

**Removal of Obstructions from the
Mouths of Tidal Watercourses in
the Whangarei District**

**Application for Resource Consent
to the Northland Regional Council**

Assessment of Environmental Effects

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1 Introduction

1.1 Background

Whangarei District Council (WDC) seeks a Coastal Permit from the Northland Regional Council (NRC) to undertake the clearing of obstructions from the mouths of tidal watercourses at 48 locations throughout the Whangarei District.

The purpose of the works is to reduce the risk of flooding and remove the potential public health risk posed by stagnant water detained by the obstructions. The works aim to improve water quality, habitat and amenity values by clearing the mouths of the specified tidal watercourses. Details of the sites and the proposed works are discussed further in Sections 2 & 3.

This report constitutes the Assessment of Environmental Effects required to be submitted with an application for Resource Consent, and has been prepared in accordance with Section 88 and the Fourth Schedule of the Resource Management Act 1991 (RMA). The requested duration of the consent is 20 years.

1.2 Applicant Details

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1.3 Resource Consent Requirements

Section 12(3)(a) of the RMA 1991 states, in part, that 'No person may carry out any activity in, on, under, or over any coastal marine area in a manner that contravenes a rule in a regional coastal plan unless the activity is expressly allowed by a resource consent or section 20A'.

The proposed activity is covered by Section 77C of the RMA and Rules 31.4.8(a) and 31.4.8(b) of the Regional Coastal Plan for Northland. These rules state that the proposal is a controlled activity. For this reason, resource consent is required to legally carry out the activity.

2 Site Information

The 48 proposed sites are sparsely located along the East Coast within the Whangarei District. A Site Summary Sheet, Site Locality Maps, Site Aerial Photographs, Site Visit Information Forms and Photographs can be found in Appendices A-D.

2.1 Site Locations

The sites are located in the following areas:

Langs Cove	3 sites
Ruakaka Beach	3 sites
One Tree Point	3 sites
Onerahi	1 site
Waikaraka	8 sites
Parua Bay	1 site
McLeods Bay	10 sites
Reotahi	1 site
Munro Bay	1 site
Taurikura	4 sites
Urquarts Bay	2 sites
Ocean Beach	1 site
Wellingtons Bay	1 site
Tutukaka	2 sites
Moureeses	1 site
Teal Bay	1 site
Oakura	5 sites

All sites are in Marine Zone 2 or Marine Zone 4.

2.2 Site Assessment and Sensitivity

All of the sites have been visited, photographed and assessed. Information gathered from the visits has been supplemented with land-use information from aerial photographs and Ecological information from the Department of Conservation. The sites have been classified as streams, piped streams or stormwater outfalls.

After considering this information each site has been given a rating as to its sensitivity to modification, the ratings are Low, Medium or High. The factors considered in determining the sensitivity ratings are as follows:

- The type of outlet and extent to which the site has been modified from its natural state, taking in to account adjacent land-use and land-use within the catchment
- The proximity of the site to significant coastal vegetation such as mangrove or dune systems
- The proximity of the site to significant coastal bird habitat or breeding sites

- The potential significance of the site as a habitat and passageway for native freshwater fish
- The extent to which material accumulates at the outlet of the waterway

If none of these factors are present or they are only minor then the site will have a Low sensitivity rating. If one or two of these factors is present to a significant degree then a Medium sensitivity rating will be given. If two or more of these factors is present or one of the factors is considered to be particularly significant then the site will have a High sensitivity rating.

If a Medium or High sensitivity rating is given to a site then extra measures will be taken to ensure that the impact the clearing works is minimised. Of the 48 sites, 22 have been rated Low, 21 Medium and 5 High.

The Site Visit Information Forms for sites with Medium and High sensitivity ratings have been appended with notes highlighting the factors present and the measures to be taken to mitigate any impact. The forms are to be used by the WDC as a reference for future site assessments and in determining the method and extent of clearing works.

