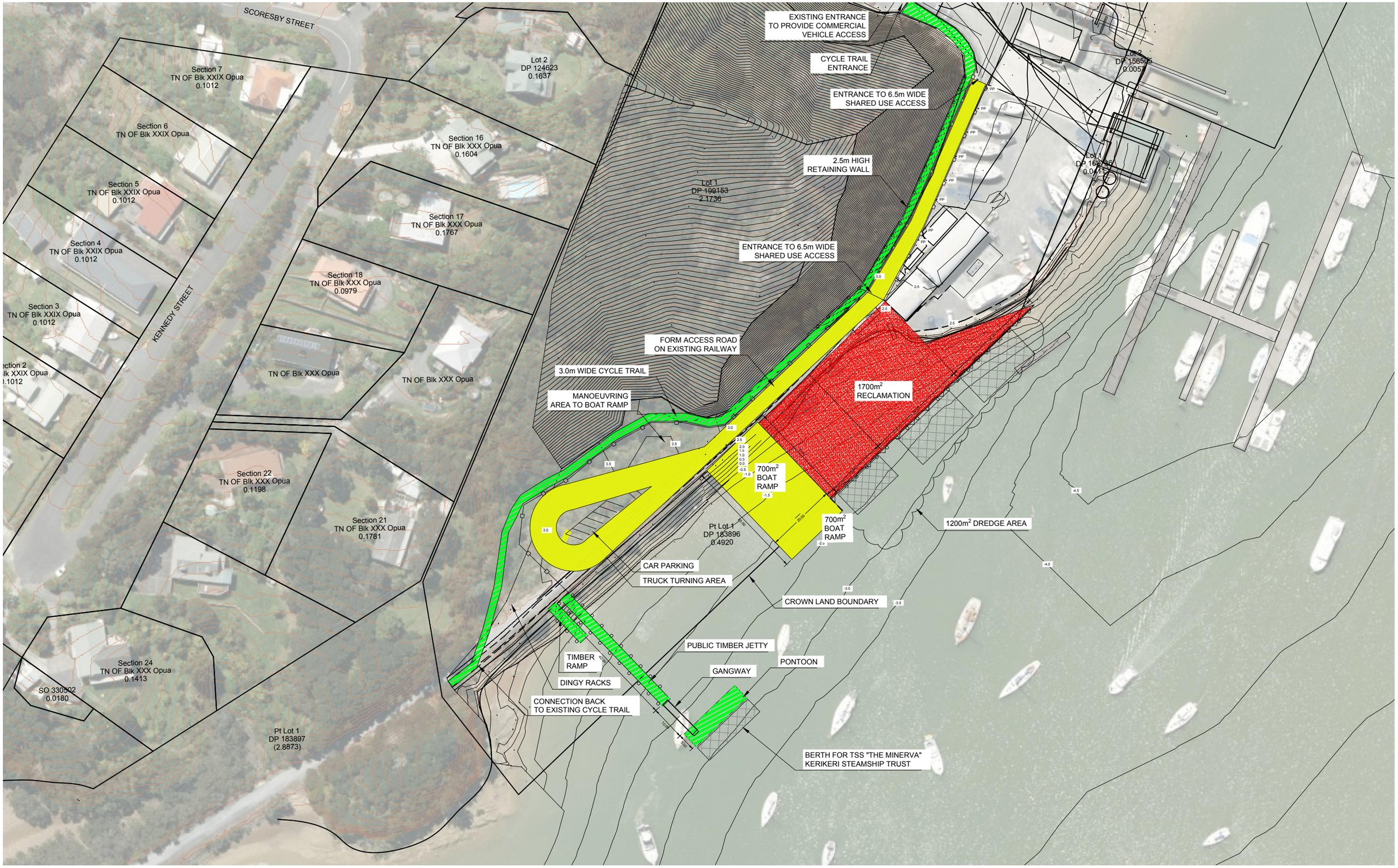
4 All archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under that act to modify, damage or destroy any archaeological site, whether the site is recorded or not. Application must be made to the New Zealand Historic Places Trust for an authority to modify, damage or destroy an archaeological site(s) where avoidance of effect cannot be practised.

5 The Consent Holder shall pay all charges set by the Council under Section 36 of the Resource Management Act 1991, including any administration, monitoring and supervision charges relating to the conditions of this resource consent. The Consent Holder will be advised of the charges as they fall.

6 The applicant may require a building consent from the Far North District Council for proposed private infrastructure stormwater drainage works and construction of retaining wall.

7 The Consent Holder when conducting any works close to council road reserve would be required to submit a Corridor Access Request (CAR) and subsequently obtain a Work Access Permit (WAP) from council prior to any excavation or works commencing.

8 Where conditions are duplicated between the Regional Council and District Council consents (such as provision of a Construction Management Plan), the District Council may accept any documents previously submitted to the Regional Council as a means of compliance with any conditions.



Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT
B	20/9/2019	AMENDED CYCLE TRAIL ACCESS

DWG Site Location Plan

Scale 1:1000 @A3 (10 5 0 10 20 30 m) Date 23/1/2018

Drawn JP | Checked EC | Approved

File

HAIGH WORKMAN LTD
Civil & Structural Engineers
6 Fairway Drive
Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

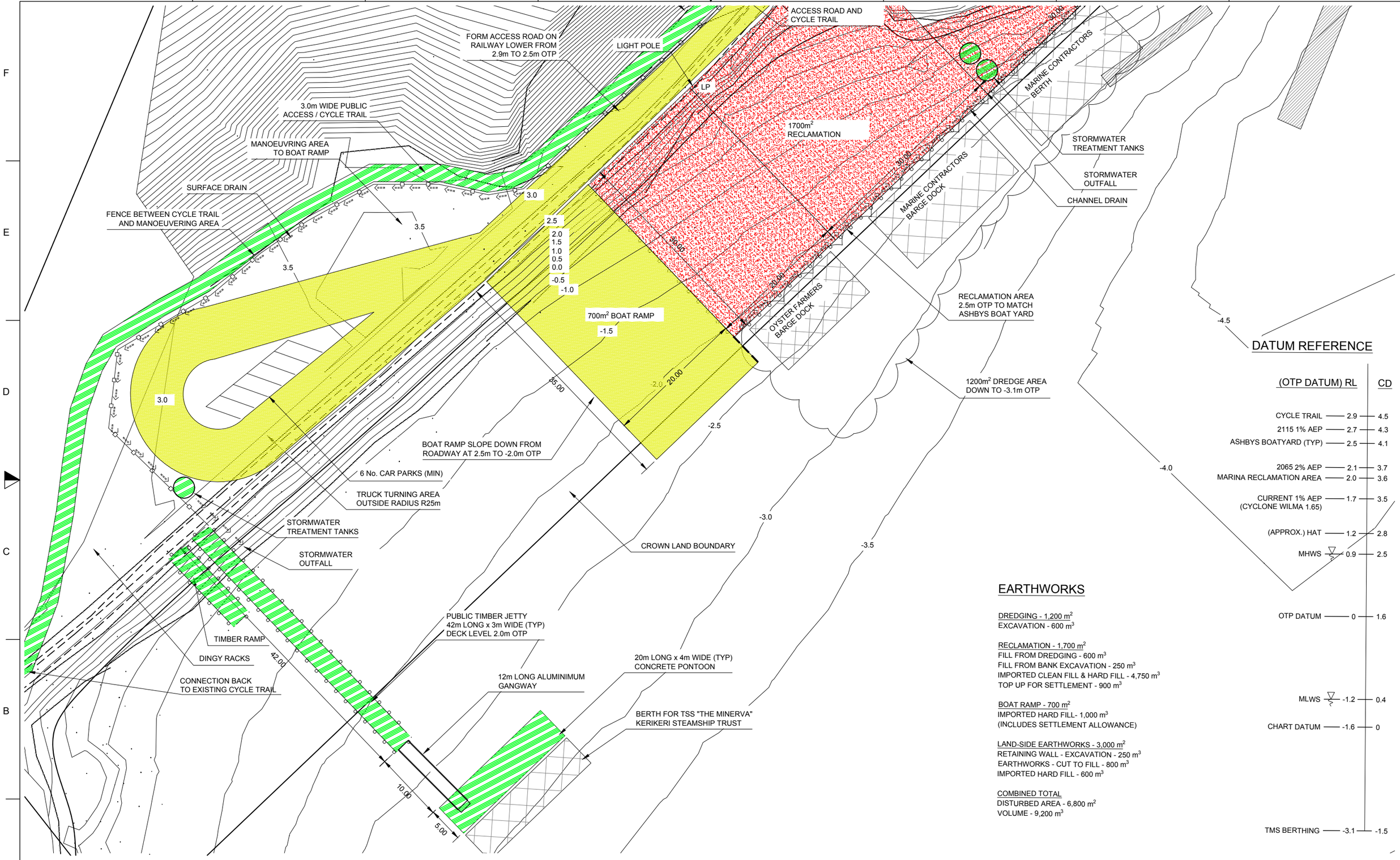
Project: Opua Hard Stands Extension
Ashby's Boat Yard, Opua

Client: Far North Holdings Ltd

Project No. 15 119 | RC no.

DWG No. 01

Sheet No. 1 of 9



EARTHWORKS

DREDGING - 1,200 m²
EXCAVATION - 600 m³

RECLAMATION - 1,700 m²
FILL FROM DREDGING - 600 m³
FILL FROM BANK EXCAVATION - 250 m³
IMPORTED CLEAN FILL & HARD FILL - 4,750 m³
TOP UP FOR SETTLEMENT - 900 m³

BOAT RAMP - 700 m²
IMPORTED HARD FILL- 1,000 m³
(INCLUDES SETTLEMENT ALLOWANCE)

LAND-SIDE EARTHWORKS - 3,000 m²
RETAINING WALL - EXCAVATION - 250 m³
EARTHWORKS - CUT TO FILL - 800 m³
IMPORTED HARD FILL - 600 m³

COMBINED TOTAL
DISTURBED AREA - 6,800 m²
VOLUME - 9,200 m³

Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT
B	20/9/2019	AMENDED CYCLE TRAIL ACCESS

DWG Proposed Development Plan

Scale 1:500 @A3 (5 2.5 0 5 10 15 m) Date 23/1/2018

Drawn JP | Checked EC | Approved

File

HAIGH WORKMAN LTD
Civil & Structural Engineers
6 Fairway Drive
Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

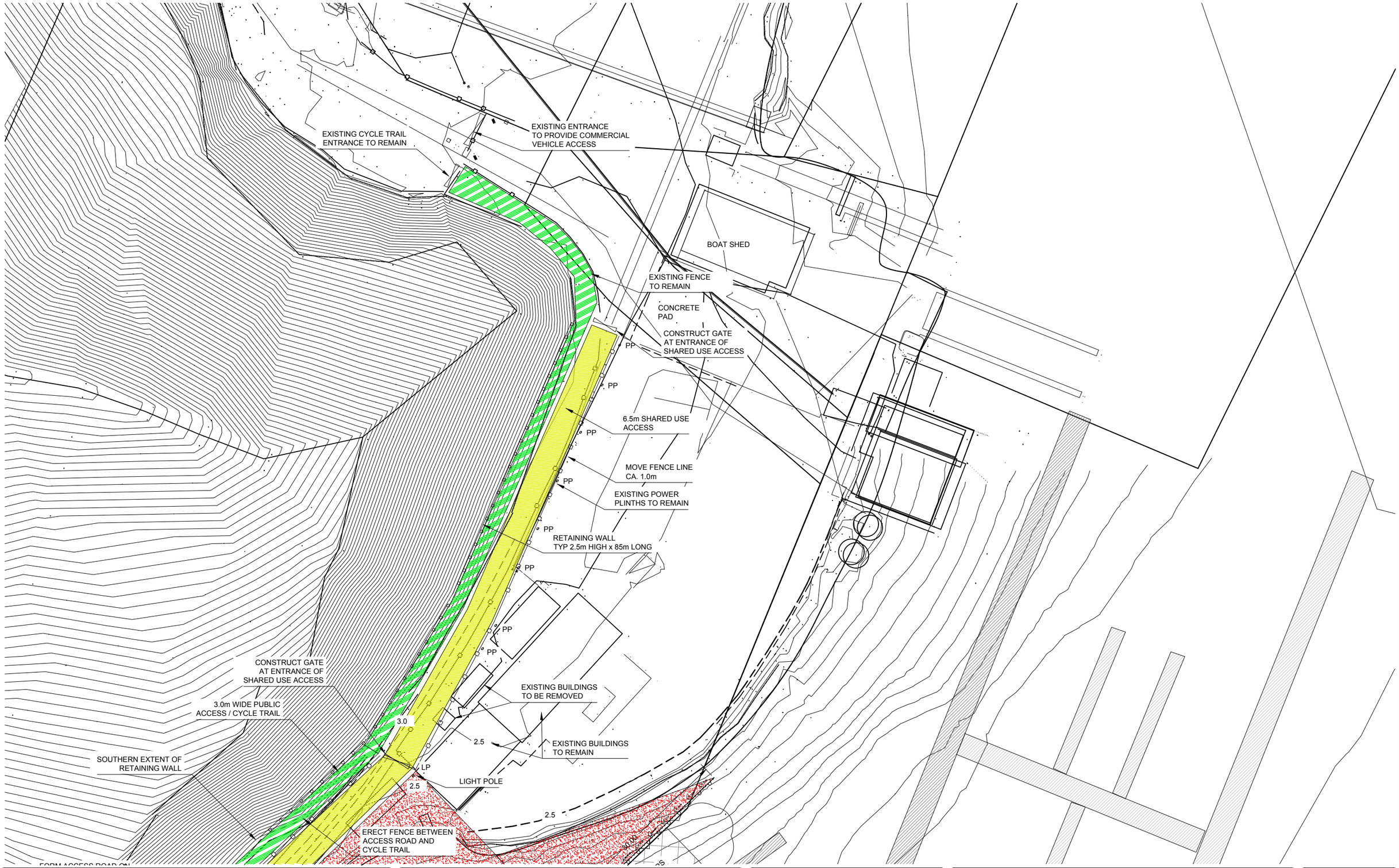
Project: Opua Hard Stands Extension
Ashby's Boat Yard, Opua

Client: Far North Holdings Ltd

Project No. 15 119 | RC no.

DWG No. 02

Sheet No. 2 of 9



Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT
B	20/9/2019	AMENDED CYCLE TRAIL ACCESS

DWG Proposed Access Plan

Scale 1:500 @A3 — 5 2.5 0 5 10 15 m — Date 23/1/2018

Drawn JP | Checked EC | Approved

File

HAIGH WORKMAN LTD
Civil & Structural Engineers
6 Fairway Drive
Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

Project: Opua Hard Stands Extension
Ashby's Boat Yard, Opua

Client: Far North Holdings Ltd

Project No. 15 119 | RC no.

DWG No. 03

Sheet No. 3 of 9

Issue	Date	Revision
A	7/12/2020	FIRST ISSUE - RESOURCE CONSENT HEARING

DWG: Proposed Access Plan - Baffin Street

Scale 1:500 @A3 (5 2.5 0 5 10 15 m) Date 7/12/2020

Drawn JP | Checked | Approved

File

HAIGH WORKMAN Ltd
Civil & Structural Engineers
6 Fairway Drive
Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

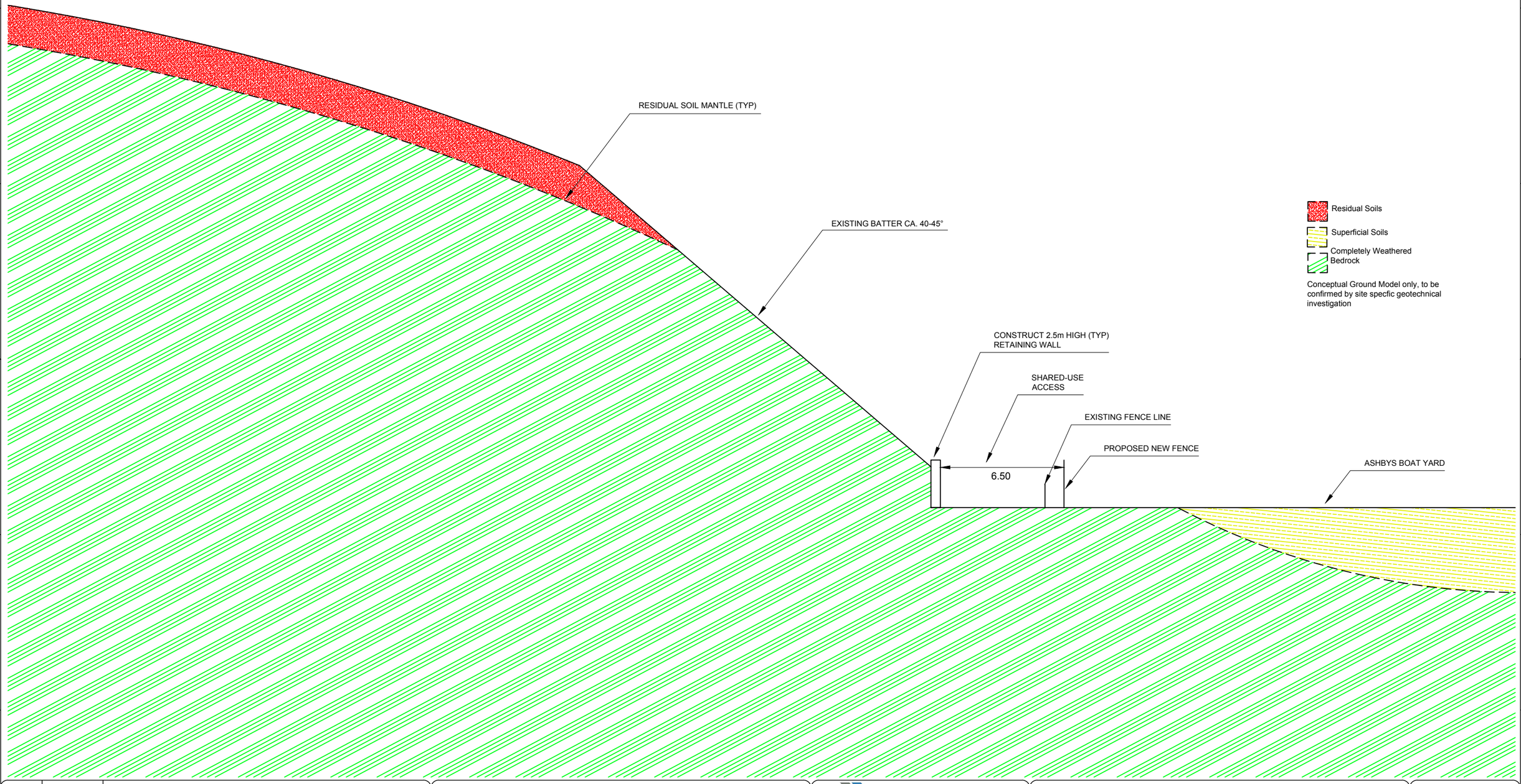
Project: Opua Hard Stands Extension
Ashby's Boat Yard, Opua

Client: Far North Holdings Ltd

Project No. 15 119 | RC no.

DWG No. **03a**

Sheet No. **4** of **9**



Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT
B	20/9/2019	AMENDED CYCLE TRAIL ACCESS

DWG Proposed Access - Typical Cross Section

Scale 1:200 @A3 (2 1 0 2 4 6 m) Date 23/1/2018

Drawn JP | Checked EC | Approved

File

HAIGH WORKMAN Ltd
Civil & Structural Engineers
6 Fairway Drive
Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

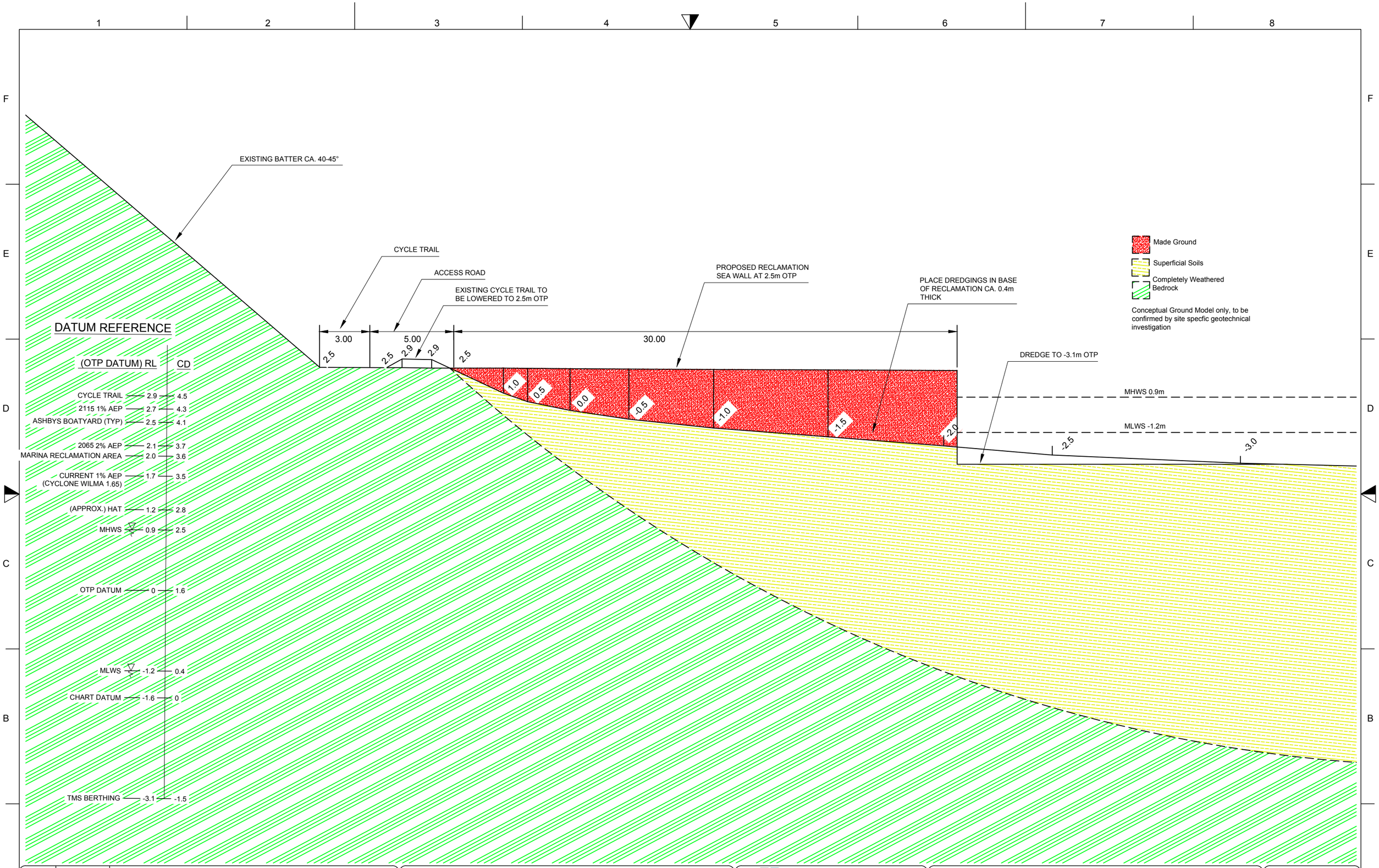
Project Opua Hard Stands Extension
Ashby's Boat Yard, Opua

Client Far North Holdings Ltd

Project No. 15 119 | RC no.

DWG No. **04**

Sheet No. **5** of **9**



Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT
B	20/9/2019	AMENDED CYCLE TRAIL ACCESS

DWG Proposed Reclamation - Typical Cross Section

Scale 1:200 @A3 | 2 1 0 2 4 6 m | Date 23/1/2018

Drawn JP | Checked EC | Approved

File

HAIGH WORKMAN Ltd
Civil & Structural Engineers
6 Fairway Drive
Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

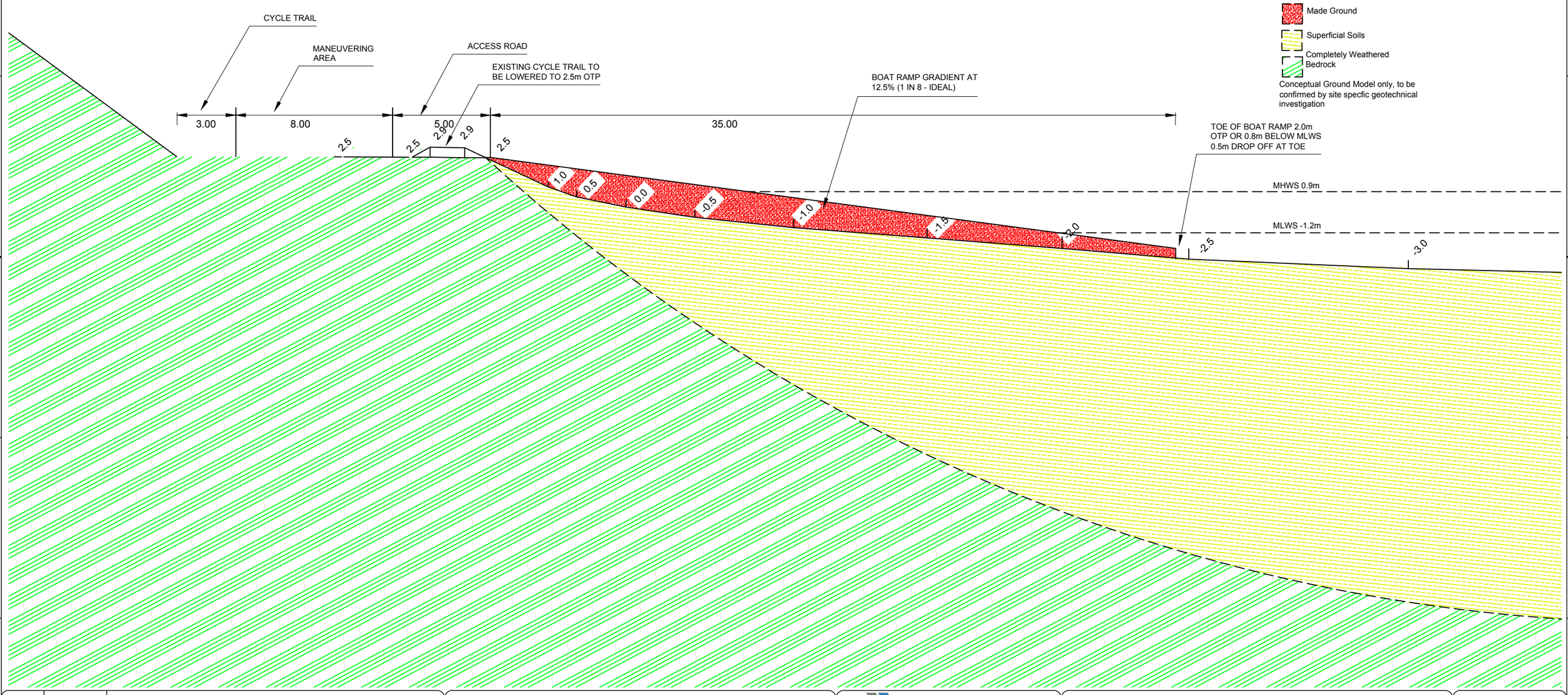
Project: Opua Hard Stands Extension
Ashby's Boat Yard, Opua

Client: Far North Holdings Ltd

Project No. 15 119 | RC no.

DWG No. 05

Sheet No. 6 of 9



Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT
B	20/9/2019	AMENDED CYCLE TRAIL ACCESS

DWG Proposed Boat Ramp - Typical Cross Section

Scale 1:200 @A3 | 2 1 0 2 4 6 m | Date 23/1/2018

Drawn JP | Checked EC | Approved

File

HAIGH WORKMAN Ltd
Civil & Structural Engineers
6 Fairway Drive
Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

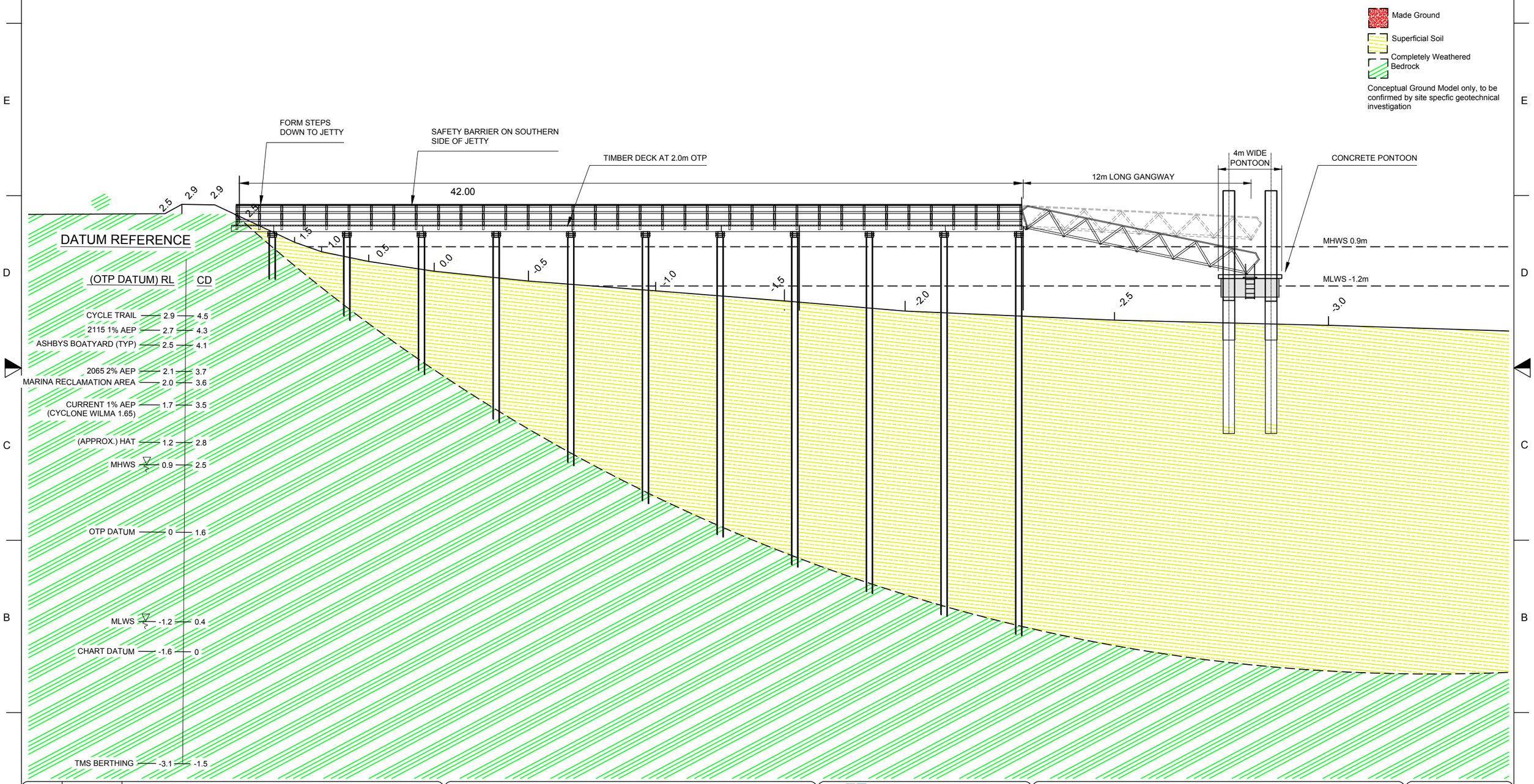
Project: Opua Hard Stands Extension
Ashby's Boat Yard, Opua

Client: Far North Holdings Ltd

Project No. 15 119 | RC no.

DWG No. 06

Sheet No. 7 of 9



Issue	Date	Revision
-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT
B	20/9/2019	AMENDED CYCLE TRAIL ACCESS

DWG: Proposed Jetty - Typical Cross Section

Scale 1:200 @A3 | 2 1 0 2 4 6 m | Date 23/1/2018

Drawn JP | Checked EC | Approved

File

HAIGH WORKMAN Ltd
Civil & Structural Engineers
6 Fairway Drive
Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

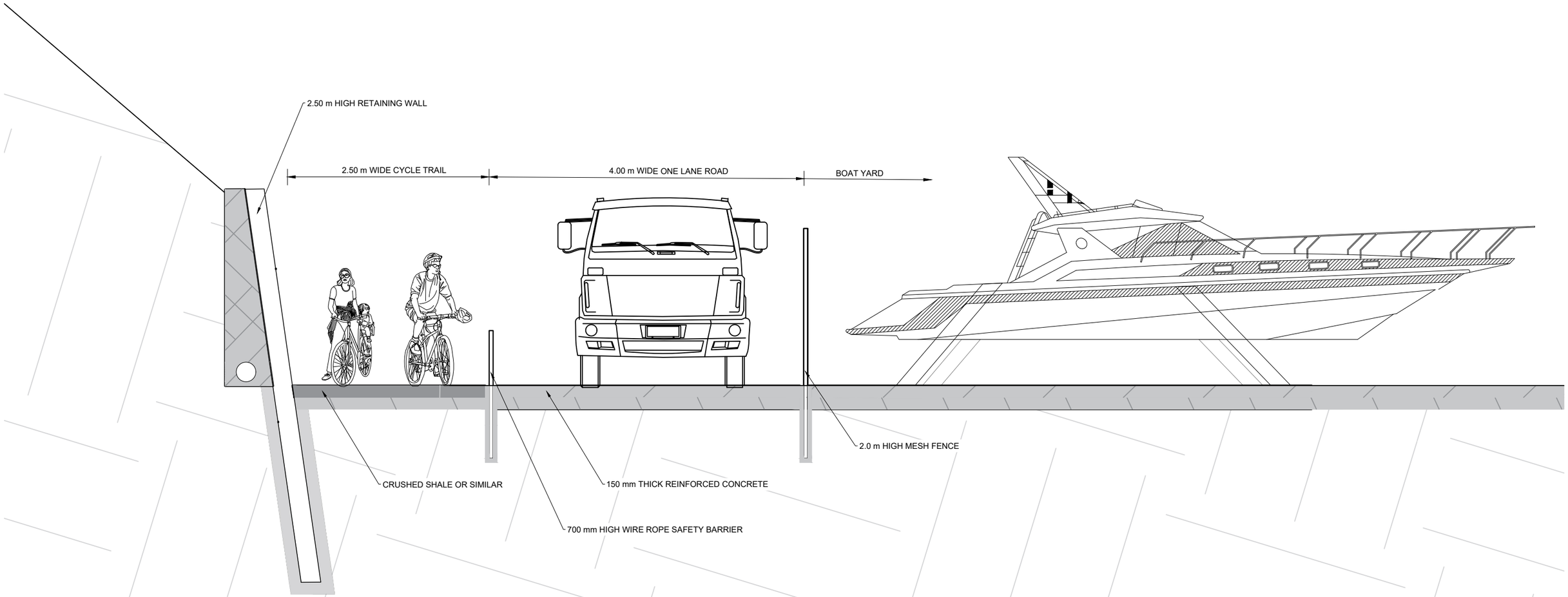
Project: Opua Hard Stands Extension
Ashby's Boat Yard, Opua

Client: Far North Holdings Ltd

Project No. 15 119 | RC no.

