

Resource Consent

Document Date: 27.11.2019

Pursuant to the Resource Management Act 1991, the Northland Regional Council (hereinafter called "the council") does hereby grant a Resource Consent to:

WHANGAREI DISTRICT COUNCIL, C/- PARKS DIVISION, PRIVATE BAG 9023, WHANGĀREI MAIL CENTRE, WHANGĀREI 0140

To undertake the following activities at Matapōuri, between and about location co-ordinates 1736560E 6063530N and 1736958E 6062643N.

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

- AUT.040490.01.01** **Capital dredging (as sand excavation) within the coastal marine area of the Matapōuri Estuary for the purposes of beach replenishment and ongoing maintenance of the replenished beach.**
- AUT.040490.02.01** **Sand deposition within the coastal marine area along Matapōuri Beach for the purposes of beach replenishment and ongoing maintenance of the replenished beach.**
- AUT.040490.03.01** **Maintenance dredging (as sand excavation) within the coastal marine area of the Matapōuri Estuary for the purposes of beach replenishment and ongoing maintenance of the replenished beach.**
- AUT.040490.04.01** **Earthworks in a riparian management zone/coastal hazard management area to deposit sand for beach replenishment and ongoing maintenance of the replenished beach.**
- AUT.040490.05.01** **Disturb the foreshore in the coastal marine area of Matapōuri Beach and Matapōuri Estuary during activities associated with beach replenishment work and ongoing maintenance of the replenished beach.**

Subject to the following conditions:

Note: Capital and maintenance dredging activities are hereafter referred to as Sand Excavation.

General Conditions:

- 1 The works authorised by these consents shall be undertaken in general accordance with the **attached** RS ENG Ltd. drawings entitled:

- “Beach Replenishment Engineering Drawings”, Overall Plan, Sheet 1, Rev E dated 22/08/19 – referenced as Northland Regional Council Plan Number **4888/1**.
- “Beach Replenishment Engineering Drawings”, Planting & Access Plan, Sheet 2, Rev E, dated 22/08/19 – referenced as Northland Regional Council Plan Number **4888/2**.
- “Beach Replenishment Engineering Drawings”, Sheet 3, Rev E, dated 22/08/19 – referenced as Northland Regional Council Plan Number **4888/3**.

If there are any differences or apparent conflict between these plans and any conditions of these consents, then the conditions of consent shall prevail.

- 2 Prior to the exercise of these consents (on each occasion), the Consent Holder shall undertake pre-works baseline monitoring that shall include:
 - (a) A survey of the sand levels within Extraction Areas A, B and C, the Beach Replenishment Area and along Matapouri Beach and sandspit; and
 - (b) A survey of the extent, percentage cover, health and vigour of all seagrass beds within the estuary east of Te Wairoa Stream and Parangaraahu Stream road bridges downstream of the road bridges.

The monitoring shall be undertaken in late summer (February/March), in accordance with the methods identified in the **attached** Schedule 1, in the year that the works are to be undertaken. No sand replenishment works shall take place until the results of this baseline monitoring required by this condition have been provided to the Northland Regional Council’s assigned monitoring officer.

- 3 Prior to the exercise of these consents the Consent Holder shall, on each occasion, prepare a Sand Replenishment Project Plan (SRPP) detailing the excavation and deposition methodology for the works, the sand excavation and deposition locations and volumes, the transport routes, machinery, personnel, supervision, public safety, controls and performance measures to be employed during the sand excavation and deposition works associated with the exercise of these consents. The SRPP shall be submitted to the Northland Regional Council’s Compliance Manager at least one month prior to the planned commencement of any works for certification. No works shall commence until certification of the SRPP has been provided in writing by the Northland Regional Council. The Consent Holder shall promptly provide a copy of the certified SRPP to any person who requests it or provide a copy of the document on the Whangārei District Council’s website.
- 4 The Consent Holder shall notify the Northland Regional Council’s assigned monitoring officer in writing at least two weeks prior to undertaking any activities authorised by these consents and included in the certified SRPP. This notification shall include the proposed timeline of the proposed works and contact details for the Consent Holder’s principal contractor and the works supervisor required by Condition 7. The Consent Holder shall arrange for a site meeting between the Consent Holder’s principal contractor and the Northland Regional Council’s assigned monitoring officer, which shall be held on site prior to any sand excavation or deposition activities commencing.

