I/we declare that, to the best of my/our knowledge and belief, the information given in this Application and attached Assessment of Environmental Effects is true and correct. I/we unconditionally guarantee jointly and severally to pay the actual and reasonable costs of processing this Application as and when charges become due and payable. I/we acknowledge that I/we understand the consequences of signing this declaration.

Signature: [signature] Signature:

Full Name (print): DOUGLAS CRAIG SAHMURK Full Name (print):

Date: 27 SEPTEMBER 2017 Date:

Continue with Trustees' and Authorised Officers' signatures below, as necessary.

Personal details and signatures of Trustees*, or Officers authorised to sign on behalf of and to bind Trusts, Societies and Unincorporated Entities.
* Private and Family Trusts only

Full Name and Status: (Trustee, Officer etc)	NORTHLAND TRUSTEE (2014) LIMITED
Full Residential Address:	HENDERSON REEVES P.O. BOX 11, WHANGAREI
Signature:	

Full Name and Status: (Trustee, Officer etc)	DOUGLAS CRAIG SAHMURK TRUSTEE FOR D C SAHMURK FAMILY TRUST
Full Residential Address:	121 POROTI RD, RD2, KAIKOHE
Signature:	[signature]

Full Name and Status: (Trustee, Officer etc)	
Full Residential Address:	
Signature:	

Full Name and Status: (Trustee, Officer etc)	
Full Residential Address:	
Signature:	

CHECKLIST – Have you remembered to...

- ☑ Complete all details set out in this Application Form
- ☑ Include an Assessment of Effects of the activity on the environment, set out in the attached form
- ☑ Sign and date the Application Form
- ☑ Include a Site Plan
- ☑ Include the appropriate fee/deposit as set out in the "Schedule of Fees"
- ☑ Complete details of Trustees and/or Authorised Officers on this page

APPLICATION FORM FOR RESOURCE CONSENT

NORTHLAND REGIONAL COUNCIL
Putting Northland first

Whāngārei Office	Phone:	(09) 470 1200
	Fax:	(09) 470 1202
Kaitāia Office	Phone:	(09) 408 6600
Ōpua Office	Phone:	(09) 402 7516
Dargaville Office	Phone:	(09) 439 3300
Free Phone		0800 002 004
E-mail		mailroom@nrc.govt.nz
Website		www.nrc.govt.nz

This application is made under Section 88/127 of the Resource Management Act 1991

To: Consents Department
Northland Regional Council
Private Bag 9021
Whāngārei Mail Centre
Whāngārei 0148

NORTHLAND REGIONAL COUNCIL
27 SEP 2017
FILE No. Recp 43047
N.R.C. CHQ 769.50

PAID IN OPUA

IMPORTANT NOTES TO APPLICANTS

(a) **Please read fully** the notes below and the Information Brochures and Explanatory Notes available from the Council, **before** preparing your application and any supporting information.

(b) The Resource Management Act 1991 sets out the information you must provide with your application for a resource consent. If you do not provide adequate information, your application cannot be received nor processed by the Council and will be returned to you. If you are unsure of what information should be included with your application, please contact the Council before submitting the application.

(c) Applications require notification (public advertising calling for submissions) unless the Council is satisfied that the adverse effects on the environment of the activity for which consent is sought will be minor; and written approval has been obtained from every person who the Council is satisfied may be adversely affected by the granting of the consent. The Council also has available a form "Form 8A – Affected Person's Written Approval", to help you record such approvals for applications that may be processed without public notification.

PART A – GENERAL

APPLICANT	Full Names
(1) Full Name of Applicant(s): (in full e.g. Albert William Jones and Mary Anne Jones. For Companies, Trusts and other Organisations, commonly used name)	DOUGLAS CRAIG SAHMURK FOR DAVE'S OPUA BOATYARD
Phone Number – Business:	(09) 4027 055 Fax:
Home:	(09) 4074-577 Mobile: 021143 7719
E-mail:	TOTARAHILL@XTRA.CO.NZ

For applications by a company, private trusts or other entity/organisations, the Directors; Trustees and Officers' full names must be supplied and Section (12) completed and signed.

(2) Postal Address: (in full)	1 RICHARDSON ST. OPUA, 0200
(3) Residential Address: (if different from postal address)	121 POROTI RD, RD2 KAIKOHE, 0472

Application Form continued on next page

(4) Address for Service of Documents: (if different from postal address e.g. Consultant)	

(5) Owner/Occupier of Land/ Water Body: (if different from the Applicant)	

(6) Type(s) of Resource Consent sought from the Regional Council:

You will need to fill in a separate Assessment of Environmental Effects Form for each activity.
These forms can be obtained from the Northland Regional Council.