DWG No. 07

Sheet No. 8 of 9



Issue	Date	Revision
A	14/12/2020	FIRST ISSUE - RESOURCE CONSENT HEARING

DWG Typical Cross Section
Shared Use Access

Scale 1:50 @A3 — 0.5 0.25 0 0.5 1 1.5 m — Date 14/12/2020

Drawn EJC | Checked JP | Approved JP

File

HAIGH WORKMAN LTD
Civil & Structural Engineers
6 Fairway Drive
Kerikeri, BOI.
T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

Project Opua Hard Stands Extension
Ashby's Boat Yard, Opua

Client Far North Holdings Ltd

Project No. 15 119 | RC no.

DWG No. 08

Sheet No. 9 of 9

Business Case for Opua Aquaculture and Marine Services Hub

GRAEME BRATTY BIZ ASSIST LIMITED

Contents

1. Executive Summary

Project Overview

Bay of Islands Marina and its associated facilities currently serve a diverse range of activities, including recreational and commercial boating, marine services, and aquaculture. Recent growth in these areas has led to significant strain on infrastructure, resulting in conflicts over space, safety issues, and constraints on productivity and growth potential.

Key Issues

1. **Health and Safety**: The mixed use of facilities by recreational and commercial operators creates daily health and safety risks for both the public and commercial workers.
2. **Productivity Constraints**: Limited space and inadequate separation between public and commercial areas hinder the efficiency and growth potential of marine service businesses.
3. **Infrastructure Shortages**: The current infrastructure is insufficient to support expanding activities in the marine and aquaculture sectors.

Current Context

- **Recreational Demand**: Recent developments in the Opua area have increased demand for recreational marine services, exacerbating pressure on existing infrastructure.
- **Marine Industry**: Opua, known for its unique marine facilities including the only significant travel lift north of Whangarei, plays a crucial role in vessel servicing and maintenance, particularly for vessels clearing customs.
- **Aquaculture**: Opua supports a substantial oyster farming industry in the Waikare Inlet, which faces operational conflicts with recreational users.

Proposed Development

To address these issues, a development project has been proposed, involving significant upgrades to both waterside and landside facilities. The project aims to alleviate space constraints, improve safety, and enhance productivity. It includes the construction of new jetties, boat ramps, and expanded hardstand areas, as well as improvements to stormwater management. The tourism sector also stands to benefit from the development with berthing of the SS Minerva and linkage to the Bay of Islands vintage railway and the Twin Coast Cycle Trail.

Cost and Economic Impact

- **Total Project Cost**: $7.47 million, excluding GST, with waterside and landside costs estimated at $1.13 million and $6.34 million, respectively.
- **Economic Impact**: The development is expected to generate an economic impact ranging from $123.9 million to $176.7 million, with significant value-added impacts in the marine servicing, construction, and aquaculture sectors.

Government Support

Far North Holdings Limited seeks government support under the Regional Infrastructure Fund, aligning with the “Blue Economy” objectives and the New Zealand Government Aquaculture Strategy. The project promises substantial benefits for the Opua and Northland regions, supporting productivity and economic growth.

Conclusion

The proposed development is critical for addressing infrastructure deficiencies, enhancing safety, and supporting growth across recreational, marine, and aquaculture sectors. With a robust economic impact and alignment with strategic government objectives, the project represents a significant opportunity for regional advancement and economic development.

2. Project Background

The current situation.

Bay of Islands Marina and land side facilities currently service:

- recreational and commercial boating.

- commercial marine service businesses including those engaged in maritime construction and commercial fleet servicing.

- aquaculture services, predominantly as the key oyster barge unloading and servicing centre for the Waikere inlet.

Growth in these activities is putting pressure on infrastructure, constraining activity, and limiting growth potential.

The pressure is manifesting itself via conflicts at the facility between users competing for space and access to the water. This shortage of space and lack of separation of public access areas from commercial areas creates significant health and safety issues daily as well as limiting productivity and growth potential of the commercial operators.

The problem that needs to be solved.

The problem as mentioned above can be broken down into the following areas:

- Health and Safety, both public and workers of commercial operators.
- Productivity constraints on the commercial operators.
- No opportunity to grow existing and possible new activities because of the lack of space.

Recreational users

There has been significant development of land for recreational marine users (car and trailer parking, marine retailers, and cafes) and marina berths in the Opua area over the

last 5 years that has contributed to the increased recreational demand on the current infrastructure.

Marine Industry

In broad terms the core parts of the marine industry are comprised:

- Recreation boat building and repairs - engaging in the repair and refitting of recreational vessels from small dinghies to large superyachts.
- Marine retail business - engaged in sales to industry and recreational sectors.
- Ship building and repairs – including manufacture, refitting and repair of ships, ferries, naval and fishing vessels.

Opua is ideally located for the servicing of vessels throughout the north minimizing cost and downtime particularly in the industry space where vessels are key in the supply chain and revenue generation. Opua has the only significant travel lift facility north of Whangarei. The existing Opua wharf is an aging structure and will need replacement, in the future, if this development does not take place. This facility will enable some of the commercial vessel wharf usage to be diverted to the berthing facilities that it will provide.

There are currently more than 25 businesses operating in Opua with the majority of those related to recreational marine services.

There are approximately 440 people working in Opua 35% of these work in marine related businesses.

One of the most significant opportunities for growth is in the vessel construction and services realm but with the increase in recreational use of the current infrastructure the business operations are constrained by the lack of additional dockside and hardstand berths separated from public access areas and land for workshop/fabrication growth.

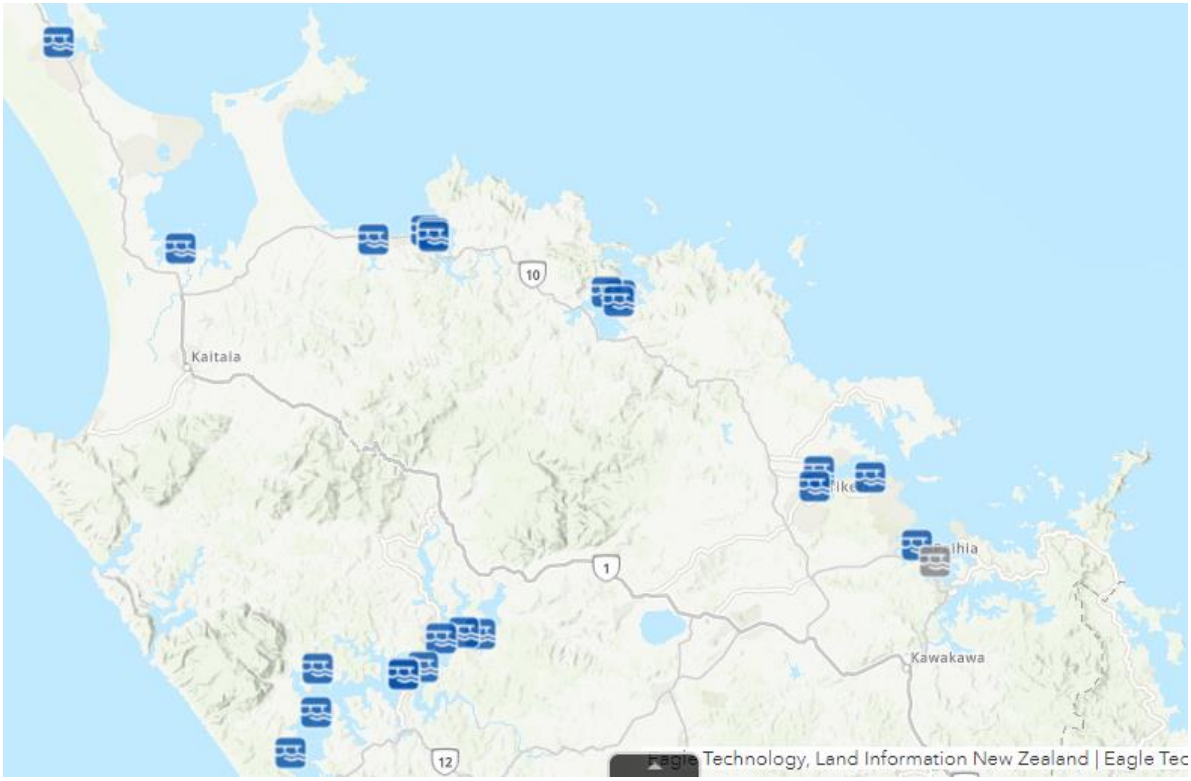
The impact of having more space available to expand into both on land and on the water should not be underestimated. In addition, this development will provide a well-established secure base from which these businesses can operate. Currently that is not necessarily the case with the areas of operation not being segregated from public areas.

New Zealand is world renowned for its marine servicing and construction capability. Opua businesses have a significant amount of this skill and knowledge.

Opua is New Zealand’s first and busiest port of entry for overseas craft with over 450 vessels clearing customs there annually. Many of these vessels require maintenance that Opua businesses provide. With the expanded hard stand and berthing areas that this development will provide more of this will be able to occur as well as marine tourism vessels being able to be better catered for.

The Far Norths 60 wharf facilities and boat ramps are all serviced by businesses based at Opua. As well as the publicly owned facilities there at least twice as many privately owned marine structure in northland that need to be maintained. Two of the main players in this area are Total Marine Services Limited and Johnson Brothers Limited.

Below are the locations of some of the structures maintained by businesses based at Opua.



Aquaculture Industry

Aquaculture is an efficient and environmentally sustainable way to produce protein. It is a growth sector driven by exports as well as domestic demand.

The sector of the aquaculture industry that Opua services is oyster farming in the Waikare Inlet.

The Inlet has 70 hectares consented for use as oyster farms with a high proportion of that productive. There are 4 companies operating oyster farms in the Inlet. This industry utilises barges for the transportation of harvested oysters from the farms to shore. The barges are shallow draft so need relatively sheltered waters for operating safely, particularly for unloading. The harvest season for oysters runs from April to December so coincides with some of the busiest times for marine recreational use. A ramp at Opua is the only viable option for use by the oyster farmers. With 3 or more barges needing to be unloaded daily the conflict with recreational users from a safety and productivity perspective is significant.

There is a real risk that if the infrastructure is not upgraded so that commercial and recreational users are separated that the major operators that are in Opua may relocate their operations, reduce their operations, or cease operating.

Photographs illustrating issues with mixed us of ramp

Tourism

This development will have benefits for the tourism industry with links to the Bay of Islands vintage railway, the Twin Coast Cycle Trail, and permanent berthage for the SS Minerva, the newly restored 20 metre steam ship. This vessel's restoration was partially funded by the PGF, donations, and thousands of volunteer hours.

Further, with Cruise ships now visiting the Bay of Island again the opportunity for this development to aid in the capitalising on the economic benefits that can flow from entertaining passengers is considerable. 94 cruise ships visited the Bay of Islands in the season from September 2023 to April 2024 carrying an estimated 155,000 passengers.

The linking of these attractions made possible by this development is expected to result in significant additional funds being injected into the northland economy as well as sustaining addition employment.

3. Resource Consent.

This project has had resource consent approval, approved in 2021. This was after an earlier application for a site in the "Colenso Triangle" was unsuccessful and in hindsight would have been far less suitable as road access for loading and unloading barges and other vessels was limited.[1]

4. The cost of development.

Far North holdings have had engineers estimates of what it will cost to undertake the development which is expected to take two years. In addition to that, Far North Holdings have funded the concept design and resource consent process totaling approximately $300,000. This is not included in the costings below.

The costings are broken into two portions:

Waterside	$1.134m	This includes a 20% contingency as the risks of unknowns in Waterside works is greater than landside
Landside	$6.336m	This includes a contingency for unknowns of 10%
Total excluding GST	$7.470m	

5. Economic Impact Assessment

The economic impact assessment prepared by m.e consulting shows that the overall combined economic impact of this proposed development is estimated at between $123.9m and $176.7m. The Value-Added impacts associated with the construction expenditure is estimated between $5.3m and $5.9m. The value of ongoing effects is substantially greater, especially the industry impact of maintaining marine servicing and construction components in Opua. At the total level, Value-Added impacts associated with

[1] Decision Report Far North Holdings Limited NRC APP.040976.01.01 FNDC RC2200220

oysters are between $21.1m and $30.8m, while industry impacts are estimated at between $97.5m and $140.0m[2]

6. The Case for Government support

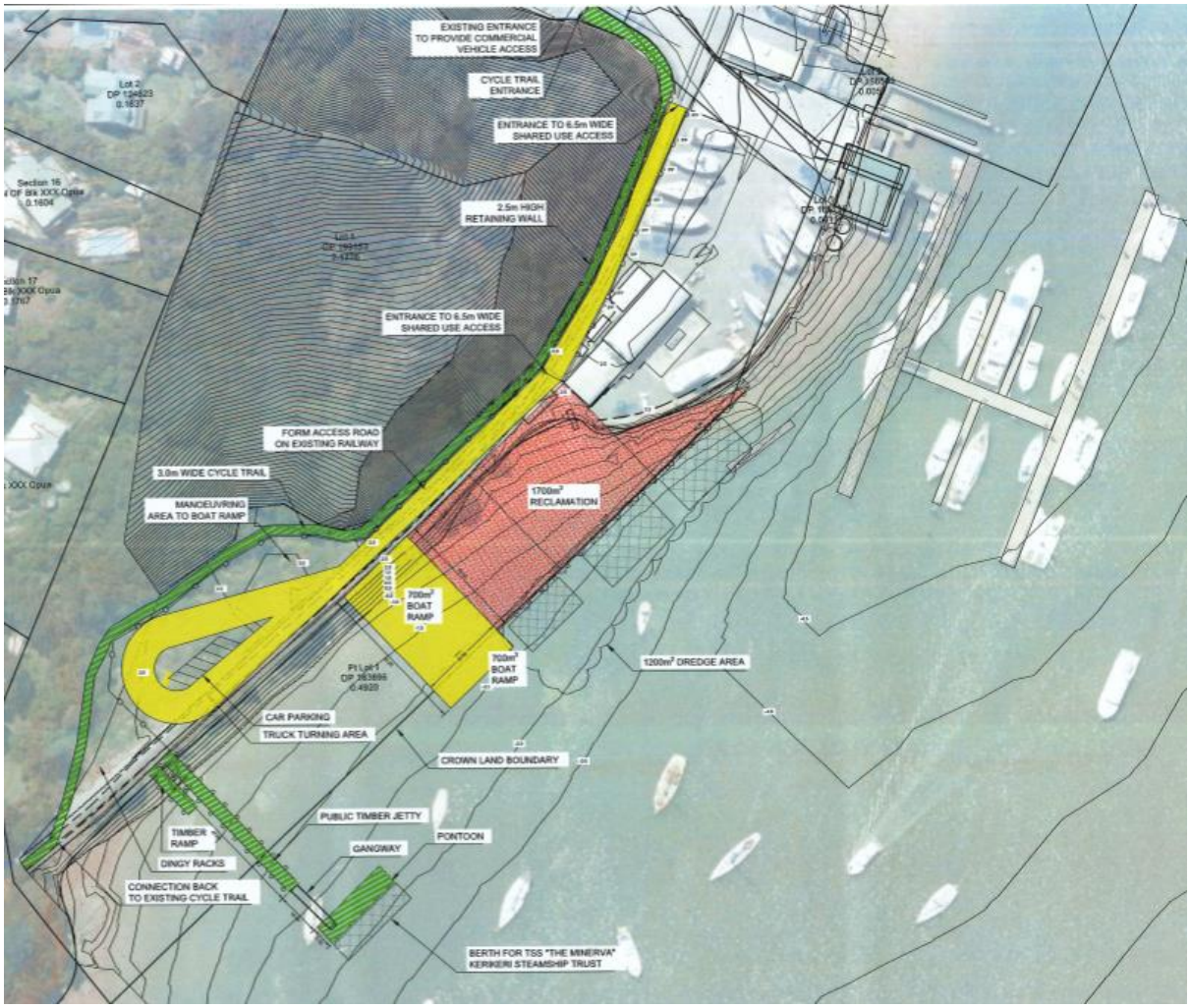
Far North Holdings Limited have put significant resource into establishing a development plan that would not only benefit the Opua and Northland region via value added economic benefits but New Zealand as a whole.

The project fits the criteria outlined for the Regional Infrastructure Fund in that this infrastructure will support productivity and growth of many businesses and parts of the community. It also aligns well with government “Blue Economy” aspirations[3] as detailed in t”The New Zealand Government Aquaculture Strategy.

[2] Opua Oyster Farm and Marine Services Infrastructure Economic Impact Assessment m.e consulting

[3] The New Zealand Government Aquaculture Strategy

7. Development Overview



8. Detailed Costings of project.

WATERSIDE					
Far North Holdings Limited					
Colenso Triangle Development, Beaufort Street, Opua					
JOB NO. 15 119					
SCHEDULE OF ESTIMATED QUANTITIES					
ITEM	**DESCRIPTION**	**UNIT**	**QUANTITY**	**RATE**	**AMOUNT**
1	**Preliminaries**				
1.1	Allow establishment on site of all equipment, facilities and materials for the duration of the Works and removal of same on completion, including; setting out of the Works, cable locate and protect buried services, insurance fees, as-built information & completion of RAMM spreadsheet, Contractor's supervision and administration.	Item	1	$117,000.00	$117,000.00
1.2	Mobilisation / Demobilisation of Plant	Item	1	$70,000.00	$70,000.00
1.4	Health & Safety Management Plan	Item	1	$5,000.00	$5,000.00
1.5	Traffic Management Plan	Item	1	$5,000.00	$5,000.00
1.6	Survey control of site including pre and as built surveys of site.	Item	1	$9,950.00	$9,950.00
	TOTAL SECTION 1				**$206,950.00**
2	**Earthworks**				
2.3	Cut of bank and engineered backfill of material in reclamation area	m^3	250	$30.00	$7,500.00
2.6	Cut and engineered backfill for land-side earthworks related to access, vehicle manoeuvring and parking areas.	m^3	800	$30.00	$24,000.00

2.7	Import and engineered backfill of hardfill for land-side earthworks related to access, vehicle manoeuvring and parking areas.	m^3	600	$75.00	$45,000.00
2.9	Import of and placement of 200mm GAP 40 for surface in vehicle manoeuvring and parking area.	m^3	280	$110.00	$30,800.00
2.11	Erosion sediment control during all earthworks.	Item	1	$20,000.00	$20,000.00
	TOTAL SECTION 2				**$127,300.00**
4	**Monitoring costs**				
4.1	Installation and monitoring of piezometers	Item	1	$150,000.00	$150,000.00
4.2	Install Settlement monitoring markers	Item	1	$4,576.00	$4,576.00
	TOTAL SECTION 4				
7	**Access**				
7.1	Construction of 2.5m high retaining wall to enable shared vehicular and cycle access.	m	85	$3,000.00	$255,000.00
7.2	Re-alignment of cycle path	m^2	270	$50.00	$13,500.00
7.3	Supply and erecting of fence between cycle path and vehicular access road in public area. 700mm high, steel rope barrier.	m	67	$100.00	$6,700.00
7.4	Supply and erecting of 1800mm fence between cycle path and vehicular access road.	m	330	$100.00	$33,000.00
7.5	Supply and installation of autmated gates for vehicle access.	each	2	$10,000.00	$20,000.00
7.6	Formation of 6.5m wide shared access road along former railway. Road to be finished with GAP 40.	m^3	130.65	$130.00	$16,984.50
7.7	Formation of 6.5m wide shared access road along former railway. Sprayed bitumen and chip sealing with 250mm thick basecourse, GAP 40.	m^3	121.875	$130.00	$15,843.75

7.8	Sprayed bitumen and chip sealing for 6.5m wide accessway.	m^2	487.5	$20.00	$9,750.00
	TOTAL SECTION 7				**$370,778.25**
8	**Stormwater Management**				
8.1	Supply and installation of Humes Stormwater360, Hynds Downstream Defender or similar treatment devices compliant with ARC Publication TP10/GD01 with a piped outfall to the CMA for removal of greater than 75% TSS for vehicle parking and manoeuvring area.	each	3	$29,000.00	$87,000.00
8.2	Supply and installation of Humes Stormwater360, Hynds Downstream Defender or similar treatment devices capable of removing the required levels of copper, zinc and suspended solids.	each	3	$25,600.00	$76,800.00
	TOTAL SECTION 8				**$163,800.00**
9	**Other items**				
9.2	Dingy Racks	Item	1	$5,000.00	$5,000.00
	TOTAL SECTION 9				**$5,000.00**
Total Estimate Sum					**$873,828.25**
Total Estimate Sum with 20% Contingency					**$1,048,593.90**
Engineering Design and Construction Monitoring by Engineering Consultant					**$83,887.51**
Total Estimate Sum with 20% Contingency (excluding GST)					**$1,132,481.41**

LANDSIDE					
	OPUA AQUACULTURE HUB WATERSIDE WORKS PRELIMINARY ENGINEERS ESTIMATE				
Prepared by:		**Date**	Apr-24		
		Client:	Far North Holdings		
Item	**Description**	**Unit**	**Quantity**	**Rate**	**AMOUNT**
Detailed Design, Contract Documents, Tender works and Construction Management					
1.01	Detailed design for reclamation, jetty, boat ramp and pontoon	LS	1	$150,000	$150,000
1.02	Detailed construction drawings for reclamation, jetty, boat ramp and pontoon	LS	1	$50,000	$50,000
1.03	Contracts and tendering	LS	1	$25,000	$25,000
1.04	Project Management and payment certificates	LS	1	$25,000	$25,000
1.05	Construction monitoring and inspections (review and approve pile driving records)	LS	1	$50,000	$50,000
					$300,000
Establishment, Preliminary and General					
2.01	Site Establishment, disestablishment	LS	1	$100,000	$100,000
2.02	Supervision and job management	LS	1	$100,000	$100,000
2.03	Construction works Insurances	LS	1	$15,000	$15,000
2.04	Safety barrier fencing and signage to exclude public from worksite	LS	1	$1,500	$1,500

2.05	Quality assurance documentation	LS	1	$2,000	$2,000
2.06	Health and Safety management	LS	1	$5,000	$5,000
2.07	Survey works	LS	1	$10,000	$10,000
					$233,500
Timber Jetties and Pontoon					
3.01	Construction of timber jetty, 42 x 3m	m²	126	$5,000	$630,000
3.02	Timber dinghy launching ramp, 15 x 3m	m²	45	$3,000	$135,000
3.03	12 x 1.8m aluminium gangway 3 kPa	No	1	$50,000	$50,000
3.04	20 x 3.6m concrete pontoon (multipiece with steel walers)	m²	72	$4,000	$288,000
3.05	Pontoon Piles	No	4	$15,000	$60,000
3.06	Safety ladder	LS	1	$2,500	$2,500
3.07	Power and water connections (estimate)	LS	1	$50,000	$50,000
					$1,215,500
Reclamation Seawall construction					
4.01	Temporary works for access to piled wall installation	LS	1	$100,000	$100,000
4.02	Supply of 762 x 12.7mm WT x 15m piles with 12m clutches and 7m TSA coating x 7m ($284k USD landed)	LS	1	$481,356	$481,356
4.03	Supply of S355GP sheet piles x 12m with 7m TSA coating ((234k USD landed)	LS	1	$396,610	$396,610
4.04	Customs clearance and port charges (estimated)	LS	1	$20,000	$20,000
4.05	Transportation to site and offloading (19 truckloads for piles at 12 Tons each)	No	19	$2,500	$47,500
4.06	Transportation to site and offloading (9 truckloads for sheet piles at 12 Tons each)	No	9	$2,500	$22,500
4.07	Contractors margin for steel materials supply and transportation (15% assumed)	LS	1	$145,195	$145,195
4.08	Piling gate system for wall installation	LS	1	$100,000	$100,000
4.09	Drill and drive King piles	No	55	$10,000	$550,000
4.1	Vibro in sheet piles (6 per day assumed)	Day	18	$10,000	$180,000
4.11	Reinforcing cages for piles	No	55	$5,000	$275,000
4.12	Supply and place concrete into king piles	No	55	$3,000	$165,000
4.13	Supply precast concrete capping beams	lm	110	$750	$82,500

4.14	Installation and grouting of precast capping beams	lm	110	$500	$55,000
4.15	Supply and place geotech fabric in behind seawall and to full reclamation footprint	m²	3330	$13	$43,290
4.16	Supply and place quarry run fill to reclamation	m³	7455	$45	$335,475
4.17	Supply and place Tensar geogrid reinforcing layers	m²	1950	$20	$39,000
4.18	Supply and compact GAP40 topping layers	m³	390	$60	$23,400
4.19	Supply and install timber fendering piles at approx. 5m c-c along seawall face and boat ramp face	No	22	$5,000	$110,000
4.2	Supply and install galvanised mooring cleats to capping beam on berthing faces	No	22	$1,000	$22,000
4.21	Supply and install galvanised access ladders onto reclamation	No	4	$5,000	$20,000
					$3,213,826
Boat Ramp (35 x 20m down to CD - 0.4m)					
5.01	Supply and place geotech fabric to base of boat ramp	m²	912	$15	$13,680
5.02	Supply and compact quarry run hardfill to ramp base	m³	1500	$50	$75,000
5.03	Supply and compact GAP 65 hardfill to ramp base	m³	210	$60	$12,600
5.04	Supply and place geotech fabric to top of ramp perimeter batters	m²	195	$15	$2,925
5.05	Supply and place protection rock to perimeter batters	m³	97.5	$125	$12,188
5.06	Supply and place 50 Mpa pour insitu boat ramp down to MLWS	m²	600	$450	$270,000
5.07	Supply and place precast concrete panels for ramp base and ramp toe	m²	100	$1,600	$160,000
5.08	Stitch joints for precast panels, panel grouting, connections and ramp toe works (divers works)	LS	1	$50,000	$50,000
5.09	Supply and install freestanding fender piles at toe of ramp on seawall side	No	2	$7,000	$14,000
					$610,393
Dredging works					
6.01	Dredging to remove and dispose of unsuitable materials from boat ramp footprint	m³	704	$60	$42,240

6.02	Dredging to remove and dispose of unsuitable materials from reclamation footprint	m³	975	$60	$58,500
6.03	Dredging in footprint of barge berthage area and disposal of dredgings	m³	600	$60	$36,000
6.04	Silt control curtain for duration of the works	LS	1	$30,000	$30,000
6.05	Resource consent compliance and water quality monitoring	LS	1	$20,000	$20,000
					$186,740
				SUB TOTAL:	**$5,760,000**
				CONTINGENCY, 10%	**$576,000**
				TOTAL excluding GST:	**$6,336,000**

9. Appendix i Resource consent approval

Far North Holdings Limited

NRC APP.040976.01.01
FNDC RC2200220

Decision Report

Far North Holdings Limited

NRC APP.040976.01.01 FNDC RC2200220

Resource Consent Applications

to

Northland Regional Council Far North District Council

14 January 2021

Table of Contents

Far North Holdings Limited NRC APP.040976.01.01
FNDC RC2200220

1 Introduction

[01] In June 2019 Far North Holdings Limited[1] (FNHL or applicant) lodged applications with the Northland Regional Council (NRC) for coastal permits and with the Far North District Council (FNDC) for landuse consent to establish and operate an area for barging activities associated with a marine construction operation and a landing facility for marine farming operations at the end of Baffin Street and in the Kawakawa River (CMA) in Opua.

The applications are granted for the reasons herein.

2 Appointment

[002] The NRC and FNDC, both acting under s34A of the Resource Management Act 1991, jointly appointed independent hearing commissioner Rob van Voorthuysen[2] to hear and decide the applications.

3 Process Issues

3.1 Notification, submissions, written approvals and s92 requests

[03] The applications were publicly notified and 41 submissions were received by NRC and 34 submissions were received by FNDC.[3] Many of the submitters lodged separate submissions with both NRC and FNDC with identical or similar content.

[04] No written approvals were provided, although the application included an email of support from Te Kahui Kaitiaki o Ngāti Manu mo te Awatapu o Taumarere. Requests for further information were made by the councils and that information was provided by the applicant.[4]

3.2 Site visit and hearing

[05] I conducted a site visit on Monday 7 December 2020, accompanied by Alissa Sluys, NRC Consents & Hearing Administrator, and Aimee Page, Trainee Projects Engineer at FNHL. I held a hearing in at the Scenic Hotel in Paihia on Monday 7 December and Tuesday 8 December 2020.

[06] The Section 42A Report[5] and the FNHL evidence[6] and opening legal submissions[7] were pre-circulated in conformance with a Minute I issued setting out a filing timetable. The seven lay submitters who spoke at the hearing tabled written statements of lay evidence.[8] Copies of the legal submissions and statements of evidence are held by NRC and FNDC. I do not separately summarise the matters covered here, but I refer to or quote from that material as appropriate in the remainder of this Decision. I took my own notes of any answers given to verbal questions that I posed to hearing participants.

[1] FNHL is the commercial trading and asset management arm of FNDC. In addition to managing a range of property, maritime and transport assets across the district, FNHL is tasked with promoting and supporting investment and employment in the Far North. Opening Legal Submissions, paragraph 6.

[2] Commissioner van Voorthuysen is an experienced independent commissioner, having sat on over 310 hearings throughout New Zealand since 1998. He has qualifications in natural resources engineering and public policy and was a full member of the New Zealand Planning Institute (NZPI) from 1998 to 2016.

[3] Several late submissions were accepted by both NRC and FNDC.

[4] Section 42A Report, page 10.

[5] Titled "Northland Regional Council & Far North District Council Hearings Committee Agenda" prepared by independent consultant planner Alister Hartstone.

[6] Chris Galbraith (FNHL General Manager), Simon Cocker (landscape architect), John Papesch (consulting engineer), Gregor Akehurst (consultant economist), Peter Ibbotson (acoustic consultant), Pamela Kane-Sanderson (consultant marine ecologist), Jeffery Kemp (consultant planner). Mr Cocker and Mr Akehurst were excused attendance at the hearing as I had no questions of clarification arising from their written evidence.

[7] Jeremy Brabant.

[8] Pou Herenga Tai twin Coast Cycle Trail trust (Robert Newport), Stirling Ashby, Ronald Cooke, Paula Beck, Peter Nobbs, Myra Larcombe (speaking notes provided after the hearing) and Eunice Kennedy. Katherine Walls and Sophia Clark appeared for MPI via Zoom.

[007] The applicant's verbal Reply submissions were provided at the hearing. A written Reply was provided to the NRC on 23 December 2020 and forwarded to me by the Council on 6 January 2021. I closed the hearing on 13 January 2021, having concluded that I required no further information from any of the participants.

3.3 Description of the Activity

[08] The nature of the application was thoroughly described in the applicant's two AEE documents,[9] its supporting technical reports,[10] and the Section 42A Report.[11]

[09] By way of summary FNHL proposes the construction of a maritime servicing area incorporating a 1,700m² reclamation with a seawall edge, an adjacent boat ramp, a public timber jetty and pontoon (with a single adjacent berth for the 'TSS Minerva); together with associated capital and maintenance dredging activities, mangrove removal and exclusive occupation of the coastal marina area. Stormwater from all new sealed and metalled surfaces will discharge to the CMA following treatment in proprietary devices. FNHL will construct and operate vehicle access from the end of Baffin Street and provide six short term carparks (for users of a relocated dinghy rack).[12]. The existing Pou Herenga Tai (Twin Coast) cycle trail will be realigned where it currently traverses the site.

[10] FNHL advised that the existing barge dock in Opua needs to be relocated as the recently constructed extension to the Opua Marina renders the barge dock activities incompatible with the increased recreational usage of the wider area, especially the public boat ramp centrally located between the two portions of the marina. The existing dock serves oyster farms in the Waikare Inlet as well as barging operations associated with dredging and construction activities, including maintenance of existing structures on islands or locations not accessible by road within the Bay of Islands.[13]

[11] Interestingly, NRC placed a condition on the consent for the extension of the Opua Marina requiring the existing consent for the barge dock within the marina area to be surrendered within a month of the completion of the marina facilities.[14]

[12] The overall proposal is shown on the figure overleaf.

[13] The red area is the proposed reclamation (abutting the existing 'Ashby's Boatyard') and the proposed new boat ramp adjoins the reclaimed area and is shaded yellow. The proposed vehicle accessway and turning circle are also shaded in yellow. The new wharf and pontoon are shown in green and the small new boat ramp for dinghy users (also shown in green) abuts the new wharf. The realigned cycle trail is also shaded green.

[14] More detailed aspects of the proposal are discussed in latter parts of this Decision.

[9] Planning Report (amended September 2019) lodged with the NRC and Planning Report (date October 2019) lodged with the FNDC. For the purposes of this Decision, I refer to the AEE lodged with the NRC unless I state otherwise. For a description of the proposal see paragraphs 13 to 17 of the AEE.
[10] Ten reports covering engineering, ecological effects, landscape character and visual impacts, economic impacts, noise and affected moorings amongst other matters. The report titles are listed on page 13 of the Section 42A Report.
[11] Section1 (page 12).
[12] The dinghies are used by boat owners to access their nearby moored vessels.
[13] AEE, paragraphs 1 and 2.
[14] AEE, paragraph 28.

3.4 Consent categories

[015] The landuse consent required from FNDC is a discretionary activity. The Section 42A Report tabulated the various consents required from the NRC and the consent categories ranged from controlled through to noncomplying.[15] Under the bundling approach the overall activity is assessed as a non-complying activity. I note that the applicant agreed with that approach.[16]

3.5 Decision format

[16] FNHL provided a comprehensive application supported by robust technical reports, hearing evidence and legal submissions. A comprehensive Section 42A Report was also provided. Consequently, in the interests of efficiency and as provided for by s113(3) of the RMA, I cross-refer to and adopt substantial parts of the s42A author's report and assessment and the FNHL application documents. The consequence of that approach is that readers of this Decision should as a minimum, obtain and read the Section 42A Report prior to, or at the same time as, they read this Decision.

[17] I note that the s42A author, Alister Hartstone, recommended granting the applications, both in his pre-circulated Section 42A Report and at the conclusion of the hearing.

4 Section 104 and 104D matters

[18] I now address relevant aspects of the application in terms of ss104 and 104D of the RMA.

[19] Turing firstly to s104D, because the overall consent categorisation is non-complying, I may only grant consent if I am satisfied that the adverse effects[17] of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor (s104D(1)(a)), or the application is for an activity that will not be contrary to the objectives and policies of the applicable regional and district plans (s104D(1)(b)). As will become evident from the remainder of this Decision I am satisfied that the first limb of s104D(1) is met and so there is no barrier to me considering the applications under s104 of the RMA.

[20] However, before doing so I mention some of the matters raised by submitters who attended the hearing that I find are not relevant to my assessment.

[21] Several submitters raised grievances that they held with FNHL regarding previous activities and consent processes.[18] Other submitters made unsubstantiated claims that FNHL had as yet undisclosed further plans for development in the area or that they had somehow "intimidated' potential submitters.[19] Some claimed that FNHL had not consulted with the appropriate iwi.[20] Others[21] provided what could best be called 'hearsay' evidence (stating for example "*I spoke to someone who told me* …). Some submitters spoke at length on matters not raised in their actual submissions.[22] I have not given any determinative weight to these matters.

[22] None of the submitters provided any expert evidence yet many of them criticised or disagreed with the expert evidence provided by FNHL and the councils' technical advisors. My noting that fact is not intended as a criticism of the submitters, but I record that in terms of potential adverse effects and the mitigation of them, I assign more weight to the informed opinions and conclusions of the qualified experts.

[15] For the reclamation under Rule 31.6.4(b) of the operative Regional Coastal Plan.
[16] AEE, paragraph 25 and Opening Legal Submissions, paragraph 4.
[17] Including proposed mitigation of those effects that is able to be imposed by way of consent conditions.
[18] Including Ronald Cooke, Paula Beck and Peter Nobbs.
[19] Including Ronald Cooke and Paula Beck.
[20] Including Stirling Ashby and Ronald Cooke.
[21] Including Paula Beck.
[22] Including Stirling Ashby.

