

STATUTORY ASSESSMENT AND ASSESSMENT OF ENVIRONMENTAL EFFECTS

**Ruawai Stopbanks
Ruawai, Kaipara**

KAIPARA DISTRICT COUNCIL
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TABLE OF CONTENTS

CONTACTS	1
1 INTRODUCTION	2
2 SUMMARY OF PROPOSAL	4
3 SITE AND LOCALITY DESCRIPTION	5
4 STATUTORY ASSESSMENT	6
4.1 Proposed Regional Plan for Northland	6
4.1.1 Policies	6
4.1.2 Assessment.....	6
4.2 Kaipara District Plan.....	7
4.3 Part 2 Resource Management Act 1991	10
4.3.1 Regional Policy Statement for Northland	10
4.4 National Environmental Standards for Freshwater.....	11
4.5 Summary	11
5 PUBLIC NOTIFICATION ASSESSMENT	11
5.1 Section 95A.....	11
5.2 Section 95D.....	12
5.3 Summary of Potentially Affected Persons and Recommendations.....	12
6 ASSESSMENT OF ENVIRONMENTAL EFFECTS	13
6.1 Location of the Proposed Stopbank.....	13
6.1.1 Amenity, Landscape and Cultural Values	13
6.1.2 Soils Quality and Mahinga Kai.....	13
6.1.3 Overall Net Benefit.....	13
6.2 Proposed Earthworks Activities	13
6.2.1 Sediment Discharges.....	13
6.2.2 Noise.....	13
6.2.3 Overall Summary.....	14
7 CONCLUSIONS AND RECOMMENDATIONS	14
7.1 Conclusion.....	14
7.2 Recommendations	14
8 LIMITATIONS.....	15

APPENDICES

- APPENDIX A Certificate of Title
- APPENDIX B Design Features Report
- APPENDIX C Erosion and Sediment Control Plan
- APPENDIX D Relevant Council Planning Overlay Maps

LIST OF FIGURES

Figure 1: Land Parcel (Section 73-75 Block XV Tokatoka Survey District).....	3
Figure 2: Site Locality (Blue Indicates Approximate Stopbank Location)	3

LIST OF TABLES

Table 1: Earthworks Volumes (In-situ).....	4
Table 2: Relevant PRP Policies.....	6
Table 3: Assessment Against Controlled Activity Rule C.8.3.3.....	7
Table 4: Earthworks Assessment Criteria (Rule 12.10.1 a).....	7
Table 5: Relevant RPS Policies	10

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1 INTRODUCTION

It is understood that Kaipara District Council (KDC) intends to undertake reconstruction of the Bowergate Raupo stopbank near Ruawai, as part of the Raupo District Drainage Plan. The purpose of the proposed stopbank is to improve the resilience of the area by reducing the risk of flooding.

The original Bowergate Raupo stopbank was removed and realigned by the then landowner many years ago. The current realigned stopbank was not built to acceptable engineering standards and therefore was never accepted as an asset by KDC; it is proposed to be abandoned (while remaining in place).

The land parcel that the stopbank will be constructed within is Section 73-75 Block XV Tokatoka Survey District which has an area of 31.2822 hectares (the site). Figure 1 highlights the land parcel in question, while Figure 2 illustrates the location of the proposed stopbank. Refer to Appendix A for a copy of the certificate of title.

Due to the expected quantity of earthworks (approx. 23,494.4 m³) and the location of the proposed earthworks within a known flood hazard area, resource consents will be required to support the proposal as follows:

- Land Use Earthworks Consent will be required as a **Discretionary Activity** in accordance with Rule C.8.3.4 of the Northland Regional Council (NRC) Proposed Regional Plan (the PRP)¹.
- Earthworks Consent will be required as a **Restricted Discretionary Activity** in accordance with Rule 12.10.1A of the KDC Operative Kaipara District Plan (the KDP)².

The following statutory assessment and assessment of environmental effects is made under Section 88 of the Resource Management Act 1991 (the Act) and has been prepared in accordance with the Fourth Schedule of the Act in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

¹ Northland Regional Council, Proposed Regional Plan - Updated Appeals Version, December 2022.

² Operative Kaipara District Plan, November 2013.



Figure 1: Land Parcel (Section 73-75 Block XV Tokatoka Survey District)



Figure 2: Site Locality (Blue Indicates Approximate Stopbank Location)

2 SUMMARY OF PROPOSAL

The proposed stopbank has been engineered to meet best practice engineering standards and be accepted as an asset by KDC. The proposed stopbank will generally follow the original stopbank alignment. The stopbank will have a crest approximately 3 m wide and will be finished at RL 3.2 m for a length of approximately 625 m. The proposed height accounts for recently completed flood modelling.

The earthworks programme is anticipated to be completed over two construction phases. This is due to a requirement for construction stability (and also budget). It is recommended that the height of the first stage be limited to RL 2.7 m, with the second stage completed to 3.2 m + in the second phase.