Coastal Permit

☐ Mooring ☐ Marine Farm ☐ Structure ☐ Pipeline/Cable
☐ Other (specify)

Land Use Consent

☐ Vegetation Clearance ☐ Quarry ☐ Structure in/over Watercourse
☐ Earthworks ☐ Construct/Alter a Bore ☐ Dam Structure
☐ Other (specify)

Water Permit

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

Discharge Permit

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

(7) Other Resource Consents required from the District Council:

Where other Resource Consents are required for the same activity, they must be applied for at the same time.
Not doing so will delay the processing of this application.

What other Resource Consents are required from the District Council?

☐ None ☐ Land Use Consent ☐ Subdivision Consent

Have the applications been made? ☐ Yes ☐ No

(8) Description of the Activity:

Please briefly describe the activities and duration for which Consent(s) are being sought. It is important you fill this out correctly, as the Council cannot grant Consent for any activity you do not apply for.

18 YEAR TERM RESOURCE CONSENT FOR: RENEWAL OF ALL CURRENT DISCHARGE CONSENTS CONTAINING (10-15) SO THAT THEY COINSIDE WITH THE REMAINING TERM OF RESOURCE CONSENTS NLD 7914 (01-09)

Application Form continued on next page

(9) Location of Property/Waterbody to which Application relates:

Describe the location in a manner which will allow it to be readily identified, e.g. street address, legal description, harbour, bay, map reference etc. Attach appropriate plans and/or diagrams.

Property Address: (see rate demand) 1 RICHARDSON ST. **Locality:** OPUA

Legal Description: SEC 2, PT LOT 1, SEC 3 **Blk:** XXII TOWN SD OF OPUA

Other Location Information: SEC 1-4 / SO 68634, CAN 5339 / PA 2035

PART B – ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

You must include an assessment of the effects of your activity on the environment as part of your application.

The Resource Management Act 1991 requires that each application include an assessment of the actual and potential effects of the activity on the environment in accordance with the Fourth Schedule.

To assist you to supply this assessment of effects, the Council has prepared specific forms for various consent activities. For minor activities, all that will be required is for you to complete the specific form. Where the potential effects of the activity are more significant, we recommend you undertake a full assessment of effects, with professional assistance if necessary.

If you are unsure of what information to include with you application and the assessment of effects, please contact the Council before submitting your application. A pre-lodgement meeting with relevant Consent Staff is recommended.

PART C – GENERAL

(10) Renewal of an Existing Resource Consent:

☑ Yes ☐ No ☐ A change in conditions of a current Resource Consent

(11) Fee/Deposit Enclosed with Application(s):

Application to be processed as: ☐ Notified ☐ Limited Notified ☑ Non-notified

☐ Coastal Permit: $ ☐ Land Use Consent: $
☐ Water Permit: $ ☑ Discharge Permit: $ 769.50 TBC
☐ Bore Permit: $ ☐ Change Conditions: $

(12) Signature of Applicant(s) or Persons authorised to sign on behalf of Applicant(s):

IMPORTANT NOTES TO APPLICANTS

(a) Your application must be accompanied by the minimum fee (deposit) as determined by the Council. A schedule of the fee/deposits for different consent applications is annexed. Please note that applications by private trusts and other group entities require the personal guarantees of the Trustees and/or Officers for the payment of costs to be submitted with the application.
- For complex applications, the Council may require an additional deposit pursuant to Section 36(3) of the Act, based on the estimated costs for processing such complex applications and may require progressive monthly payments during consent processing.
- The final fee is based on actual and reasonable costs including disbursements and where this fee exceeds the fee/deposit, the additional fee is subject to objection and appeal.

(b) All accounts are payable by the 20th of the month following the date of invoice. Any actual and reasonable costs, including but not limited to legal costs, debt collection fees or disbursements incurred as a result of any default in payment, shall be recoverable from the Applicant and is so notified in compliance with the Credit Contracts and Finance Act 2003. Submitting this Application authorises the Council to, if necessary, provide your personal information to a Credit Reporter in order to employ in its debt collection services in compliance with the Credit Reporting Privacy Code 2004, should payment default occur.

(c) Resource Consents usually attract an annual fee to recover the reasonable costs of the Council's monitoring, supervision and administration of the Consent during its term.

(d) The information you provide is official information. It will be used to process the application and, together with other official information, assist the management of the region's natural and physical resources. Access to information held by the Northland Regional Council is administered in accordance with the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993.

Application Form continued on next page

APPLICATION FORM FOR RESOURCE CONSENT

NORTHLAND REGIONAL COUNCIL
30 OCT 2017
FILE No. CHGQ $879
N.R.C. Recpt No. 43057

NORTHLAND REGIONAL COUNCIL

Putting Northland first

Whāngārei Office	Phone:	(09) 470 1200
	Fax:	(09) 470 1202
Kaitāia Office	Phone:	(09) 408 6600
Ōpua Office	Phone:	(09) 402 7516
Dargaville Office	Phone:	(09) 439 3300
Free Phone		0800 002 004
E-mail		mailroom@nrc.govt.nz
Website		www.nrc.govt.nz

This application is made under Section 88/127 of the Resource Management Act 1991

To: Consents Department
Northland Regional Council
Private Bag 9021
Whāngārei Mail Centre
Whāngārei 0148

PAID IN OPUA

IMPORTANT NOTES TO APPLICANTS

(a) **Please read fully** the notes below and the Information Brochures and Explanatory Notes available from the Council, **before** preparing your application and any supporting information.