[23] In that regard all of the FNHL expert witnesses stated that they had read and were familiar with the Code of Conduct for Expert Witnesses set out in the Environment Court Practice Note 2014. Those experts all agree to comply with that Code, confirmed that their evidence was within their scope of expertise and advised that they had not omitted to consider material facts known to them. This adds to the credibility of their evidence in my view.

[24] I now discuss the potential adverse effects of the proposal, referring at times to relevant aspects of the statutory instruments. In saying that I note that many of the effects related issues addressed in the remainder of this Decision were also of concern to submitters and I have had regard of their views on those matters.

4.1 Existing environment

[25] The existing environment was described in the Section 42A Report and I adopt that description.[23]

[26] By way of summary the site directly adjoins a bustling industrial area (the FNHL marine servicing centre formerly known as 'Ashby's Boatyard'). The site (see the above figure) is traversed by a former railway line now followed by the Twin Coast cycle trail. A rock revetment lines the lands edge and some small mangroves occupy the foreshore. A very small public boat ramp and a dinghy rack are located at the northern end of the site. Inland from the cycle trail there is an area of mainly exotic scrub with some native bush adjacent to which the site rises up steeply to residential properties on Lyons and Kennedy Streets.

[27] The site is Crown land and the portion located within the CMA has a certificate of title. The landward site, which comprises the steep bush clad hillside located below Lyons and Kennedy Streets, was gazetted in 1999 as land not required for railway purposes and has subsequently been added to the land bank for Treaty settlements.[24] I was not provided with any evidence suggesting that the land banking precluded development on the land or my consideration of the FNHL applications.

[28] Importantly, the land subject to the FNDC landuse application is zoned as Industrial Zone with an overlay identified as Maritime Exemption Area ('MEA'). Notably, buildings can be constructed on the site as a permitted activity and the MEA overlay allows buildings to be constructed up to MHWS. A maximum of 200 traffic movements per day (100 on and 100 off the site) are permitted. Subject to compliance with matters such as noise, a wide range of industrial activities could be established on the site as a permitted activity. In that regard I note and agree with FNHL's Reply submissions[25] that "*as a result of permitted activities and a range of resource consents, Opua is an industrial marine hub …. providing for industrial and business activities*."

4.2 Positive effects

[029] Positive effects of the proposal were set out in the AEE[26] and the evidence of Mr Akehurst. In summary they include the provision of barging and oyster landing facilities to service the existing aquaculture activities in the Waikare Inlet; and enabling the barging and transportation of other goods and services such as dredging plant and construction materials to sites in the wider Bay of Islands. A base for the SS Minerva as a tourism venture will also be provided. A consequential positive effect is the removal of existing conflict[27] between recreational and commercial users of the existing ramp within the Opua Marina and the health and safety benefits of doing so.

[23] Section 42A Report, pages 18 and 19.
[24] AEE, paragraphs 1 to 8.
[25] Reply Submissions on behalf of Far North Holdings Limited, Dated 23 December 2020, paragraphs 10 and 11.
[26] AEE, paragraphs 85 to 88.
[27] Conflict in terms of limited space as opposed to physical conflict.

[30] Based on my own observations during the site visit, I consider that the proposed new recreational wharf, dinghy rack and dedicated dinghy launching boat ramp (and associated short term carparking spaces) to be provided at the southern end of the site will be a marked improvement on the current somewhat dilapidated facilities.

[31] For FNHL Mr Akehurst advised that the ability to service marine infrastructure[28] and efficiently land oysters for market are critical components of the local and regional economy.[29] The s42A author advised that economic effects and associated social effects of the proposal are substantial and beneficial. He noted that no submissions questioned the value of the proposed activities and nor did submitters provide any contrary evidence on the proposal's positive benefits.

[32] I find that the proposal will have significant positive benefits.

4.3 Alternative sites

[33] A number of submitters suggested alternative sites for the proposed activity.

[34] My scope to consider alternative sites is limited. Clause 6(1)(a) of Schedule 4 of the RMA requires a description of alternatives in an AEE where it is likely the activity will result in any significant adverse effect on the environment.

[35] In this case FNHL contends that their proposal will not result in such effects, but nevertheless Mr Papesch attached to his evidence a 2017 assessment of ten alternative sites prepared by Total Marine Services (TMS) in relation to a previous application to locate the barge dock at Colenso Triangle.[30] The TMS assessment noted that the oyster industry uses barges and the aim is to land the product and get it into refrigerated transport as expeditiously as possible, so that health and safety risk factors in respect of shellfish for human consumption are minimised. Good access to the roading network is essential. All tide access is also preferable, particularly where limits are proposed on hours of operation. The TMS assessment concluded that the eastern side of the Kawakawa River and the Waikare Inlet were not appropriate sites because of limited road access and long distances to major roads.[31]

[36] Mr Papesch considered that the current site was preferable to the alternative sites identified in the TMS assessment. Having read the TMS report myself I agree. In saying that, I note and agree with Mr Brabant's submissions[32] that an assessment of alternatives does not have to capture every possible alternative available and nor it is necessary for FNHL to demonstrate that its proposed site is 'the best'.

[37] A further considered evaluation of specific alternative sites suggested by submitters was undertaken by Mr Kemp for FNHL.[33] I adopt his evaluation and find that alternative sites suggested by submitters would not provide a better means of meeting the oyster farming and marine servicing industry needs. In that regard I note FNHL's Reply submission[34] that "… *its [the proposal's] parameters, its location as proposed and its operation has been discussed with the marine farmers and they have been part of the proces*s."

[38] I therefore limit the remainder of my assessment to the potential adverse effects of the FNHL proposal at the site they have applied for, rather than speculating on the effects of locating the proposal at an alternative site.

[28] Wharves, piles, seawalls, jetty's beacons and other constructions in the marine environment.
[29] EIC Akehurst, paragraph 12(a).
[30] Including Smiths motor camp, Hyland's property, Derricks Landing, Frenchman's Swamp, South of Kennedy Street, Opposite Carter's, Veronica Point, Bay to the North of Colenso Triangle, Opua wharf and Colenso Triangle.
[31] EIC Kemp, paragraph 36.
[32] Opening Legal Submissions, paragraph 85.
[33] EIC Kemp, paragraphs 37 to 45.
[34] Ibid, paragraph 16.

4.4 Noise and vibration

[39] The FNHL proposal will generate noise during its construction and operation and this was an understandable issue of concern to a number of submitters.

[40] FNHL commissioned a noise assessment from Marshall Day Acoustics and the issue of noise and vibration was addressed in the evidence of Mr Ibbotson.

[41] He advised that the main noise generating construction activity would be piling and noise emissions from dredging and general construction works were likely to be appreciably quieter.[35] Construction activities are required to comply with the construction noise limits set out in the District Plan which refers to New Zealand Standard NZS 6803: 1999 *"Acoustics - Construction Noise"*. Mr Ibbotson determined that noise from piling might exceed the construction noise limit of 70 dB L_{Aeq} by one decibel at one nearby residence. He considered that to be a minor adverse effect but nevertheless recommended that construction works be managed using a Construction Noise and Vibration Management Plan (CNVMP) that would direct the contractor to take all practicable options to reduce noise effects, such as driving piles during the least sensitive time of day and providing nearby residents with advance warning of piling activity.

[42] I find that to be appropriate.

[43] I note that in answer to my questions Mr Ibbotson advised that if pile driving did not use a 'dollie'[36] or if rock breaking was undertaken then those activities should be restricted to the hours of 9am to 5pm. I agree and have amended FNDC Condition 2 accordingly.

[44] Regarding operational noise Mr Ibbotson advised that activities in the Industrial Zone (including those proposed by FNHL here) must comply with the following noise limits when measured at any point within any site in the adjoining Coastal Residential zone:

- 55 dB $_{LA10}$ between 0700 and 2200 hours (daytime)
- 45 dB $_{LA10}$ and 70 dB $_{LAFmax}$ between 2200 and 0700 hours (night-time)

[45] Mr Ibbotson noted that Marshall Day had assessed likely noise levels from FNHL's proposed marine servicing area, assuming that that work on site would be variable and seasonal and could include the use of power hand tools, a tractor, general traffic, forklifts, trucks and hiabs during the day and busy use of the new boat ramp for a 15-minute period during the night. Based on the Marshall Day calculations, he expected that compliance with the District Plan noise limits would be achieved once the FNHL proposal was operational.[37]

[46] Regarding potential effects of vibration, Mr Ibbotson noted vibration was unlikely to be significant, but for completeness a condition could be imposed requiring vibration from piling to not exceed the guidelines contained in DIN 4150 3:1999 "Structural Vibration - Effects of Vibration on Structures" when measured at adjacent dwellings in accordance with the standard.[38] I agree.

[47] Regarding potential effects of underwater noise effects on marine mammals, in consultation with Ms Kane-Sanderson, Mr Ibbotson recommended specific requirements for the CNVMP to include management measures for underwater noise effects on marine mammals should they enter the area.[39]

[48] I received no qualified evidence contesting that provided by Mr Ibbotson and so I accept his assessments and his recommended conditions.

[35] EIC Ibbotson, paragraph 32.
[36] A wooden (or similar) cap placed on the top of the pile to reduce noise.
[37] EIC Ibbotson, paragraphs 42 and 45.

[38] EIC Ibbotson, paragraph 52.
[39] EIC Ibbotson, paragraph 54.

[49] The s42A author considered that the CNVMP approach proposed by FNHL was appropriate.[40]

[50] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects arising from noise and vibration will be no more than minor.

4.5 Landscape character, visual impact and natural character

[51] The effects of the FNHL proposal on the site's landscape character and natural character were of concern to some submitters, as were the potential visual impacts of the proposal.

[52] The issue of natural character is important because Policy 13(1) of the New Zealand Coastal Policy Statement (NZCPS) is to preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development. As the site is question does not have 'outstanding natural character',[41] Policy 13(1)(b) requires the avoidance of significant adverse effects and avoidance, remediation or mitigation of other adverse effects of activities on natural character.

[53] The starting point is to assess the existing natural character of the site. I note that the applicant commissioned a landscape and visual impact assessment from Simon Cocker, an experienced landscape architect. Mr Cocker considered that the level of modification associated with the subject site and its immediate context had resulted in it not displaying elevated natural character values.[42] In his view the overall impression of the site was an area that is settled, 'peri-maritime industrial', and having a very limited sense of wildness or remoteness.[43] I agree and, in my view, the 'natural character' of the site is much diminished. The site directly adjoins a working marine servicing area, its foreshore is modified with rock revetments and discarded structures, its foreshore area is silty and it is backed by a former railway line and now a formed cycle trail. On that basis I conclude that the FNHL proposal will not result in a significant adverse effect on natural character.

[54] Understandably, given the above discussion, Mr Cocker considered that potential adverse effects on landscape values would be low when considered within the wider context of the subject site.[44] I agree.

[55] In terms of visual impacts, Mr Cocker noted that some residents on Kennedy and Scoresby Streets would gain views of the proposal, albeit that those views would be filtered by existing tall vegetation. He concluded that, in the context of a site that has an Industrial Zoning (which anticipates a significant change in the character of the terrestrial portion of the site), the potential adverse visual amenity effect that would be experienced by residents on Kennedy and Scoresby Streets would be, at most, low to moderate. I accept Mr Cocker's uncontested expert opinion on those matters.

[56] In making these findings I note that FNHL has proposed a landscape planting plan which will ensure protection of some existing vegetation and enhancement or replacement planting (with native species) in areas of the site not subject to active use. This includes a triangular area to the south west, to the north of the turning area and within the turning area island.[45] That planting will mitigate the landscape and visual effects of the proposal.

[57] The s42A author accepted Mr Cocker's conclusion that the effects on landscape and natural character were minor.[46]

[40] Section 42A Report, paragraph 47.
[41] Its is not identified as such in either the Northland Regional Policy Statement, the operative Regional Coastal Plan or the Proposed Regional Plan for Northland.
[42] EIC Cocker, paragraph 46.

[43] EIC Cocker, paragraph 76.
[44] EIC Cocker, paragraph 48.
[45] As shown on page 1 of 13 in the attachments to the evidence of Mr Cocker.
[46] Section 42A Report, paragraph 80.

[058] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects on natural character and landscape character will be no more than minor. Potential adverse effects on visual amenity will also be no more than minor.

4.6 Earthworks

[59] The FNHL proposal requires earthworks, including the formation of vehicle access from Baffin Street which in turn requires realignment of the existing Twin Coast cycle trail, excavation of the existing rock face to form a 6.5m wide access[47] and construction of an engineered 2.5m high retaining wall to support the toe of the rock face. This was of concern to some submitters who resided above the site on Kennedy and Scoresby Streets as they were worried about future subsidence.[48]

[60] For FNHL Mr Papesch noted that the existing rock face was formed as a box cut in the 1880's to provide access to the Port of Opua and it shows no obvious signs of instability. He considered that construction of a retaining wall at the toe of rock face would not have any adverse effects on surrounding properties or the cycle trail.[49] I heard no qualified evidence to the contrary.

[61] Regardless, FNHL intends to undertake a more detailed geotechnical assessment of the proposal that will provide specific design details for all proposed earthworks including the design of the retaining wall, suitable protection measures to protect the users of the cycle trail from debris or rock fall above the retaining wall, and recommendations regarding the construction of the internal commercial access road. In addition, the proposed retaining wall at the base of the rock face will require a building consent from FNDC and will therefore be subject to specific engineering design requirements at that time.

[62] The FNDC Resource Consents Engineer noted that FNHL appropriately proposed earthworks control measures in conjunction with a Construction Management Plan.[50] The s42A author considered that earthworks associated with the reclamation and landward works providing for access and the realigned cycleway could be undertaken with appropriate erosion and sediment control measures in place.[51] I agree and note that comprehensive (and in my experience routine) erosion and sediment control conditions have been recommended.[52] The proposed further geotechnical assessment (to be required by conditions of the FNDC landuse consent) and the requirement for a retaining wall building consent provide additional reassurance that potential adverse effects arising from the earthworks can be suitably avoided or mitigated.

[63] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects of the proposed earthworks will be no more than minor.

4.7 Cultural and heritage values

[064] Despite being publicly notified no submissions were received from iwi authorities or groups that represent hapu. A submission from the Chairman[53] of the Waikare Inlet Tāiapure Committee raised issues of cultural effects but he elected not to attend the hearing (despite having requested to be heard) and so I could not enquire as the nature of those alleged cultural effects.[54] Heritage New Zealand Pouhere Taonga were served with a copy of the application as part of the notification process. No submission was received from them, however the recommended general conditions attaching to the NRC consents include a routine archaeological site and kōiwi discovery protocol. I find that to be appropriate.

[47] Earthworks over the bulk of the vehicle manoeuvring and parking area are relatively shallow (<0.5 m) and primarily comprises the stripping of vegetation and minor re-contouring

[48] Including Eunice Kennedy.
[49] EIC Papesch, paragraph 16. He did however recommend that the wattle on the rock face above the cycle trail is removed.
[50] Section 42A Report, Attachment C.
[51] Section 42A Report, paragraph 169.
[52] Appropriately based on Auckland Council GD05 recommendations for land-disturbance activities.
[53] Peter Clark.
[54] Mr Clark did provide a written hearing statement. In terms of matters relating directly to the site that is the subject of this hearing (he raised other procedural and unrelated matters) he claimed that "this proposed site is another traditional kaimoana Mahinga Kai" but he provided no further details or evidence of that.

[65] The FNHL application attached an email from Arapeta Hamilton which stated that *'….Te Kahui Kaitiaki o Ngāti Manu mo te Awatapu o Taumarere is supporting the application for Resource Consent for the Commercial Boat Ramp for the Oyster Farmers at Opua'.* The s42A author noted that applicant appeared to rely on the stated support from Te Kahui Kaitiaki o Ngāti Manu mo te Awatapu o Taumarere as evidence that no unacceptable cultural effects will arise from the proposal. Given the lack of submissions to the contrary I find no fault with that approach.

[66] On the evidence I find that potential adverse effects on cultural and heritage values will be no more than minor.

4.8 Traffic and parking

[67] During construction, there will be approximately 725 truck and trailer units of fill transported to the site. If the fill was placed at a rate of 10 truck and trailer units per day it would take two months to place.[55] However, the effect of construction traffic is excluded from traffic effects under Rule 15.1.6A.2.1 of the District Plan.[56]

[68] Once operational the FNHL marine servicing facility will generate additional traffic and associated parking demand. Having said that. the FNHL proposal clearly complies with the District Plan's traffic intensity rules and parking requirements for a site for an Industrial Zone.[57]

[69] Traffic and parking matters were addressed in the Section 42A Report[58] and by the FNDC Resource Consents Engineer. The s42A author noted that sealing of both Baffin Street and the first portion of the shared access up to the proposed cycle trail gates would be expected as part of any industrial development generating additional traffic. The FNDC Resource Consents engineer considered that the section of road to Baffin Street should be reinforced and sealed due to the cumulative effects from dust and vehicle turning movements due to public and commercial activities using this space. In response, at the hearing, Mr Papesch confirmed that FNHL would seal that ≈67m stretch of road (it is currently a gravel road) but not the (informal) road side parking areas.[59] I find that to be appropriate and note that the formation and sealing of that carriageway is now shown on Drawing 03a Sheet 4 of 9 attached to the consent conditions

[70] Mr Papesch also advised that he had considered the option of separating cyclists from the traffic associated with the maritime services facility and had assessed the effects on the cycle trail. He acknowledged the merit in providing separation with a 2.5m wide cycle trail and a 4m wide access road with a 700mm high safety barrier in between. I discuss that further in section 4.10 of this Decision.

[71] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects on traffic and parking will be no more than minor.

4.9 Contaminated soils

[072] FNHL sought consent from FNDC under the NESCS[60] as a controlled activity because the earthworks exceeded the permitted threshold and will be undertaken on land identified as previously being subject to

vessel maintenance and railway activities. Both of those activities are identified on the Hazardous Activities and Industries List as potentially resulting in contaminated soils. Preliminary and Detailed Site Investigation reports were provided by FNHL.

[55] EIC Papesch, paragraph 60(v).
[56] The Rules states *'Exemptions: The first residential unit on a site, farming, forestry and construction traffic (associated with the establishment of an activity) are exempt from this rule.'*
[57] Chapter 15 – Transportation, District Plan.
[58] Section 42A Report, paragraphs 96 to 101.
[59] The end of the legal road corridor of Baffin Street into the site is demarcated by the end of seal and a speed hump. The land on which the gravel access road is formed is leased from the Crown. The seal coat will be 6.5m wide and lap 10m onto the existing seal of Baffin Street.
[60] Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

[73] The s42A author advised that the concentration of contaminants in soils across the site were below the relevant criteria and were highly unlikely to present a risk to human health.[61] He considered that a Construction Management Plan with standard earthworks controls would be a suitable means of managing potential environmental and human health risks. I agree.

[74] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects associated with potentially contaminated soils will be no more than minor.

4.10 Cycle trail

[75] I have already discussed the Twin Coast cycle trail earlier in this Decision. The Chairman of the Pou Herenga Tai Twin Coast Cycle Trail Charitable Trust (Robert Newport) spoke to the Trust's submission at the hearing. He discussed the use made of the trail and noted that the proposed berthing of the TSS Minerva at the site would likely provide an important destination for cyclists.

[76] Mr Newport sought three outcomes. He wanted the cycle trail to be open at all times during construction, which might require active traffic management. He wanted the trail to be safe for cyclists after construction was completed, especially for young riders. In that regard he was very supportive of the revised width of the realigned trail and the installation of safety fence between the trail and the new access road, but preferred a wire mesh and shade cloth type arrangement as is current used to separate the trail from 'Ashby's Boatyard'. I asked Mr Newport about the preferred surface treatment of the realigned trail and stated a preference for crushed grey shale. I note that these matters are now specified in FNDC Condition 2(c).

[77] In Reply FNHL submitted[62] that "*The Cycle Trust appeared to suggest that the trail must be open "at all times". If what was meant is that the trail must be open as much as possible during the construction phase (the relevant period being identified in Mr Papesch's evidence – approximately a month) then that is reasonable. However, it is not realistic to suggest the trail cannot be closed even for one day. That is not realistic from a health and safety perspective, and frankly does not reflect the reality of the trails operation more broadly where periodic maintenance and works will result in temporary closures*." I agree.

[78] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects on the Twin Coast cycle trail will be no more than minor.

4.11 Reclamation and other structures

[79] As noted earlier, FNHL's proposed marine servicing area will involve a 1700m^2 barge dock reclamation that will effectively extend an area of historically claimed land that is currently the site of the existing FNHL maritime servicing area ('Ashby's Boatyard'). The outer edge of the reclamation will comprise a seawall with a maximum fill face of 4.6m, being the height of the outer reclamation above the seabed.[63] Mr

Papesch advised that a retaining wall (seawall) similar to that used for the Opua Marina Stage II reclamation is likely to be used here, namely a tied back pile and panel wall.

[80] Reclamation fill will primarily comprise imported clean fill, however it is also proposed to utilise 600m^3 of dredged material as reclamation fill. Mr Papesch considered settlement[64] would occur within the reclamation fill and 900m^3 of additional filling had been allowed for that purpose.[65] He also considered that kerb and channel, sealing[66] or installation of services should not be undertaken until the bulk of settlement had occurred which could take several years. I find that these matters should be referenced in conditions.

[61] The Detailed Site Investigation report noted that soil excavated from the site can be reused on the site but cannot be used for reclamation fill.
[62] Ibid, paragraph 26.
[63] The overall height of the sea wall is 5.6 m, to provide for 1 m depth of dredging against the vertical wall face.
[64] As a result of the compactible marine muds underlying the reclaimed area.
[65] EIC Papesch, paragraph 27.
[66] Noting that the six car parks will be formed with compacted cleanfill.

[81] On the evidence I am satisfied that the proposed reclamation and seawall have been properly designed and their construction will be appropriately managed. However, the proposed reclaiming of foreshore and seabed was of concern to submitters who bemoaned the loss of the existing small beach area and the necessary removal of a mature Pohutukawa tree. In light of those concerns I now turn to NZCPS Policy 10 which addresses reclamation.

[82] Policy 10(1) is to avoid reclamation unless four criteria are met. In that regard I note that land outside the CMA is not available for the proposed activity because axiomatically a barge loading dock and boat ramp must be located in the water (criteria (a)). The activity (barge loading and unloading) can only occur adjacent to the CMA (criteria (b)) and there are no practical alternative methods of loading and unloading the barges (criteria (c)). The uncontested (in terms of opposing qualified expert evidence) evidence of Mr Akehurst was that the ability to service marine infrastructure[67] and efficiently land oysters for market are critical aspects of the local and regional economy. Marine infrastructure servicing in 2017 was worth $10.2m to the regional economy sustaining 70 jobs and oyster farming (70ha of farms was modelled producing over 1,000 tonnes of oysters annually) generated approximately $12m in export revenue.[68] In addition, the Far North District has around 77 structures (wharves, jetties and other infrastructure) that require maintenance along with a large number of private jetties and other marine structures. The FNHL proposal for Opua allows the marine servicing businesses to meet those needs across the entire region.[69] On that basis I am satisfied that NZCPS Policy 10(1)(d) is also met.

[83] NZCPS Policy 10(1) does not therefore pose a barrier to FNHL's reclamation proceeding.

[84] For FNHL, Pamela Kane-Sanderson advised that there is no significant intertidal habitat or biota such as seagrass or edible shellfish beds (cockles, pipi or oysters) within the site of the reclamation. No significant intertidal bird feeding areas will be affected. Impacts on shorebirds will be minor. She considered that there was a small potential for the reclamation construction to generate localised turbidity, but any turbidity or sedimentation effects on habitats and biota beyond the reclamation and construction works area would be minor and localised.[70] I accept Ms Kane-Sanderson's uncontested expert opinions on those matters.

[85] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects arising from the proposed reclamation will be no more than minor.

[86] The FNHL proposal involves other structures (an adjacent boat ramp, a public timber jetty and pontoon). The s42A author noted that the FNHL commissioned Ecology Report recorded that direct impacts on the seabed "*… will collectively cover a small area of approximately 5m². The physical effect on the substrate*

will be small and is very low in terms of effects on habitat and biota. Shore based machinery needing to cross any hard-intertidal shore will not cause other than minor effects and these are not significant ecologically". He considered those effects to be 'acceptable' whereas I find to them to be no more than minor.

4.12 Dredging

[087] The FNHL proposal involves both initial capital and periodic maintenance dredging activities.[71] The potential adverse effects of dredging relate to disturbance of the seabed and release of sediments affecting water quality. Ms Kane-Sanderson advised that the ecological significance of the dredging on subtidal biota would be naturally remediated in a short period of time by natural recruitment and recolonisation of the newly exposed seabed which would be of a similar texture to that which presently exists. She considered that overall, the effects of the dredging would be minor.[72]

[67] Wharves, piles, seawalls, jetty's, beacons and other constructions in the marine environment.
[68] EIC Akehurst, paragraph 12(a).
[69] FNHL response to s92 request dated 15 April 2020.
[70] EIC Kane-Sanderson, paragraphs 4.4, 4.5 and 4.22.
[71] Capital dredging associated with the reclamation requiring removal of approximately 600m³ of spoil, and associated maintenance dredging to provide for the construction of, and maintenance of access to, the proposed reclamation. No dredging is required for the boat ramp.
[72] EIC Kane-Sanderson, paragraph 4.7.

[88] Ms Kane-Sanderson advised that her sampling of foreshore sediments had shown that they were not polluted with cadmium, chromium, lead, nickel or zinc with concentrations of those metals being below, and therefore meeting, the Proposed Northland Regional Plan (PNRP) coastal sediment quality guidelines. At three of the sediment sampling sites copper was above the coastal sediment quality guidelines, but remained well below the Australia and New Zealand Environment and Conservation Council (ANZECC)[73] default guideline values (DGVs). Arsenic was slightly elevated at one site and tributyltin (TBT) was slightly elevated at two sites.

[89] Ms Kane-Sanderson undertook elutriate tests[74] for copper, arsenic and TBT. Those tests showed that the concentrations of the dissolved metals were below (met) the required thresholds in the applicable water quality management unit under the PNRP. She concluded that there was no significant water quality risk from mobilised metals entering the water column during dredging.[75]

[90] I accept Ms Kane-Sanderson's uncontested expert opinions on these matters.

[91] The s42A author noted that there was no indication from FNHL as to where any dredge spoil may be disposed of, although it he understood that it may be deposited in conjunction with material from the Opua Marina at an approved location on a property located on the north side of the Waikare Inlet. Regardless, any spoil will need to be disposed of at a location that is approved by the NRC.[76]

[92] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects arising from the proposed dredging will be no more than minor.

4.13 Stormwater

[093] Stormwater generated from impermeable surfaces on the developed site will be directed to several proprietary treatment devices such as a Humes Stormwater360 or Hynds Downstream Defender treatment system before being discharged into the CMA. The s42A author advised that the use of such proprietary systems was an accepted and appropriate requirement where stormwater is to be discharged into the CMA. I heard no evidence to the contrary and so I accept his advice. Accordingly, I find that,

subject to the imposition of appropriate conditions of consent, potential adverse effects arising from the proposed discharge of stormwater to the CMA will be no more than minor.

4.14 Biosecurity

[094] The Ministry for Primary Industries (MPI) lodged a submission expressing concern that the FNHL proposal posed risks associated with management of the *Sabella Spallanzanii* (Mediterranean Fanworm). In response FNHL has offered to prepare Biosecurity Management Plan (BMP) in consultation with MPI. It now also proposes to survey the area to be dredged to check if any Fanworms are present.[77] The MPI representatives[78] who spoke at the hearing were satisfied with that approach.[79] I asked the MPI representatives if the area to be dredged should firstly be surveyed for *Sabella* and the confirmed that would be appropriate and that the BMP should address that matter. I agree and note that FNHL now proposes to survey the area to be dredged to check if any *Sabella* are present.[80]

[73] ANZECC (2018) Australian and New Zealand guidelines for fresh and marine water quality, August 2018. National Water Quality Management Strategy, Australian and New Zealand Environment and Conservation Council & Agriculture and Resource Management Council of Australia and New Zealand, Canberra, Australia.
[74] Elutriate tests investigate what is likely to happen when sediments are removed from the seabed and exposed to aerated seawater. The laboratory elutriate test measures the resulting concentration of the target metals in their dissolved form in the water. It effectively simulates what happens during dredging as sediment is disturbed and lost to the water column during excavation.
[75] EIC Kane-Sanderson, paragraphs 4.9, 4.12, 4.14 and 4.19.
[76] Section 42A Report, paragraph 57.
[77] Reply Submissions, paragraph 30.
[78] Katherine Walls and Sophia Clark
[79] NRC has also adopted a Marine Pathway Management Plan as a means of preventing the introduction of new marine pests and to slow the spread of established marine pests within the region. *Sabella* is identified as a sustained control marine pest and the MPMP requires the implementation of an approved site management plan to reduce the risk of *Sabella* spreading from activities such as dredging and marine construction.
[80] Reply Submissions, paragraph 30.

[095] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects on biosecurity matters arising from the proposed dredging will be no more than minor.

4.15 Vegetation removal

[96] As outlined in the evidence of Ms Kane-Sanderson, the formation of the vehicle turning area, car parking spaces and realigned cycle trail at the southern end of the site will require the removal of some existing vegetation. However, that vegetation comprises low value scrub and she considered that the botanical effect of its removal would be less than minor.

[97] The s42A author advised that vegetation clearance across the site was a permitted activity if it did not exceed 500m^2 and there was is no District Plan limit on the clearance of exotic species. Mr Kemp clarified that the area of vegetation removal totalled ≈360m^2, not all of which was indigenous,[81] and so no consent was required.[82]

[98] On the reclamation side of the existing cycle trail vegetation comprising mainly native shrubs and trees, including a large Pohutukawa, will be removed. Ms Kane-Sanderson considered that the ecological significance of that would be small and minor. She noted that the loss of the shrubs and small trees would be offset by enhancement plantings elsewhere (see section 4.5 of this Decision regarding the landscape planting to be undertaken) and the removal of pest weeds. In terms of the foreshore area, Ms Kane-Sanderson noted that scattered small and juvenile mangroves would be removed from a small area. She considered that, relative to the extensive mangrove habitat present nearby in the Kawakawa River estuary, the effect of that mangrove removal would be less than minor.

[99] I accept Ms Kane-Sanderson's uncontested expert opinion on these matters.

[100] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects arising from vegetation removal will be no more than minor.

4.16 Coastal processes and flooding

[101] The proposed reclamation and structures have the potential to affect coastal processes. This was addressed by Mr Papesch who referred to extensive investigations of hydraulic effects that was carried out for the Opua Marina by Uniservices in 1996 and by MetOcean Solutions Ltd in 2013 for Opua Marina Stage II, which also covered the present site. Mr Papesch noted that although the reclamation was not part of the 2013 model, that model did include sediment transport at the site and the modelling results indicated that peak velocity and changes in bed shear stress were not of concern. Mr Papesch added that the site is relatively sheltered from tidal flows and wave action and that the main channel is well to the east of the site.[83]

[102] The s42A author obtained comments from a specialist NRC staff member (Mr Sher Khan) who advised him that "*catchment hydrology or river flooding is not much of concern due the site being at the end of the catchment and draining directly to sea. It will not effect [sic] any flooding upstream of the catchment.*"[84]

[103] On the evidence I find that, subject to the imposition of appropriate conditions of consent, potential adverse effects on coastal processes and flooding will be no more than minor.

[81] The majority of the area to be cleared consists of exotic weed species with the indigenous vegetation being limited to the scattered individual mangrove and Pohutukawa along the shoreline and parts of the toe of the slope where the cycle trail is diverted.
[82] EIC Kemp, paragraph 14.
[83] EIC Papesch, paragraphs 52 and 54.
[84] Section 42A Report, paragraph 66.

4.17 Navigational safety

[104] A number of existing swing moorings will need to be relocated to enable the FNHL proposal to proceed. This includes providing a safe navigation pathway for vessels and barges using the new facility. I understand from the information provided this will involve ten existing moorings.[85]

[105] Interestingly the relocation of these moorings is a permitted activity under the operative and proposed regional plans if the relocation is directed by the NRC Harbourmaster. The s42A author noted that the FNHL application therefore does not (and cannot) seek any consent for the relocation or removal of the affected moorings. Mr Hartstone considered that the effects of relocating the moorings did not therefore fall within the scope of the application in accordance with s104(2) of the RMA. Counsel for FNHL submitted that was the correct legal situation.[86]

[106] The s42A author understood that should consent be granted, FNHL would then be required to approach the Harbourmaster requesting that the moorings be relocated for navigational safety purposes to allow for the construction and occupation of the CMA by the proposed FNHL activities. How the relocation of the moorings would be addressed would then largely be a matter of discretion applied by the Harbourmaster as a permitted activity.[87]

[107] No party contested the s42A author's advice on this matter and so I take this particular issue no further.

4.18 Dinghy user access

[108] Some submitters[88] were concerned about the loss of the existing dinghy storage area and boat ramp. Based on the evidence before me I consider that the FNHL proposal will improve the existing situation.

A new dinghy storage rack will be provided along with a new purpose-built dinghy launching boat ramp and wharf at the southern end of the site. In addition, temporary parking spaces for up to six dinghy users will be provided within the proposed vehicle turning area. Accordingly, I find that potential adverse effects on existing dinghy users will be no more than minor.

4.19 General public access and exclusive use and occupation

[109] The reclamation and associated structures will necessarily require exclusive occupation of the CMA. The whole purpose of the FNHL proposal is to provide a new marine servicing facility which can be categorised as an industrial activity. Accordingly, I find public access to the reclamation and main boat ramp needs to be restricted for health and safety purposes. Indeed, as discussed earlier, one of the drivers behind the proposal is to address health and safety issues at the current boat ramp within the Opua Marina.

4.20 Cumulative effects

[110] The s42A author briefly addressed cumulative effects and considered that effects associated with matters such as traffic generation or nuisance effects, when combined with similar effects in the existing environment, would not be significant. Similarly, cumulative or incremental adverse effects on natural character or water quality were minor.[89] I agree.

4.21 Overall conclusion on effects

[111] Based on the assessments undertaken in sections 4.3 to 4.20 of this Decision I find that subject to the imposition of appropriate conditions of consent, potential adverse effects arising from the FNHL proposal for a marine serving facility at Opua will be no more than minor.

[85] Section 92 response dated 1 October 2020, page 13 of 14.
[86] Opening Legal Submissions, paragraph 70.
[87] Section 42A Report, paragraphs 108 and 109.
[88] Including Ronald Cooke.
[89] Section 42A Report, paragraphs 113 and 114.

4.22 National environment standards and other regulations

[112] I have already addressed the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. No other relevant national environmental standards or regulations were brought to my attention and I am not aware of any.

4.23 National policy statements

[113] The New Zealand Coastal Policy Statement 2010 (NZCPS) is relevant. The s42A author undertook a thorough assessment of the provisions of the NZCPS, paying particular attention to policies that had been raised in submissions.[90] My understanding of his assessment is that the FNHL proposal is generally appropriate in terms of the relevant NZCPS objectives and policies. Mr Hartstone expressed some uncertainty in relation to several provisions, but I find that those matters have been adequately addressed in the FNHL legal submissions and evidence.