3 Description of Activity

3.1 Flooding and Health Risks

The WDC is required to clear obstructions from the mouths of tidal watercourses for two reasons. The first is to reduce flood risk; obstructions at the mouths of watercourses can lift the flood plain level. This enhances the potential for flooding in a storm event and will increase the risk of harm to people and property.

The second reason is to remove the potential public health risk posed by stagnant water detained by these obstructions. Stagnant water provides breeding habitat for insects such as mosquitoes, these can be an annoyance, carry disease and bites can become infected. There can be a build-up of contaminants in stagnant water from upstream farming activities or the septic tank systems of surrounding properties. Contaminants could include bacteria viruses and protozoa; these can cause a range of illnesses if brought into contact with humans. Stagnant water can also become anaerobic and produce unpleasant odours.

3.2 Identification of Sites Requiring Clearing

It is expected that approximately ten sites per year will need clearing. Sites requiring clearing will be identified during annual inspections by the WDC. At other times the public may bring sites to the attention of the WDC, if so, these sites will be re-assessed and cleared if it is deemed necessary.

3.3 Clearing Obstructions from the Mouths of Tidal Watercourses

The proposed works may consist of routine and/or emergency clearing of obstructions. Routine clearing is performed as required, and will be ongoing. Works will be timed to minimise flood risk and/or remove the public health risk posed by stagnant water.

At times there may also be a need to conduct emergency clearing works. This will only be necessary when there is an acute or significant risk posed by an obstruction.

Clearing will usually be done in three geographical clusters of work. It is planned for the northern sites to be cleared in late spring/early summer, the Whangarei Harbour sites will be done in late summer and the southern sites are to be cleared prior to winter.

3.3.1 Obstructions

The obstructions to be cleared are largely sand that has accumulated at the mouth of the watercourse due to the winds and tides. There may also be other debris that has washed down the channel or up off the beach. Removing most of the obstruction prior to rainfall events enables the watercourse to flush itself; removing any further obstructions without posing an unnecessary flood risk.

3.3.2 Method of Clearing

Clearing and relocating of obstructions will be done using hydraulic excavators. Debris may be removed by truck to an approved tip site.

3.4 Procedure for Works

When conducting clearing works at any of the proposed sites the following procedures will be adhered to.

3.4.1 Notification

For routine works the WDC will notify the NRC in writing at least two weeks prior to conducting any works. The WDC will again notify the NRC by phone, via the NRC's Environmental Hotline: 0800 504 639, on the morning works commence at a site. Each notification will include the expected timing, duration and location of works.

For routine works the WDC will provide public notification of the proposed works at least one week prior to the commencement of works. The notification may be for individual sites or a cluster of works. The notification will include the expected timing, duration, location, and reasons for conducting the works.

For emergency works the WDC will notify the NRC by phone, via the NRC's Environmental Hotline: 0800 504 639, as soon as is practicable and will not commence works until the NRC has been notified.

3.4.2 Site Assessment and Briefing

Before commencing any clearing works a suitably qualified WDC representative will visit and assess the site. The assessment will be done using the original Site Visit Information Form as a reference (see Appendix D). This form contains notes

on the physical and ecological features of the site which need to be taken into consideration.

If clearing of the site is deemed necessary, the WDC rep. will prepare a written brief of the works to be carried out. The brief will include a sketch of the site identifying where material is to be excavated from and where it is to be relocated to. The brief will also highlight the ecological features of the site which may be impacted on and the mitigation measures to be taken. The WDC rep. shall then walk over the site with the contractor, provide them with the written brief and clarify with the contractor the extent and method of the works. Only suitably experienced, trained and equipped contractors will be employed to carry out such works.

3.4.3 Timing of Works

Any routine works will be conducted during daylight hours and within a window 2 hours either side of low tide. No routine work will be done outside these times. Works will only be carried out at times when the watercourse is in low flow.

All efforts will be made to conduct emergency works within the time frames specified above. However, in the interests of safeguarding people and property it may be necessary to conduct some emergency works outside these times.

