



Ref: 21-139
Moana Wyatt
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14 October 2021

Brian Warburton
Via email: fyi-request-16947-94ca0960@requests.fyi.org.nz

Dear Brian

Official information request for determining the location of the Mean High Water Springs (MHWS)

I refer to your official information request dated 30 September 2021 for determining the location of the Mean High Water Springs (MHWS) when undertaking construction work on land near the coastal marine area.

The information you have requested is enclosed. The questions you specified have been included as numbered headings in bold below, with our response following each heading.

The Council has previously undertaken, or been a primary party to, several proposals in recent years to undertake physical construction work on land either within, straddling or close to the landward limit of, the Coastal Marine Area (which is the Mean High Water Springs (or MHWS)).

Three examples I seek information about are:

1. 'beach restoration' work (now failed) around a stream outlet near South Beach Access Road at Titahi Bay in 2012 [File Ref. RC6129]

- in approving the works (either as a consenting authority or as a 'landowner' or as the proponent of the proposal) did PCC undertake, or require to be undertaken, a site-specific survey to determine the location of MHWS.

Yes - MHWS was determined to be 0.7m above mean water level

- if PCC undertook, or required to be undertaken, such a survey what was the outcome of that.

The information was used as part of a consent application

- if PCC undertook, or required to be undertaken, such a survey what was method used to determine the alignment of the MHWS.

The Education Method

- if no such survey was undertaken, was that a deliberate decision or was it an oversight.

N/A

- if PCC didn't undertake, or required to be undertaken, an up-to-date site-specific survey, and relied upon other information about the location of the MHWS what was that other information it relied upon.

N/A

- if the omission of such a survey was a deliberate decision the corresponding reasons.

N/A

2. extensions to the seawall at the Titahi Bay Surf Club constructed in September 2019

- in approving the works (either as a consenting authority or as a 'landowner' or as the proponent of the proposal) did PCC undertake, or require to be undertaken, a site-specific survey to determine the location of MHWS.

Yes

- if PCC undertook, or required to be undertaken, such a survey what was the outcome of that.

It was used to provide advice to the applicant as the requirements to authorise the work.

- if PCC undertook, or required to be undertaken, such a survey what was method used to determine the alignment of the MHWS.

PCC consulted Dr Iain Dawe, the expert who had previously determined the Titahi Bay MHWS value, to verify the position of MHWS relative to the seawall. Please see attached email.

- if no such survey was undertaken, was that a deliberate decision or was it an oversight.

N/A

- if PCC didn't undertake, or required to be undertaken, an up-to-date site-specific survey, and relied upon other information about the location of the MHWS what was that other information it relied upon.

N/A

- if the omission of such a survey was a deliberate decision the corresponding reasons.

N/A

3. earthworks undertaken seaward of the Plimmerton Fire Station in an attempt (now failed) at establishing sandy dunes on a rocky platform in late 2012

- in approving the works (either as a consenting authority or as a 'landowner' or as the proponent of the proposal) did PCC undertake, or require to be undertaken, a site-specific survey to determine the location of MHWS.

No

- if PCC undertook, or required to be undertaken, such a survey what was the outcome of that.

N/A

- if PCC undertook, or required to be undertaken, such a survey what was method used to determine the alignment of the MHWS.

N/A

- if no such survey was undertaken, was that a deliberate decision or was it an oversight.

It was a deliberate decision based on expert advice.

- if PCC didn't undertake, or required to be undertaken, an up-to-date site-specific survey, and relied upon other information about the location of the MHWS what was that other information it relied upon.

Please see attached report titled *Plimmerton Dune GW Report*

- if the omission of such a survey was a deliberate decision the corresponding reasons.

Please see above

In order to provide you with further context in terms of the information you have requested, Council relies on advice from LINZ, to understand the methods and requirements for determining legal boundaries including MHWS. The following general advice is available on [their website](#):

Please note that there is no single definitive method that can be used regarding the establishment of MHWS boundaries. The approach taken needs to be customised to the individual location and take into account, amongst other things, the hydraulic gradient, the type and value of land concerned and the accuracy required. (* <https://www.linz.govt.nz/data/geodetic-system/datums-projections-and-heights/vertical-datums/tidal-level-information-for-surveyors> sourced 12 October 2021)*

If you wish to discuss this decision with us, please feel free to contact Richard Hopkins on 04 237 5089.

Ngā mihi



Wendy Walker
Chief Executive
Kaiwhakahaere Matua