[114] I adopt the s42A author's assessment of the NZCPS and having done so I am satisfied that having regard to the relevant NZCPS objectives and policies does not weigh against a grant of consent.

[115] No other relevant national policy statements were brought to my attention and I am not aware of any.

4.24 Regional Policy Statement

[116] The s42A author considered that the assessment of the Northland RPS provided in the FNHL application, and particularly the assessment contained in Table 6 of the AEE, could be accepted and adopted for the

purposes of his Section 42A Report. I have read the FNHL assessment and agree with the s42A author that the applicant's assessment of the RPS is adequate.

[117] I am therefore satisfied that having regard to the relevant RPS objectives and policies does not weigh against a grant of consent.

4.25 Regional Plans and District Plan

[118] The s42A author noted that there were three relevant plans:

- Operative Northland Regional Coastal Plan (RCP);
- Proposed Regional Plan for Northland (PRPN); and
- Operative Far North Plan (FNDP).

[119] In terms of the regional plans, the site is located within the Marine 4 [Moorings] Management Area under the RCP. The site is subject to three different zones in the PRPN – the bulk of it falls within a Mooring Zone, and small portions are located within General Marine Zone and Marina Zone. As noted earlier, the site is within the Industrial Zone of the FNDP.

[120] The s42A author undertook a comprehensive and considered assessment of the relevant provisions of the plans[91] and I adopt his assessment, noting that he in turn accepted and adopted parts of FNHL's assessment of those matters. Mr Hartstone concluded that the FNHL proposal was generally consistent with the provisions of all of the Plans. I agree, and find that any minor inconsistencies[92] do not weigh against a grant of consent.

4.26 Section 104(1)(c) other matters

[121] The s42A author addressed the issue of 'precedent effects' given the overall 'bundled' status of the application suite as non-complying. He considered that in this case with the site being zoned Industrial under the FNDP, its proximity to the cycleway and established Opua Marina area, and the specific

[90] Section 42A Report, paragraphs 125 to 154.
[91] Section 42A Report, paragraphs 157 to 184.
[92] Such as the intent of the Mooring Zone or minor infringements associated with visual amenity and noise which may generate off-site effects.

components of the proposal inclusive of a reclamation and hard stand, boat ramp, and public jetty/pontoon, collectively defined a unique set of circumstances that were unlikely to be replicated by any subsequent application.[93] I agree and find that 'precedent effects' such as they are do not weigh against a grant of consent.

[122] No further 'other matters' were bought to my attention.

4.27 Section 105(1) matters

[123] Section 105(1) of the RMA states that where an application is for a discharge permit to do something that would otherwise contravene s15 or s15B of the Act I must have regard to certain matters. In this case while the receiving environment (Kawakawa River and CMA and the adjacent nearshore area) could be considered sensitive, the supporting technical reports have adequately demonstrated that potential adverse effects from the sediment and stormwater discharges can be managed effectively and there are no practically feasible alternative methods of discharge or alternative receiving environments.

4.28 Section 107(1) matters

[124] Section 107(1) of the RMA states that a discharge permit shall not be granted if, after reasonable mixing, the contaminant or water discharged is likely to give rise to certain listed effects. The s42A author recommended a condition that included parroting ss107(1) (d), (e) and (g) of the Act amongst other things. I consider that to be a sufficient safeguard, although I note that even if such discharges did arise, they would either be temporary or associated with necessary maintenance work and they could therefore be allowed under ss107(2)(b) and (c) of the RMA.

4.29 Section 104D matters

[125] I discussed s104D of the RMA earlier in this Decision. As I have found that in overall terms the FNHL proposal will result in effects on the environment that are no more than minor, the first gateway test under s104D(1)(a) is met.

5 Part 2 matters

[126] The s42A author considered that the lower order statutory instruments appropriately dealt with Part 2 matters such that no further assessment of Part 2 matters was required.[94] Counsel for FNHL submitted that the applicable Plans addressed the relevant Part matters.[95] I agree that recourse to Part 2 matters would not add anything to the assessment already undertaken.

6 Consent Conditions

[127] I was provided with recommended consent conditions by both Mr Kemp for FNHL and the s42A report author Mr Hartstone. During the hearing I posed a number of questions regarding the recommended conditions in light of issues raised by submitters and specific recommendations made by the FNHL and FNDC technical experts. Mr Hartstone and Mr Kemp agreed to jointly prepare a revised suite of recommended conditions for my consideration, taking into account the queries I had raised and clearly outlining any areas of residual disagreement (with alternative wording provided). That suite of conditions would form part of FNHL's written Reply submissions.

[128] The Reply submissions duly included updated conditions agreed as between Mr Kemp and Mr Hartstone. The submissions advised that further amendments had been made subsequent to Mr Hartstone last viewing the agreed conditions to address:

- updating references to the Haigh Workman Limited drawings;
- Schedule 1 Environmental Standards – Noise was amended to update measurement assessment locations as advised by Mr Ibbotson;

[93] Section 42A Report, paragraph 189.
[94] Section 42A Report, paragraph 199.
[95] Opening Legal Submissions, paragraph 93.

- in the FNDC conditions, amendments were made to the condition requiring a CNVMP to introduce more specificity as to the requirements to be met, also as advised by Mr Ibbotson.[96]

[129] I am satisfied those further amendments are appropriate.

[130] I have reviewed the final suite of recommended conditions and find them to be largely appropriate, subject only to some minor amendments relating to numbering, grammar and spelling. I was initially inclined to remove any duplication of consent holder obligations arising from the NRC and FNDC conditions (including those relating to noise, dust, erosion and sediment controls for example) but have decided not to do that on the assumption that the NRC and FNDC compliance monitoring staff will work cooperatively to address any duplicate monitoring or enforcement responsibilities. I also note with approval advice note 8 to the FNDC conditions which states that "*Where conditions are duplicated between the Regional Council and District Council consents (such as provision of a Construction Management Plan), the District*

Council may accept any documents previously submitted to the Regional Council as a means of compliance with any conditions."

[131] It is conceivable that some conditions may still contain errors. Accordingly, should the applicant, NRC or FNDC identify any minor mistakes or defects in the attached conditions, then I am prepared to issue an amended schedule of conditions under s133A of the RMA correcting any such matters. Consequently, any minor mistakes or defects in the amended conditions should be brought to my attention prior to the end of the 20-working day period specified in s133A of the RMA.

7 Determination

[132] My determinations on the FNHL applications are set out below.

7.1 NRC consents

[133] I grant consents AUT.040976.01.01 to AUT.040976.17.01 sought by Far North Holdings Limited.

[134] My reasons are detailed in the body of this Decision, but in summary they include:

(a) The provision of a new marine servicing facility at Opua will meet a clearly defined need and will alleviate health and safety issues present at the current facility located within the Opua Marina;

(b) The proposal will result in substantial positive effects for the oyster farming industry, the marine servicing industry, and dinghy owners currently operating from the site;

(c) Potential adverse effects of the proposal are either minor or can be suitably avoided, remedied or mitigated by the imposition of appropriate conditions of consent; and

(d) The proposal is generally consistent with the relevant statutory instruments and any inconsistencies are minor and do not weigh against a grant of consent.

7.2 FNDC landuse consents

[135] I grant the land use consent RC2200220 01 sought by Far North Holdings Limited.

[136] I also grant a landuse consent under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

[137] My reasons are detailed in the body of this Decision, but in summary they include:

(a) The provision of a new marine servicing facility at Opua will meet a clearly defined need and will alleviate health and safety issues present at the current facility located within Opua Marina;

(b) The Industrial Zoning of the site is particularly well suited to the activities proposed to be undertaken therein;

[96] Reply Submissions, paragraphs 4 and 5.

(c) Contaminated soil matters have been appropriately investigated and can be dealt with in a Construction Management Plan;

(b) The proposal will result in substantial positive effects for the oyster farming industry, the marine servicing industry, dinghy owners currently operating from the site, and Twin Coast cycle trail users[97] once the realigned cycle trail is completed;

(c) Potential adverse effects of the proposal are either minor or can be suitably avoided, remedied or mitigated by the imposition of appropriate conditions of consent; and

(d) The proposal is generally consistent with the relevant statutory instruments and any inconsistencies are minor and do not weigh against a grant of consent.

Signed by the commissioner:

Rob van Voorthuysen
Dated: 14 January
2021

[97] The realigned trail will be safe, well surfaced and arguably follow a more interesting route close to mature indigenous vegetation. Access to the start of the trail will be on a sealed road.

Appendix 1: NRC and FNDC Consent Conditions

Conditions – Northland Regional Council

FAR NORTH HOLDINGS LIMITED

To undertake the following activities associated with the development of a marine industry servicing facility on and adjacent to Lot 1 DP 199153 and Pt Lot 1 DP 183896 and in the Kawakawa River, Opua between and about location co-ordinates 1701654E 6091073N and 1701523E 6099089N.

Note: All location co-ordinates in this document refer to Geodetic Datum 2000, New Zealand Transverse Mercator Projection.

AUT.040976.01.01	**Reclaim approximately 1,700 square metres (0.1700 ha) of the coastal marine area.**
AUT.040976.02.01	**Place structures in the coastal marine area inclusive of:** • **hard protection structures;** • **a barge dock (fender piles providing for 3 berths);** • **a boat ramp;** • **a jetty facility (jetty, gangway pontoon and piles); and** • **a dinghy ramp.**
AUT.040976.03.01	**Use and occupy space in the coastal marine area with structures inclusive of a barge dock, a boat ramp, a jetty facility and a dinghy ramp.**
AUT.040976.04.01	**Use and occupy space in the coastal marine area with hard protection structures.**
AUT.040976.05.01	**Occupy part of the coastal marine area to the exclusion of others.**
AUT.040976.06.01	**Capital dredging within the coastal marine area.**

AUT.040976.07.01	**Maintenance dredging in the coastal marine area.**
AUT.040976.08.01	**Remove mangroves from the coastal marine area.**
AUT.040976.09.01	**Divert stormwater from a reclamation.**
AUT.040976.10.01	**Discharge treated stormwater to the coastal marine area.**
AUT.040976.11.01	**Deposit dredge spoil within the coastal marine area to develop a reclamation.**
AUT.040976.12.01	**Discharge decant water and contaminants to the coastal marine area associated with reclamation construction, dredging, dredge spoil disposal and other activities that disturb the foreshore and seabed.**
AUT.040976.13.01	**Deposit dredge spoil to land.**
AUT.040976.14.01	**Discharge contaminants (leachate) to land from dredge spoil disposal.**
AUT.040976.15.01	**Earthworks in the coastal riparian management area.**

AUT.040976.16.01	**Divert stormwater during land disturbance activities and construction of a reclamation.**
AUT.040976.17.01	**Discharge stormwater to land during land disturbance activities.**

Subject to the conditions below:

General Conditions

1 These consents apply only to the reclamation, structures and activities identified on the **attached** Haigh Workman Limited drawings referenced as Northland Regional Council Plan Numbers **4988/1**, **4988/2**, **4988/3**, **4988/4**, **4988/5**, **4988/6**, **4988/7, 4988/8 and 4988/9**.

2 At least 10 working days prior to commencement of any construction or dredging works the Consent Holder shall notify the Council's assigned monitoring officer in writing of the date that the works are intended to commence on each occasion.

3 On provision of notice under Condition 2 above, the Consent Holder shall arrange for a site meeting between the Consent Holder's contractor and the Council's assigned monitoring officer within the 10 working day period before commencement of any construction or dredging works. No works shall commence until the Council's assigned monitoring officer has completed the site meeting. If this site meeting cannot occur during this period due to the Council's assigned monitoring officer not being available, then works may commence as soon as Conditions 2, 4, and 13 have been complied with and confirmed in writing by the Council's assigned monitoring officer.

Advice Note: *Notification of the commencement of works may be made by email to info@nrc.govt.nz.*

4 As part of the written notification required under Condition 2 above, the consent holder shall provide to the Council's assigned monitoring officer:

(a) Written certification from a suitably qualified and experienced person confirming that all plant and equipment entering the coastal marine area associated with the intended works are free from unwanted or risk marine species; and

(b) Suitable evidence to confirm that any and all required building consents have been sought and obtained from the Far North District Council.

5 The coastal marine area shall be kept free of debris resulting from the activities authorised by these consents.

6 Monitoring of these consents shall be carried out in accordance with Schedule 2 attached.

7 Noise levels associated with the exercise of these consents shall not exceed those set out in Schedule 1, **attached,** except where exceedances of the construction noise limits are managed using the Construction Noise and Vibration Management Plan specified in Condition 13(d) below.

8 The Consent Holder shall, on becoming aware of any discharge associated with the Consent Holder's operations that is not authorised by these consents:

(a) Immediately take such action, or execute such work as may be necessary, to stop and/or contain the discharge; and

(b) Immediately notify the Council by telephone of the discharge; and

(c) Take all reasonable steps to remedy or mitigate any adverse effects on the environment resulting from the discharge; and

(d) Report to the Council's Compliance Manager in writing within one week on the cause of the discharge and the steps taken, or being taken, to effectively control or prevent the discharge.

For telephone notification during the Council's opening hours, the Council's assigned monitoring officer for these consents must be contacted. If that person cannot be spoken to directly, or it is outside of the Council's opening hours, then the Environmental Hotline must be contacted.

Advice Note: *The Environmental Emergency Hotline is a 24 hour, 7 day a week, service that is free to call on 0800 504 639.*

9 Prior to a cancellation or expiring of these consents the structures and other materials and refuse associated with these consents shall be removed from the consent area and the consent area shall be restored to the satisfaction of the Council, unless an application has been properly made to the Council for the renewal of these consents or the activity is permitted by a rule in the Regional Plan.

10 In the event of archaeological sites or kōiwi being uncovered during construction or dredging works, activities in the vicinity of the discovery shall cease and the Consent Holder shall contact Heritage New Zealand Pouhere Taonga. Work shall not recommence within the area of the discovery until the relevant Heritage New Zealand Pouhere Taonga approval has been obtained.

Advice Note: *The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site without the prior authority of Heritage New Zealand Pouhere Taonga.*

11 These consents shall lapse on 31 July 2030, unless before this date the consents have been given effect to.

12 The Council may, in accordance with Section 128 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions annually during the month of September to deal with any adverse effects on the environment that may arise from the exercise of the consents and which it is appropriate to deal with at a later stage. The Consent Holder shall meet all reasonable costs of any such review.

AUT.040976.01, AUT.040976.02 and AUT.040976.15 – Construction of Reclamation, Barge dock, Boat Ramp and Jetty Facility and Dinghy Ramp and Earthworks

13 At least 10 working days prior to commencing construction of the reclamation, boat ramp and jetty facility and dinghy ramp, the Consent Holder shall provide the following information for certification by the Council's Compliance Manager:

(a) A detailed geotechnical investigation and report from a Chartered Professional Engineer addressing all works to be carried out within the coastal marine area as detailed on the attached Northland Regional Council Plan Number **4988/1**.

(b) A Navigation Safety Plan (NSP) prepared by a suitably qualified and experienced person that identifies a safe access channel through the adjacent mooring field to the facilities and defines the extent of safe manoeuvring room around the proposed barge dock, boat ramp and jetty facility. As part of the NSP, the consent holder shall provide confirmation that all moorings, where necessary, have been relocated or removed to accommodate the required channel and manoeuvring areas.

Advice Note*:* *The NSP should be prepared in consultation with the Regional Harbourmaster for Northland.*

(c) A Construction Management Plan (CMP) prepared by a suitably qualified and experienced person that provides details addressing the following matters relating to all construction activities:

(i) Key project and management personnel and their contact details.

(ii) Detailed construction drawings of the reclamation, hard protection structures, boat ramp, jetty facility and dinghy ramp prepared and certified by a Chartered Professional (Structural) Engineer.

(iii) Details of the proposed construction methodology for the structures.

(iv) Details of the erosion and sediment controls to be established during works on land and within the coastal marine area. The erosion and sediment controls shall be designed in general accordance with the principles and practices contained within the Auckland Council document entitled *"2016/005: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region"* (GD05).

(v) Details of the proprietary stormwater treatment system(s) to be installed to treat stormwater from the completed reclamation and surrounding area, including confirmation of the locations of the stormwater outlets.

(vi) Construction timetable and hours of operation.

(vii) Means of avoiding any conflict between construction vessels and public within the Kawakawa River, including any existing moorings.

(viii) Means of avoiding any potential discharge or spill of fuel into the coastal marine area or in any other location at or near the site where fuel or oil could enter the coastal marine area, or in such a way that soil or water at or near the site is contaminated.

(ix) Noise control measures.

(x) Management of any construction lighting.

(d) A Construction Noise and Vibration Management Plan (CNVMP) prepared by a suitably qualified and experience acoustician prepared in general accordance with the Marshall Day report, ref Rp 001 20190467 dated 13 June 2019. The CNVMP shall identify management measures to address the effects of underwater noise on marine mammals should they enter the area. These measures may include the following:

(i) Restricting in-water impact or vibration pile driving to within half an hour after sunrise and half an hour before sunset (i.e. daylight hours only);

(ii) Using in-water piling methods that minimise underwater noise including 'soft starts' (gradually increasing the intensity of impact piling);

(iii) Using a non-metallic 'dolly' or 'cushion cap' between the impact piling hammer and the driving helmet, (e.g. plastic or plywood);

(iv) Ensuring construction workers are trained to look for signs of marine mammals and are required to routinely observe for marine mammals within 300m of the piling operation; and

(v) Ceasing or not commencing impact or vibration piling activities if a marine mammal or diver is observed within the 300m area.

Advice Note: *This* CNVMP *shall be consistent with that Plan required under Condition 2(a) of the Far North District Council consent RC2200220.*

(e) A Biosecurity Management Plan (BMP) prepared by a suitably qualified and experienced person that details the measures required prior to, during, and on completion of all construction works. The BMP is to be prepared generally in accordance with the Council's Marine Pathway Management Plan and is to address the potential for pathways for any pest organisms to be introduced, prevention and monitoring measures, and response should any organism be identified during or after the construction period. A pre-construction survey of the area to be dredged to determine the presence or absence of unwanted pest organisms shall form part of the BMP.

Advice Note: *The Council's Compliance Manager's certification of the Geotechnical report, the NSP, CMP, CNVMP and BMP is in the nature of certifying that adoption of the documents is likely to result in compliance with the conditions of this consent. The Consent Holder is encouraged to discuss its proposed NSP, CMP, CNVMP and BMP with relevant Council staff prior to finalising these plans.*

14 No construction works shall commence until Conditions 2, 3, 4, and 13 have been complied with and confirmed in writing by the Council's assigned monitoring officer.

15 A copy of these consents and the certified documents required under Condition 13(a)-(e) shall be provided to the person who is to carry out the construction works. A copy of these consents and documents shall be held on site, and be available for inspection by the public, during construction.

16 The reclamation, boat ramp, jetty facility and dinghy ramp shall be constructed in general accordance with the **attached** Haigh Workman Limited drawings referenced as Northland Regional Council Plan Numbers **4988/1**, **4988/2**, **4988/3**, **4988/5**, **4988/6**, **4988/7**, and **4988/8**, and in accordance with detailed design drawings provided in the certified CMP.

17 All vehicles or equipment entering the coastal marine area associated with the exercise of these consents shall be in good state of repair and free of any leaks e.g. oil, diesel etc.

18 Works associated with construction of the structures and facilities shall only be carried out between 7.00 a.m. and sunset or 6.00 p.m., whichever occurs earlier, and only on days other than Sundays and public holidays.

19 An oil spill kit, appropriate to the plant and equipment being used, to be readily available and maintained on site during construction or maintenance works.

20 A certificate of compliance, or a written statement, from an independent Chartered Professional Engineer that the works are constructed in accordance with the certified plans and documents provided in accordance with Condition 13(a)-(e) shall be provided to the Council's assigned monitoring officer within two weeks of completion of the works.

21 Immediately upon completion of the construction of the reclamation and installation of the barge dock, boat ramp and jetty facility, the Consent Holder shall notify the following organisations in writing of the completion of the structures. Evidence of this notification shall be provided to the Council's assigned monitoring officer.

Hydrographic Surveyor
Land Information New Zealand Private Box 5501
Wellington 6145

Maritime New Zealand P O Box 27006
Marion Square Wellington 6141

Far North District
Council Private Bag 752
Kaikohe 0440

A scale plan of the completed works shall be included with the notification.

AUT.040976.03 – AUT.040976.04 – Use and Occupy Space with Structures

22 The structures and facilities covered by these consents shall be maintained in good order and repair.

23 The seaward edge of the jetty facility and a central pile on the barge dock shall be marked with the number **40976** in black lettering on a white background clearly displayed and in such a manner as to be visible from the sea at all times.

24 With the exception of the berth identified for occupation and use by the SS Minerva, the jetty facility shall be available for public use, free of charge, at all times.

25 Any boat maintenance which includes the removal or application of paint or antifouling, or activities involving grease or oil shall not be carried out within or adjacent to the facilities authorised by these consents.

26 No discharge of wastes (e.g. sewage, oil, contaminated bilge water) shall occur from any vessel secured to the barge dock or jetty facility, on the boat ramp, or from any other activity carried out at the facilities unless the discharge is authorised by a resource consent, or is permitted by a rule in a Regional Plan or by provisions of the Resource Management (Marine Pollution) Regulations 1998.

27 The exercise of these consents shall not cause the following effects on the water quality of the receiving waters as measured at any point at or beyond 10 metres from the structures:

(a) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials.

(b) A conspicuous change in the colour or visual clarity.

(c) An emission of objectionable odour.

(d) A significant adverse effect on aquatic life.

(e) The natural pH of the water shall not fall outside the range of 7.0 to 8.5.

(f) Change the natural water temperature by more than 3° Celsius.

28 The median concentrations of total copper, lead, zinc, chromium, nickel, and cadmium from at least three samples in intertidal or subtidal sediment, as measured at any point 10 metres from the facilities, shall not exceed the following:

(a) 65 milligrams per kilogram of total copper;

(b) 50 milligrams per kilogram of total lead;

(c) 200 milligrams per kilogram of total zinc;

(d) 80 milligrams per kilogram of total chromium; or

(e) 21 milligrams per kilogram of total nickel.

29 No vessel shall be used for overnight accommodation while berthed at the jetty facility or barge dock, unless either:

(a) The vessel is equipped with a sewage treatment system specified in Schedule 5 and 7, or is compliant with Schedule 6, of the Resource Management (Marine Pollution) Regulations 1998 and which is installed, maintained, and operated in accordance with the manufacturer's instructions; or

(b) The vessel is equipped with a sewage holding tank that has an effective outlet sealing device installed to prevent sewage discharges, this device remaining activated in the sealed state or position at all times while the vessel is secured to the structures; or

(c) The vessel is equipped with a portable toilet on board. For the purposes of this condition a portable toilet is defined as a sewage containment device constructed of impermeable materials which is fully self-contained and removable, and consists of two independently sealed chambers comprising a water holding tank and a sewage holding tank separated by a slide valve; or

(d) The vessel (if equipped with a built-in through hull toilet facility and no sewage holding tank) has an effective outlet sealing device installed on the toilet facility, with the outlet sealing device from the toilet facility being maintained in a sealed state, and the toilet sealed, at all times while the vessel is secured to the structures.

30 The Consent Holder shall have the structural integrity of the barge dock, boat ramp, jetty facility and dinghy ramp structures inspected and reported on by a Chartered Professional (Structural) Engineer. The first inspection shall be undertaken prior to November 2035 and the wharf and marina facility structures shall be re-inspected at ten yearly intervals prior to the month of November in 2045, with a final inspection undertaken prior Chartered Professional Engineer shall be provided to the Council's assigned monitoring officer within two weeks of completion of each inspection. The inspection report shall identify any maintenance that is required, the timeframe within which this maintenance is required to be carried out, and shall confirm, or otherwise, the ongoing structural integrity and security of the structures.

31 The Consent Holder shall carry out all the maintenance required as a result of the inspections undertaken in accordance with Condition 30 within the timeframe(s) prescribed in the inspection report. The Consent Holder shall notify the Council's assigned monitoring officer, in writing, as soon as the maintenance works have been completed on each occasion. This notice shall be accompanied by a statement from a Chartered Professional (Structural) Engineer confirming that any identified maintenance works have been undertaken to his/her satisfaction as prescribed in the inspection report.

32 In the event of failure or loss of structural integrity of any part of the structures, the Consent Holder shall immediately:

(a) Retrieve all affected elements and debris that might escape from the facilities and dispose of these on land where they cannot escape to the coastal marine area; and

(b) Advise the Regional Harbourmaster for Northland and the Council's Compliance Manager of the event and the steps being taken to retrieve and dispose of the affected elements and debris.

Advice Note: *The principal purpose of this condition is to avoid navigation safety being compromised by floating debris and avoid contamination of the coastal marine area by debris arising as a result of loss of structural integrity of the structures.*

AUT.040976.05 – Exclusive Occupation of the Coastal Marine Area

33 The exclusive occupation of the Exclusive Occupation Zone as defined on attached Haigh Workman Limited drawing referenced as Northland Regional Council Plan Number **4988/1** shall not commence until such time as construction works commence.

34 The public shall have reasonable access to navigate vessels within the Exclusive Occupation Zone, where there is no impediment to the operation of the barge dock or boat ramp.

35 The berth identified as an exclusive occupation zone for occupation and use by the SS Minerva shall be available for public use for the drop off and pick up of passengers and goods when it is not occupied by the SS Minerva.

AUT.040976.06, AUT.040976.07, AUT.040976.11 – AUT.040976.14 Capital and Maintenance Dredging, Deposition of Spoil to the Coastal Marine Area and to Land and Associated Discharges

36 Dredging works shall only be carried out between 1 April and 30 September by a barge-mounted hydraulic excavator and/or by a shore based hydraulic excavator.

37 Dredging shall only be carried out between 7.00 a.m. and sunset or 6.00 p.m., whichever occurs earlier, and only on days other than Sundays and public holidays.

38 At least 10 working days prior to capital dredging being undertaken the consent holder shall provide a Dredging Management Plan (DMP) to the Council's assigned monitoring officer for certification by the Council's Compliance Manager. The DMP shall include the following:

(a) Detailed dredging design plans (including cross sections) showing the extent of the dredging area and batter slopes. The design plan shall include location co-ordinate data (in NZ Transverse Mercator projection) for the seaward extent of dredging area, and the extent of the batter slopes.

(b) A description of circumstances where a geotextile boom will be utilised during dredging activities to control localised turbidity.

(c) Dredging timetable and hours of operation.

(d) Details of the location of the deposition of dredging spoil.

(e) Means of containing and transporting all dredge spoil material to an approved disposal site.

(f) Means of avoiding any conflict between dredging vessels and public within the Kawakawa River, including any existing moorings.

Advice Note: *The Council's Compliance Manager's certification of the DMP is in the nature of certifying that adoption of the plan is likely to result in compliance with the*

conditions of these consents. The Consent Holder is encouraged to discuss its proposed DMP with Council monitoring staff prior to finalising the plan.

39 The depth of capital and maintenance dredging shall not exceed 3.1 metres below One Tree Point Datum.

40 Any discharge from dredging activities, including fugitive discharges, shall not cause the water quality of the receiving waters, as measured at or beyond a 100 metre radius mixing zone from the dredger, or 10 metres from a point of discharge to coastal waters from land, to result in, or fall below any of the following standards:

(a) The visual clarity, as measured using a Secchi disk, shall not be reduced by more than 50% of the background visual clarity at the time of measurement.

(b) The turbidity of the water (Nephelometric Turbidity Units (NTU)) shall not be increased by more than 50% of the background turbidity at the time of measurement.

(c) The Total Suspended Solids shall not exceed 40 grams per cubic metre above the background measurement.

(d) There shall be no conspicuous oil or grease films, scum or foams, or floatable or suspended materials, or emissions of objectionable odour.

(e) There shall be no destruction of natural aquatic life by reason of a concentration of toxic substances.

(f) The concentration of dissolved oxygen shall not be reduced below 80% saturation.

(g) The natural water temperature shall not be changed by more than 3° Celsius.

(h) The natural pH of the waters shall not be changed to more than 0.2 units.

41 A copy of these consents shall be provided to the person who is to carry out the work, prior to commencement of the dredging on each occasion. A copy of the consents shall be held on site, and be available for inspection by the public, during the works on each occasion.

42 The Consent Holder shall notify the Council's assigned monitoring officer in writing as soon as each stage and/or season of dredging has been completed, providing details of the locations where dredging has been undertaken and the volume of dredged spoil removed from each area on each occasion.

43 All dredged spoil shall be fully contained upon being excavated and whilst being transported to an authorised disposal site.

44 All dredged spoil shall be disposed of at an authorised disposal site.

AUT.040976.10 – Stormwater Discharge

45 Prior to any discharge activities commencing under this consent, the proprietary stormwater treatment system(s) and the discharge point(s) into the coastal marine area shall be installed in accordance with CMP identified in Condition 13 (c).

46 The discharge of stormwater from the proprietary stormwater treatment system shall not result in any of the following effects, as measured at or beyond a 20 metre radius from the stormwater outlets:

(a) Cause the pH of the receiving water to fall outside of the range 6.5 to 9.

(b) Cause the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials in the receiving water.

(c) Cause any emission of objectionable odour in the receiving water.

(d) Cause any significant adverse effects on aquatic life or public health.

47 The concentration of the contaminants in the stormwater discharges, as measured at any stormwater discharge point into the coastal marine area, shall not exceed:

(a) 0.014 milligrams per litre of total copper;

(b) 0.048 milligrams per litre of total lead;

(c) 0.165 milligrams per litre of total zinc; or

(d) 100 milligrams per litre of Total Suspended Solids.

Advice Note: *The limits on heavy metal concentrations in the stormwater discharge have been calculated by applying a dilution factor of 11 to the coastal water quality standards required by Policy H.3.3 of the Proposed Regional Plan for Northland (PRP).*

48 The proprietary stormwater treatment system, and all associated equipment, shall be adequately maintained so that it operates effectively at all times. The Consent Holder shall keep a written record of all maintenance carried out on the proprietary stormwater treatment system and shall supply a copy of this record to the Council's assigned monitoring officer immediately on written request.

AUT.040976.01, AUT.040976.15 – AUT.040976.17 – Reclamation, Earthworks and Diversion and Discharge of Stormwater During Land Disturbance Activities

49 Prior to the commencement of earthworks on-site, a stabilised construction entrance to the site shall be installed to minimise the tracking of spoil or debris onto off-site public road surfaces. All material tracked onto off-site surfaces as a result of the exercise of this consent shall be removed as soon as possible, but at least daily. The stabilised construction entrance shall be maintained throughout the duration of earthworks operations.

50 Erosion and sediment controls shall be installed prior to the commencement of earthworks (other than those required for the erosion and sediment controls) within an area of works.

51 The installation of all erosion and sediment controls shall be supervised by an appropriately qualified and experienced person.

52 No earthworks shall be carried out between 1 May and 30 September in any year unless the prior written agreement of the Council's Compliance Manager has been obtained.

53 Any request to undertake works between 1 May and 30 September in any year must be in writing and shall be made at least two weeks prior to the proposed date that the works are required to be undertaken. This written request shall include amended details of the erosion and sediment controls for the works that have been prepared as part of the CMP in accordance with Condition 13(c).

54 No slash, soil, debris or detritus associated with the exercise of these consents shall be placed in a position where it may be washed into any downstream water body.

55 No drainage pathways shall be constructed, or permitted to flow, over fill areas in a manner that creates erosion of the fill material.

56 All earthworks operations shall be carried out in a manner that minimises the potential for slope instability and soil erosion. Effective mitigation measures shall be installed as required to mitigate and/or remedy any slope failures.

57 All bare areas of land and fill (including the reclamation) shall be covered with aggregate, or topsoiled and established with a suitable grass/legume mixture to achieve an 80% groundcover within one month of the completion of earthworks, and the completion of the reclamation. Temporary mulching or other suitable groundcover material shall be applied to achieve total groundcover of any areas unable to achieve the above requirements.

58 The exercise of these consents shall not cause any of the following effects on the water quality of the Kawakawa River, as measured approximately 10 metres downstream of a discharge point into the river, when compared to a site upstream of all land disturbance activities during the same sampling event:

(a) The production of any conspicuous oil or grease films, scums or foams, floatable or suspended materials;

(b) A conspicuous change in colour or visual clarity;

(c) An emission of objectionable odour;

(d) An increase in suspended solids concentration greater than 100 grams per cubic metre.

59 The exercise of these consents shall not give rise to any discharge of contaminants, including dust, which in the opinion of a monitoring officer of the Council is noxious, dangerous, offensive or objectionable at or beyond the property boundary.

EXPIRY DATES:	**AUT.040976.01**	**UNLIMITED**
	AUT.040976.02 – AUT.040976.05, AUT.040976.07, AUT.040976.09, AUT.040976.10, AUT.040976.12 - AUT.040976.14	**31 NOVEMBER 2055**
	AUT.040976.06, AUT.040976.08, AUT.040976.11, AUT.040976.15 - AUT.040976.17	**31 NOVEMBER 2030**

Advice Note: *The plans attached to this consent are reduced copies and therefore may not be to scale and may be difficult to read. In the event that compliance and/or enforcement action is to be based on compliance with the attached plans, it is important that the original plans, are sighted and used.*

SCHEDULE 1

ENVIRONMENTAL STANDARDS –

NOISE CONSTRUCTION NOISE

Based on Table 2, NZS 6803: 1999 "Acoustics – Construction Noise", Standards New Zealand:

		Typical Duration (dBA)		Short Term Duration	Long Term Duration		
					L_{max}	L_{eq}	L_{max}
Weekdays	0630 – 0730	60	75	65	75	55	75
	0730 – 1800	75	90	80	95	70	85
	1800 – 2000	70	85	75	90	65	80
	2000 – 0630	45	75	45	75	45	75
Saturdays	0630 – 0730	45	75	45	75	45	75
	0730 – 1800	75	90	80	95	70	85
	1800 – 2000	45	75	45	75	45	75
	2000 – 0630	45	75	45	75	45	75

Construction Sound levels shall be measured in accordance with New Zealand Standard NZS 6803:1999 "Acoustics – Construction Noise". Measurement assessment locations shall be at residential receivers using the methodology set out in Section 6 of NZS 6803:1999 "Acoustics – Construction Noise"

Advice Notes:

1 *"Short-term" means construction work any one location for up to 14 calendar days.*

"Typical duration" means construction work at any one location for more than 14 calendar days, but less than 20 weeks.

"Long-term" means construction work at any one location with a duration exceeding 20 weeks.

2 *Noise levels L_{10}, L_{95} and L_{max} are measured in dBA. Definitions are as follows:*

(a) *dBA means the sound level obtained when using a sound level meter having its frequency response A-weighted. (See IEC 651);*

(b) *L_{max} means the maximum noise level (dBA) measured;*

(c) *L_{95} means the noise level (dBA) equalled or exceeded for 95% of the measurement time;*

(d) *L_{10} as for L_{95} except that the percentage figure is 10%.*

OPERATION NOISE

Noise from any activity authorised by these consents (except for construction noise) must comply with the following noise standards at the notional boundary of any noise sensitive activity.

Time Period (Mon – Sun)	*Noise Limit*
0700 hrs to 2200 hrs	*55dBA LAeq(15min)*

2200 hrs to 0700 hrs	*45dBA LAeq(15min)*
	75dBA LAmax

Operational Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:2008 Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise.