3.4.4 Site Access

Most of the proposed sites can be cleared without needing access to the beach. When access to the beach is required it will be gained over WDC reserve or along drainage reserve. No access will be gained over any dunes. While gaining access to and from the sites care will be taken to minimise any disturbance to the ground or vegetation.

3.4.5 Method of Works

When conducting the works only the minimum volume of material necessary to effectively clear the obstruction will be excavated. There will be no excavation of the pre-existing channel bed; only the banks of the watercourse will be excavated. All works will be conducted from the banks of the watercourse; no machinery will enter the channel except where it is necessary to cross it in order to obtain access to the obstruction. Excavation will not extend further than 10 metres either side of the stream channel.

Spreading of any excavated material shall in general be done within a zone 100 metres either side of the stream channel. Where possible the material will be spread evenly above the high tide mark and will not cover any vegetation. Care must be taken to ensure that the spreading of excavated material does not significantly alter the natural state of the site.

3.4.6 Machinery

All works will be conducted using appropriately sized hydraulic excavators and trucks; this will ensure that works are carried out in minimal time and with no unnecessary disturbance of the watercourse or its surroundings.

No machinery will be left on site over night or unattended. All machinery used to conduct the works will be kept in a good state of repair and must be maintained regularly. Prior to accessing and before leaving a site the operator will thoroughly inspect the machinery for leaks and ensure that equipment is free of all plant material. No routine maintenance will be carried out on site, all greasing and refuelling will be done off site.

3.4.7 Disposal of Excavated Material

The only material to be taken off-site is any debris which is moved during the course of excavations. All other material will be disposed of by spreading it around the immediate vicinity of the site as defined in section 3.4.5. Debris will be removed by truck and disposed of by the contractor to an approved tip site.

3.4.8 Site Clean Up

Upon completion of the necessary works, or as soon as is practicable, the contractor will remove any machinery, equipment and debris from the site and leave it in a tidy condition. The contractor will make good any areas disturbed by machinery and apply topsoil and grass where necessary.

3.4.9 Emergency Procedures

Before commencing any works the contractor must have in place an emergency procedure for dealing with any spills of fuel, oil, or other fluid from machinery. The emergency procedure must have prior approval by the NRC. The contractor will have on site at all times the equipment necessary to contain any such spills as specified in the approved procedure.

4 Statutory Framework

4.1 General

When considering an application for resource consent, the consent authority shall have regard to the matters contained in section 104(1) of the Resource Management Act 1991, (RMA). This includes the New Zealand Coastal Policy Statement, Regional Policy Statement and the Regional Coastal Plan. All considerations under the RMA are subject to the Purpose and Principles (Part II) of the Act.

4.2 Resource Management Act 1991

4.2.1 Section 77C

Section 77C (1) states that:

'An application for a resource consent for an activity must, with the necessary modifications, be treated as an application for a resource consent for a discretionary activity if - ...

(b) a plan or proposed plan requires a resource consent to be obtained for an activity, but does not classify the activity as controlled, restricted discretionary, discretionary, or non-complying under section 77B'...

Rule 31.4.8(a) (Marine 2) of the Regional Coastal Plan for Northland states that the following is a controlled activity:

'The removal of obstructions from artificial land drainage channels draining land other than unauthorised reclamations, provided that the works are for the sole purpose of avoiding flooding of adjacent land'...

This rule does not allow removal of obstructions from artificial land drainage channels for the purpose of releasing naturally impounded waters which present a health risk. Also, the proposed activity is not covered under the rules for the Marine 4 Management Area. Therefore it is considered that the relevant parts of this application be considered under section 77C of the RMA.