(b) The Resource Management Act 1991 sets out the information you must provide with your application for a resource consent. If you do not provide adequate information, your application cannot be received nor processed by the Council and will be returned to you. If you are unsure of what information should be included with your application, please contact the Council before submitting the application.

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PART A – GENERAL

APPLICANT	Full Names
(1) **Full Name of Applicant(s):** (in full e.g. Albert William Jones and Mary Anne Jones. For Companies, Trusts and other Organisations, commonly used name)	DOUGLAS CRAIG SAHMUCK
	FOR:
	DOUG'S OPUA BOATYARD
Phone Number – Business:	(09) 4017-055 Fax:
Home:	(09) 4079-577 Mobile: 021-143-7719
E-mail:	TOTARAHILL@XTRA.CO.NZ

For applications by a company, private trusts or other entity/organisations, the Directors; Trustees and Officers' full names must be supplied and Section (12) completed and signed.

(2) **Postal Address:** (in full)	1 RICHARDSON ST.
	OPUA, 0200

(3) **Residential Address:** (if different from postal address)	121 POROTI RD. RD2
	KAIKOHE, 0472

Application Form continued on next page

(4) **Address for Service of Documents:** (if different from postal address e.g. Consultant)	

(5) **Owner/Occupier of Land/ Water Body:** (if different from the Applicant)	

(6) Type(s) of Resource Consent sought from the Regional Council:

You will need to fill in a separate Assessment of Environmental Effects Form for each activity.
These forms can be obtained from the Northland Regional Council.

Coastal Permit

- [ ] Mooring
- [ ] Marine Farm
- [x] Structure
- [ ] Pipeline/Cable
- [ ] Other (specify) STRUCTURE RECONSTRUCTION & DREDGING

Land Use Consent

- [ ] Vegetation Clearance
- [ ] Quarry
- [ ] Structure in/over Watercourse
- [ ] Earthworks
- [ ] Construct/Alter a Bore
- [ ] Dam Structure
- [ ] Other (specify)

Water Permit

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

Discharge Permit

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

(7) Other Resource Consents required from the District Council:

Where other Resource Consents are required for the same activity, they must be applied for at the same time.
Not doing so will delay the processing of this application.

What other Resource Consents are required from the District Council?

- [x] None
- [ ] Land Use Consent
- [ ] Subdivision Consent

Have the applications been made? [ ] Yes [ ] No

(8) Description of the Activity:

Please briefly describe the activities and duration for which Consent(s) are being sought. It is important you fill this out correctly, as the Council cannot grant Consent for any activity you do not apply for.

35 YEAR CONSENT FOR CAPITAL & MAINTENANCE DREDGING, REPLACEMENT OF ALL EXISTING STRUCTURES, FORESHORE EARTHWORKS, BEACH REHABILITATION, SECURITY AND ANCILLARY OPERATIONAL/NAVIGATION STRUCTURES IN CONGRUITY WITH EXISTING RESOURCE CONSENTS.
REF: (AMALGAMATED AEE 30/10/17) FOR EXACT DETAILS OF CONSENTS REQUESTED.

Application Form continued on next page

(9) Location of Property/Waterbody to which Application relates:

Describe the location in a manner which will allow it to be readily identified, e.g. street address, legal description, harbour, bay, map reference etc. Attach appropriate plans and/or diagrams.

Property Address: 1 RICHARDSON ST. (see rate demand) **Locality:** OPUA

Legal Description: SEC 2, PILOT, SEC 3 **Blk:** XXXII TOWN SD: OPUA

Other Location Information: SEC 1-4/SO 68634, CON 5339/PA 2035

PART B – ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

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If you are unsure of what information to include with you application and the assessment of effects, please contact the Council before submitting your application. A pre-lodgement meeting with relevant Consent Staff is recommended.

PART C – GENERAL

(10) Renewal of an Existing Resource Consent:

☐ Yes ☐ No ☐ A change in conditions of a current Resource Consent

(11) Fee/Deposit Enclosed with Application(s):

Application to be processed as: ☐ Notified ☐ Limited Notified ☑ Non-notified

☑ Coastal Permit: $ 879 — ☐ Land Use Consent: $

☐ Water Permit: $ ☐ Discharge Permit: $

☐ Bore Permit: $ ☐ Change Conditions: $

(12) Signature of Applicant(s) or Persons authorised to sign on behalf of Applicant(s):

IMPORTANT NOTES TO APPLICANTS

(a) Your application must be accompanied by the minimum fee (deposit) as determined by the Council. A schedule of the fee/deposits for different consent applications is annexed. Please note that applications by private trusts and other group entities require the personal guarantees of the Trustees and/or Officers for the payment of costs to be submitted with the application.