Advice Note: *The boundary of the facilities, for the purposes of measuring noise levels, shall be the notional boundary of any residential property not under the control of the consent holder.*

SCHEDULE 2

TESTING PROGRAMME FOR WATER QUALITY

DURING CONSTRUCTION OF RECLAMATION, BARGE DOCK, BOATRAMP AND JETTY FACILITY, MANGROVE REMOVAL, CAPITAL DREDGING AND MAINTENANCE DREDGING

Testing will be carried out for compliance with the standards in Condition 58.

DURING OPERATION OF BARGE DOCK AND BOATRAMP FACILITIES AND STORMWATER DISCHARGE

Water Quality Sampling

Testing will be carried out for compliance with the standards in Conditions 27, 46, 47 and 58.

The stormwater discharge shall be sampled at least once annually at the point of discharge, being after the proprietary system but before any mixing, during a moderate rainfall event following an extended dry period. Samples shall be analysed for total suspended solids (TSS), total copper, total lead, and total zinc and the result compared against the discharge standards specified in Condition 47.

Results of this monitoring shall be reported to the council's assigned monitoring officer in writing within one week of the result being obtained from the laboratory.

Marine Sediment Quality Sampling

Testing for metals in the seabed from at least one site within each of the exclusive occupation areas will be carried out annually. Samples will be collected from the top two centimetres of the sediment.

Sediments will be analysed for copper, zinc, lead, chromium, nickel, and cadmium for compliance with standards in Condition 28.

DURING CAPITAL DREDGING AND MAINTENANCE DREDGING OPERATIONS

Testing will be carried out for compliance with the standards in Condition 40.

During dredging operations, the consent holder, or its assigned agent, shall take secchi disc readings at least daily of the waters 50m upstream and 100m downstream of the dredging operation. Results of the daily inspections are to be recorded in a written log book by the Consent Holder. This log will be made readily available for viewing by the Council upon request. A copy of the log shall be provided to the Council's assigned monitoring officer upon written request. Should two consecutive sets of

secchi disc readings indicate water quality outside that allowed for by Condition 40 at or beyond the compliance boundary, then the Consent Holder will notify the Council as soon as practical (but not longer than the following day) and take steps to improve water quality at the compliance boundary.

CONDITIONS – FAR NORTH DISTRICT COUNCIL

FAR NORTH HOLDINGS LIMITED, PO BOX 7, OPUA 0241

1. The activity shall be carried out generally in accordance with the Resource Consent Application and Assessment of Environmental Effects prepared for Far North Holdings Limited dated 8 October 2019 prepared by Bay of Islands Planning Limited inclusive of attached documents, and approved plans prepared by Haigh Workman Limited entitled 'Opua Hard Stands Extension' Sheets 1 – 9:

   (a) Sheet 1, Site Location Plan, DWG 01, Issue B, dated 20/9/2019.

   (b) Sheet 2, Proposed Development Plan, DWG 02, Issue B, dated 20/9/2019.

   (c) Sheet 3, Proposed Access Plan, DWG 03, Issue B, dated 20/9/2019.

   (d) Sheet 4, Proposed Access Plan – Baffin Street, DWG 03a, Issue A, dated 7/12/2020.

   (e) Sheet 5, Proposed Access – Typical Cross Section, DWG 04, Issue B, dated 20/9/2019.

   (f) Sheet 6, Proposed Reclamation – Typical Cross Section, DWG 05, Issue B, dated 20/9/2019.

   (g) Sheet 7, Proposed Boat Ramp – Typical Cross Section, DWG 06, Issue B, dated 20/9/2019.

   (h) Sheet 8, Proposed Jetty – Typical Cross Section, DWG 07, Issue B, dated 20/9/2019.

   (i) Sheet 9, Typical Cross Section Shared Use Access, DWG 08, Issue A, dated 14/12/2020.

Construction Conditions

2. Prior to the commencement of any site preparation or construction, the Consent Holder shall provide the following documents to the Far North District Council Compliance Team Leader or delegated staff member for certification:

   (a) A Construction Noise and Vibration Management Plan (CNVMP) prepared by a suitably qualified and experience acoustician prepared in general accordance with the Marshall Day report, ref Rp 001 20190467 dated 13 June 2019. The CNVMP shall:

      (i) specify that any construction works involving heavy machinery or power tools shall only occur between the hours of 7.00 a.m. and sunset or 6.00 p.m., whichever occurs earlier, and only on days other than Sundays and public holidays.

      (ii) specify that any pile driving that does not utilise a 'dollie' (or similar device) shall only occur between the hours of 9.00 a.m. and 5.00 p.m. and only on days other than Sundays and public holidays.

      (iii) ensure that vibration due to piling shall not exceed the guidelines contained in DIN 4150 3:1999 "Structural Vibration – Effects of Vibration on Structures" when measured at dwellings in accordance with the standard.

      (iv) set out all practicable measures to meet the guidelines in NZS6803:1999 NZS 6803:1999 "Acoustics – Construction Noise" and provide details of required noise

management and mitigation for any activities that cannot readily meet these guidelines.

(b) A Construction Management Plan (CMP) prepared by a suitably qualified and experienced person. The CMP shall contain information on, and site management procedures for, the following:

(i) The timing of construction including hours of work, contact details for key project and site management personnel, noting that construction hours shall be limited to the times specified in the CNVMP as per Condition 2(a) above.

(ii) The transportation of bulk hardfill and construction materials from and to the site and associated controls on vehicles through sign-posted site entrance/exits and the loading and unloading of materials.

(iii) The bulk earthworks construction, including retaining structures.

(iv) Control of dust and noise on-site and any necessary avoidance or remedial measures.

(v) Prevention measures for earth and other material being deposited on surrounding roads from vehicles and remedial actions should it occur.

(vi) Publicity measures and safety measures, including signage, to inform adjacent landowners and occupiers, pedestrians, cyclists and other users of affected roads.

(vii) A specific site hazard and management plan for the operation of cycleway.

(viii) Erosion and sediment control plan and measures to be in place for the duration of the works.

(ix) Earth and siteworks mitigation and protection measures for the site for a significant storm event.

(c) A detailed design of the cycleway relocation and the internal commercial access road to be sealed from the end of the existing Baffin Street seal to the reclamation (excluding the parking and turning area). The section of road from the existing Baffin St seal to the existing cycleway and 'Ashby's Boatyard' entrance (excluding the parking and turning area) shall be stabilised, with a minimum 6.5m width of seal, lapped 10m into the existing Baffin St formation, with road markings. The design shall be prepared by a suitably qualified and experienced person. The design for the cycleway shall comply as far as practicable with the New Zealand Cycle Trail Design Guide (August 2019 5th Edition) and shall specifically include a suitable fence/barrier structure (which may comprise a wire mesh and shade cloth arrangement) with a maximum height of 700mm to separate the cycleway from the access formation for the full length that the cycleway adjoins the proposed access as shown on cross-section plan prepared by Haigh Workman Limited entitled 'Typical Cross Section Shared Use Access' dated 14th December 2019.

As a minimum, the length of the relocated cycleway surface shall be finished to a 2.5 metres wide formation using compacted grey shale or similar. In addition, the design shall provide specific detail regarding the timing of any closure of the cycleway due to the proposed works and/or any alternative route that may be used temporarily while construction works occur.

(d) A detailed geotechnical investigation report prepared by a suitably qualified and experienced geotechnical engineer. That report shall provide specific design details for all proposed earthworks, including retaining structure design, suitable protection measures to protect the users of the cycle trail from debris or rock fall above retaining walls, and any recommendations regarding construction of the internal commercial access road.

(e) A pre-construction roading infrastructure condition assessment report for those portions of public road that may be subject to construction traffic damage as a result of the consented activity, prepared by a suitably qualified and experienced person. The report shall include as a minimum the following information:

(i) Current condition of road infrastructure in the following locations:

- Intersection of Kellet Street and Franklin Street (only if transportation of bulk hardfill and construction materials from and to the site utilises Kellet Street).
- Intersection of Franklin Street and Baffin Street.
- Section of Baffin Street's S bend from the entrance to the existing public boat ramp to end of current seal formation (including intersections with Kellet and Lyon Streets).

(ii) Where roading infrastructure is to include the following elements:

- Existing road pavement and any kerbing.
- Drainage channels and cesspits located within the road pavement.
- Street lighting.
- Existing vehicle crossings.

(iii) Any recommended repairs or maintenance requirements to avoid or mitigate adverse effects from the transportation of imported fill material.

(iv) A monitoring regime to be implemented during the construction period identified in Condition 2 (b) above where, as a minimum, a weekly review of infrastructure condition is undertaken, and results provided to the Council's Monitoring Officer.

The costs of the pre-construction roading infrastructure condition assessment report shall be at the Consent Holders expense.

(f) A Landscape Planting Plan prepared by a suitably qualified and experienced landscape architect to be prepared in general accordance with the 'Assessment of Landscape, Natural Character and Visual Amenity Effects' report prepared by Simon Cocker Landscape Architecture dated 16th September 2019, and Figure 1A as attached to the Statement of Evidence of Simon Cocker on behalf of Far North Holdings Limited dated 20 November 2020. More particularly, the plan shall define the following:

(i) The location of all existing vegetation to be retained on the site.

(ii) The location, species, and number of plantings to be provided.

(iii) Any features that are required to accommodate design requirements under Conditions 2(c) and (d) above.

(iv) A maintenance programme to provide for assurance of establishment and ongoing maintenance of all existing and proposed planting, including any weed and pest management that may be required.

(v) Any specific management and maintenance requirements associated with vegetation located on the batter and/or retained slopes created due to earthworks approved under this consent.

3. Prior to the commencement of any site preparation or construction, the Consent Holder shall undertake the following:

(a) Provide a stabilised construction entrance to the construction site to minimise the tracking of spoil and debris onto public road surfaces. The stabilised construction entrance shall be constructed in accordance with the Auckland Council document entitled *"2016/005: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region"* (GD05) and be maintained throughout the duration of the earthworks operations. A wheel wash may be required if excessive debris or spoil is tracked onto roads.

(b) Establish and mark the location of the boundary pegs and mark all property boundaries adjacent to the proposed earthworks.

Advice Note: *No authorisation is given for works on the legal road or private property other than the lot(s) subject to the land use consent. Where the Consent Holder is not the lot owner, the Consent Holder is responsible for obtaining approval from the lot owner prior to commencing work.*

4. During the undertaking of all construction works on site, the Consent Holder shall:

(a) Adhere to all requirements specified in the certified documents under Conditions 2(a) – (f). A copy of the certified documents is to be retained on the site and be made available to all contractors prior to and during all works.

(b) Be responsible for arranging for buried services to be located and marked prior to commencing earthworks and is also responsible for the repair and reinstatement of any underground services damaged as a result of the earthworks.

(c) Remove any debris deposited on the public road as a result of the earthworks. Debris shall be removed by or at the expense of the applicant.

(d) Ensure that all earthworks, erosion and sediment control measures are monitored by a suitably qualified Chartered Professional Engineer, with a Construction Review Certificate (PS4) provided to council's Resource Consents Monitoring Officer or designate upon completion of the works.

(e) Ensure during and on completion of bulk earthworks construction that all exposed surfaces are covered with aggregate or mulch to suppress dust or erosion.

(f) Provide on a monthly basis to council's Resource Consent Monitoring Officer or designate, a copy of noise and vibration monitoring records, erosion and sediment control inspections including an assessment from a suitably qualified engineer on the effectiveness of mitigation measures to meet limits, standards and level of compliance throughout earthworks and private infrastructure construction phase until completed.

(g) Not utilise any soil excavated from the location of the former Opua Rail Line as any part of the reclamation activities within the Coastal Marine Area.

5. Prior to the operating and operation of any facility approved under this consent (with the exclusion of the cycleway), the Consent Holder shall:

(a) Provide evidence by way of written confirmation from a suitably qualified and experienced person that all landscape planting as certified under Condition 2 (f) has been undertaken and completed.

(b) Provide an Operation and Maintenance Plan that sets out the roles and responsibilities associated with the operation and maintenance of all land-based public and private assets, inclusive of the dinghy racks, dinghy ramp and jetty access. The Plan shall include

specific provision to allow for vehicular access for members of the public on request to access the jetty, dinghy racks, and ramp.

(c) Provide a Construction Review Certificate (PS4) to council's Resource Consent Monitoring officer or designate. That Certificate shall verify that all construction works as identified under Conditions 2(c) and (d) have been constructed and completed.

(d) Confirm in writing whether any soil has been removed from the site and, if so, confirm that it has been disposed of to an approved managed fill facility in recognition of presence of PAH and TPH compounds as well as heavy metals elevated above volcanic background concentrations.

(e) Provide an infrastructure condition assessment report, prepared by a suitably qualified and experienced person, that evaluates the roading and infrastructure conditions post-construction against that recorded in the pre-construction roading infrastructure condition assessment report under Condition 2 (e). The purpose of the report shall be to ensure that any/all damage to existing infrastructure caused by the construction works covered under this consent has been identified and remediated, repaired, or replaced by the Consent Holder to a minimum standard acceptable to the Council.

Operational Conditions

6. The operation of the facilities on completion shall comply with the following conditions on an on-going basis:

(a) A minimum of 6 carparks are to be available for use by users of the barge dock and boat ramp facility.

(b) Any/all lighting to be established and operated on land as part of the facility is to be constructed and operated so that artificial light is shielded in such a manner that light emitted by the fixture is projected below a horizontal plane running through the lowest point on the fixture; where the lower edge of the shield is to be at or below the centreline of the light source.

(c) All landscape planting completed under Condition 5 (a) is to be maintained in perpetuity in accordance with maintenance recommendations made in the plan provided under Condition 2 (f) iv. and v. above.

(d) Noise generated at all times (excluding construction) from the areas located above Mean High Water Springs measured at the notional boundary of any dwelling shall not exceed the following:

- 55 dB L_{Aeq} between 0700 and 2200
- 45 dB L_{Aeq} and 70 dB L_{AFmax} between 2200 and 0700

Sound levels shall be measured in accordance with NZS 6801:2008 "Measurement of Sound" and assessed in accordance with NZS 6802:2008 "Assessment of Environmental Sound". The notional boundary is defined in NZS 6802:2008 "Assessment of Environmental Sound" as a line 20m from any part of any dwelling, or the legal boundary where this is closer to the dwelling.

Review Condition

7. The Council may, in accordance with Section 128 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review Conditions 1 – 6 annually from the date of commencement of the consent to deal with any adverse effects on the environment that may arise from the exercise of the consents and which it is appropriate to deal with at a later stage. The Consent Holder shall meet all reasonable costs of any such review.

Advice Notes:

1 This resource consent will lapse five years after the date of commencement of this consent unless:

- *It is given effect to before the end of that period; or*
- *An application is made to the Council to extend the period after which the consent lapses, and such application is granted prior to the lapse of consent. The statutory considerations which apply to extensions are set out in Section 125 of the Resource Management Act 1991.*

2 Section 120 of the Resource Management Act 1991 provides a right of appeal to this decision. Any appeal must conform with Section 121 of the Act.

3 A copy of this consent should be held on site at all times during the establishment and construction phase of the activity.

4 All archaeological sites are protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under that act to modify, damage or destroy any archaeological site, whether the site is recorded or not. Application must be made to the New Zealand Historic Places Trust for an authority to modify, damage or destroy an archaeological site(s) where avoidance of effect cannot be practised.

5 The Consent Holder shall pay all charges set by the Council under Section 36 of the Resource Management Act 1991, including any administration, monitoring and supervision charges relating to the conditions of this resource consent. The Consent Holder will be advised of the charges as they fall.

6 The applicant may require a building consent from the Far North District Council for proposed private infrastructure stormwater drainage works and construction of retaining wall.

7 The Consent Holder when conducting any works close to council road reserve would be required to submit a Corridor Access Request (CAR) and subsequently obtain a Work Access Permit (WAP) from council prior to any excavation or works commencing.

8 Where conditions are duplicated between the Regional Council and District Council consents (such as provision of a Construction Management Plan), the District Council may accept any documents previously submitted to the Regional Council as a means of compliance with any conditions.


1
2
3
4
5
6
7
8
EXISTING ENTRANCE TO PROVIDE COMMERCIAL
VEHICLE ACCESS
SCORESBY STREET

Lot 2

Lot 2

DP 156505

DP 124623

0.1637

Section 7

TN OF Blk XXIX Opua

0.1012

0.0057

F

Section 6

Section 16

0.1604

Lot 1

TN OF Blk XXIX Opua

TN OF Blk XXX Opua

CYCLE TRAIL

ENTRANCE

F

PP

ENTRANCE TO 6.5m WIDE

SHARED USE ACCESS

PP

PP

PP

Section 5

Lot 1

2.5m
HIGH RETAINING
WALL

DP 168736

0.0411

0.1012

2.1736

PP

TN OF Blk XXIX Opua

DP 199153

PP

Section 17

TN OF Blk XXX Opua

0.1767

E

PP

E

Section 4

PP

TN OF Blk XXIX Opua

ENTRANCE TO 6.5m WIDE

0.1012

Section 18

SHARED USE ACCESS

KENNEDY STREET
TN OF Blk XXX Opua
0.0979
30
25
TN OF Blk XXIX Opua
25
30.00
25

Section 3


FORM ACCESS ROAD ON EXISTING RAILWAY
0.1012

ction 2
lk XXIX Opua
.1012
TN OF Blk XXX Opua
TN OF Blk XXX Opua
3.0m WIDE CYCLE TRAIL
D
MANOEUVRING


AREA TO BOAT RAMP
1700m²
RECLAMATION
D


3.0
Section 22
3.5

3.5
2.5
2.0
1.5
1.0
0.5
0.0
-0.5
-1.0
-1.5
TN OF Blk XXX Opua
0.1198
700m² BOAT RAMP


4.5
Section 21
0.1781
3.0
2
TN OF Blk XXX Opua
700m
BOAT
RAMP
-2.0
1200m² DREDGE AREA

0.4920
C
CAR PARKING
TRUCK TURNING AREA
Pt Lot 1


DP 183896
-2.5
-3.0
-4.0
-3.5
CROWN LAND BOUNDARY
TIMBER RAMP
DINGY RACKS

C

SO 330502
PUBLIC TIMBER JETTY GANGWAY

TN OF Blk XXX Opua
0.1413
PONTOON

Section 24
0.0180

CONNECTION BACK

TO EXISTING CYCLE TRAIL

Pt Lot 1

DP 183897

B

B

(2.8873)

BERTH FOR TSS "THE
MINERVA" KERIKERI
STEAMSHIP TRUST

A Issue Date Revision DWG

Site Location Plan

Project

Opua Hard Stands Extension

DWG No. A

01

-	19/3/2019	WORK IN PROGRESS	
1	28/5/2019	RESOURCE CONSENT	

B 20/9/2019

AMENDED CYCLE TRAIL ACCESS

Scale

1:1000 @A3

10 5

0 10 20 30
m

Date

23/1/2018

Kerikeri, BOI.

Ashby's Boat Yard, Opua

6 Fairway Drive T: 09 407 8327

F: 09 407 8378
E: info@haighworkman.co.nz

Client

Far North Holdings Ltd

Sheet No.

Drawn File

JP Checked EC

Approved

Project No.

15 119

RC no.

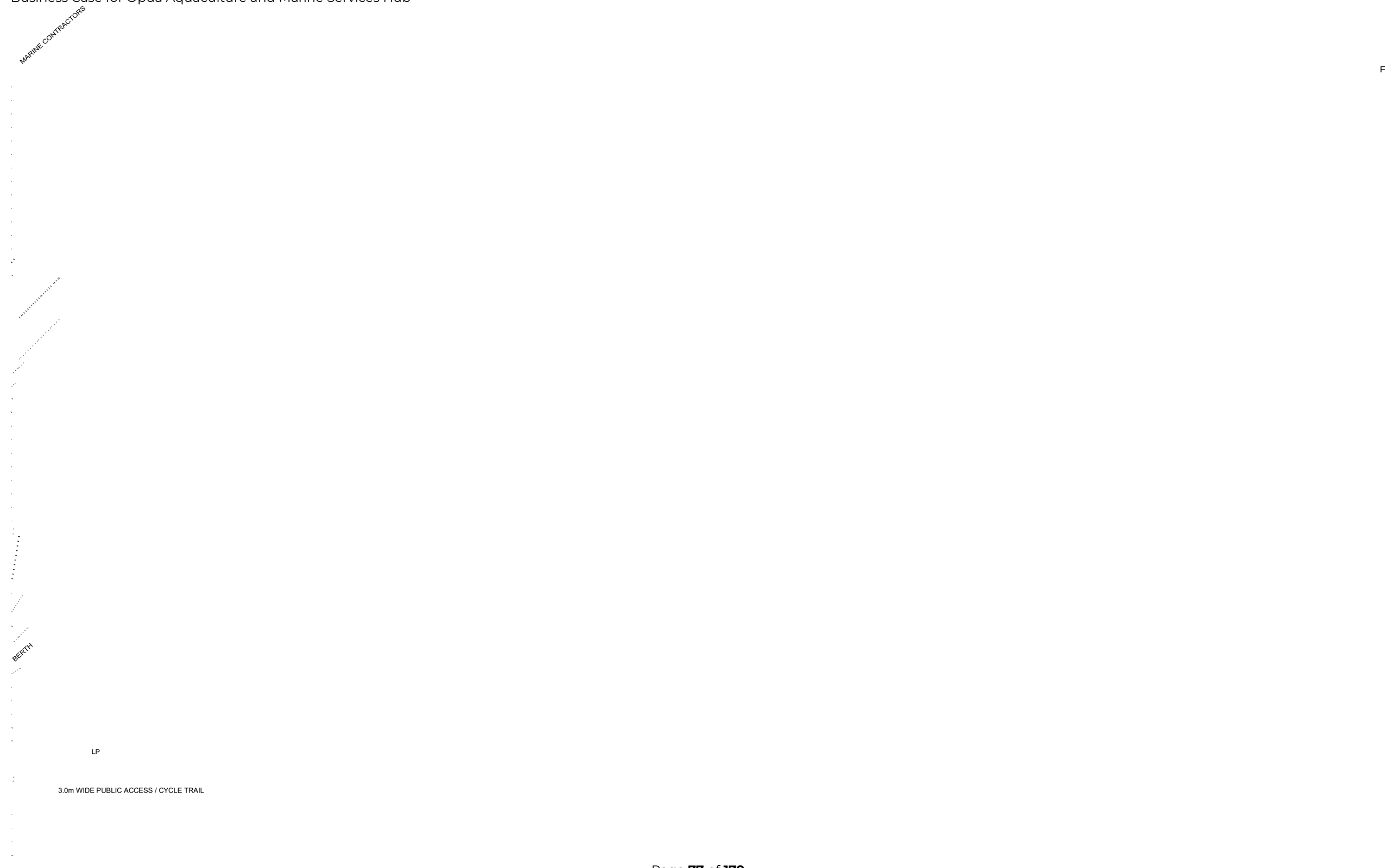

1
2
3
4
5
6
7
8
30.00

ACCESS ROAD AND
CYCLE TRAIL

FORM ACCESS ROAD ON RAILWAY LOWER FROM

2.9m TO 2.5m OTP

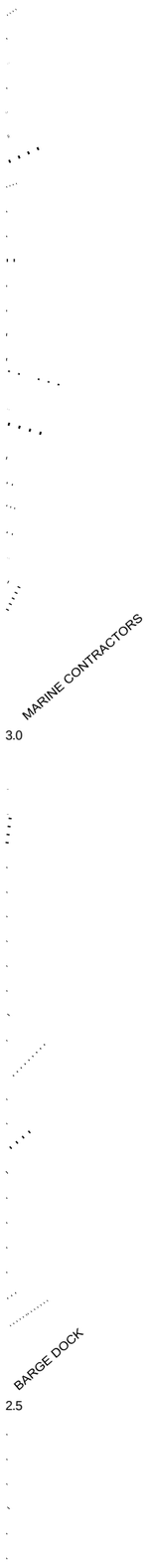

LIGHT POLE

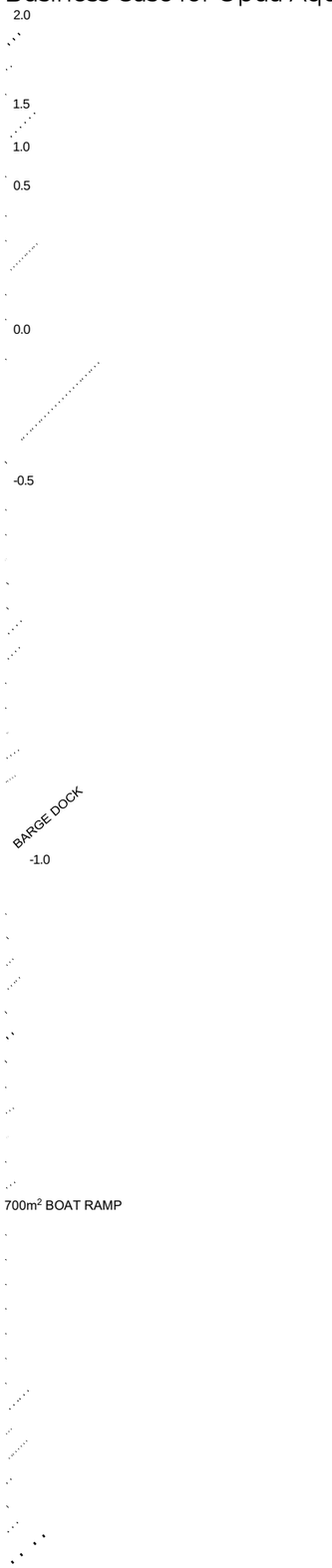

MARINE CONTRACTORS
F
BERTH
LP
3.0m WIDE PUBLIC ACCESS / CYCLE TRAIL

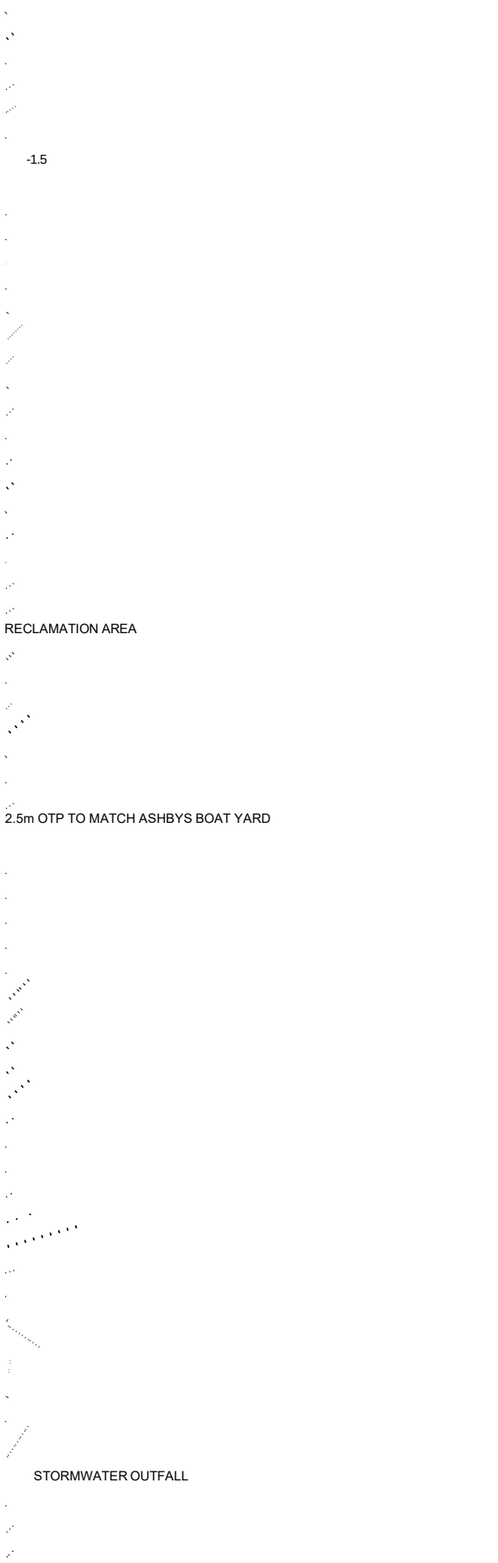

MANOEUVRING AREA TO BOAT RAMP


1700m² RECLAMATION
30.00
STORMWATER TREATMENT TANKS
SURFACE DRAIN
FENCE BETWEEN CYCLE TRAIL AND MANOEUVERING AREA
E


20.00
3.5
30.00
3.5


MARINE CONTRACTORS
3.0
BARGE DOCK
2.5


2.0
1.5
1.0
0.5
0.0
-0.5
BARGE DOCK
-1.0
700m² BOAT RAMP


-1.5
RECLAMATION AREA
2.5m OTP TO MATCH ASHBYS BOAT YARD
STORMWATER OUTFALL


CHANNEL DRAIN
OYSTER FARMERS
-4.5
35.00
E
DATUM REFERENCE


20.00
D
3.0
-2.0
1200m² DREDGE AREA DOWN TO -3.1m OTP
(OTP DATUM) RL
CD
D

STORMWATER

BOAT RAMP SLOPE DOWN FROM ROADWAY AT 2.5m TO -2.0m OTP

6 No. CAR PARKS (MIN)

TRUCK TURNING AREA OUTSIDE RADIUS R25m


-2.5
-3.0


TREATMENT TANKS
STORMWATER
OUTFALL
CROWN LAND BOUNDARY

-3.5

CYCLE TRAIL 2.9 4.5
2115 1% AEP 2.7 4.3
ASHBYS BOATYARD (TYP) 2.5 4.1

-4.0 2065 2% AEP 2.1 3.7
MARINA RECLAMATION AREA 2.0 3.6

CURRENT 1% AEP (CYCLONE WILMA 1.65) 1.7 3.5

(APPROX.) HAT 1.2 2.8

MHWS 0.9 2.5

C

EARTHWORKS

DREDGING - 1,200 m^2
EXCAVATION - 600 m

OTP DATUM 0 1.6

42.00

TIMBER RAMP DINGY RACKS

CONNECTION BACK

TO EXISTING CYCLE TRAIL

B


PUBLIC TIMBER JETTY
42m LONG x 3m WIDE (TYP) DECK LEVEL 2.0m OTP
12m LONG ALUMINIMUM GANGWAY
20m LONG x 4m WIDE (TYP) CONCRETE PONTOON
BERTH FOR TSS "THE MINERVA" KERIKERI STEAMSHIP TRUST
RECLAMATION - 1,700 m2
FILL FROM DREDGING - 600 m3
3
FILL FROM BANK EXCAVATION - 250 m3 IMPORTED CLEAN FILL & HARD FILL - 4,750 m3 TOP UP FOR SETTLEMENT - 900 m
BOAT RAMP - 700 m2 IMPORTED HARD FILL- 1,000 m3
(INCLUDES SETTLEMENT ALLOWANCE)
10.00
LAND-SIDE EARTHWORKS - 3,000 m2 RETAINING WALL - EXCAVATION - 250 m3 EARTHWORKS - CUT TO FILL - 800 m3 IMPORTED HARD FILL - 600 m3
MLWS
CHART DATUM
-1.2
0.4
B
0
-1.6
25.00

COMBINED TOTAL DISTURBED AREA - 6,800 m VOLUME - 9,200 m^3

TMS BERTHING

-3.1

-1.5

	Issue	Date	Revision	DWG
A				

Proposed Development Plan

Project

Opua Hard Stands Extension

DWG No. A

-	19/3/2019
1	28/5/2019
B	20/9/2019

WORK IN PROGRESS RESOURCE CONSENT

AMENDED CYCLE TRAIL ACCESS

Scale

1:500

@A3

5 2.5

0 5 10 15

m

Date

23/1/2018

6 Fairway Drive Kerikeri, BOI.

T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

Client

Ashby's Boat Yard, Opua

Far North Holdings Ltd

02

Sheet No.

Drawn File

JP Checked EC

Approved

Project No.

15 119

RC no.