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

5 As part of the written notification required by Condition 4, the Consent Holder shall also provide to the Northland Regional Council's assigned monitoring officer written certification from a suitably qualified and experienced person that all plant and equipment entering the coastal marine area associated with the exercise of these consents are free from unwanted or risk marine species.

6 A copy of these consents shall be provided to any person who is to carry out the works authorised by these consents, prior to any work commencing. A copy of the consents shall be held on site, and be available for inspection by the public, during the works.

7 All sand excavation and deposition works shall be under the control of and supervised by a suitably qualified person, experienced in beach nourishment work.

Advice Note: *This is an essential key role. The person needs to be present on the site for as long as is sufficient for him or her to properly supervise and control the works. The role is more than just an observation role, but does not necessarily mean that the person is required to be on site at all times.*

8 Sand excavation and deposition works shall only be carried out:

(a) In the period 1 April to 31 July in any year; and

(b) 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.

9 The Consent Holder shall keep the coastal marine area free of debris resulting from the Consent Holder's activities.

10 No refuelling of vehicles or equipment associated with the exercise of these consents shall take place within 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 near the site is contaminated. Where an accidental spillage to land occurs, all contaminated soil shall be collected and removed to a disposal site that is authorised to take such material.

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

12 An oil spill kit, appropriate to the plant and equipment being used, is to be provided and maintained on site during the works.

13 All plant and equipment working on Matapouri Beach and within the Matapouri Estuary in the exercise of these consents shall be located landward of the sea level at all times (this excludes the portion of the hydraulic excavator bucket and arm working within channel areas).

14 The Consent Holder's operations shall not give rise to any odour at any residential property boundary or 50 metres landward of the line of Mean High Water Springs, which is deemed by a suitably trained and experienced enforcement officer of the Northland Regional Council to be noxious, toxic, dangerous, offensive or objectionable. If compliance with this condition is not able to be achieved, all sand stockpiles in the vicinity of the affected properties shall immediately be removed.

- 15 The Consent Holder shall undertake monitoring of these consents in accordance with the **attached** Schedule 1.
- 16 The Consent Holder shall notify the Northland Regional Council's assigned monitoring officer in writing, as soon as each of the following activities are completed:
- (a) Placement of replenishment sand on Matapōuri Beach;
 - (b) Planting/replanting of vegetation; and
 - (c) Removal of the temporary truck access ramp.
- 17 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 shall be contacted. If that person cannot be spoken to directly, or it is outside of the council's opening hours, then the Environmental Hotline shall be contacted.

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

- 18 In the event of archaeological sites or kōiwi being uncovered, activities in the vicinity of the discovery shall cease and the Consent Holder shall contact Heritage New Zealand Pouhere Taonga and the Te Rangiwhakaahu Hapu Trust. Work shall not recommence in 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.*

- 19 The Northland Regional 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 of these consents annually during the month of June to deal with any adverse effects on the environment that may have arisen 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.

20 These consents shall not lapse until their expiry.

AUT.040490.01 and AUT.040490.03 – Sand Excavation

21 Prior to the excavation of any sand, the extent of the Extraction Areas to be used shall be set out by a Licenced Cadastral Surveyor and sufficient marks shall be placed to delineate the areas for sand excavation for contractors and to control/measure the vertical/depths of the sand excavation. These marks shall be maintained throughout the duration of the works within each Extraction Area. A plan of the completed set-out showing the locations of the delineation and control marks shall be provided to the Northland Regional Council's assigned monitoring officer at least three working days before commencement of works within each Extraction Area.

22 Sand excavation shall be confined to Extraction Areas A, B and C identified on Northland Regional Council Plan Number **4888/1**.

23 Sand excavation shall occur first in Extraction Areas A and B. Sand excavation in Extraction Area C shall only occur if insufficient sand is available for replenishment from Extraction Areas A and B. Batter slopes of one metre vertical to five metre horizontal (1V:5H) shall be provided at the landward edges of the Extraction Areas and on the channel edge of Area C (should sand excavation occur within this area).

24 The depth of sand excavation from Extraction Areas A, B and C shall not exceed the depths identified on Northland Regional Council Plan Number **4888/1**.