4.2.2 Section 104

In summary, subject to Part II, the following matters are of relevance to the application:

- (a) actual and potential effects on the environment by allowing the activity;
- (b) Any relevant provisions of:
 - 1. The New Zealand Coastal Policy Statement; Northland Regional Policy Statement; Northland Regional Coastal Plan
 - 2. Any relevant objectives, policies, rules, or other provisions of a plan or proposed plan.
- (c) Any other matters the consent authority considers relevant and reasonably necessary to determine the application.

Due consideration has been given to Section 104 of the RMA and the sensitivity of the environment at the proposed sites. The actual and potential effects are discussed

in Section 5 of this report as are the measures being taken to avoid, remedy or mitigate those effects.

4.2.3 Section 5 Purpose (Part II Matters)

The purpose of the RMA is to promote the sustainable management of natural and physical resources. "Sustainable management" means managing the use, development and protection of natural and physical resources in a way or at a rate, which enables people and communities to provide for their social, economic and, cultural well-being and, for their health and safety while:

- (a) Sustaining the potential of natural and physical resources;
- (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems, and;
- (c) Avoiding, remedying, or mitigating any adverse effects on the environment.

It is considered that the works are consistent with the purpose and principles of promoting sustainable management as prescribed in Part II of the RMA. Measures have been taken to reduce the potential effects on the environment due to the proposed clearing works. The works are being undertaken for the purpose of reducing or removing flood and/or public health risks. The works are therefore providing for the wellbeing, health and safety of the people who live in and use the area surrounding these sites.

The works will be undertaken in a way that achieves the expected outcomes for sub-sections 5(2)(a),(b) and (c) of the RMA, through the implementation of a range of mitigation measures.

It is noted that Clause (c) above anticipates that adverse environmental effects can not always be avoided. Where complete avoidance is not practicable, the adverse effects will be mitigated and provision made for remedying those effects. This proposal nominates the implementation of a number of measures which will provide mitigation.

4.2.4 Section 6 Matters of National Importance

It is considered that there are no matters of national importance relevant to the application.

4.2.5 Section 7 Other Matters

Other matters that should be regarded are, 'The maintenance and enhancement of the quality of the environment'.

The proposed works will enhance and protect the existing environment. Measures will be implemented to ensure there are only minor adverse effects on the watercourses due to the clearing works.

4.2.6 Section 8 Treaty of Waitangi

It is considered that the proposal would not contravene the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

4.3 Northland Regional Coastal Plan

The Northland Regional Coastal Plan (NRCP) identifies the principal resource management issues relevant to the Northland coastal environment.

Section 12(3)(a) of the RMA 1991 states, in part, that:

'No person may carry out any activity in, on, under, or over any coastal marine area in a manner that contravenes a rule in a regional coastal plan unless the activity is expressly allowed by a resource consent or section 20A'.

4.3.1 Artificial Land Drainage Channels

Rule 31.4.8(a) (Marine 2) of the Regional Coastal Plan for Northland states that the following is a controlled activity:

'The removal of obstructions from artificial land drainage channels draining land other than unauthorised reclamations, provided that the works are for the sole purpose of avoiding flooding of adjacent land on the condition that the activity:

- (i) Does not constitute a restricted Coastal Activity; and*
- (ii) Does not require the removal of mangroves at a distance greater than 12 metres on one side, or 20 metres cumulatively from either side of the centre of the artificial land drainage channel; and*
- (iii) Does not alter the previous channel profile; and*
- (iv) No discharge of contaminants into the coastal marine area occurs as a result of the activity; and*
- (v) The Northland Regional Council is notified of the activity at least three working days prior to the work being undertaken. Notice is to be given by phoning the Northland Regional Council's Environmental Hotline : 0800 504 639*

Many of the proposed sites constitute artificial land drainage channels and are therefore covered by this rule. It is considered that the proposed clearing works will not contravene conditions (i) to (iv), condition (v) has been addressed in section 3.4.1

The rule also states that:

'The activity shall comply with all relevant standards listed in section 31.3.13'

The standards considered to be relevant to the proposed activity are 31.3.13 (a)&(d), these state:

'(a) Noise generated as a result of activity within the coastal marine area shall comply with the following standards:

- (iii) The activity shall not cause excessive noise as defined in section 326 of the RMA; and*
- (iv) Any construction or maintenance activity near coastal subdivisions or other urban areas shall comply with the noise standards of the district council which is responsible for the adjoining land.'*

'(b) Any modification of the contour of the foreshore caused during any authorised construction or maintenance activity other than dredging shall be restored as soon as practicable after the completion of the construction

It is considered that the 'Procedure for Works' detailed in section 3.4 will allow the proposed works to meet the above standards.