2 of **9**

1 2 3 4 5 6 7 8

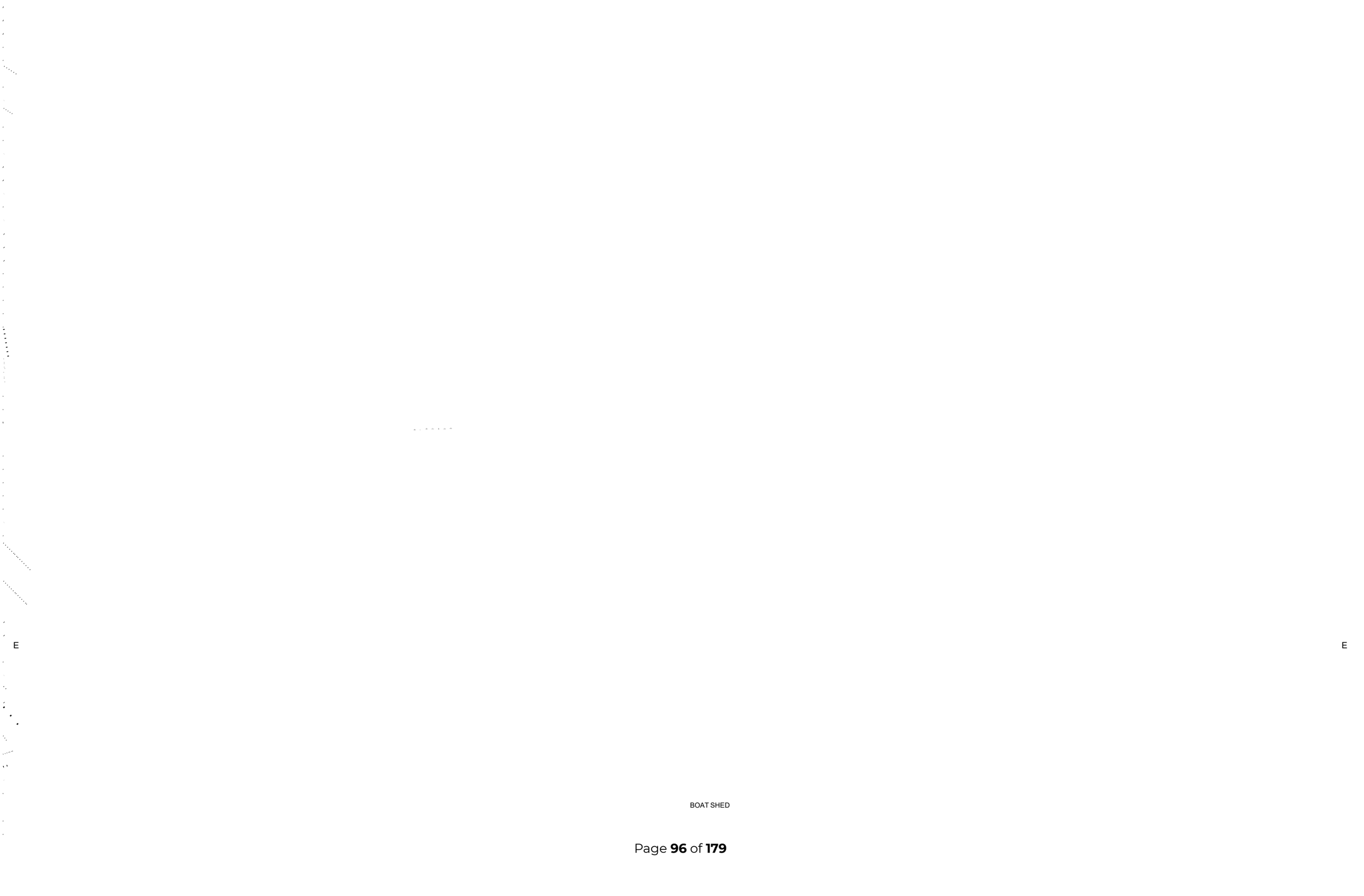
F

F

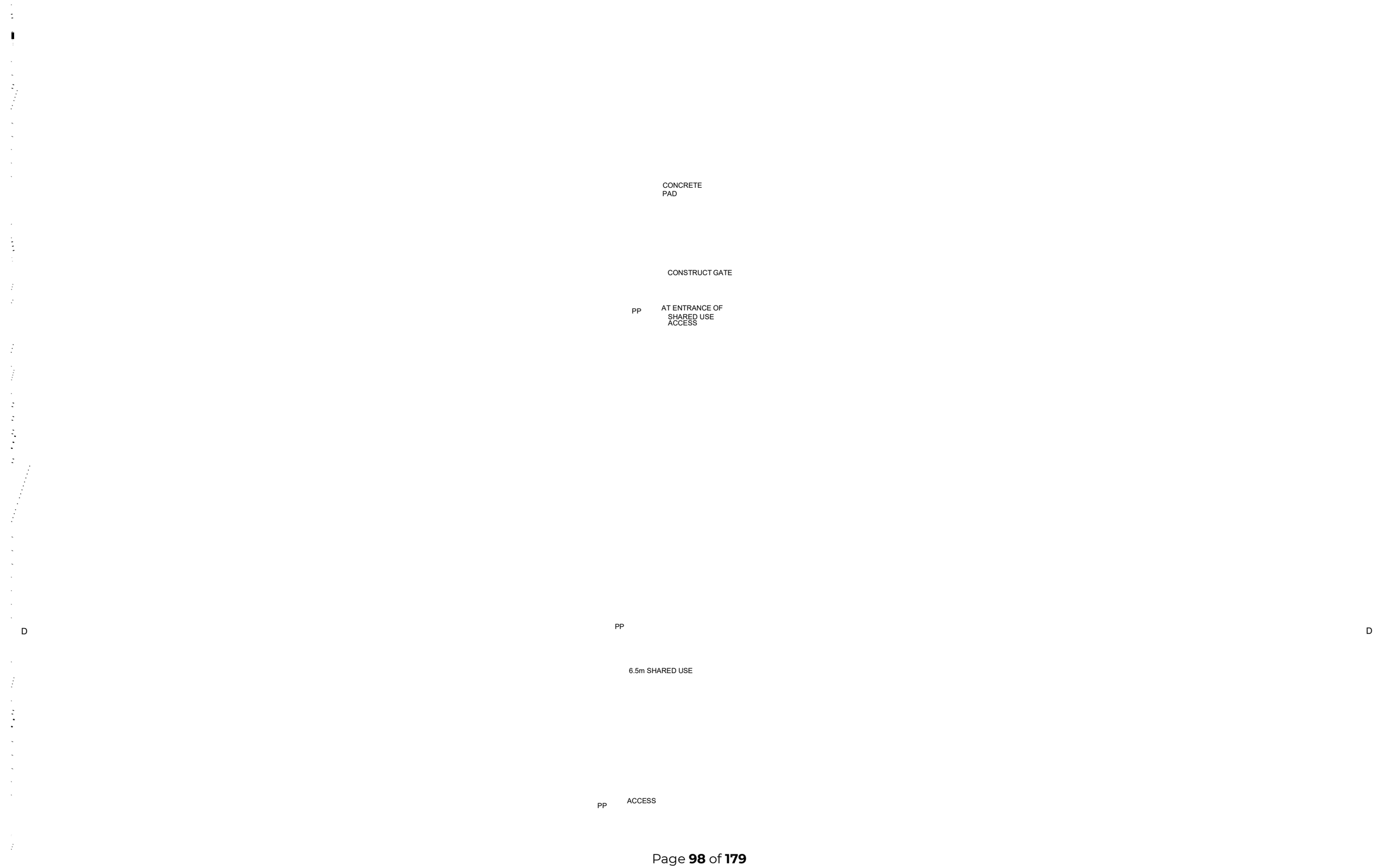
EXISTING CYCLE TRAIL ENTRANCE TO REMAIN

EXISTING ENTRANCE

TO PROVIDE COMMERCIAL VEHICLE ACCESS


E
E
BOAT SHED

EXISTING
FENCE TO
REMAIN


CONCRETE
PAD
CONSTRUCT GATE
PP
AT ENTRANCE OF
SHARED USE
ACCESS
D
PP
6.5m SHARED USE
PP
ACCESS
D

MOVE FENCE LINE

CA. 1.0m

PP

EXISTING POWER
PLINTHS TO
REMAIN

PP

RETAINING WALL

C

TYP 2.5m HIGH x 85m LONG

C

PP

PP

CONSTRUCT GATE AT ENTRANCE OF SHARED USE ACCESS

3.0m WIDE PUBLIC

B

ACCESS / CYCLE TRAIL

3.0

PP

EXISTING BUILDINGS TO BE REMOVED

B

SOUTHERN EXTENT OF RETAINING WALL

LP

2.5

2.5

LIGHT POLE

EXISTING BUILDINGS TO REMAIN

30.00
2.5
ERECT FENCE BETWEEN


ACCESS ROAD AND CYCLE TRAIL

A Issue

Date

Revision

DWG

Proposed Access Plan

Project

Opua Hard Stands Extension

DWG No. A

03

-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT

B 20/9/2019

AMENDED CYCLE TRAIL ACCESS

Scale

1:500

@A3

5 2.5

0 5 10 15

m

Date

23/1/2018

6 Fairway Drive
Kerikeri, BOI.

T: 09 407 8327
F: 09 407 8378

E: info@haighworkman.co.nz

Client

Ashby's Boat Yard, Opua

Business Case for Opua Aquaculture and Marine Services Hub
Far North Holdings Ltd

Sheet No.

Drawn File

JP Checked EC

Approved

Project No.

15 119

RC no.

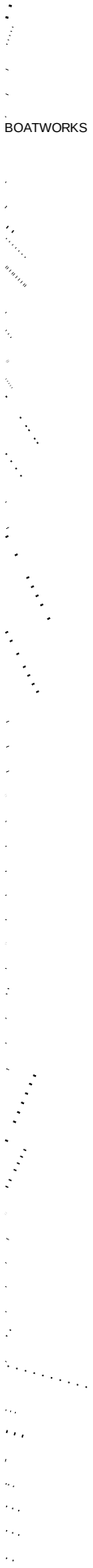
3 of **9**

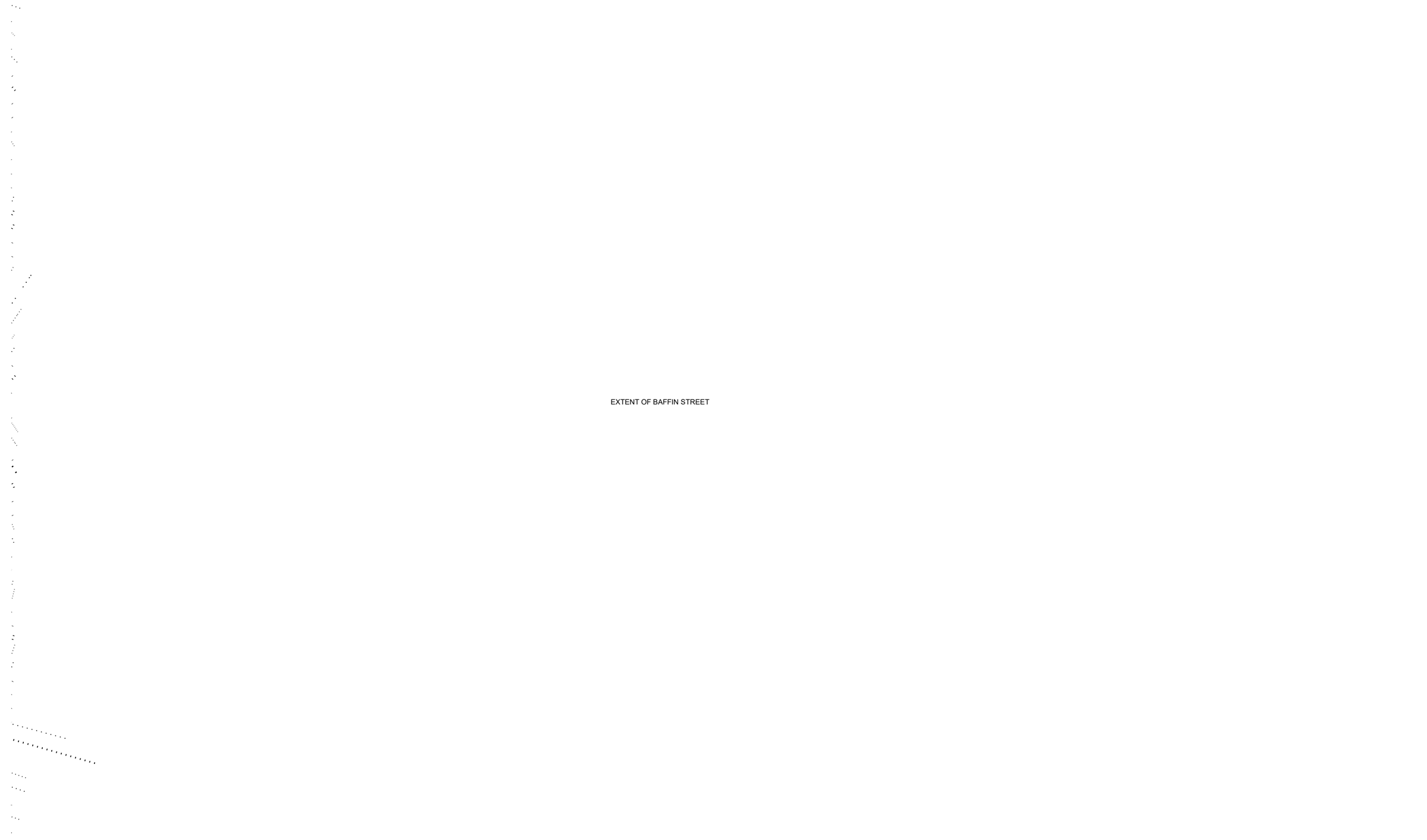
1 2 3 4 5 6 7 8

BAFFIN STREET

LYON STREET

BLUEFIX


BOATWORKS
RENOVATION


EXTENT OF BAFFIN STREET

E

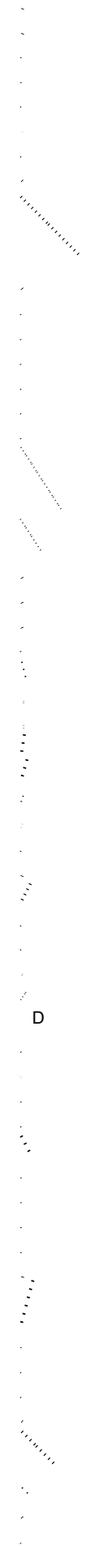
LEGAL ROAD CORRIDOR

E

EXTENT OF EXISTING
SEAL. LAP SEAL COAT 10m
INTO

EXISTING

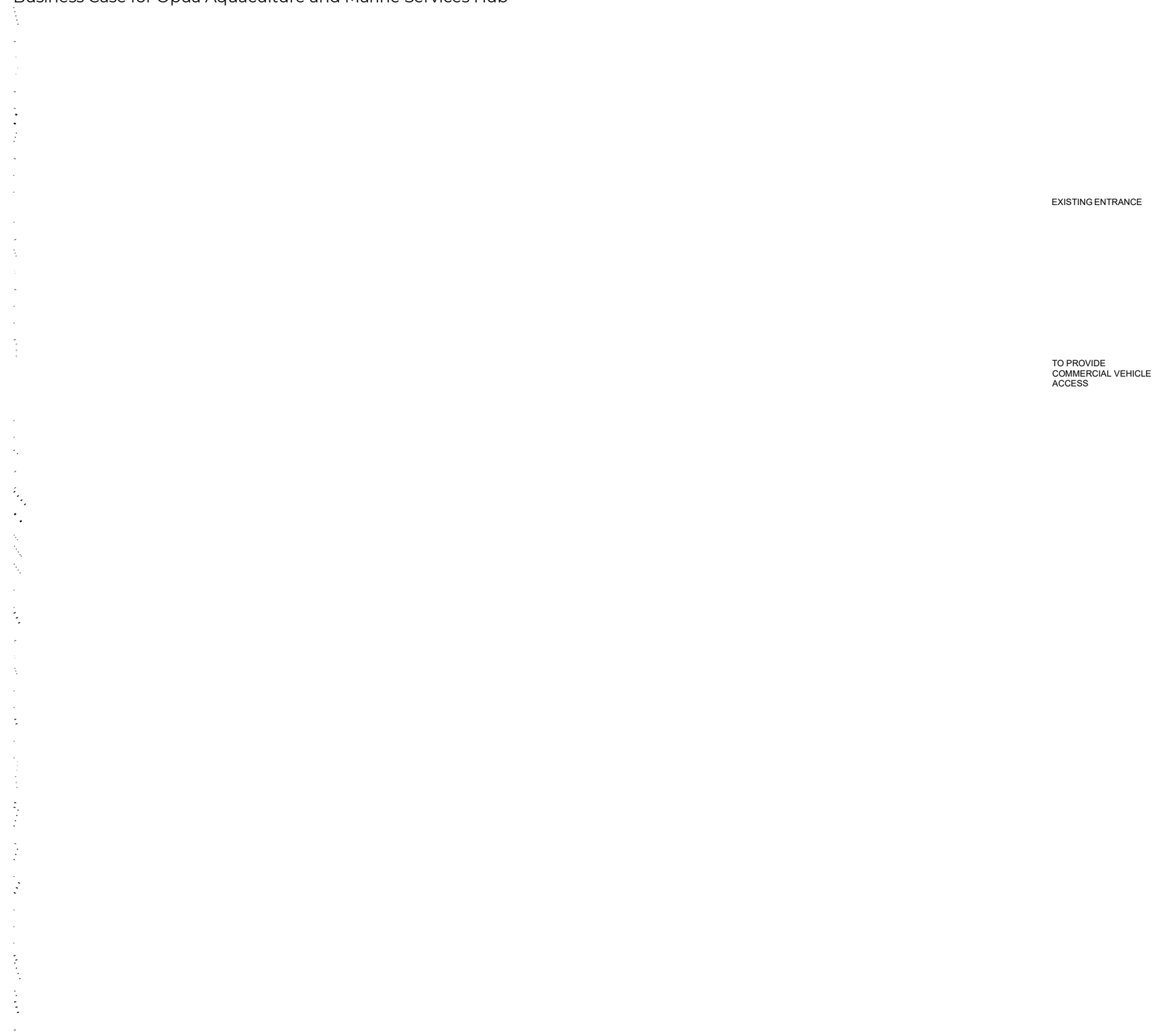
EXISTING CAR
PARKING TO REMAIN
AS GRAVEL


D
FORM AND SEAL A 6.5 m WIDE
D

CARRIAGEWAY. PAINT EDGE
LINES TO PROVIDE FOR TWO 3 m
WIDE

LANES (TO MATCH BAFFIN ST)


EXISTING CAR
PARKING TO REMAIN
AS GRAVEL

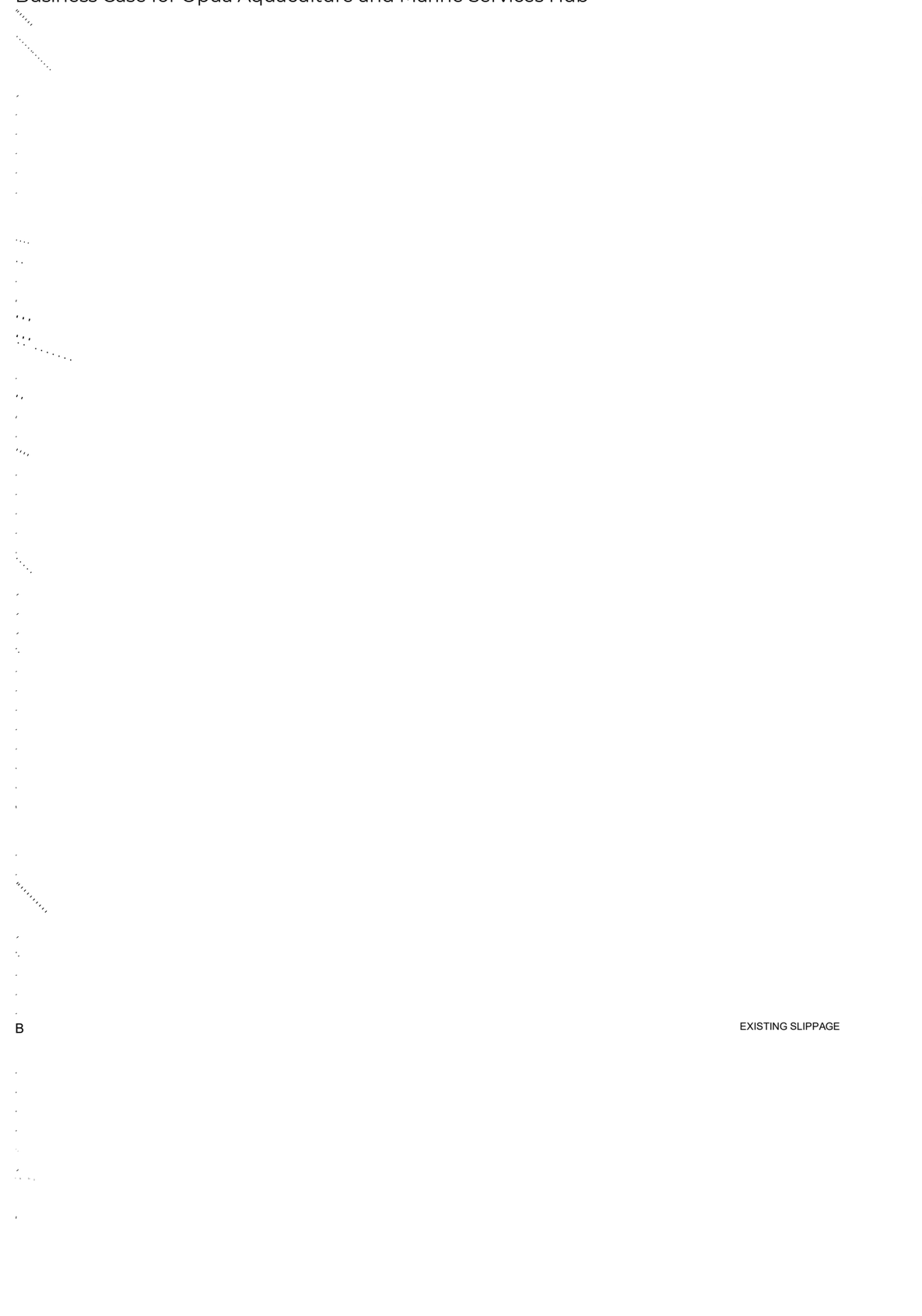

EXISTING ENTRANCE
TO PROVIDE
COMMERCIAL VEHICLE
ACCESS

C

C

FORM CONCRETE MANEUVERING
AREA WITHIN THE BOI MARINA
BOAT YARD

EXISTING CYCLE TRAIL


ENTRANCE TO REMAIN
B
EXISTING SLIPPAGE

BOAT SHED
B
EXISTING CYCLE TRAIL TO REMAIN AS GRAVEL WITH A COMPACTED, SMOOTH SURFACE

EXTEND BOAT YARD CONCRETE TO PROVIDE FOR A 4 m WIDE CONCRETE ACCESS ROAD

EXISTING FENCE TO REMAIN

CONCRETE PAD

CONSTRUCT GATE

PP AT ENTRANCE OF SHARED USE ACCESS

A Issue

A

Date

7/12/2020

Revision

FIRST ISSUE - RESOURCE CONSENT HEARING

DWG

Proposed Access Plan - Baffin Street

6 Fairway Drive

PP

T: 09 407 8327

Project

Opua Hard Stands Extension

Ashby's Boat Yard, Opua

DWG No. A

03a

Scale

Business Case for Opua Aquaculture and Marine Services Hub

1:500

@A3

5 2.5

0 5 10 15
m

Date

7/12/2020

Kerikeri, BOI.

F: 09 407 8378
E: info@haighworkman.co.nz

Client

Far North Holdings Ltd

Sheet No.

Drawn File

JP Checked

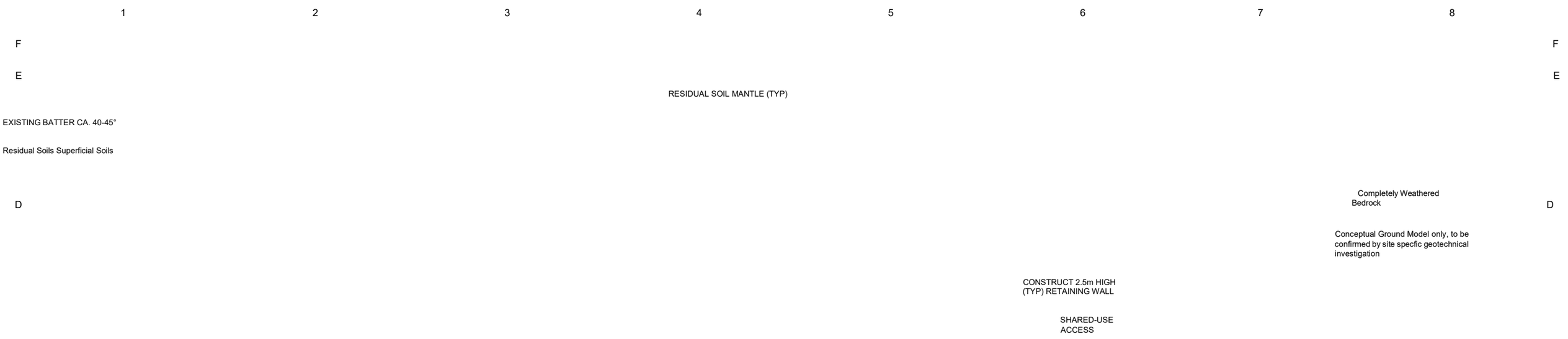
Approved

Project No.

15 119

RC no.

4 of **9**



C

6.50

EXISTING FENCE LINE

PROPOSED NEW FENCE

C

ASHBYS BOAT YARD

B

B

A	Issue	Date	Revision	DWG

Proposed Access - Typical Cross Section

Project

Opua Hard Stands Extension

DWG No. A

-	19/3/2019
1	28/5/2019
B	20/9/2019

WORK IN PROGRESS RESOURCE CONSENT

AMENDED CYCLE TRAIL ACCESS

Scale

1:200

2 1

@A3

0 2 4 6

m

Date

23/1/2018

6 Fairway Drive Kerikeri, BOI.

T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

Client

Ashby's Boat Yard, Opua

Far North Holdings Ltd

04

Sheet No.

Drawn File

JP Checked EC

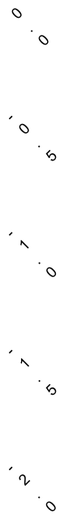
Approved

Project No.

15 119

RC no.

5 of **9**



DREDGE TO -3.1m OTP

Made Ground

Superficial Soils

Completely Weathered Bedrock

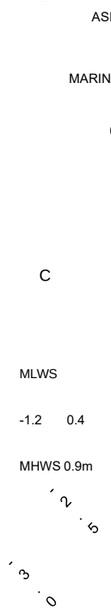
Conceptual Ground Model only, to be confirmed by site specfic geotechnical investigation

CYCLE TRAIL	2.9	4.5
2115 1% AEP	2.7	4.3
ASHBYS BOATYARD (TYP)	2.5	4.1
2065 2% AEP	2.1	3.7
MARINA RECLAMATION AREA	2.0	3.6
CURRENT 1% AEP (CYCLONE WILMA 1.65)	1.7	3.5
(APPROX.) HAT	1.2	2.8
MHWS	0.9	2.5
OTP DATUM	0	1.6

MLWS

-1.2 0.4

MHWS 0.9m



MLWS -1.2m

CHART DATUM 0

A	Issue	Date	Revision

DWG

Proposed Reclamation - Typical Cross Section

6 Fairway Drive

T: 09 407 8327

Project

Client

Opua Hard Stands Extension

Ashby's Boat Yard, Opua

DWG No. A

05

2 1 0 2 4 6
m

Date

23/1/2018

Kerikeri, BOI.

F: 09 407 8378
E: info@haighworkman.co.nz

Far North Holdings Ltd

Sheet No.

-	19/3/2019	WORK IN PROGRESS
1	28/5/2019	RESOURCE CONSENT
B	20/9/2019	AMENDED CYCLE TRAIL ACCESS

Scale 1:200 @A3

Drawn File

JP Checked EC

Approved

Project No.

15 119

RC no.

6 of **9**

1 2 3 4 5 6 7 8

F F


E
E
3.00
7.0
0.5
D
CYCLE TRAIL
MANEUVERING AREA
2.5
8.00
2.5
2.9
2.5
5.00
ACCESS ROAD
EXISTING CYCLE TRAIL TO BE LOWERED TO 2.5m OTP
35.00
2.9
BOAT RAMP GRADIENT AT 12.5% (1 IN 8 - IDEAL)
Made Ground
Superficial Soils
Completely Weathered Bedrock
Conceptual Ground Model only, to be confirmed by site specfic geotechnical investigation
TOE OF BOAT RAMP 2.0m OTP OR 0.8m BELOW MLWS 0.5m DROP OFF AT TOE
7.0
0.5
0.0
0.5
D

A	Issue	Date	Revision	DWG
	-	19/3/2019		
	1	28/5/2019		
	B	20/9/2019		

Proposed Boat Ramp - Typical Cross Section

Project

Opua Hard Stands Extension

DWG No. A

WORK IN PROGRESS RESOURCE CONSENT

AMENDED CYCLE TRAIL ACCESS

Scale

1:200

2 1
@A3

0 2 4 6
m

Date

23/1/2018

6 Fairway Drive Kerikeri, BOI.

T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

Client

Ashby's Boat Yard, Opua

Far North Holdings Ltd

06

Sheet No.

Drawn File

JP Checked EC

Approved

Project No.

15 119

RC no.

7 of **9**

1 2 3 4 5 6 7 8

F

Made Ground

Superficial Soil

Completely Weathered Bedrock

E

FORM STEPS DOWN TO JETTY

SAFETY BARRIER ON SOUTHERN SIDE OF JETTY

2.50

42.00

TIMBER DECK AT 2.0m OTP

2.90

12m LONG GANGWAY

4m WIDE PONTOON

Conceptual Ground Model only, to be confirmed by site specfic geotechnical investigation

E

CONCRETE PONTOON

1.50

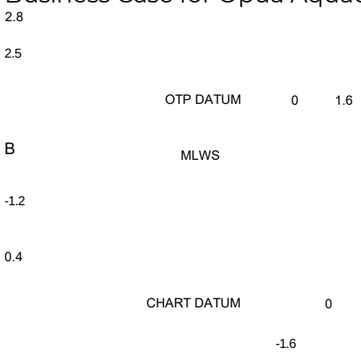
DATUM REFERENCE

MHWS 0.9m

D

(OTP DATUM) RL


0.5
1.5
1.0
0.0
MLWS -1.2m
D
CD
2.5
1.5
2.0
3.0
CYCLE TRAIL 2115 1% AEP
ASHBYS BOATYARD (TYP)
2.9
2.7
2.5
4.5
4.3
4.1
2065 2% AEP MARINA RECLAMATION AREA
2.1
2.0
3.7
3.6
CURRENT 1% AEP
(CYCLONE WILMA 1.65)
1.7
3.5
C
(APPROX.) HAT
MHWS
1.2
0.9



C

B

Revision

DWG

Proposed Jetty - Typical Cross Section

Project

Opua Hard Stands Extension

DWG No. A

-	19/3/2019
1	28/5/2019
B	20/9/2019

WORK IN PROGRESS RESOURCE CONSENT
AMENDED CYCLE TRAIL ACCESS

Scale

1:200

2 1
@A3

0 2 4 6
m

Date

23/1/2018

6 Fairway Drive Kerikeri, BOI.

T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

Client

Ashby's Boat Yard, Opua

Far North Holdings Ltd

07

Sheet No.

Drawn File

JP Checked EC

Approved

Project No.

15 119

RC no.

8 of **9**

2.50 m WIDE CYCLE TRAIL
4.00 m WIDE ONE LANE ROAD

BOATYARD

2.0 m HIGH MESH FENCE
700 mm HIGH WIRE ROPE SAFETY BARRIER
CRUSHED SHALE OR SIMILAR
150 mm THICK REINFORCED CONCRETE
2.50 m HIGH RETAINING WALL

1
2
3
4
5
6
7
8

F

E

D

C

B

A

DIMENSIONS MUST NOT BE SCALE MEASURED FROM THESE DRAWINGS. THE CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS INCLUDING,

T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

6 Fairway Drive
Kerikeri, BOI.

Issue Date

Revision

DWG

DWG No.

08

Sheet No.

Drawn
EJC
Checked
Date
File
Client
Project No.

of

Project

F

E

D

C

B

A

Scale

m

Approved

RC no.

Typical Cross Section Shared Use Access

1:50

@A3

Opua Hard Stands Extension

Far North Holdings Ltd

15 119

14/12/2020

Ashby's Boat Yard, Opua

JP

JP

9 **9**

0.5 0.25

0 0.5 1 1.5

A	14/12/2020	
FIRST ISSUE - RESOURCE CONSENT HEARING		

Opua Oyster Farm and Marine Services Infrastructure

Economic Impact Assessment

25 April 2024

m.e consulting

Opua Oyster Farm and Marine Services Infrastructure

Economic Impacts

Prepared for

Far North Holdings Limited

Document reference: FNH 025.24

Date of this version: 25 April 2024

Report author(s): Hannah Ashby

Lawrence McIlrath (Director, 021 042 1957)

www.me.co.nz

Contents

Figures

Tables

Introduction

Opua Marina and the associated land side activities form a key marine servicing area for the Far North. Currently, the facility services recreational and commercial boating. The marina also forms the base for several commercial marine service businesses, including those engaged in maritime construction and servicing commercial fleets. Opua is a key location for the local aquaculture sector and serves as the key oyster barge unloading and servicing centre for Waikare Inlet.

Growth in these key activities is putting pressure on infrastructure, constraining activity, and limiting growth potential. The pressure is manifesting through conflicts at the facilities by users competing for space, and water access. However, resource consent to enable development of the hard stand extension and landing facility south of Ashby's boatyard at the end of Baffin Street has been granted. Intuitively, putting the infrastructure in place will facilitate economic activity, generating positive economic impacts for Opua and the district.

Market Economics Limited (M.E) has been commissioned by Far North Holdings Limited (FNHL or FNH) to refresh the economic assessment for Opua oyster farm and marine services infrastructure. This update reflects the importance of maintaining local aquaculture activity and commercial marine service businesses in Opua. Furthermore, it reflects an updated profile of the marine servicing and oyster sector in Opua. The updated profile provides a context against which to describe the facilitated economic impacts that investing in the maritime infrastructure would deliver. The economic assessment considers the flow-on effects of the maritime infrastructure at Opua relative to a do nothing (business as usual) scenario.

We understand that the economic assessment will be used as part of the wider business case and funding applications to the Government's soon to be announced Regional Infrastructure Fund or similar.

Background

M.E has completed several economic assessments associated with Opua and the local marine activity. Different options and configurations have been considered but these all relate to an expansion of the marina and associated infrastructure in response to growth pressures. The options reflected the close relationships across different markets, such as:

- Recreational use – a marina, swing moorings and a public boat ramp and fuelling facilities. The facility is a Port of First Arrival for international vessels.
- Commercial activities associated with maritime construction and servicing, as well as aquaculture.

A direct consequence of the growth across both the recreational and commercial activities is the increased levels of conflicts across uses i.e., changes in usage levels have resulted in higher health and safety risks. These risks are elevated by the lack of control over public areas (e.g., the public boat ramp). Therefore, separating

the different users means that an alternative location is required to ensure that these activities can continue to operate efficiently and effectively.

FNHL applied for a consent to establish and operate an area for barging activities associated with a marine construction operation and a landing facility for marine farming operations at the end of Baffin Street. The consent was granted in January 2021.

The consented works include:

- Constructing a maritime servicing area incorporating a 1,700m^2 reclamation with a seawall edge,
- a boat ramp,
- a public timber jetty and pontoon (with a single adjacent berth for the 'TSS Minerva' – a tourism venture),
- associated capital and maintenance dredging activities.

Importantly, as part of the development, the existing barge dock in Opua will be relocated to reduce conflicts with recreational uses. The barging operations, associated with the local oyster activities within the Waikare Inlet, is included as part of managing conflicts between users.

The consent provides for stormwater management associated with impervious surfaces, and discharges to the coastal marine environments following appropriate treatment.

Appendix 1 provides additional details about the proposed development. A detailed description of the proposed activity can be found in the consent application, specifically the Assessment of Environmental Effects report with its supporting technical reports as well as the Section 42A Report.

With consent granted, the focus now shifts to accessing the necessary financial resources to unlock infrastructure delivery, and the economic activity.

Project purpose and approach

The purpose of this assessment is to:

1) Illustrate the existing profile of the local commercial marine service and aquaculture sector in Opua and to use this profile as context to illustrate the size and potential contribution of the Opua hardstand extension and associated infrastructure development,
2) To estimate the direct, indirect and induced impacts of the development by considering the facilitated effects across the sectors using the infrastructure.

The economic impacts are estimated using a bespoke Multi-regional Input-Output model – the model is based on the most recent (2020) Supply-Use Tables as published by StatsNZ and regionalised by M.E. The base year for the model, as well as the level of sector resolution, is more recent than the model used during

earlier assessments. The impacts are explained using Gross Domestic Product (GDP), Employment and Income and for this study they are defined as follows:

- **Gross Domestic Product (GDP)**: GDP measures the value of economic activity but excludes the value of goods used in the production process. It captures the value of labour and capital applied to raw materials and intermediate goods during the production process within a defined area during a specific timeframe – normally a year. Technically, GDP reflects the total value of wages and salaries, operating surplus, consumption of fixed capital (e.g., depreciation), taxes on production, other taxes and subsidies.
- **Employment:** Employment impacts are measured using 'Modified Employment Counts' (MECs) – and indicator of employment that includes both employees and working proprietors.
- **Income** – Employees are remunerated for their labour in the form of wages and salaries. In addition, part of operating surplus is distributed to households via dividends.

Most economic impact studies use these indicators or some combination of the above as minimum. The potential economic effect is expressed in *net terms*. Activities which would have occurred regardless of the development are excluded from the analysis.

The impacts are estimated for the one-off and ongoing activities. The one-off activities relate to the spending during construction (capital expenditure), while the ongoing activities relate to the lift associated with enabled activities. In some instances, infrastructure investment ensures that some activities can continue to operate. In such instances, the economic effects are in fact the total effects associated with the activities because if the activity is lost (for example, it cannot continue due to infrastructure constraints), then all of that activity as well as the flow-on effects are lost to the economy. Therefore, the overall impact of infrastructure investment includes the total effects associated with growth, as well as the total value associated with enabling existing activities to continue.

The modelling approach reflects the construction as well as the operational phases (operational expenditure) using a range of assumptions. Modelling the development's potential economic effects requires:

- An indication of the construction spending, the timeline and the funding approach (if this is known),
- An understanding of how the development's individual components will interact with the other activities and the type and nature of those activities on a with/without basis.
- An indication of any facilitated growth, or the degree to which existing activities will be retained in the economy i.e., the risk of losing activities if the investment does not occur.