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(c) Resource Consents usually attract an annual fee to recover the reasonable costs of the Council's monitoring, supervision and administration of the Consent during its term.

(d) The information you provide is official information. It will be used to process the application and, together with other official information, assist the management of the region's natural and physical resources. Access to information held by the Northland Regional Council is administered in accordance with the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993.

Application Form continued on next page

I/we declare that, to the best of my/our knowledge and belief, the information given in this Application and attached Assessment of Environmental Effects is true and correct. I/we unconditionally guarantee jointly and severally to pay the actual and reasonable costs of processing this Application as and when charges become due and payable. I/we acknowledge that I/we understand the consequences of signing this declaration.

Signature:	Signature:
Full Name (print): DOUGLAS CRAIG SCHMUCK	Full Name (print):
Date: 30 OCTOBER 2017	Date:

Continue with Trustees' and Authorised Officers' signatures below, as necessary.

Personal details and signatures of Trustees*, or Officers authorised to sign on behalf of and to bind Trusts, Societies and Unincorporated Entities.

* Private and Family Trusts only

Full Name and Status: (Trustee, Officer etc)	DOUGLAS CRAIG SCHMUCK, TRUSTEE FOR: DC SCHMUCK FAMILY TRUST
Full Residential Address:	121 POROTU RD. RD2 KAIKOHE, 0472
Signature:	
Full Name and Status: (Trustee, Officer etc)	NORTHLAND TRUSTEE (2014) LIMITED
Full Residential Address:	HENDERSON REEVES P.O. BOX 11 WHANGAREI 0140 RE: E-MAIL FROM HENDERSON REEVES
Signature:	
Full Name and Status: (Trustee, Officer etc)	
Full Residential Address:	
Signature:	
Full Name and Status: (Trustee, Officer etc)	
Full Residential Address:	
Signature:	

CHECKLIST – Have you remembered to...

- [x] Complete all details set out in this Application Form
- [x] Include an Assessment of Effects of the activity on the environment, set out in the attached form
- [x] Sign and date the Application Form
- [x] Include a Site Plan
- [x] Include the appropriate fee/deposit as set out in the "Schedule of Fees"
- [x] Complete details of Trustees and/or Authorised Officers on this page

Doug's Opua Boat Yard
1 Richardson Street, Opua, Bay of Islands
Ph (09) 402 7055, A/h (09) 407 4577
totarahill@xtra.co.nz

NORTHLAND REGIONAL COUNCIL
PRIVATE BAG 9021
WHANGAREI, 0140

17 November 2017

Attention; Paul Maxwell
Resource Consents Manager

Dear Sir,

Re; APP.039650.01.01/APP. 007914.10.04; A RENEWAL OF DISCHARGE CONSENTS ASSOCIATED WITH PROPOSED REPLACEMENT OF A WHARF, PONTOON; IN CONJUNCTON WITH FORESHORE EARTHWORKS AND A CAPITAL DERDGING WITHIN THE MOORING ZONE OF THE OPUA TOWN BASIN; BY THE DC SCHMUCK FAMILY TRUST, FOR DOUG'S OPUA BOATYARD.

Further to our discussions, please find the attached Amended/Combined AEE for the above into one publicly notified application APP.039650.01.01. As will be detailed in all of the supporting application documents, there are no known significant adverse effects or any effects that could be construed to be more than minor in the course of granting this application with appropriate conditions. I do acknowledge however, that such a decision is at the sole discretion of the Council. All related documents are attached in the Historical Report Appendix I through X, which also include proposed revised design plans.

I therefore attach to the original application an Amended/Combined Assessment of Environmental Effects pursuant to Section 88 in accordance with the Forth Schedule of the Resource Management Act 1991.

Included within the AEE are relevant considerations regarding the District Plan, the Regional and Coastal Plans, the Resource Management Act and/or any regulations made under that Act, the New Zealand Coastal policy Statement, the Regional Policy Statement, Consent Orders of the Environment Court, any other enactments that may apply, and comprehensive engineering and design details for the proposed facilities, dredging, and foreshore earthworks by both Total Floating Services and Total Marine Services Opua.