4.3.2 Tidal Stream Mouths

Rule 31.4.8(b) (Marine 2) of the Regional Coastal Plan for Northland states that the following is a controlled activity:

'The removal of obstructions from tidal stream mouths by the relevant district council provided that the works are for the purpose of avoiding flooding of adjacent land or releasing naturally impounded waters which present a health risk and such works do not constitute a Restricted Coastal [Activity]'

Many of the proposed sites are tidal stream mouths and are therefore covered by this rule. The proposed clearing works will not contravene this rule as the activity is for the purposes stated above and is not a Restricted Coastal Activity.

The rule also states that:

'The term of the coastal permit for maintenance activities shall be no longer than is necessary to complete the maintenance'

Because the proposed activity covers multiple sites and works will be ongoing, it is considered that the consent should be granted for the requested term of 20 years.

The rule goes further to state:

'The activity shall comply with all relevant standards listed in section 31.3.13'

The standards considered to be relevant to the proposed activity are 31.3.13 (a)&(d), these state:

'(a) Noise generated as a result of activity within the coastal marine area shall comply with the following standards:

The activity shall not cause excessive noise as defined in section 326 of the RMA; and

Any construction or maintenance activity near coastal subdivisions or other urban areas shall comply with the noise standards of the district council which is responsible for the adjoining land.'

(b) Any modification of the contour of the foreshore caused during any authorised construction or maintenance activity other than dredging shall be restored as soon as practicable after the completion of the construction'

It is considered that the 'Procedure for Works' detailed in section 3.4 will allow the proposed works to meet the above standards.

For the reasons given above resource consent is required to legally carry out the proposed activity. Whilst the proposal may have some minor impact on natural habitat in the watercourses, it is considered that the works when viewed in the wider context will contribute positively to the environmental quality of the area. On balance, it is considered that the proposal is not contrary to the objectives and policies of the Regional Policy Statement or Regional Coastal Plan.

5 Assessment of Environmental Effects

5.1 Introduction

This following describes the potential environmental effects of the works and the measures which will be taken to mitigate them. By conducting the works in the proposed manner it is considered that any adverse environmental effects will be minor.

5.2 Sediment Discharge

Due to the nature of the works it is considered that it is not appropriate or practical to quantify the sediment yield from the works. It is considered more appropriate to ensure that adequate measures are utilised to minimise sediment generation.

It is proposed to undertake the works in a window 2 hours either side of low tide and when flows in the watercourse are low. Only the banks of the watercourse will be excavated and there will be no excavation of the pre-existing bed. All works will be conducted from the banks of the watercourse and no machinery will enter the channel except where this is necessary to gain access to the obstruction.

It is considered that these measures will minimise any production of sediment. Any sediment that is produced will be temporary and will have a negligible effect on aquatic life.

5.3 Physical Disturbance

Due to the nature of the works, physical disturbance of the site will be unavoidable. It is considered that the provisions of section 3.4 will minimise any site disturbance and also allows for the reinstatement of any disturbed areas.

5.4 Pollution by Machinery

While carrying out the works spills of oil, fuel and other fluids from the machinery will be possible. This could have a serious impact on the water course and it's receiving waters. It is considered that the procedures proposed in Section 3.4 will minimise the risk of spills occurring and in the event that a spill does occur will ensure any impact is minimised.