These points were integrated into the modelling structure using a set of assumptions.

Information sources

Several information sources were used to inform this assessment. These include:

- The economic assessment completed by M.E for FNHL on the proposal,
- Information collected from industry bodies (e.g., Aquaculture NZ),
- Statistics New Zealand information
    - Supply and Use Tables,
    - Price inflators,
    - Business Demography Survey,
- Sector reports and datasets published by other third parties.
- A cost schedule showing the estimated capital expenditure used during early iterations was updated to reflect inflationary pressures. The sectoral expenditure was mapped to economic sectors. The ongoing effects were derived from industry information and information provided to M.E. The economic impacts were estimated using M.E's proprietary economic impact model.

Limitations and caveats

The economic assessment is based on information and data that have been provided to M.E. The M.E team assumed that this information is correct. Some of the information was provided some time ago and we have used StatsNZ inflation rates to increase the assumed costs, and to express it in current terms. We did not review or audit of the information.

Despite our best efforts, M.E has not been able to interview or obtain any useful information from local aquaculture operators. M.E attempted to contact Biomarine and Clevedon Oysters (Pakihi Marine Farms), the two main operators in the Waikare Inlet. It appears the oyster farming sector is relatively closed off and cautious about sharing information.

Furthermore, this is very limited publicly available information regarding the growth outlook for the oyster sector in New Zealand. The information and reports that are available are high level overviews.

The specific development costs will be finalised as the project progresses. Changing these costs will influence the economic impacts but it is impractical to wait until the final capital projections are completed.

Report Structure

The report is structured as follows:

- Section 2 describes the current activity occurring at the local, district and regional level with regards to commercial marine services and oyster farming. The role of Opua is highlighted.
- Section 3 identifies the likely economic impacts of the development relative to a 'do nothing' (business as usual) scenario. The impacts are identified at the local level (Far North District) and rest of Northland Region to determine the scale of effects. This section presents the economic impacts in terms of GDP, employment and income.

Context

The Far North District is spatially extensive, covering a large area. However, it is far from the main economic production areas and its GDP levels are relatively low. The district's economic growth also lags national growth trends. Estimates put the economy at $2.8bn in 2023 and the growth outlook is positive – with long term growth in the order of 1.3% (compounded). Total employment is estimated at 25,900 MECs and employment is concentrated in sectors servicing local population, such as retail, construction, central government as well as health care and social services. The primary sector plays a supporting role in terms of employment and GDP. Tourism's GDP contribution is also prominent.

The district's economic activity occurs in both the rural and urban areas. These urban areas include the towns such as Kaitaia, Kaikohe, Pahia, Russell as well as Opua – the location of the proposed development.

This section describes the local economy. GDP information is not available below the territorial authority level, however, employment information is published at a fine spatial scale. The section starts by providing basic information about the local Opua economy before highlighting the importance of the local marine sector. The performance and outlook of the local aquaculture sector is then highlighted. Marine servicing and the oyster industries are key export earners bringing money into the district. Supporting the growth of these sectors will lift district wide economic performance.

Opua Economy

Opua is one of the Far North's smaller economic centres and accommodates around 440 employees. Employment levels are up by 185 since 2001. Compared to pre-Covid levels (2019), there are 115 more employees in Opua highlighting the strong relative position of the town. Opua's share of the Far North's employment has increased marginally over the past two decades – increasing from 1.2% in 2001 to 1.7% in 2023. The increasing share suggests that Opua is outperforming the rest of the district, i.e., that it is leading district growth and contributing to the district's performance.

At a sector level, Opua's employment is concentrated in:

- Tourism related:
    - Scenic and sightseeing transport 57
    - Amusement and other recreation activities n.e.c. 14
- Marine activities
    - Port and water transport terminal operations 31
    - Boatbuilding and repair services 29
    - Marine equipment retailing 12

The links to the marina and marine-related activities is evident – 35% of Opua's employees have a direct link to the marina and marine activities. This share is up

from 22% in 2001, and 29% in the pre-Covid environment (2019). **The employment numbers clearly illustrate the importance of the marina, and the activities it facilitates, in the Opua context. It also highlights the district-wide significance of Opua.**

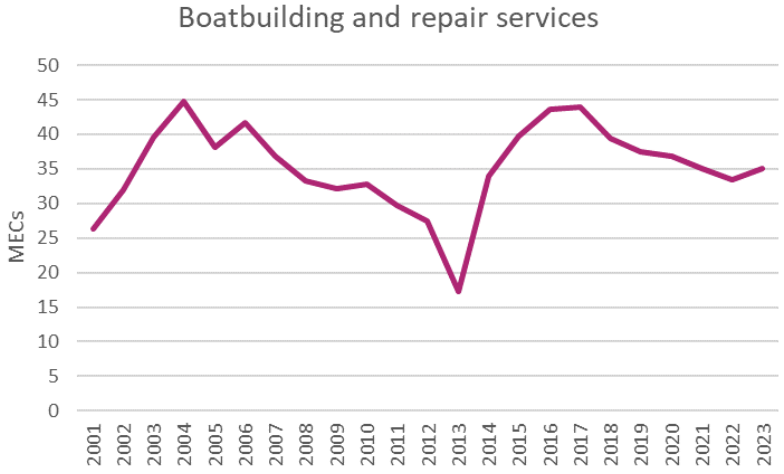
Marine Industry

The local marine sector includes a range of services and activities. The change in marine activities is illustrated and draws on detailed information published by StatsNZ, specifically the Business Demography Survey. Appendix 2 presents the definitions underpinning the analysis. In broad terms, the core parts of the marine sector are:

- boatbuilding and repairs –relate to recreational marine manufacturing businesses. It also captures businesses engaged in repairs and refitting of recreational boats – from small dinghy's to superyachts.
- ship building and repairs – this includes the manufacturing, refitting and repair of ships, ferries, naval vessels and the fishing fleet. These are commonly referred to as black boats and grey boats.
- Marine retail includes sales to non-businesses.

Ship and boat building employment in Opua has fluctuated over the past two decades with a sharp dip in 2013 (Figure 0-1) – this reflects the lingering effects of the Global Financial Crises. Since 2013, employment has recovered and has seen some cyclical movements. Currently, the sector employs 35 workers – on par with the long term average. Since 2014, the employment in this sector has remained relatively stable ranging from 31-43 workers. Overall, this represents 32% of the total Far North District's ship and boat building employment. This implies a degree of stability within the sector and the role played by Opua in terms of the overall marine industry.

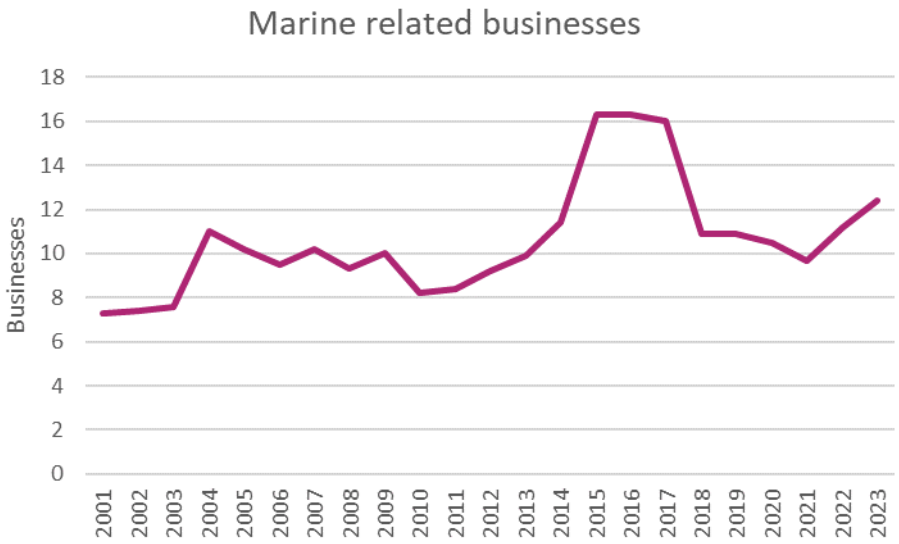
Figure 0-1: Opua Ship and Boat Building Employment, 2002-2023



The count of businesses employing staff located in Opua and servicing the local marine sectors has been trending up over the long term – increasing from seven in 2001 to twelve in 2023 (Figure 0-2). The average size of these businesses, in terms of employees, has however trended slightly downward – from 3.98 in 2001 to current estimates of 3.2. However, employment levels in the pre-Covid environment were above 4 for boat building and repairs[4]. The drop in average size should be seen in the context of more businesses operating in the sector. The number of businesses peaked between 2015-2017 – at around 16 businesses. Nevertheless, the long term trend is upwards.

Combined, the employment, business and average business size points to a growing business environment where these is competition for skills and growing demand for marine services. It is important to acknowledge that achieving a step change in employment and/or businesses will need a change in the relative position of Opua in the marketplace. Such a shift could include increasing activity from the recreation fleet, shifts in the tourism market or an increase in demand arising from the local commercial fishery and aquaculture businesses.

Figure 0-2: Opua Ship and Boat Building Businesses, 2002-2023



The marine servicing sector is location dependent with the location of vessels, and their operating areas, key determinants for where vessels are serviced. This attribute reflects marine operators need to minimise cost and downtime i.e., the time it takes to access servicing facilities (travel time to and from the facility) and the downtime associated with any servicing. Without the vessels, the 'production chain' stops and the businesses cannot operate, leading to losses. For example, smaller vessels are serviced every 2-3 months (100 hours), taking on average about 3-4 hours with the costs determined by time and materials. These minor

[4] The other sectors are very volatile, influenced by low numbers.

services can cost between $500 and $1,500. More comprehensive, annual services are cost more. The quality of service is another determinant. Commercial operators reveal a greater 'willingness to pay for services' if it means quick and reliable service and trusted workmanship[5].

The work carried out by the marine servicing sector is not limited to Far North District. Based out of Opua allows the marine servicing businesses to meet marine needs across the wider Northland. The businesses purchase materials and services from businesses across the wider Northland Region and workers engaged spend money regionally – not just within the District.

Growth in the local aquaculture sector is one potential source of future demand for marine services, and it is discussed next.

Total Marine Group

Total Marine Group[6] (TMG) are engaged in the building and maintaining of wharf and floating marine infrastructure. Note that Total Marine Group is often referred to as Total Marine Services (TMS) as it is the Services component that coordinates and integrates the other arms of TMG to complete contracts.

TMG are based in Opua (and Auckland) and are responsible for the development and maintenance of the majority of marina and wharf structures in the Bay of Islands and at many other locations across Northland and the rest of New Zealand. The Opua facility houses Total Engineering Services who are the fabrication arm of TMG. In this role they carry out all the fabrication for Total Floating Services and maintain and repair all plant for TMG. Product made in Opua is shipped all over New Zealand and also used internationally. They are also engaged in commercial fleet refits and maintenance as well as new boat construction (commercial boats).

TMG play a role as a corporate citizen in the Opua community. They are a supporter of schools and other community events and also employ local young people and actively engage them in higher education. Overall, TMG play a significant role in the Opua economy and ensuring they continue to operate out of Opua is important.

Using turnover per MEC by economic sectors, we can generate an estimate of turnover by TMG in Opua based on the latest business directory employment information. In direct economic terms, TMG is estimated to turnover $10.7m. However, the effects are broader than simply the direct effects. The high level of connection TMS has with the wider Northland economy and the way employees spend money and engage with local community mean that the effect of retaining TMG is far wider.

[5] M.E research into the marine service sector.

[6] Total Marine Group consists of Total Marine Services Ltd., Total Floating Systems Ltd., Total Engineering Ltd., and Total Dredging Ltd.

The direct, indirect and induced economic effects of TMG continuing to operate in the Opua are explored further in Section0.

Local aquaculture industry

Aquaculture is recognised as a critically important source of food production. It is recognised as an efficient and environmentally sustainable way to produce protein. The New Zealand aquaculture industry produces some of the world's best seafood and exports to 81 countries, with annual sales of around $650 million. A unique selling feature of New Zealand's aquaculture products is that it is sustainably produced. The main products are:

- Greenshell mussels,
- Pacific oysters, and
- King/Chinook salmon.

Aquaculture is seen as a growth sector, and a driver of lifting export revenue for New Zealand. This view is based on proven economic development principles, such as leveraging natural endowments and supporting infrastructure developments to lift productivity. Access to suitable harbour environments with clean waters and natural food sources are key attributes that enable aquaculture.

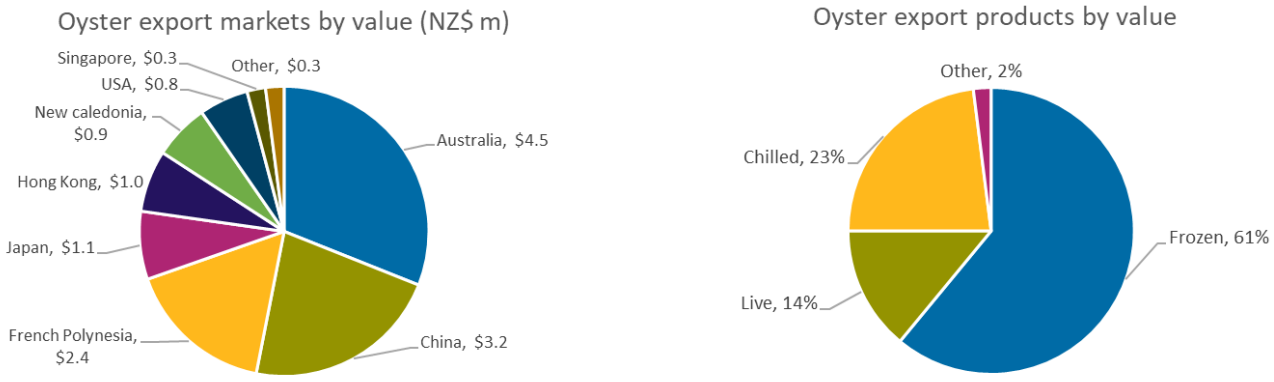
Information published by Aquaculture New Zealand, the industry body, for the July 2023-year, suggests that:

- A total 1,546 tons (greenweight) of oysters were harvested.
- Total revenue of $20m was generated and this was split:
    - Seventy percent of revenue related to exports - $14m.
    - The balance serviced the domestic market - $6m.

Figure 0-3 summarises the recent oyster export statistics and reports:

- Export value by main product/format.
- The export markets where product is sent.

Figure 0-3: Export Statistics for 12-Month Period (1 Aug 2022 – 31 July 2023)



Source: StatsNZ, Aquaculture NZ

In terms of format, frozen oysters make up the largest share accounting for over half (61%) of export revenue. This is followed by chilled exports (23%), live (14%) and other (2%). In terms of export markets, Australia and China are New Zealand's largest markets for oysters, $4.5m and $3.2m, respectively. Exports to Hong Kong are reported separately from China and is estimated at $1.0 m. Combined, these three markets account for 60% of exports. French Polynesia, Japan and New Caledonia as well as the USA markets capture a combined 36% of exports.

The export patterns show some volatility with export revenue down from $16m in YE July 2022 – a 13% decline. However, the decline in export revenue reflects challenging economic conditions and price pressures. Total production volumes have increased over the short term with total production up 2% for the year.

Northland Region and Far North District

Northland is an important oyster production area in New Zealand. In 2022 Northland accounted for 38% of the total oyster production. However, this share pulled back in 2023 to 26%[7]. Based on total national harvested product (greenweight tonnage), approximately 578 tonnes of oysters were harvested in Northland (2022), and in 2023, the harvest is estimated at 402 tonnes. Information about the total area used for productive oyster farming is dated but a 2010 report estimated that there is 313ha across Northland[8]. Spatially, the production areas are spread across the region and occurs in sheltered harbours.

Data from Infometrics shows that the combined 'Aquaculture and Fishing Sector' in the Far North District grew by 0.5% in terms of GDP contribution in the past year, compared to total economy growth of just 2.0% in the same period. While this sector plays a relatively small economic role relative to other sectors, it is important in a local context. It accounts for 0.7% of total District GDP in 2023 and has a similar employment contribution 0.7%. Nevertheless, aquaculture is considered an important industry in the Far North District and Northland region overall as it plays a key role in the identity of the area.

The activity in Far North District is nationally significant – as mentioned, it accounts for more than a quarter of total New Zealand production. Aquaculture is identified as a specific sector underpinning regional economic development. The potential opportunities relate to commercial kingfish farming and seaweed opportunities. This highlights the overall growth potential associated with the marine environment.

The aquaculture industry is a key sector for economic growth under central government's strategy. Perhaps more importantly, aquaculture provides

[7] Aquaculture New Zealand. Aquaculture for New Zealand 2022 Sector Overview.

[8] 700ha of consented oyster farming area (Enveco,2010)

employment opportunities in often remote locations and is therefore important for Northland's economic and social wellbeing.

There is little up to date information on the contribution of oyster farming to the Northland or Far North District economy. The 2010 Enveco report[9] is the last study carried out. This report estimated the contribution of both oyster farming and oyster processing activity in 2009. The region's oyster industry was estimated to contribute $17m of total value added from farming activity (sustaining close to 300 FTEs) and $13m from oyster processing activity based (170 FTEs) on the assumption of 50% of processing occurring within the region. This was a combined $30m of total value added to the regional economy in 2009, sustaining 465 full time equivalent jobs.

Pro-rata, the Enveco Report ratios per ha suggests at 55ha of productive farm area (2011), oyster farming in the Waikare Inlet contributed an estimated $2.9m of total value added and 50 FTEs to the region's economy at that time. Allowing for a pro-rata contribution to processing (and based on the Enveco assumptions of 50% carried out within the region), Waikare Inlet farms contribute $2.2m of regional valued added and 29 FTEs. Total farming and processing from this Inlet are therefore estimated at $5.13m of regional value added (including $2.7m in wages and salaries) and 80 FTEs. However, inflationary pressures and shifts in total production levels and productivity shifts mean that there is some variability in production values and volumes.

The oyster farming industry in Northland has faced significant obstacles over the past 10-15 years. In the past, the oysters have been susceptible to viruses – some of which have had a significant impact on production for prolonged periods, with flow on effects to farm owners and processors. This has meant that permitted farm area has not materially changed over the last decade (i.e., no demand for new farm area) while the share of productive area has fluctuated – particularly in locations like the Waikare Inlet. Despite the perceived lack of investment in new production areas (farms), there is a need to ensure that local infrastructure support efficiencies and that it does not add extra costs to supply chain.

At a national level, the industry continues to invest in more resistant oyster strains with the aim of making farming more resilient. The New Zealand Government Aquaculture Strategy (2019) aims to make the industry more sustainable, productive, resilient, and inclusive to reach $3 billion in annual sales by 2035. The potential role for aquaculture in supporting New Zealanders' wellbeing is clearly articulated – supporting regional prosperity is an identified outcome.

Waikare Inlet

There are four main oyster farming operations in Waikare Inlet, and these are operated by:

[9] The Northland Regional Economic Impacts of Aquaculture. Enveco, 2010.

- Biomarine,
- Pakihi Marine Farms (Clevedon Oysters),
- NZ Oysters, and
- Seafort.

Available information suggests that there is 70ha consented for Oyster farming in the inlet. That report, dated 2017, indicated that 55ha is farmed and that there is scope to develop another 15ha in response to growth ambitions. Given that there is no quota for Pacific Oysters, the farms sell as much as they can grow. Harvest runs from approximately April to December following a 14-18 month growth period. The harvest period coincides with a large part of the busy summer period.

Harvest occurs at or either side of low tide, meaning that access to landing facility coincides with reasonably low water. This can pose difficulties with respect to the Opua Wharf where at low tide there is around 5-7 metres of difference between sea level and the wharf deck. In terms of the turnaround, its takes between 45 minutes and an hour to unload 8 tonnes of oysters. Currently, this occurs at the Opua Marina, but with up to 3 barges at a time at the peak harvest times, this limits and constrains recreational marine use of the boat ramps.

Competition for Infrastructure at Opua

Significant increases in the amount of recreational marine focused land space at Opua over the past 5 years has resulted in competition for marine infrastructure. Maritime construction and servicing businesses, oyster farmers and recreational boaters are competing to utilise the same area for their activities. In addition, the tourism sector is also placing demands on marine infrastructure. As a result, commercial operations are not operating efficiently or effectively and there are increased health and safety risks.

In terms of oyster farming, all oyster product (from Waikare Inlet) comes ashore at Opua. At present the barges compete with recreational users to land the harvest at the boat ramp. This is suboptimal from a health and safety perspective – there is potential for conflicts between chiller trucks and members of the public launching/retrieving their boats as well as risks due to vessels manoeuvring in confined space. The only other alternative – discontinued now, is to land the oysters at the Opua wharf. However, this is not safe or practical either as the oyster barges have very low freeboard and the 7m lift (at low tides) via hiab to get the oysters up to the trucks is impractical and dangerous. The barges are susceptible to wakes meaning tying up at the wharf can only happen at high tide making transfers very inefficient. There is also a risk associated with conflicts between the barges and tourism-related vessels.

FNHL has advised that the existing barge dock in Opua needs to be relocated as the recently constructed extension to the Opua Marina renders the barge dock activities incompatible with the increased recreational usage of the wider area, especially the public boat ramp centrally located between the two portions of the

marina. The existing barge dock serves oyster farms in the Waikare Inlet as well as barging operations associated with dredging and construction activities, including maintenance of existing structures on islands or locations not accessible by road within the Bay of Islands.

The marine servicing sector required the hard edge berthing area and layout to continue their servicing of structures in the marine environment (wharves, seawalls, beacons, marinas and so on). The GDP contribution of the sectors requiring a hard edge is estimated at approximately $27m – this equals to 50% of Opua's GDP. Importantly, the presence of marine-service related businesses and the associated infrastructure in Opua sends a strong signal to local workers and youth entering the labour market that there are solid career prospects and pathways in the local economy that are not tied to tourism, or farming, thereby broadening the economic base of the District.

The growth and expansion of Opua Marina over the last five to ten years, specifically in terms of recreational uses, has led to increasing competition between maritime construction and servicing businesses, oyster farmers and recreational boaters.

Summary

The Opua marina is a busy location, accommodating a range of activities including marine and non-marine activities. The local marine industry at Opua encapsulates a range of activities, including:

- boatbuilding and repairs,
- ship building and repairs,
- marine equipment manufacturing,
- wholesale and marine retail, and
- marine related support services (project management, design, recruitment, training and so on).

These local marine sectors are key to the Opua economy and are responsible for the development and maintenance of the majority of marina and wharf structures in the Bay of Islands and at many other locations across Northland and the rest of New Zealand.

Furthermore, local oyster operations are dependent on suitable infrastructure at Opua Marina to their land oyster harvest as well as servicing and maintenance carried out on the oyster barges (by TMG). Combined, local commercial marine servicing and construction businesses and oyster operations represent key economic activities for Opua economy.

Economic Impacts

The economic effects associated with the proposed infrastructure at Opua are summarised in this section. These effects relate to the facilitated economic activities, as well as maintaining existing operations and the implications for the Opua marine sector. The economic impacts are described in terms of the GDP and employment, covering a 20-year period.

The economic impacts of the activities associated with the local marine sector, specifically those with linkages to the boat ramp, are included in the assessment. The assessment covers the one-off construction impacts as well as the more durable, ongoing effects are covered in the assessment. For the most part, the durable effects are related to maintaining existing economic patterns, and avoiding the adverse effects that losing key economic activities could have on the local economy. The ongoing impacts are focused on the commercial marine activities linked to marine servicing and the local aquaculture sectors (e.g., oysters). The proposed infrastructure will allow these activities to continue operations at Opua. Without the necessary upgrading and recapitalisation of the boat ramp infrastructure, the continuing operation of these activities are at risk and a loss, or scaling down of activities, would have adverse economic effects.

The economic impact modelling captures the economic linkages, and interplays between different parts of the economy. Economic transactions cross administrative boundaries, and changes in one location flows through, impacting other areas. The analysis integrates the cross-border economic transactions and reports the results for:

- Far North District,
- Rest of Northland, and
- Rest of New Zealand.

The section starts by outlining the key assumptions and then the economic impacts are summarised.

Key Assumptions

An array of assumptions informs the analysis, and the key assumptions are summarised below:

- Developing the infrastructure will allow existing marine service providers and marine construction contractors to continue their operations in the Bay of Island. It also allows the Waikare Inlet oyster farmers to continue operations in an efficient manner. Overall, health and safety risks are mitigated through the separation of commercial and non-commercial activities.
- A cost schedule prepared by FNH illustrates the estimated capital expenditure. This was used during earlier iterations and has been updated

to reflect inflationary pressures. The expenditure was mapped to economic sectors.

- The construction period is assumed to occur over two years, commencing in 2024 and concluding in 2025. It is assumed that disruptions will be minimal and other activities can continue during the construction period. The construction spending is mapped to the following economic sectors:
    - Heavy and civil engineering services,
    - Construction services,
    - Scientific, architectural, and engineering services,
    - Legal and accounting services,
    - Transport equipment manufacturing,
    - Fabricated metal product manufacturing.
- The ongoing activity is mapped to the fishing and aquaculture sector, and marine services are associated with a mix of scientific and engineering services, and transport equipment manufacturing, as well as fabricated metal product manufacturing.
- The economic activity that is supported by the development is assessed to calculate the flow on (supply chain) impacts and it is assumed that the infrastructure investment would support existing activities (and potentially new activities) for a period of at least 20-years.
- The economic activity generated by oyster farms in the Waikare Inlet was estimated using Northland-specific industry ratios relating to output ($) per hectare a of productive oyster farms. This information was derived from different sources, including Aquaculture NZ data provided to M.E. The output ratios are applied to estimates of the area (ha) farmed in the inlet. The area farmed is based on earlier reports about aquaculture activities in Waikare Inlet. Output per ha is then multiplied by the estimated productive oyster farming area in the Inlet. Historic production values ($/ha) are updated based on recent industry information.
- Growth in oyster output per ha is included in the modelling, and an upper limit is set.
- The marine industry information is based on official, StatsNZ, information about the nature of business activities in Opua. Employment data and sectoral information (output and GDP) are combined to capture the size and value of activity.
- A twenty year period is covered in the analysis with the results presented in 'present value' terms using discounted cashflow analysis (DCA).
- The export price of oysters has been trending upward over the last ten years. This is based on information supplied by Aquaculture New Zealand, the price for one dozen frozen oysters increased from $10.19 in 2015 to $14.52 in 2023. The change is applied to historic information about the value of oyster production.

The economic impacts are expressed in Gross Domestic Product (GDP) and employment terms. In simple terms, GDP reflects the value of completed work after accounting for inputs. Importantly, GDP is a measure of production and does not capture environmental effects or social effects. The direct, indirect, and induced impacts are estimated. The impacts are described as follows:

- '**Direct and indirect effects'** – when an economic change takes place, the economy responds by firstly increasing (or decreasing) activities that supply the goods and services needed to address that shock. This is the direct effect. All firms supplying the businesses responding to the direct effect, adjust their outputs, stimulating another round of effects and so forth. Further (flow on) rounds of activity are needed to meet the extra demand. The further rounds are called the indirect effects.
- The **induced impacts**: As firms respond to the economic change (the direct and indirect effects explained above), they employ additional workers or increase staffing hours. This leads to a lift in salary and wage payments to households (i.e., more salaries and wages paid to workers in return for their labour). Businesses also take additional profits as operating surpluses increase – this is partially returned to households through returns/dividends paid to business owners or investors. As households spend their returns or earnings, another round of effects is created. These are termed the induced effects. All three components combine to give the 'total effect'.
- The '**total impact'** reflects the sum of the direct, indirect and induced impacts.

The economic effects are described below.

Economic Effects

The economic impact assessment uses a bespoke Multi-regional Input-Output model (MRIO) developed for the Far North. The model covers 109 economic sectors, and seven primary inputs as well as six final demand categories. The impacts are estimated for the one-off and ongoing activities. The economic impacts associated with the core components are reported separately, using the following structure:

- One-off, construction, impacts
- Ongoing impacts
    - Aquaculture (oysters) production
    - Marine infrastructure sector

In this case, the infrastructure investment is essential to ensure that the ongoing activities continue to operate in the Far North District due to known infrastructure constraints and public health and safety concerns associated with the existing Opua marine infrastructure. Therefore, the overall impact of infrastructure investment includes the total effects associated with growth (one-

off construction effects), as well as the total value associated with enabling existing activities to continue – that is avoiding the adverse effects of losing businesses.
The findings are presented in discounted terms and the annual impacts, once fully operational, are also reported. A discount rate of 5% is used.[10] Expressing future impacts in today's terms provides an ability to consider the overall scale of impacts. The one-off and ongoing impacts are considered separately first and then combined to show the total impacts expected from the oyster farms and marine services infrastructure development in Opua.

Construction Impacts

Table 0-1 presents a summary of the one-off construction impacts (in current terms) of the proposed development. It highlights how the impacts are concentrated into the Far North District ($3.5m of value added). A portion of indirect and induced impacts are felt across the rest of Northland ($0.1m value added) with a larger portion felt across the rest of NZ ($2.0m in value added).

Table 0-1: Summary of construction impacts

	Far North District	Rest of Northland	Rest of NZ	TOTAL
Direct VA ($'m)	1.8	-	-	1.8
Indirect VA ($'m)	0.9	0.1	1.0	2.0
Induced VA ($'m)	0.8	0.0	1.0	1.8
TOTAL	**3.5**	**0.1**	**2.0**	**5.6**
Direct MECs (Job Years)	16	-	-	16
Indirect MECs (Job Years)	9	1	23	33
Induced MECs (Job Years)	5	0	29	34
TOTAL	**31**	**1**	**52**	**84**

Directly sustained construction employment begins in 2025 and is completed in 2027. The results include job years (MECs) estimated to be directly sustained within the Far North District, as it is assumed all direct activity is limited to the district. Most of the direct employment is construction sector activity with onsite construction related to the development, occurring from 2025 to 2027.

Overall, a total of 16 job years' (16 MECs) worth of work are directly sustained between 2025 and 2027. It is important to note that while the development may generate a number of 'jobs' and opportunities for apprentices and the like, the majority of the work will be carried out by existing skilled workers in the construction sector. Therefore, the development does not 'generate' new jobs as much as it sustains jobs across the sector.

[10] This discount rate is consistent with the rate used in CBAx (NZ Treasury's Cost Benefit Model) as well as the default rate used by Waka Kotahi NZTA.

Ongoing Impacts

The ongoing impacts refer to ensuring that oyster farming activity and marine servicing and construction sectors continue to operate out of Opua – that is, without appropriate investment in the economic infrastructure, the economic activity is at risk. The results associated with the aquaculture, oyster farming and the associated processing into goods, is described first. The value of the marine infrastructure is presented secondly.

Aquaculture - oyster farming

Oyster farming relies on suitable infrastructure to land the catch before it can be transported to processing facilities. Without appropriate landing infrastructure, the aquaculture goods cannot be safely offloaded and delivered to processing facilities. Therefore, investing in the infrastructure is critical. Table 0-2 reports the VA impacts associated with oyster farming. The table reports the present value of the VA generated through the economy. The table also reports the employment impacts.

The share of VA is concentrated in the Far North District ($12.7m, and the share is 50%). Of total VA in the Far North District, $7.8m is directly associated with the economic activity, and the direct supply chain inputs. Indirect and induced impacts of $0.3m are expected across the rest of Northland and $12.4m across the rest of NZ.

Table 0-2: Summary of aquaculture impacts

	Far North District	Rest of Northland	Rest of NZ	TOTAL
Direct VA ($'m)	7.8	-	-	7.8
Indirect VA ($'m)	2.5	0.2	7.5	10.2
Induced VA ($'m)	2.4	0.1	4.9	7.3
TOTAL	12.7	0.3	12.4	25.3
Direct MECs (Job Years)	127	-	-	127
Indirect MECs (Job Years)	37	3	245	285
Induced MECs (Job Years)	23	1	205	230
TOTAL	188	4	451	643

The total annual average value of VA over the 20-year period is $1.3m p.a., with $0.6m p.a. generated in the Far North District.

Employment directly sustained from aquaculture is estimated at 127 – this value is the job years associated with the level activity, and immediate economic linkages to support activity. Once indirect and induced employment impacts are included, total employment increases to 188 job years' (188 MECs) in the Far North District.

A further 4 MECs in the rest of Northland and 451 MECs in the rest of NZ are sustained from indirect and induced impacts of the ongoing activities at Opua.

Marine infrastructure

Marine servicing and construction activities, linked to TMG, operating out of Opua form key economic activities for the local (Opua), district and regional economy. Marine construction activities require a hard edge to moor barges at a layout area and ability to either have a permanent crane or ability to use a mobile crane to load and unload very large piles in safety. Marine infrastructure activities are most at risk if it is not possible to provide an area to operate within that is removed from general public access. Table 0-3 presents the economic impacts associated with the marine servicing component in terms of VA and employment. M.E understands the marine infrastructure activities are at risk, i.e., might relocate out of the district if a suitable infrastructure position can not be found.

Direct VA of $48.8m is generated in the Far North District with a further $27.2m of indirect and induced impacts. Total VA generated in the Far North District is $76.0m or two-thirds (66%) of the total impact. Indirect and induced impacts of $1.8m are expected across the rest of Northland and $38.1m across the rest of NZ.

Annual VA across the 20-year period is $5.8m, of which $3.8m is generated annually in Far North.

Table 0-3: Economic impacts associated with marine infrastructure component

	Far North District	Rest of Northland	Rest of NZ	TOTAL
Direct VA ($'m)	48.8	-	-	48.8
Indirect VA ($'m)	8.3	1.4	18.1	27.9
Induced VA ($'m)	18.9	0.4	19.9	39.2
TOTAL	76.0	1.8	38.1	115.9
Direct MECs (Job Years)	934	-	-	934
Indirect MECs (Job Years)	123	23	628	775
Induced MECs (Job Years)	181	5	889	1,074
TOTAL	1,238	28	1,517	2,783

In terms of employment impacts, a total of 934 MECs are directly sustained from marine servicing and construction activities in the Far North. Once indirect and induced employment impacts are included, total MECs in the Far North increases to 1,238 job years. A further 28 MECs are sustained in Northland, while 1,517 MECs are generated in the rest of NZ from indirect and induced impacts of the marine servicing component at Opua.

Overall, the economic impacts associated with the marine servicing component account for a large proportion of the ongoing impacts. This highlights the importance of the marine sector in Opua and the role that Opua plays in the serving and construction of marine infrastructure across the Far North District and wider Northland Region. The marine sector is currently operating out of Opua, but needs supporting infrastructure to ensure that the economic activity and employment generated is not lost to the Far North economy. Without

supporting infrastructure, these marine servicing and construction activities, linked to TMG, are at risk of potentially relocating to Auckland. The risk of losing these activities in the Far North District is estimated at $3.8m p.a.

Combined Impacts

Table 0-4 presents the combined impacts, including the one-off construction and ongoing effects of the proposed development. Total VA generated in the Far North District is some $92.2m and $58.3m of that is direct. Indirect and induced impacts of $2.2m are expected across the rest of Northland and $52.4m across the rest of NZ. More than half (63%) of total VA is concentrated in the Far North District.