25 The maximum volume of sand that may be excavated shall be 15,000 cubic metres per activity period.

26 Sand excavation works within the estuary shall only be undertaken once in any five year period.

27 The two mature mangrove trees in Extraction Area B shown on Northland Regional Council Plan Number 4888/1 shall not be removed or damaged as a result of the exercise of these consents. As a minimum, the Consent Holder shall maintain a minimum four metre buffer between the vegetation and/or pneumatophores (roots) of these trees and sand excavation activities. This area shall be marked out to delineate the areas excluded from sand extraction.

Advice Note: *Particular care should be taken to avoid damage to the root structures of these trees.*

28 There shall be no disturbance to any seagrass beds identified pursuant to the pre-work baseline survey required by Condition 2(b), as a result of the exercise of these consents. Identified areas of seagrass beds shall be marked out to delineate the areas excluded from sand extraction together with any buffer recommended by a suitably qualified and experienced ecologist.

- 29 Prior to sand extraction within Extraction Area B, representative sediment samples from within the extraction area, and from a control site, shall be collected and analysed for microbiological contamination. The Consent Holder shall provide results of the sampling to the Northland District Health Board Public Health Unit (NDHB) to establish level of risk to public health and information and signage required to be implemented should contaminated sand be excavated and used for beach replenishment purposes. Evidence of the results of the microbiological sampling and advice from the NDHB shall be provided to the council's assigned monitoring officer prior to any extraction from within Extraction Area B.
- 30 Plant and equipment used to excavate sand shall only operate within the Extraction Areas A, B and C on Northland Regional Council Plan Number **4888/1**, except where such plant and equipment is required to gain access to these Extraction Areas as part of sand excavation activities.
- 31 Plant and equipment used to excavate and transport sand to the Beach Replenishment Area shall follow the Transport Corridors and Traffic Routes identified on Northland Regional Council Plan Number **4888/1**.
- 32 Any sand to be temporarily stockpiled prior to transport to the Beach Replenishment Area shall be located within the Extraction Areas.
- 33 Sand excavation activities shall be carried out such that, when excavation has been completed, no residual depressions exist in the excavated foreshore area that are deeper than 150 millimetres.
- 34 The exercise of these consents shall not cause any of the following effects on the quality of the receiving waters, as measured at or beyond a 100 metre radius from the sand excavation equipment:
- (a) The Total Suspended Solids shall not exceed 40 grams per cubic metre above the background measurement; and
 - (b) The production of any conspicuous oil or grease film, scums or foams, or floatable or suspended materials, or emissions of objectionable odour; and
 - (c) The destruction of natural aquatic life by reason of a concentration of toxic substances.
- 35 Any concentrated deposits of material that are unsuitable for beach replenishment (for example organic matter, silts, gravels or rock) should be avoided. If any unsuitable materials are encountered during sand excavation it shall be disposed of to an approved disposal site outside the coastal marine area authorised to receive such material.
- 36 The low tide channels of both Te Wairoa and Parangaraahu Streams, as observed during the pre-work baseline survey required by Condition 2(a) shall not be repositioned by sand excavation activities.
- Advice Note:** *The intent of this condition is that the low tide channel positions of these streams are left to natural processes.*
- 37 Machinery shall not be operated within any works area that is inundated by tidal waters or by standing water. No machinery shall be left within the intertidal zone during high tide periods, or in a position where it could come into contact with coastal water. No machinery shall enter, or be operated within, low tide channels.

AUT.040490.02, AUT.040490.04 and AUT.040490.05 (Deposition in CMA, Earthworks in RMZ and Disturbance of CMA)