5.5 Native Freshwater fish

Many of the proposed sites are potentially habitat for native freshwater fish. Species whose habitat may be directly affected are the Short-fin eel; Common Smelt; Inanga and Giant Bully. The Giant bully is noted by DoC as a regionally significant and threatened species. The potentially affected habitat is the vegetation along the marginal edges of low lying waterways at the margin between salt and fresh water. Inanga also use this habitat for spawning in autumn.

Sites that are Stormwater outfalls or Piped Stream outlets are unlikely to have this particular habitat affected. These sites constitute 26 of the total 48 sites. Of the 22 remaining sites, 10 have been identified as having vegetation within the clearance area. To avoid any impact on this habitat it is recommended that there be no removal of vegetation at those sites. Notes to this effect have been added to the individual Site Visit Information Forms (see Appendix D) and the 10 affected sites have been identified in the Site Summary Sheet (see Appendix A).

Another factor to be considered with respect to freshwater fish is the impact of the works on passage along the waterway. Various native species will migrate via these waterways; it is therefore desirable to avoid disruption to this behaviour. It is expected that in most cases the clearing works will enhance fish passage. However when assessing sites for clearance the WDC representative will take this into account and avoid any canalising of the waterway. Canalising can lead to increased water velocities which can make habitat unsuitable or the waterway impassable for the fish. Notes to this effect have been added to the individual Site Visit Information Forms (see Appendix D).

5.6 Bird Life

Many of the sites will be habitat for a variety of birds. However the primary concern with respect to this application is those sites in the immediate vicinity of breeding habitat for

significant coastal bird species such as the Dotterel, Oyster Catcher or Brown Teal. During nesting these birds should not be disturbed.

It is therefore proposed that any clearing works at affected sites be conducted outside the breeding season of the species present. Information received from the Department of Conservation has identified the following 10 sites as being affected:

Site No.	Site Location	Species Present	Breeding Season	Clearing Window
1	Langs Cove	Dotterel, Oyster Catcher	August - March	April - July
2	Langs Bridge	Dotterel, Oyster Catcher	August - March	April - July
3	Langs Hill	Dotterel, Oyster Catcher	August - March	April - July
7	Ruakaka Beach	Dotterel, Oyster Catcher	August - March	April - July
8	Ruakaka Beach	Dotterel, Oyster Catcher	August - March	April - July
9	Ruakaka Beach	Dotterel, Oyster Catcher	August - March	April - July
54	Oceans Beach	Dotterel, Oyster Catcher	August - March	April - July
72	Kowharewa Bay	Brown Teal	June - February	Feb - May
90	Oakura	Dotterel, Oyster Catcher	August - March	April - July
91	Oakura	Dotterel, Oyster Catcher	August - March	April - July

Notes to this effect have been added to the individual Site Visit Information Forms (see Appendix D). The 10 affected sites are identified in the Site Summary Sheet (see Appendix A).

When assessing any site for clearance if the WDC representative becomes aware of birds breeding in the vicinity, works will be postponed until such time as the birds are no longer present.

5.7 Dunes and Mangroves

Of the 48 sites four are located in the vicinity of Sand dunes; these sites are 7, 8 and 9 along Ruakaka beach and site 54 at Oceans Beach. Sand dune systems can be habitat for rare flora and threatened species of fauna. It is important that the significance of the dunes is recognised and that when conducting the proposed works there is no disturbance of the dunes, removal or covering of dune vegetation. Notes to this effect have been added to the individual Site Visit Information Forms (see Appendix D).

Two of the sites have been identified as having mangroves in the immediate vicinity; these are sites 29 and 38a. Both are small areas of mangroves and are unlikely to be important habitat. However it is recommended that the removal of mangroves at these sites be avoided. Notes to this effect have been added to the individual Site Visit Information Forms (see Appendix D).

5.8 Effect on Cultural and Archaeological Values

Consultation over the proposed clearing works has been conducted with Ngati Wai. As a result of this consultation individual site assessments have been carried out and the original scope of the proposal has been reduced.