Table 0-4: Summary of combined impacts

	Far North District	Rest of Northland	Rest of NZ	TOTAL
Direct VA ($'m)	58.3	-	-	58.3
Indirect VA ($'m)	11.7	1.7	26.7	40.1
Induced VA ($'m)	22.1	0.5	25.7	48.4
TOTAL	92.2	2.2	52.4	146.8
Direct MECs (Job Years)	1,078	-	-	1,078
Indirect MECs (Job Years)	170	27	897	1,093
Induced MECs (Job Years)	210	6	1,123	1,339
TOTAL	1,457	33	2,020	3,510

A total of 1,078 jobs years' worth of work are directly sustained in the Far North District over the 20-year analysis period. Employment impacts are primarily a result of the ongoing activities linked to TMG and oyster farmers continuing to operate within the local economy as a result of the infrastructure development. Indirect and induced employment impacts see a further 33 MECs sustained across the rest of Northland and 2,020 MECs across the rest of NZ. Over the 20-year analysis, a total of 3,510 jobs years' worth of work are sustained as a result of the combined impacts.

Table 0-5 summarises the economic GDP impacts. The table shows the range of outcomes, discounted using 3% and 7%, with the range of each component individually. The overall (combined) economic impact of the proposed development is estimated at between $123.9m and $176.7m. The VA impacts associated with the construction expenditure is estimated at between $5.3m and $5.9. The values of the ongoing effects are substantially greater, especially the industry impact of maintaining the marine servicing and construction components (linked to TMG) in Opua. At the total level, VA impacts associated with oysters are estimated at between $21.1m and $30.8m, while industry impacts are estimated at between $97.5m and $140.0m.

Table 0-5: Total value added ($m) – Range of outcomes

	Low	High
Construction	**7%**	**3%**
Far North District	3.3	3.7
Rest of Northland	0.1	0.1
Rest of NZ	1.9	2.1
Total	***5.3***	***5.9***
Oysters	**7%**	**3%**
Far North District	10.6	15.4
Rest of Northland	0.2	0.3
Rest of NZ	10.3	15.1
Total	***21.1***	***30.8***
Industry Impact	**7%**	**3%**
Far North District	64.0	91.8
Rest of Northland	1.5	2.2
Rest of NZ	32.0	46.0
Total	***97.5***	***140.0***
GRAND TOTAL	**7%**	**3%**
Far North District	77.8	111.0
Rest of Northland	1.9	2.6
Rest of NZ	44.2	63.1
Total	***123.9***	***176.7***

Considering the spatial distribution of the impacts, the following points are observed:

- Looking at the construction impacts, a large portion (64%) of these are experienced locally (Far North and rest of Northland). In VA terms, this is between $3.4m and $3.8m. The balance of impacts are captured by the rest of NZ (36%). This is expected as most construction inputs will be sourced from Auckland, either directly or indirectly (via supply chains).
- In terms of the impacts generated by oysters, just over half (51%) will be felt locally (Far North and rest of Northland). In VA terms, this is between $10.8m and $15.7m. The rest of NZ will see impacts of between $10.3m and $15.1m. Although oysters are farmed in Northland, they are then transported out of the region for processing and export.
- Industry impacts generated by marine servicing and construction activity is the largest impact modelled. Two-thirds (66%) of the impacts are felt in Far North and a further 2% across the rest of Northland. The modelling suggest that this is worth between $64.0m and $91.8m to the local economies. This is a key activity for Opua. The remaining impacts (33%) are spread across the rest of NZ.

These figures represent the present value of future VA impacts by range (low and high). Regardless, the impacts are sizable when considering the ongoing impacts, in particular the industry impacts associated with marine servicing and construction activities.

Sensitivities

Overall, the economic effects shows that the proposed investment will return sizable impacts to the Far North District. It is prudent to consider the overall robustness of the results under different assumptions relative to the baseline. Table 0-6 summarises the outcomes of the sensitivity analysis. The table shows the resulting total VA generated within the Far North District. It uses a 3% and 7% discount rate to show the range of outcomes.

Table 0-6: Sensitivity analysis – Total VA range for Far North District

Scenario	Setting	Total VA ($m)		Difference from baseline	
		7%	3%	7%	3%
Baseline		**77.8**	**111.0**		
Higher construction costs	+10%	78.2	111.3	0.4%	0.3%
Lower construction costs	-10%	77.5	110.6	-0.4%	-0.3%
Higher Oyster $/ha	+10%	78.9	112.5	1.4%	1.4%
Lower Oyster $/ha	-10%	76.8	109.4	-1.4%	-1.4%
Higher productivity of marine infrastructure	+10%	84.2	120.1	8.2%	8.3%
Lower productivity of marine infrastructure	-10%	71.4	101.8	-8.2%	-8.3%

Key observations include:

- There is little variation to total VA generated in the Far North under different construction costs scenarios (+/-10%). If construction costs are higher, total VA increases marginally (less than +1%). VA increases under higher constructions costs as more activity is generated by the shock. The opposite is true if constructions costs are lower.
- Some differences to the baseline VA are observed for the Far North District under the scenarios of marine infrastructure productivity. Under a higher productivity scenario, VA is estimated at between $84.2m and $120.1m (or +8.2% to +8.3% compared to the baseline). Conversely, under a lower productivity assumption VA decreased to between $71.4m and $101.8m (-8.2% to -8.3% compared to the baseline).
- In terms of oyster impacts, two scenarios were modelled to illustrate the change in total VA for the Far North. Using a higher oyster productivity per farmed area ($/ha) returns greater total VA, estimated at around 1.4% greater compared to the baseline. A lower productivity ratio ($/ha) means total VA is reduced.
- Overall, the analysis is sensitive to changes in productivity of the marine infrastructure sector in Opua. This is because the ongoing impacts associated with these sectors drive the bulk of the economic impacts and therefore any changes in these assumptions results in greater variation of VA compared to the Baseline.

Other Considerations

The analysis does not reflect the potential benefit of avoiding injury/ies (or a fatality) at the boat ramp. At the current boat ramp infrastructure there is competition from recreational and commercial users (commercial marine businesses and oyster operators). Providing additional infrastructure for commercial users in a separated location will reduce public health and safety risks. These risks include potential conflicts between chiller trucks and members of the public launching/retrieving their boats as well as risks due to vessels manoeuvring in confined space. Considering that the Value of a Statistical Life (VoSL) is estimated at $14.2m, a serious injury is valued at around $739,200 and minor injury is $78,200, then it is clear that there is value in removing/mitigating the risk of injuries (to recreational and commercial users).

Conclusion

The Opua marina is a busy location, accommodating a range of activities including marine and non-marine activities. The growth and expansion of Opua Marina over the last five to ten years, specifically in terms of recreational uses, has led to increasing conflicts between marine construction and servicing businesses, oyster farmers and recreational boaters. The existing barge dock serves as a landing facility for oyster farms in the Waikare Inlet. Furthermore, it services barging operations associated with dredging and construction activities, including maintenance of existing structures on islands or locations not accessible by road within the Bay of Islands. The barge dock activities are incompatible with the increased recreational usage of the wider area, especially the public boat ramp centrally located between the two portions of the marina. Addressing the infrastructure constraints at Opua Marina is central to maintaining efficient operations for both commercial and non-commercial users. Additional infrastructure is needed to ensure commercial marine servicing and construction businesses, as well as local Waikare oyster farmers, continue to operate out of Opua.

The analysis suggests that the proposed infrastructure will facilitate sizable economic impacts. In terms of the economic impacts and employment, investing in the proposed infrastructure will deliver positive impacts of $92.2m and continue to support 1,457 jobs years' worth of work in the Far North District over the 20-year analysis period.

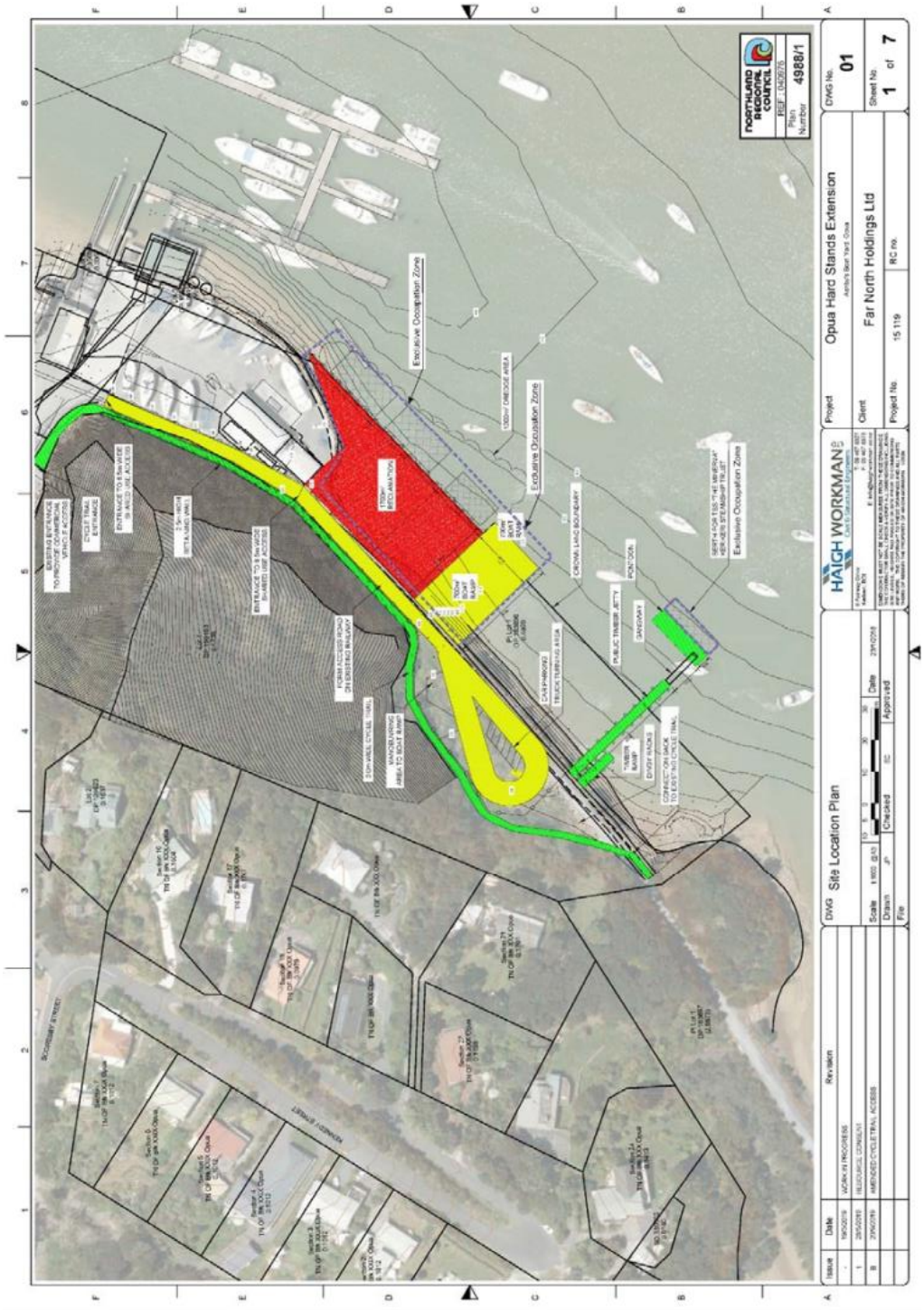
Enabling the infrastructure investment will have positive economic effects on the local and regional economies. These impacts will be over the short (immediate) term as well as more durable over the long term.

Appendix 1: Proposed development

Sourced from the consent decision report. 14 January 2021. Far North Holdings Limited.

- NRC APP. 040976.01.01
- FNDC RC 2200220

The red area is the proposed reclamation (abutting the existing 'Ashby's Boatyard') and the proposed new boat ramp adjoins the reclaimed area and is shaded yellow. The proposed vehicle accessway and turning circle are also shaded in yellow. The new wharf and pontoon are shown in green and the small new boat ramp for dinghy users (also shown in green) abuts the new wharf. The realigned cycle trail is also shaded green.



Appendix 2: Marine sector definitions

The following sectors form part of the marine sector:

- Boat building (C239200) captures most of the recreational marine manufacturing businesses. It also captures businesses engaged in repairs and refitting of recreational boats – from small dinghy's to 100m superyachts.

- Shipbuilding (C239100) captures the manufacturing, refitting and repair of ships, ferries Naval vessels and the fishing fleet. These are commonly referred to as black boats and grey boats.
- Marine equipment retail (G424500), It is important to capture the employment and retail margin of the marine retail sector as these are the value added components of the sector.

Other sectors also form part of the marine sector, but these sectors do not exclusively service maritime demand.

- Textile Manufacturing (C133300) captures the manufacturing of sails and other fabric components used on vessels (awnings, covers etc).
- Rope, Cordage and Twine Manufacturing (C133200) rope and cordage manufacturing mainly along with wire wound to form stays and lifelines.
- Plastic product manufacturing (C191200 – C191900) captures the manufacturing of a wide range of plastic products that are used in boat refitting and supply.
- Electrical Goods Mfg. (C242900) captures the manufacturing of marine electronics – radar, radios, solar panels, depth sounders, GPS, electrical monitoring equipment and other systems,
- Clothing Manufacturing (C135100) captures the manufacturing of marine clothing, wet weather gear, specialist crew clothing, boots and shoes.
- Other manufactured products – there are a wide range of components and pieces of equipment that are used or installed in recreational vessels from saunas and spa pools to wiring and washers. Many of these products are marine specific and manufactured in New Zealand specifically for the super yacht and marine refit industries.

These partial sectors play only a limited role in the Opua context.

11. Appendix iii The New Zealand Government Aquaculture Strategy

Aquaculture Strategy

New Zealand is globally recognised as a world-leader

Minister of Fisheries

Minister's introduction

Aquaculture produces seafood and products that epitomise Brand New Zealand: sustainable, healthy and highly valued. Its development through innovation and best practice can enrich our communities and our global reputation. Aquaculture could be a much bigger part of our primary sector as we respond to the clear trends and forces shaping our future.

The context for change is clear: the need to reduce emissions and adapt to climate change, evolving consumer demands, and a spotlight on sustainability in international markets. New Zealand can't feed the world, but we can help meet growing demand for high quality, sustainably produced seafood.

In the face of change, I believe it's incumbent on us to pursue opportunities to strengthen our market position, to innovate, and to operate more sustainably.

My vision is that New Zealand is globally recognised as a world-leader in sustainable and innovative aquaculture management across the value chain.

Achieving this vision means building on our successes, and embracing new opportunities. New Zealand already occupies a unique position on the world stage, with a reputation for well-managed, safe, sustainable and nutritious food. We start the next steps of this journey from a strong position.

Based on its current $600+ million in annual sales, a strong record of growth, and opportunities for transformational development, there is a genuine opportunity for the aquaculture industry to reach $3 billion in annual sales by 2035.

This strategy outlines a sustainable growth pathway, and an all of Government work plan to support it.

The growth pathway sets an objective for aquaculture to become a more productive industry that further supports regional prosperity. Innovation underpins this growth – both through improving the value from existing farming space, and exploring opportunities for new farming on land and in the open ocean.

The growth pathway also sets objectives of a sustainable, resilient and inclusive aquaculture industry. This means aquaculture will lead in environmental practices across the value chain; be strong and protected from external risks of pests, disease and climate change; and work in collaboration with Māori and communities to realise meaningful jobs, wellbeing and prosperity.

This strategy acknowledges and makes clear the Government's role in setting the right frameworks for growth, and enabling the industry to take hold

of opportunities. Together we must ensure growth happens sustainably and respects other uses and values. We are partners on this journey.
This strategy also recognises the importance of partnering with iwi to ensure their values and aspirations, commercially, culturally and as kaitiaki,
are provided for. This means going beyond legislative obligations and embracing true partnership.
This strategy is bold, and I make no apologies for that – we have an obligation to be bold about ensuring a sustainable, productive and inclusive future for
our tamariki. Supporting sustainable industries like aquaculture will be essential to ensuring future generations have the high standards of wellbeing
we owe them.

Hon Stuart Nash
Minister of Fisheries

The challenge

The world's climate is changing, the global population is growing, and natural ecosystems are under increasing pressure. Consumers and regulators are increasingly demanding sustainability not just at the farm level, but across the value chain – from farm
to plate.

Demand for premium seafood is high and is expected to grow

As the global population grows and gets wealthier,
the global middle class is growing. Paired with heightened consumer awareness and connectivity, demand for healthy, sustainable and ethically produced seafood is increasing.
Most of the world's wild capture fisheries are at or
near capacity. Aquaculture is the proven way to increase sustainable seafood production within the earth's environmental limits.

There is great potential for growth

New Zealand's aquaculture industry is well placed
to help meet this demand and do so sustainably. Aquaculture is proven as an efficient way to produce protein. New Zealand has a strong record for sustainable and efficient aquaculture, nutritious seafood, and a world-leading food safety system.
We have the opportunity to strengthen Brand
New Zealand and enhance our market position through becoming world-leading in circular economy thinking, through every stage of aquaculture. Aquaculture is well placed to be a bigger part of
our future low emissions economy that advances
New Zealand's wellbeing.

Key drivers of sustainable growth

This strategy acknowledges the potential for aquaculture to be a $3 billion industry by 2035,
and be a more significant part of a lower emissions economy. There are three key drivers that make this goal achievable.

1. Maximising the value of existing farms through innovation

Aquaculture is and will continue to be a value
success story. A strong innovation programme and co-investment between Government and industry have been key to New Zealand delivering premium, high value products to the world.
There is still scope for being more productive, efficient and sustainable, and deriving greater value from what we grow. Examples include mussel oils, powders
and extracts; high value nutrition; and premium salmon. There are other opportunities on offer – such as through macro-algae farming to provide ecosystem services, buffering ocean acidification,
and storing carbon.

The sustainable growth pathway

Over **half of all seafood**
the world eats comes
from aquaculture.

2. Extending into high value land-based aquaculture

Land-based aquaculture farms produce juvenile stock for growing to harvestable size in the sea. For marine aquaculture to grow, land-based hatcheries will also need to grow or increase their output.
There is potential for land-based aquaculture to
further support marine aquaculture in a number of ways. This includes rearing juveniles that better withstand climate change, ocean acidification or pests and diseases. Land-based aquaculture also enables increased productivity by breeding juveniles that
have marketable traits such as size or nutritional characteristics; and making better use of sea space
by growing juveniles for longer before they are transferred to marine farms.
Land-based aquaculture also presents opportunities
to farm right through to harvest. This includes precision growing to meet evolving market demands for high value seafood and extracts such as oils and powders.

3. Extending aquaculture into the open ocean

Aquaculture has traditionally taken place in sheltered, enclosed bays and harbours where there are other legitimate uses and values. Many areas have reached their social carrying capacity.
Both globally and in New Zealand, attention is turning to open ocean farming as the big opportunity for aquaculture growth.
Open ocean farming presents an opportunity to
farm in cooler, deeper waters, and more easily
position farms away from areas of high competing
use. New Zealand's exclusive economic zone is
15 times bigger than our land area – presenting significant potential.
Open ocean farming outside of enclosed bays requires a technological shift – existing technology does not perform in open ocean environments. We can leverage work being undertaken globally to farm in high energy environments. We have the opportunity to develop and implement a world-leading framework for managing open ocean development, and ensure it integrates with existing uses and values. This will be a critical part of our work programme.

Our industry is on track to reach $1 billion in annual sales by 2025. Extending into the open ocean and on land are transformational opportunities for further growth.

Aquaculture can be extremely valuable for the space it uses. A 10 hectare salmon farm can be worth $140 million in annual revenue:

Salmon
$140,000,000
Mussels
$850,000
Oysters
$800,000
Kiwifruit
$800,000
Dairy
$77,000
Sheep and beef
$8,500
Source: Zespri, Beef+Lamb, DairyNZ, AQNZ 5

The New Zealand Government // **Aquaculture Strategy**

Towards our goal of $3 billion in annual sales by 2035

Current state

Existing industry
++ $600 m+ in annual sales
++ 3000+ regional jobs
++ Sustainable production
++ Efficient farming
++ $100 m in innovation
++ 7% average annual growth

Maximise the value of existing farm space through a strong research, innovation and commercialisation system

Lift industry confidence to invest in growth across the work programme

Wharf and hatchery infrastructure
to support growth
World-leading frameworks to enable sustainable open ocean and
land-based farming – transformational growth away from many
competing uses and values
Future industry
++ $3 b+ in annual sales
++ 6000+ regional jobs
++ Sustainable lifecycle
++ Highly efficient farming
World-leading trials of
open ocean shellfish
and seaweed farming
Enable transitional fish
farms to build skills and
expertise (6m waves)
Hatchery-raised
juveniles for greater
resilience, value and
efficiency
Growing juveniles for
longer to make best use
of space and avoid
unfavourable conditions
Towards
$1 billion
Our four outcomes
Beyond
$1 billion
Potential $3 billion
industry
Future
state 2035

Sustainable: A primary industry leading in environmentally sustainable practices across the value chain
Resilient: Aquaculture is protected from biological harm and supported in adapting to climate change
Productive: Aquaculture growth supports regional prosperity
Inclusive: Partnering with Māori and communities on opportunities to realise meaningful jobs, wellbeing and prosperity

The sustainable growth pathway

Open ocean farms
(11m waves)
Farms producing high
value seafood and
extracts for market
Image credit: AKVA group

About our strategy

This strategy is an all of Government work plan led by Fisheries New Zealand, closely supported by the Department of Conservation and the Ministry for the Environment. The following pages set out the outcomes, objectives and actions necessary to deliver on the Government's vision and goal for aquaculture.

We will partner with other relevant agencies, industry, Māori, councils and communities to facilitate sustainable, productive
and inclusive aquaculture growth in the coast, open ocean and
on land. We will help ensure the industry is resilient to biological harm and supported in adapting to climate change.

Aquaculture mostly occurs in public space. Our commitment is
that we will always ensure aquaculture growth is environmentally sustainable and takes into account other uses and values of the coast and waterways.

We will also ensure iwi and broader Māori aspirations, including kaitiakitanga, are promoted throughout the work programme.
This strategy is not a statutory instrument. It will be implemented consistently with existing regulatory requirements, such as regional councils' coastal plans, and statutory policy, such as
the New Zealand Coastal Policy Statement.

+

Promote and assist implementation of strategic integrated coastal and catchment planning to ensure a healthy aquatic environment.

+

Partner with industry on a transition plan
to reduce emissions and waste across
the value chain.

Our strategy

Our vision:

New Zealand is globally recognised as a world-leader in sustainable and innovative aquaculture management across the value chain.

Our goal:

$3 billion in annual sales by 2035.

Our outcomes

Our objectives

Sustainable

A primary industry leading in environmentally sustainable practices across the value chain.

+

Maximise value of all farmed space
through a strong research, innovation
and commercialisation system.

+

Develop world-leading frameworks for open ocean and land-based farming.

+

Support infrastructure needs to
enable growth.

+

Strengthen biosecurity management.

+

Support the industry to adapt to
climate change.

+

Build Māori and community knowledge about aquaculture and their input into growth opportunities.

+

Deliver the Crown's aquaculture

settlement obligations in a manner
that facilitates early investment in
new opportunities.

+

Recognise Māori values and aspirations across the work programme.

Productive

Aquaculture growth supports
regional prosperity.

Resilient

Aquaculture is protected from
biological harm and supported in
adapting to climate change.

Inclusive

Partnering with Māori and communities
on opportunities to realise meaningful jobs, wellbeing, and prosperity.

Outcome 1 – Sustainable

A primary industry leading in environmentally sustainable practices across the value chain

Sustainability is at the heart of this strategy.
To maintain New Zealand's reputation and the
value of our brand, we need to demonstrate to
New Zealanders and international consumers
that our aquaculture industry is world-leading in sustainable management. We must now extend sustainability from the farm to circular economy thinking across the value chain.
We will work towards more strategic integrated coastal and catchment planning and monitoring approaches. This will ensure the cumulative effects of aquaculture and other activities are managed and a healthy aquatic environment and water quality are maintained and enhanced.
We will encourage practices that support environmental regeneration and improve the health of the aquatic environment.
We will develop a transition plan with the industry to reduce waste and emissions across the value chain and to achieve net zero carbon emissions by 2050.

Objective and strategic shift

Promote and assist implementation of strategic integrated coastal and catchment planning to ensure a healthy aquatic environment

Objective and strategic shift

Partner with industry on a transition plan
to reduce emissions and waste across the value chain

Actions

+

Identify regions to test strategic integrated planning and ecosystem-based management
and monitoring across uses and legislation.

+

Continue to improve environmental performance through development of best practice standards and new technologies to mitigate environmental effects.

+

Build on the beneficial ecosystem services of aquaculture, including restoring shellfish reefs,
and supporting biodiversity and wild populations.

+

Develop and implement indicators of overall aquatic health.

+

Better enable coastal occupation charges to improve monitoring and coastal management.

+

Work with the Sustainable Seas National Science Challenge on tools to improve coastal and catchment management.

Actions

+

Conduct lifecycle assessments for salmon, oyster and mussel farming and develop a waste and emissions transition plan.

+

Foster connections with other primary sectors to share and partner innovations in packaging, processing and transportation.

+

Support seafood branding and third party certification based on the sustainable attributes of the industry.

+

Assess the ability of seaweeds and shellfish to sequester carbon and buffer ocean acidification.

Alignment with UN Sustainable Development Goals

Sector- and issue-based management
Sustainable farming
Strategic planning across activities and legislation
Sustainable across the value chain

Mussel reef restoration and ecosystem services

In the past, shellfish reefs were ecologically important features of the Hauraki Gulf and the Marlborough Sounds, which are now important mussel farming areas. We are working in partnership with industry and environmental organisations to restore lost shellfish beds and reefs. Restored mussel beds in the Gulf were found to have ten times more small fish, four times more invertebrates, and six times the productivity of bare seafloor.

Mussel farms have been shown to be some of the most biodiverse areas remaining on our coasts.

Smart farming

Government is investing in greater connectivity, innovations in sensors, and artificial intelligence to drive improved monitoring, and real-time information and data analysis. These developments will enable better farm management and monitoring of environmental health. Greater on-farm information will support precision farming to lift productivity while reducing farm servicing requirements and carbon emissions.

The Government is also investing in the Moana Project, which aims to vastly improve our understanding of coastal ocean circulation, and ocean forecasting to provide information that supports sustainable growth of marine industries such as aquaculture.

Image credit: Cawthron Institute 11

Outcome 2 – Productive

Aquaculture growth supports regional prosperity

Research and innovation underpin this strategy.

Aquaculture in New Zealand is a young industry.

There is huge scope to add value within the existing farm footprint through selective breeding, premium products, high value nutrition, and diversification into algae – a future super food.

The technology is also advancing rapidly to extend the industry into more exposed and open ocean sites, and into modern, efficient land-based systems.

To be successful we need new management frameworks to guide this growth, to support the large investments required, and address the infrastructure needs to enable growth.

Alignment with UN Sustainable Development Goals

Actions

+

Facilitate co-investment between industry, iwi and government in priority research and innovation.

+

Identify how government could de-risk
the transition stage between research
and commercialisation to accelerate development.

+

Support the implementation of the National Environmental Standards for Marine Aquaculture to create confidence to invest and enable changes to trial new species and technologies.

Actions

+

Work with partners to enable a collaborative fit-for-purpose management framework for
open ocean farming.

+

Ensure the land-based aquaculture regulations are fit for purpose.

+

Consider future frameworks to support growth through the Resource Management, Fisheries,
and Biosecurity Act reforms.

+

Develop a strategic investment plan to facilitate emerging open ocean and land-based technology.

Objective and strategic shift

Maximise the value of all farmed space through a strong research, innovation and commercialisation system

Objective and strategic shift

Develop world-leading frameworks for open ocean and land-based farming growth

Strong research system
Predominately inshore marine farming
Strong
research and commercialisation
Inshore, land-based and open ocean farming

Actions

+

Work with industry and partners to identify
the infrastructure required to enable growth.

+

Work with industry to support planned development of hatchery infrastructure
to improve value and resilience.

+

Facilitate co-investment in priority infrastructure.

Objective and strategic shift

Support infrastructure needs to enable growth

Legacy infrastructure
at capacity
Planned approach to infrastructure development
The goal is open ocean farming away
from many competing uses and values
We will need transitional and trial sites to
build skills and the scale to invest

The Government will lead development of a framework to manage open ocean farming

New Zealand is already world-leading in the development of open ocean shellfish farm technology. The technology to farm salmon and other fish in the open ocean is advancing rapidly and expected

to be commercialised within 10 years. This is a transformational opportunity for aquaculture growth.
The Government will support the industry to realise this opportunity.
How should growth be managed and allocated, including Māori settlement?
Constraints mapping to identify suitable areas for growth in our open ocean.
The supporting infrastructure and investment needed to enable growth.

Image credit: SalMar 13

Outcome 3 - Resilient

Aquaculture is protected from biological harm and supported in adapting to climate change

Actions

+

Progress a Government Industry Agreement with Aquaculture New Zealand.

+

Support implementation of biosecurity management standards through the National Environmental Standards for Marine Aquaculture.

+

Identify options for broader marine pathway management across coastal users through the Biosecurity Act reforms.

Actions

+

Forecast the effects of climate change on the aquatic environment. Plan and support actions for resilience and adaptation.

+

Support industry to transition to selective breeding and biome technology to improve value and resilience.

+

Support an industry-led spat strategy to safeguard from the impacts of climate change and provide for planned growth.

Objective and strategic shift

Strengthen biosecurity management

Objective and strategic shift

Support the industry to adapt to climate change

Building resilience safeguards the aquaculture industry.
Sustainably growing the aquaculture industry requires strong supporting foundations and management of risk.
Biosecurity is important to all primary industries. Recent years have shown aquaculture is not immune to the impacts of pests and diseases.
Climate change is also a considerable challenge. Ocean acidification and warming will impact aquaculture. Understanding the likely effects requires research and effective transfer of that research into farming practices.
We will work together to ensure biosecurity and climate adaptation plans are robust to protect our environment while supporting the opportunities for growth.

Emerging consideration
Comprehensive and planned approach
Reactive biosecurity response
Planned and active management

Unlocking the power of selective breeding and juvenile health

Aquaculture researchers are working on how to grow strong, healthy juveniles to increase productivity, efficiency and resilience. Research includes looking at ideal diets, probiotics, stock health and behaviour, and selective breeding for desirable traits. Estimates are that an additional 40-80% productivity will be gained through the roll-out of hatchery-reared mussel spat across the industry.

On land we have bred stock
for thousands of years for value, desirable characteristics and different environments
Farming and processing efficiency gains: better survival, feed conversion, uniform size
Resilience gains to a changing environment: temperature,
pH, diseases and pests
Value gains: growth rate, market-desired traits such as colour, extract concentrations
Selective breeding
in aquaculture is
still in its infancy
Selective breeding can
drive significant gains

Above: We are working with industry to ensure every aquaculture farm has a biosecurity plan in place.

Above: Research is beginning into how climate change over the next 100 years could affect our aquaculture species.

Outcome 4 - Inclusive

Partnering with Māori and communities on opportunities to realise meaningful jobs, wellbeing, and prosperity

Actions

+

Engage with Māori and communities on local
and regional priorities to help enable community-led initiatives.

+

Implement greater information sharing and
a proactive communications approach.

+

Work to develop aquaculture training
programmes to build the skills and
workforce to meet industry needs.

Actions

+

Conclude the review of the New Space
Settlement Plan.

+

Commission an independent evaluation of the benefits of the aquaculture settlement to assess whether improved mechanisms could better advance Crown and iwi aspirations.

+

Ensure open ocean farming enables early settlement and investment opportunities for
Māori business growth.

+

Review the Māori Commercial Aquaculture Claims Settlement Act to improve the asset allocation process.

Objective and strategic shift

Build Māori and community knowledge
about aquaculture and their input into
growth opportunities

Objective and strategic shift

Deliver the Crown's aquaculture settlement obligations in a manner that facilitates early investment in new opportunities

Māori and communities will benefit from this strategy.

The Government has been working with regions to realise growth opportunities, including some of our regions that are most challenged by low employment and incomes.
Working in partnership with Māori, iwi and communities to consider a range of interests together results in more accepted, trusted and enduring outcomes.
The Crown has an aquaculture settlement with
Māori under the Māori Commercial Aquaculture Claims Settlement Act, but this is just one part of the Crown-Treaty partnership. We will consider historical Treaty of Waitangi settlements, and Māori aspirations and values including kaitiakitanga across all our work.
The Government will engage with councils, Māori and communities to understand local priorities and to help enable community-led initiatives and regional growth opportunities. This includes building social licence to support aquaculture growth.
Working towards growth
Delivering the settlement
Engaging with Māori and communities
on opportunities
Maximising the opportunities from settlement

Actions

+

Recognise and provide for Māori values and aspirations including kaitiakitanga across our work.

+

Partner with Māori on aquaculture opportunities including open ocean farming to assist early investment and participation.

+

Continue to support historical Treaty of
Waitangi settlement negotiations involving aquaculture space.

Objective and strategic shift

Recognise Māori values and aspirations
across the work programme

A focus on aquaculture settlement
A focus on tikanga values, aspirations and settlement

Above: High school students in the Far North are making a positive contribution to their communities and the environment by running their own oyster farming business with help from Papa Taiao Earthcare and Moana New Zealand.
Above: Council, iwi and community are working together with government agencies to lift employment and prosperity through New Zealand's first commercial-scale open ocean mussel farm in Ōpōtiki.

Sea Change – Tai Timu Tai Pari Hauraki Gulf Marine Spatial Plan

Sea Change – Tai Timu Tai Pari Hauraki Gulf Marine Spatial Plan was developed by a collaborative working group representing mana whenua, environmental groups and the primary sector. It aimed to secure a healthy productive and sustainable future for the Hauraki Gulf, including aquaculture. The process recognised that working in partnership and empowering mana whenua and a wide range of stakeholders was the best way to get the most enduring outcomes for the Hauraki Gulf. Some key next steps are to contribute to a government response to the Sea Change Plan, and apply what we've learned to other regions.

Realising the benefits of aquaculture to New Zealand communities

Do what we do well:

Agile:
Enabling and engaging:

Results focused:

Delivering our strategy

Timeframe

This strategy will be reviewed in 2025, but is intended to position New Zealand for a significantly longer timeframe. It recognises the long term issues of climate change, biodiversity loss and global
population growth – issues relevant well beyond 2025.

Four measures of success

We will use four simple measures to gauge the success of this strategy.

Sector value

Regional jobs and income

Emissions and waste

Adverse environmental effects

An annual implementation plan

The Government will publish an annual implementation plan setting key actions for the year and the agencies responsible.

The primary agencies involved in delivering this strategy

+ Fisheries New Zealand and the wider Ministry for Primary Industries

+ The Department of Conservation

+ The Ministry for the Environment

+ Te Puni Kōkiri

+ The Office for Māori Crown Relations – Te Arawhiti

+ The Ministry of Business, Innovation and Employment

+ New Zealand Trade and Enterprise

Auckland
Northland
Tasman and Golden Bay
Marlborough
Canterbury
Southland
Coromandel

7%
3%
57%
60%
2%
18%
3%
22%

Top 5 products by export value

Chilled gilled & gutted salmon

17% $79 m

Mussel oil

5% $26.5 m

Frozen oysters

3% $17.2 m

Frozen whole mussels

4% $19 m

Frozen half shell mussels

49% $229.9 m

22%

28%

38%

3%

Industry at a glance

Major aquaculture areas

37%

$600 million in sales in 2018
3,000+ jobs in New Zealand communities
7% average annual growth since 2012
Our mussels, oysters and salmon are recommended
as a best choice sustainable seafood by Monterey Bay Aquarium's Seafood Watch

The New Zealand Government // **Aquaculture Strategy**