- 38 Sand deposition and disturbance of the beach and dunes associated with the earthworks shall be confined to the Beach Replenishment Area shown on Northland Regional Council Plan Number **4888/1**.
- 39 Except within the Beach Replenishment Area identified in orange on Northland Regional Council Plan Number **4888/1**, the maximum height to which sand shall be deposited adjacent to the existing dune shall be 3.5m RL.
- 40 The maximum gradient of beach replenishment areas upon completion of sand deposition works shall be 1V:6H.
- 41 Prior to the placement of sand within the Beach Replenishment Area, a stabilised entrance on to the beach shall be established from Te Wairoa Street and the boundaries of the deposition area shall be marked out. The placement of marks shall be sufficient to delineate to contractors the areas authorised for deposition, and to control/measure vertical/depth limits of deposition. The Consent Holder shall ensure that set out marks are maintained in place during the duration of the sand excavation works. The Consent Holder shall confirm that set out has been completed, along with provision of a plan showing the completed set out that complies with plans approved by these consents, at least three working days prior to sand excavation commencing.
- 42 All materials used to construct the stabilised access ramp on to Matapōuri Beach shall be free of contaminants. On completion of the sand deposition activities, all materials used in the construction of the access ramp shall be removed from the coastal marine area and the riparian management zone and the area shall be restored and replanted with suitable dune species.
- 43 The route used to transport beach replenishment material between Extraction Area A and Extraction Area B to the deposition areas on Matapōuri Beach shall be via the existing public roading network and the stabilised access ramp on to the beach from Te Wairoa Street.
- Advice Note:** *For the avoidance of doubt, a transport route directly across Te Wairoa Stream, either at the spit location or elsewhere, shall not be used.*
- 44 Truck haul routes on Matapōuri Beach between the Te Wairoa access ramp and the work site shall be located within a marked corridor that is no wider than 10 metres. Manoeuvring areas at the deposition sites shall be no more than is necessary to effectively and efficiently carry out this part of the operation.
- 45 Following beach replenishment works, vegetation planting of the restored dune shall be undertaken in accordance with Northland Regional Council Plan Number **4888/2**. All Spinifex (*Spinifex sericeus*) and Pingao (*Ficinia spiralis*) used in the planting shall be locally sourced where possible.
- 46 All vegetation planting shall be carried out within one month of sand deposition, but not later than 31 October immediately following the completion of the sand deposition works. All planting shall be supervised by a person experienced in the establishment of dune vegetation, and plants shall be protected (e.g. by fencing and signage) from foot traffic.

- 47 All protection (e.g. fencing and signage) shall be retained for a period of not less than 24 months following the completion of planting, but may be removed on a trial basis once an 80% vegetative cover has been established.
- 48 All vegetation planting shall be maintained throughout the term of these consents to not less than the plant densities in Planting Areas A, B and C identified on Northland Regional Council Plan Number 4888/2. The Planting Areas shall be kept free of weeds and animal pests as far as practicable. All 'blowouts' of sand shall be replanted within six months of any such event, except where the area of the blowout is to be replenished with new sand within the next 24 months. Ongoing monitoring will be undertaken to ensure that tracking and vegetation damage do not occur. Protection measures (e.g. fencing and signage) shall be reinstated if this proves necessary to protect the integrity of the dune vegetation.
- 49 All new beach access structures (excluding those shown as indicative only) shown on Northland Regional Council Plan Number **4888/2** shall be installed by the Consent Holder within 24 months of completion of the first sand deposition works undertaken pursuant to these consents.

EXPIRY DATE: 30 SEPTEMBER 2039

Advice Notes:

- 1 *It is recommended that machine operators and contractors are appropriately trained in the Ngatiwai Trust Board Resource Management Unit (NTB RMU) Archaeological Protocol and have been briefed on recognising new sites.*
- 2 *It is recommended that any rahui imposed by Whanau a Te Rangiwhakaahu upon a site of relevance to the works site during works associated with these consents is complied with by the Whangarei District Council and its agents.*

This consent was issued by Sharon McGarry who has signed the decision as Hearing Commissioner on the Fourteenth day of October 2019, being the date of the Hearing decision.



Location Co-ordinates for Beach Replenishment Area
Datum: NZTM
A 1736564E 6063509N
B 1736894E 6063035N

Location Co-ordinates for Extraction Area A
Datum: NZTM
C 1736757E 6062943N
D 1736775E 6063016N
E 1736949E 6062974N
F 1736974E 6062870N

Location Co-ordinates for Extraction Area B
Datum: NZTM
G 1736965E 6062804N
H 1736987E 6062809N
I 1737013E 6062728N
J 1736988E 6062670N
K 1736961E 6062641N
L 1736950E 6062649N

Location Co-ordinates for Extraction Area C
Datum: NZTM
M 1736941E 6063099N
N 1736955E 6063194N
O 1737003E 6063136N
P 1736961E 6063079N