Doug Schmuck
For: Doug's Opua Boatyard

AMENDED/COMBINED

AMALGAMATED

RESOURCE CONSENT APPLICATION

APP.039650.01.01

FOR

DOUG'S OPUA BOATYARD (DOBY)

THIS IS A 35 YEAR RESOURCE CONSENT APPLICATION FOR: CAPITAL AND MAINTENANCE DREDGING, REPLACEMENT OF A COMMERCIAL WHARF, PONTOON; PLACEMENT OF NEW PROTECTIVE FORESHORE EARTHWORKS; BEACH REHABILITATION IN CONJUNCTION WITH, AN EXCLUSIVE SLIPWAY OCCUPATION OF THE SEABED PURSUANT TO SEC 178 OF THE HARBOURS ACT 1950 FOR A NEW, MORE COMPREHENSIVE USE OF THE ALL TIDE MARINA STRUCTURES IN CONGRUITY WITH THE EXISTING RESOURCE CONSENTS AND THE RENEWAL OF ASSOCIATED DISCHARGE CONSENTS THAT WILL EXPIRE ON OR BEFORE 30 MARCH 2036.

ASSESSMENT OF ENVIRONMENTAL EFFECTS

1.O APPLICANT, ADDRESS, LEGAL DESCRIPTION/RESOURCE CONSENTS:

Douglas Craig Schmuck,
For: Doug's Opua Boatyard (DOBY)
1 Richardson Street, Opua,0200
Sec2, pt lot 1, sec 3, Blk XXXII Town of Opua
Sec 1-4, as shown on SO 68634

Seabed Occupation PA 2035
and NDL997914-(01) to (18)
Opua Town Basin in the Bay
of Islands Harbour

2.0 INTRODUCTION:

Doug's Opua Boatyard is a long established boat maintenance facility in the Marine 4 Management area that occupies the subject land pursuant to two historical resource consents. The first granted in 1989 was a retrospective consent for an existing slipway from 1976 and a proposed adjoining wharf to augment the maintenance functions and improved access to vessels coming to the facility. The second was granted by consent order in January 2002.

REF: NDL 997914; & CON20133124201; (Affirmation of Colin Thomas Dall to the Environment Court, 4 March 2014). Attached in the Historical Report Appendix I, II, IV, & VI.

And although all of the current activities, structural maintenance, and maintenance dredging are covered by existing resource consents, the proposed capital dredging parameters will forever change the criteria of environmental effects that are associated

with the proposed new all tide structures. Likewise, proposed beach rehabilitations will also improve public utilization and recreation of the foreshore in conjunction with all tide access to and along the CMA, and mooring area beyond.

It is intended that all of the proposed structures be located so as to have a minimum possible impact on the surrounding foreshore and coastal environment whilst also providing the maximum utilisation of the existing seabed occupation. This, keeping in mind, other recent marina development in Opua that is consistent with and/or facilitates the principles of the RMA and policies of any Regional and/or Coastal Plans for any development of the kind within one of the most modified parts of the Bay of Islands.

2.0 CONSULTATION:

Because of the very high profile of this boat maintenance facility both on the land and in the CMA over a period of twenty three years, consultation for the proposed has been specific to those directly affected surrounding the site. Otherwise consultation will follow any general requirements by way of public notification to otherwise mitigate any effects on the environment that are more than minor; of the capital dredging, replacement and/or the use of all proposed structures. The slipway itself stands alone on its historical seabed occupation and is therefore being rehabilitated for safe usage only. The Discharge consent renewal is in alignment with those that have existed for 15 years and are now proposed to run to the end of term of other resource consents in 2036. Parameters of that application are addressed and/or now combined with this application and can be examined in the AEE dated 23 September 2017.

REF: CON299607814 (10-15) Discharge Consent Renewal (APP.007914.10.04). Attached in the Historical Report Appendix VI.

3.0 SITE DETAILS:

The site is within the Opua Town Basin and at the southern most end of the Veronica Channel and comprises approximately half of the small open bay and sandy beach directly west of the Opua wharf and mooring area. The area of sandy foreshore that adjoins an esplanade reserve is not in any way affected by these physical changes being well set back from the CMA at all points of connection along the limits of the dredge. Both the existing and proposed wharf and slipway extend easterly and are positioned at the northern side of the bay directly under a large bush covered bluff.

The wharf dries at extreme low tides which is tactically demanding on both charter boat operations and general usage associated with this facility for which the boatyard holds all of the functional resource consents. In general terms, the foreshore seabed is sand slopping to mud over hard pan brown and blue rock, to approximately 1 to 1.5 metres of soft colluvial marine mud at the extreme end of the occupational footprint.

The landward site is completely surrounded by bush/rainforest and well below the level of the adjoining street. There are two residences that may look onto the slipway and wharf end since they have cleared native bush to affect unobstructed views.

The potable spring water, toilets/trade discharge waste that are connected to the Council sewer, electricity, rubbish, and parking infrastructures are already integral parts of the operations of this Boat Maintenance Facility which are covered by resource/building consents, and/or rules pursuant to the Operative District Plan for zoning as a commercial site.

The site access is along a well-sealed road on Richardson Street. There is ample parking not only in conjunction with the site, but for the greater public utilization of the foreshore and mooring area beyond encompassing the Opua Town Basin.