An Archaeologist has not assessed the sites. However, in the event of archaeological remains being uncovered, (e.g. middens, artifacts or human bones), work will stop immediately and the NRC Archaeologist will be contacted. As the material being removed will have been recently deposited there will be minimal risk of uncovering archaeological remains.

5.9 Long term effects

The proposed clearing works will improve the long term water quality of the sites by reducing stagnation. It is considered that there will be no adverse long term effects due to this activity.

5.10 Fourth Schedule of the RMA

The table below assesses the proposal against the requirements of the Fourth Schedule of the Resource Management Act.

Fourth Schedule of the RMA		
Clause	Requirement	Section of Report
1(a)	<i>A description of the proposal</i>	Refer to Sections 1 – 3
1(b)	<i>Where it is likely that an activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:</i>	It is considered that the proposed activity will not result in any significant adverse effect on the environment
1(c)	<i>Repealed</i>	
1(d)	<i>An assessment of the actual or potential effect on the environment of the proposed activity:</i>	Actual or potential effects on the environment resulting from the activity are addressed in Section 5 of this report.
1(e)	<i>Where the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment which are likely to arise from such use:</i>	N/A

1(f)	Where the activity includes the discharge of any contaminant, a description of— (i) The nature of the discharge and the sensitivity of the proposed receiving environment to adverse effects; and (ii) Any possible alternative methods of discharge, including discharge into any other receiving environment:	N/A
1(g)	A description of the mitigation measures (safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:	Sections 3 and 5 describe the measures that will be implemented to avoid any potential adverse effects due to the works.
1(h)	An identification of those persons interested in or affected by the proposal, the consultation undertaken, [if any,] and any response to the views of those consulted:	See section 6

6 Consultation

The following groups have an interest in the proposed clearing works:

- The Department of Conservation
- Ngati Wai

Consultation with both these groups has been conducted and their views have been incorporated into this report. The decision to conduct individual site assessments was made in response to requests by both parties.

Consultation with DoC has involved discussions with their experts on local ecology - Wendy Holland, bird life - Richard Parrish and fresh water fish specialist - Michael Pingram. These discussions have resulted in measures being taken to mitigate the impact of the works on the ecology of the sites.

It is considered that the proposed works will not adversely affect any adjoining properties, however local residents will have the opportunity to comment on the clearing works as and when they become publicly notified as per the provisions of section 3.4.1.

7 Notification

In accordance with Section 94 (1) (b) of the RMA, Section 33.3 of the Regional Coastal Plan states that:

'Applications for those controlled activities specified in this plan will generally be non-notified. Written approval from affected parties will also not generally be required. However, if the Regional

Council considers special circumstances exist in relation to any application for a controlled activity, the application will be notified'

Under this plan the proposed works are a controlled activity. It is considered that there are no special circumstances in relation to this application. It is also considered that the proposed works will result in positive environmental effects and any potential adverse effects will be minor. Therefore, it is sought that this application be processed on a non-notified basis pursuant to section 93(1) of the Resource Management Act 1991.

8 Conclusion

It is considered that the clearing works will have a positive effect on the surrounding environments of the proposed sites by reducing the potential for flooding and the risk to public health. Any negative effects due to the clearing works will be mitigated by adopting the procedures discussed in this report.

The works are considered to be consistent with Part II "Purpose and Principles" of the Resource Management Act 1991. The works will help to provide for the wellbeing, health and safety of the community, whilst avoiding, remedying or mitigating any adverse effects on the environment.

The proposal is considered to be in keeping with the objectives and policies of the Regional Coastal Plan for Northland. It is therefore considered resource consent should be granted, and dealt with on a non-notified basis.

Appendix A
Site Summary Sheet

Appendix B

Site Locality Maps

Appendix C
Site Aerial Photographs

Appendix D
Site Visit Information Forms
and Photographs
(Attached Separately)

Appendix E
Department of Conservation
Response to Application