NOTATION

- Beach Replenishment Area
- Beach Replenishment to match dune height
- Sand excavation down to 0.0m
- Low Tide Channel - Sand Extraction Prohibited
- Sand excavation down to -1.0m
- Transport Corridor (5m wide)
- Traffic Route

NOTE: All levels are in terms of LINZ vertical datum

NORTHLAND REGIONAL COUNCIL
REF: 40490
Plan Number **4888/1**

RS Eng Ltd
09 438 3273
office@RSEng.co.nz
2 Seaview Road, Whangarei 0110

Title
BEACH REPLENISHMENT ENGINEERING DRAWINGS

Client
WHANGAREI DISTRICT COUNCIL

Location
MATAPOURI BEACH MATAPOURI

22/08/19	E	Updated for Resource Consent
05/08/19	D	Amended Notes
19/05/17	A	Concept Issue
Date:	Rev:	Notes

Scale	1:2,500	Original	A3	Rev	E
Drawn by	NW	Approved by	NW	File	15059
				Sheet	1



KEY

	AREA	PLANTS
	PLANTING AREA A 400m ²	1/PINGAO plant/m ² (400) + 1/SPINIFEX plant/m ² (400)
	PLANTING AREA B 500m ²	1/PINGAO plant/m ² (500) + 1/SPINIFEX plant/m ² (500)
	PLANTING AREA C 2400m ²	1/PINGAO plant/m ² (2400) + 1/SPINIFEX plant/m ² (2400)
	TOTAL: 3800/Pingao	3800/Spinifex

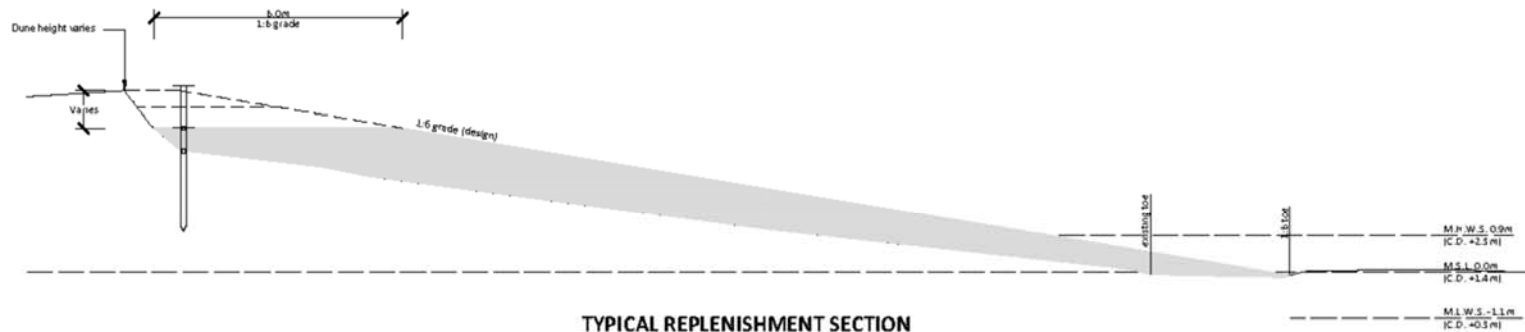
◆ Marker Post Locations



NORTHLAND REGIONAL COUNCIL
 REF: 40490
 Plan Number 4888/2

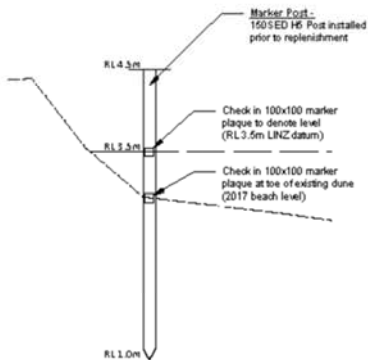
RS Eng Ltd
 09 438 3273
 office@RSEng.co.nz
 2 Seaview Road, Whangarei 0110