4.0 IMMEDIATE ENVIRONMENT:

The site of the existing structural footprint is in the coastal marine estuary of the Veronica Channel where it joins the Opua Town Basin. It is one of the primary Marine 4 Management areas in the port and well suited to the proposal.

There will be no mooring displacements that are not owned by the applicant in the process of putting this resource consent into effect.

Proposed dredging will be conducted mainly within the existing resource consent boundaries/slipway seabed occupation, with a fairway dredged out over mooring #630 owned by the boatyard.

5.0 APPLICATION DESCRIPTION:

In general terms the application involves the construction, presence, and use of :

Fixed wooden wharf with working platforms and security structures and lights;
Aluminium gangway; ladders and marine maintenance fixtures;
Floating pontoon and movable camel booms;
Navigational lighting structures both on and/or off of the pontoon and wharf ;
Existing mooring and dinghy pull;
Mudcrette grids.

The various aspects within the activity being generally described below within the specific details proposed in engineering and design reports.

The installation and presence of support structures of wood and sleeved steel piles;
Capital and maintenance dredging;
Installation of foreshore earthworks retaining walls and storm drain extensions;
Beach rehabilitations;
Methodologies used in achieving best environmental outcomes for all of the above.

6.0 EFFECTS CONSIDERATIONS:

The potential or actual effects identified for the site are visual effects, ecological impact, hydrological functions, socio economic implications, cultural considerations, public access, effects on inter-tidal flora and fauna, discharge and potential pollution effects, and the cumulative effects of silt build up in the opua basin and adjoining Veronica Channel.

As for VISUAL effects, these need to be examined in the context of the Opua Basin as a whole. It is recognized that while the Bay of Islands is exceptionally attractive even by New Zealand standards, the Opua Basin is one of the most modified parts of the Bay Islands. The wharf and facilities are within a few hundred metres of the main Opua wharf and attached marina operated by Far North Holdings. Between the wharf and these structures is an area of moored yachts. Other signs of human activity are everywhere. There is regular ferry service from Opua to Okiato as well as the usual wharf traffic. To the south are the marine commercial facilities of the Opua Harbour and numerous marina and related commercial structures and buildings. Across the waterfront of the site is the Opua to Paihia walking track which is a most attractive feature of the coastline between Opua and Waitangi. On the hillside to the west of the proposal there is an attractive bush covered face with pohutukawas and other species of dominant trees and above that on the ridge tops are houses. Many of the houses on the ridge above Doug's Opua Boatyard will not be able to see the wharf facilities, although a few will. The houses are however high enough so that the eye can easily look over the entire area to the bay and vistas beyond.

Looking at the site from the Opua wharf there is a pleasant combination of the natural and commercial in the setting of the site area, with the slipway and boat building shed behind against the dark green of the pohutukawas on the steep coastal slopes.

The near presence of the residences on the ridges above adds to the overall developed feeling of the Opua Basin. The commercial development appears to be well suited to the presence of moored vessels and marine activities of all kinds.

As for ECOLOGICAL effects, the activities of dredging and structural constructions will have no more than minor impact on the surrounding environment when properly controlled so that the impact on tidal, subtidal, and benthic habitats is limited or minor in their effects.

As for HYDROLOGICAL effects, the proposed dredging cuts and batter angles have been designed to reduce the effects of sediment deposition and erosion in the area. As well as any long shore drift or swash that is naturally occurring. A Mike 3 dredging model was developed to verify this design.

As for SOCIO ECONOMIC effects, the activities will continue to enhance the socio economic wellbeing of the applicant, the public use of the foreshore, and commercial activities associated with recreational boating in the Bay of Islands.

As for CULTURAL effects, the activities will have no known impact on any cultural or ethnic relationship with the Marine and Coastal Area (CMA) that does not already exist within the functions of current resource consents. Nor are there any fisheries that are within the associated footprint or extended site of the proposed dredging.

As for ACCESS effects, the activities will have no more impact on parking and/or vehicle movements on Richardson street than has already existed for many years as the number of houses at the end of the street has not and cannot be further increased or to any great degree changed. While it is accepted that there may be some short periods of extra-ordinary traffic those effects cannot be more than minor.

As for INTER-TIDAL effects, pervious Regional Council evidence has show that effects on inter-tidal flora and fauna were not overly affected by the current activities including maintenance dredging in an area at the end of the slipway and wharf. This application proposes a considerable capital dredging to establish a new small harbour footprint over the area mostly encompassed by the existing consents. There are therefore more than minor effects on the environment that must be controlled and carried out by professional marine construction contractors to perform all dredging and installation of the new structures, so all effects of those activities, when carried out, are no more than minor in the end result.

As for DISCHARGE effects, disposal of marine maintenance discharge activities on the adjoining site of the proposed structures in the CMA are now redirected to the new Opua high-pressure sewer scheme that became operational in early September 2012. The parameters of discharge on the new structures will remain associated with those operational consents that already exist and are therefore examined in the AEE for them accordingly. Rubbish and waste recycling containers are available in the parking area adjacent the boatshed and transported to the Opua transfer station on a regular basis.