Title			
BEACH REPLENISHMENT ENGINEERING DRAWINGS			
Client			
WHANGAREI DISTRICT COUNCIL			
Location			
MATAPOURI BEACH MATAPOURI			
22/08/19	E	Updated for Resource Consent	
05/08/19	D	Amendment Notes	
13/05/17	A	Concept Issue	
Date	Rev	Notes	
Scale	1:2,500	Original	A3
Drawn by	NW	Approved by	Max
File	15059	Rev	E
		Sheet	2



TYPICAL REPLENISHMENT SECTION
1:100

NORTHLAND REGIONAL COUNCIL
REF: 40490
Plan Number 4888/3

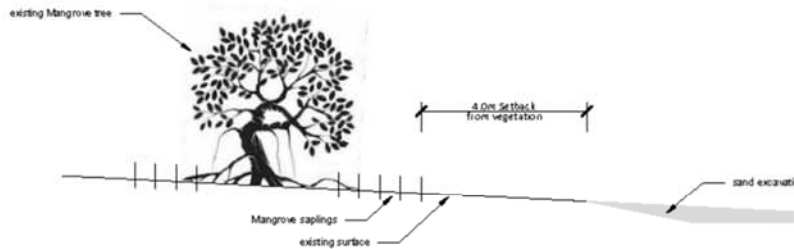


MARKER POST DETAIL
1:50

EROSION MARKER
▽ R.L. 3.5m ▽
LINZ DATUM
WHANGAREI DISTRICT COUNCIL

EROSION MARKER
▽ ORIGINAL BEACH LEVEL ▽
WHANGAREI DISTRICT COUNCIL

MARKER PLAQUE
NTS



VEGETATION ADJACENT TO WORKS - SKETCH SHOWING SETBACK
1:100

RS Eng Ltd
09 438 3273
office@rseng.co.nz
2 Seaview Road, Whangarei 0110

RS Eng

Title: **BEACH REPLENISHMENT ENGINEERING DRAWINGS**

Client: **WHANGAREI DISTRICT COUNCIL**

Location: **MATAPOURI BEACH MATAPOURI**

Date	Rev	Notes
22/08/19	E	Updated for Resource Consent
03/08/19	D	Amendment Notes
19/03/17	A	Concept Issue

Scale	Original	Rev	Sheet
1:100	AS	E	3

Drawn by: **NW** | Approved by: **Max** | File: **15059**

SCHEDULE 1 – MONITORING

The Consent Holder, or its authorised agent, shall undertake the following monitoring:

1. ECOLOGY

Surveys of the seagrass beds identified in the pre-works baseline monitoring pursuant to Condition 2(b) shall be repeated annually for the first three years after completion of sand excavation works. The outer margins of the seagrass bed on each transect are to be established using GPS (error +/- 1 metre). The surveys shall be conducted in late summer.

2. REVEGETATION OF BEACH AND SPIT

The revegetated dune toe (beach) and spit will be inspected at two monthly intervals until the required coverage pursuant to Condition 47 has been achieved. Photographs from a repeatable location will be taken as part of each inspection.

3. PHYSICAL MONITORING

The baseline monitoring required by Condition 2(a) shall comprise a repeatable topographical survey of Matapōuri Beach, spit and estuary. In regard to Matapōuri Beach, the survey will extend from the spit to the northern end of the beach.

Further topographical surveys of all of these areas will be undertaken at the following intervals:

- Not more than two weeks after completion of the works; and
- Thereafter, annually for a period of three years.

Surveys may be undertaken using drone photogrammetry or other similar technology.

Sufficient permanent ground control points shall be installed within Whangarei District Council reserve areas or the coastal marine area to allow for repeatable surveys. The final locations and number of the ground control points is to be determined in consultation with the Northland Regional Council's assigned monitoring officer. Each of the ground control points shall be fixed by a Licenced Cadastral Surveyor and details of the ground control locations shall be provided to the Northland Regional Council's assigned monitoring officer. Surveys shall be to +/- 3 centimetre accuracy. All levels will be in terms of Mean Sea Level, One Tree Point Datum.

Within two months of completion of the annual topographic survey, the Consent Holder shall provide the Northland Regional Council's assigned monitoring officer with a written report detailing changes in topography/bathymetry from the previous survey and associated rates of sediment deposition or erosion. Comparisons of levels and volumes between different surveys will, as a minimum requirement, provide relative changes in volume and contours.

The report shall include an electronic copy of all survey data (x, y, z).