The issue of disposal of domestic waste from boats is a matter that is now dealt with under the Resource Management (Marine Pollution) Regulations 1998. Under section 104(1)(b) there has to be relevant consideration for any regulation pursuant to that Act. There are no regulations that apply to disposal of domestic waste on proposed activities on or along this wharf or slipway pursuant to this application. Any or all associated wastes of the kind are controlled by current Discharge Permits/Operational Management Plans or building consents associated the boatyard proper.

As for CUMULATIVE effects, the issue of silt build up in the area of this proposal is negligible after twenty years of observation in maintenance of the slipway rails to the outhaul turning-block mooring at the extreme limits of the footprint. The gauge of this is in the level of change at the tops of the rails that have been in place since 1983. The seasonal sedimentary flux does ocurr due to the effects of strong storm surge, but even this factor is now benign since the installation of the Opua wharf marina some years ago. There has been no requirement for further maintenance dredging in eleven years that would not now be resolved within the parameters of the proposed.

REF: "Decision No. C143/98; Jackson J. on 22 December 1998; Sections [B] to [F]. Attached in the Historical Report Appendix III.

7.0 PLANNING FRAMEWORK AND LEGAL STATUS:

The application is not contrary to the Regional Coastal Plan [RCP]; New Zealand Coastal Policy Statement (2010) [NZCPS]; Operational District Plan [ODP]; Regional Policy Statement [RPS]; Proposed Regional Plan [PRP], nor Marine And Coastal Area Act 2011 [CMT] as discussed below.

In review of the RCP, probably the most relevant in the overall context of the above planning documents, its applicable objectives and policies; the application site and

proposed activities are considered potentially appropriate with required dredging as a discretionary activity within the MARINE 4 MANAGEMENT AREA. These in turn, have a physical/historical connection with the adjacent MARINE 6 MANAGEMENT AREA activities on the Opua wharf. This juxtaposition has, in effect, operated for 51 years in its contiguity of their similar undertakings; plethora of environmental effects; social economic effects; and total cumulative effects that are all embodied within the Opua Town Basin.

In review of the NZCPS applicable objectives and policies, with particular emphasis on policy 3.2.2; the application site and proposed activities are appropriate for marina and maritime maintenance facilities development in the coastal environment. And that they can be managed along with compatible public access to and along the CMA in a sustainable manner that has already existed for 28 years.

In review of the ODP rules, the application site is recognized a CROSS BOUNDARY facility with an inter-relationship with and physical land connection to the CMA and is therefore, not in anyway contrary to the entire site or proposed activities. In fact, the proposal relies on key elements in development values for any new marina where associated landside infrastructures are in support of those activities in the CMA.

REF: District Plan Rule: 12.7.6.1.1(ix). Attached in the Historical Report Appendix V.

In review of the RPS applicable objectives and policies, the application site and activities are appropriate and in congruity with COASTAL MANAGEMENT of the natural and physical characteristics, and its historic uses and occupations.

In review of the PRP applicable definitions, objectives, and policies, the application site and proposed activities are compatible with the overall intentions and directions of the new plan. The fact that the site has long existed within the MOORING ZONE of the Opua Town Basin and is governed by extensive resource consents, should see no conflict into the future with the new plan.

In review of the CMT, there are no relevant recognition orders that apply to any area associated with this application nor even if there were, would have little or no effect on the replacement of existing structures or operational resource consents as defined as "Accommodated Activities" pursuant to that enactment.

The proposal must be further considered with regards to part II of the RMA 1991 for the actual and potential adverse effects on the environment of allowing the activities of dredging so that they are likely to be no more than minor when all environmental effects are controlled as discussed in the effects considerations above.

8.0 THE RESOURCE CONSENTS SOUGHT:

This application therefore seeks those consents to undertake foreshore erosion control earthworks, rehabilitation of the beach, and an amalgamated 35 year term resource consent for all of the existing consent activities in conjunction with a 8168 square metre capital dredging, replacement of the old wharf, floating pontoon, storm drain

extension, dinghy pull and mooring block relocation; to place all new operational maintenance equipment, security structures, navigational and work area lighting, and mudcrette grid platforms that dry at spring low tide associated with the working berths along the new wharf. The slipway is not part of this consent application, as it legally stands alone pursuant to s178 of the Harbours Board Act 1950. It therefore maintained and/or reconstructed as a Deemed Coast permit in perpetuity. Existing wharf structures have a similar legal status but are in effect being built with greater utilitarian purpose as a marina in conjunction with the old activities.

REF: Total Marine Services Engineering and Survey Design details. Attached in the Historical Report Appendix IX.

It is envisioned that the proposed will be a small private/commercial wharf for the specific use of the vessels moored and/or secured to it in contiguity with current and on going operations associated with vessel maintenance, chartering, and the normal conduct of occupation of vessels in a marina environment.

REF: Marine Maintenance Facilities Operations Activities List. Attached in the Historical Report Appendix X.

Reasonable structure access will be granted to the general public at the sole discretion of the consent holder in alignment with existing consents and will exclude entry for any cycle, any fishing or collecting of seafood, any contractor without license from the consent holder, and any other activity the consent holder deems unsafe or in any way is a determent to any property on or moored to the structures.

The proposal further seeks to provide enhanced public access along the slip damaged Opua to Piahia walking track by constructing stone erosion controls along MHWS over that part of the reef just North of the new all tide structures.

The proposed beach rehabilitation fronting the esplanade reserve is meant to remove old shell and debris in the sand to promote greater public use of the bay's foreshore beach and small boating activities accessing deeper water at low tides. The proposed dredging will also allow better access to the mooring area from the public dinghy racks on section 4 of the esplanade reserve. This will mean all tide access a short distance to the north for those dinghies that would otherwise have to cross over extensive mud flats that are a predominant feature of this bay at low tide.

The proposal, in effect, will become an integral structural part of the Boatyard's land use consent activities; this overseen by Operational and Reserve Management Plans in juxtaposition for the entire site.

REF: Combined Operational Management Plans FNDC/NRC, 27 August 2016. Attached in the Historical Report appendix VII.

9.0 NAVIGATION:

The proposed structures will all stay within the immediate area of the existing seabed occupation with all dredging mostly within the Offensive Odour Boundary creating

the small deepwater harbour and fairway. The structures may pose minor hazards to navigation that do not already exist. Therefore navigational and structures lighting will be established per the proposed plans for safety and use of structures at all tides and all hours.

10.0 HERITAGE AND/OR HISTORICAL BACKDROPS:

There are no known changes in any heritage and/or historical backdrop factors that are associated with the site either on land or in the CMA. The earliest permanent structures were the old "Stewart House" and boat shed from the late 1800's. By 1967 commercial activities of a boatyard would be conducted on unformed road that would become esplanade reserve adjoining the private land as it is today. In processes both pursuant to the RMA and the RA'77 these issues have been addressed extensively over the last twenty three years. There is therefore, no known reason to believe that any environmental effects that are associated with the proposed activities will be in any way more than minor on heritage and/or historical issues that have not already been present and/or addressed in the last 100 years.

REF: Summary of Photographic Evidence; Attached in the Historical Report Appendix VIII.

11.0 PUBLIC ACCESS:

Public access will be enhanced by this proposal both on and along the foreshore and into the CMA via an all tide footprint and planned stone erosion controls that will enhance the foreshore from its current configuration. This will provide improvements in the Opua to Paihia walking track where landslips have created uneven walking surfaces to the north and greater utilization of the beach that will also tie in with the maintenance and care of the reserve pursuant to the provisions in the Reserve Management Plan when completed.

12.0 CONCLUSIONS

The proposed will enhance the pubic and private utilization of the CMA with an all tide access whilst not changing the overall character of the site, its scale, and/or its intensity in use, that has existed since 2002. These facilities will therefore be much improved, made more utilitarian, more security proactive, and be designed with environmental and structural integrity so that they will last well into future.

Therefore, the proposed application is an evolutionary step in the development of the entire site in keeping with not only the aspirations of the greater community of Opua, but New Zealand as a whole. This whilst providing a fit for purpose small marina and improved boat maintenance facility in contiguity with already modified environments.

There is nothing in this proposal that is contrary to the provisions of any relevant plans, policies or purposes of the Act. There is nothing in any of the above and/or attached that should not allow the Council to fully consider the application pursuant to public notification and applying any required conditions to mitigate those effects that may become more than minor during the processes of this undertaking.

ASSESMENT OF ENVIRONMENTAL EFFECT

HISTORIAL REPORT APPENDIX

I. Survey plan No. 8095, Joint NRC/FNDC Resource Consents;

II. Resource Consents No. NLD 99 7914 (01-(18), Affirmation of Colin Thomas Dall before the Environment Court; ENV-2013-AKL-000032.

III. Decision No.C146/98; 1998, Jackson J;

IV. Decision No.[2014] NZEnvC 101, Kirkpatrick J. Sec, 11 & 12;

V. Far North District Plan Chapter 12; Rule:12.7.6.1.1 (ix);

VI. Discharge Consent renewal application, 27 September 2017;

VII. Combined Operational Management Plans FNDC/NRC, 27 August 2014;

VIII. Photographic Summary 1967 to 2016;

IX. Design and Engineering details for the proposed facilities, dredging, and foreshore earthworks, by Total Floating services, and Total Marine services, Opua.

X. Marine Maintenance Facilities Operations List. {Up dated from 14 December 1997 as attachment 9 for NDL997814 to 17 November 2017}.

Doug Schmuck
Owner/proprietor
For:

17 November 2017

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