Refer to the GWE Consulting Limited (GWE) Bowergate Stopbank Replacement Design Features Report³ for further summary of design features (a copy of this report is included as Appendix B).

Fill to create the stopbank will primarily comprise virgin limestone sourced from local quarry overburden (considered cleanfill by Ministry of Environment definitions). A borrow area opposite the stopbank is also available for a small area of cut.

Based on the design drawings, earthworks volumes have been estimated and are summarised in Table 1.

Table 1: Earthworks Volumes (In-situ)

EARTHWORKS	VOLUME
Main Embankment	
Stripping Volume	3,205 m ³
Fill Volume (above ground)	14,226 m ³
Allowance for 15% Settlement	2,133.9 m ³
Total	19,564.9 m³
Borrow Area	
Stripping Volume	679.5 m ³
Excavation Volume (below ground)	3,250 m ³
Useable Cut Volume	2,570 m³
TOTAL EARTHWORKS VOLUME	23,494.4 m³

Earthworks activities will be restricted to the hours of 7 am through 7:30 pm Monday to Friday, and 7:30 am through 6 pm on Saturdays, in accordance with Section 3.2.8 of the KDC Engineering Standards (2011)⁴.

³ GWE Consulting Limited, Bowergate Stopbank Replacement Design Features Report, Ruawai, Kaipara District, Kaipara District Council, 2023.

⁴ Kaipara District Council, Engineering Standards, 2011: [https://www.kaipara.govt.nz/uploads/engineering/Kaipara%20District%20Council%20Engineering%20Standards%202011%20\(w%20hole%20document\).PDF](https://www.kaipara.govt.nz/uploads/engineering/Kaipara%20District%20Council%20Engineering%20Standards%202011%20(w%20hole%20document).PDF)

Sediment and erosion controls will be in place for the duration of earthworks activities (both stages of earthworks). Refer to Appendix C for a copy of the Erosion and Sediment Control Plan (ESCP) for the project. This has been developed in general accordance with best practice Auckland Council Guideline Document GD2016/005⁵.

The stopbank will be stabilised and revegetated in grass following the earthworks programme. Stock will be excluded from grazing on the stopbank.

3 SITE AND LOCALITY DESCRIPTION

The stopbank will be formed along an unnamed, man-made drain/canal within the Ruawai Plains. The Ruawai Plains area comprises approximately 89.8 km² of low-lying alluvial floodplain bordering the eastern banks of the Northern Wairoa River (approximately 15 km south of Dargaville at the northern end of the Kaipara Harbour).

The topography across the plains is flat and low-lying, approximately 0 to 10 metres above Mean Sea Level (MSL). Due to the low-lying nature of the area, protection against flooding is engineered by a system of drains, canals, floodgates and stopbanks, some of which date back to the early 1900's. The site is mapped within coastal and river flood hazard zones by NRC Maps⁶ (and is within the "Flood Hazards" layer on the KDC Maps⁷).

The site is near the drain/canal confluence with the Wairoa River which joins the Kaipara Harbour and is tidal (part of the Coastal Marine Area (CMA)). The Wairoa River is affected by coastal and river flood hazards⁶ and is identified as a 'Marine 1 (Protection) Management Area'⁸. The NRC Biodiversity Wetlands map identifies Saltmarsh and Mangrove Areas (Saltmarsh and Mangrove riparian complex) downstream of the site, within the CMA.

Other planning overlays of note include (also refer Appendix D):

- The site (earthworks and stopbank location) is zoned 'Rural' by the KDP (Chapter 12).
- The site lies within the KDC Raupo Drainage Catchment.
- The site is not within the KDC "Valued Environments Identified – The Overlays" (Chapter 4).
- The site is located outside "Areas of Significance to Māori" as identified by the KDP.
- The site is located outside "Sites and Areas of Significance to Tangata Whenua" as identified by the PRP.

⁵ Auckland Council, Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region, 2016 (Auckland Council Guideline Document GD2016/005).

⁶ Northland Regional Council "Natural Hazards" Map: <https://nrcgis.maps.arcgis.com/apps/webappviewer/index.html?id=81b958563a2c40ec89f2f60efc99b13b>

⁷ Kaipara District Council, Local Maps, Operative District Plan 2013: <https://kaipara.isoplan.co.nz/eplan/property/undefined/0/44?t=property>

⁸ Northland Regional Council, "Regional Coastal Plan Maps": <https://www.nrc.govt.nz/resource-library-summary/plans-and-policies/regional-plans/regional-coastal-plan-maps/>

- The site does not contain any known “*Sites of Ecological Significance*” as defined by the criteria listed in Appendix 25G of the KDP.
- The site is not listed as an “*Outstanding Landscape Areas*” as detailed on KDC Map Series One (Land Use) of the KDP or “*Outstanding Natural Landscape*” as detailed on KDC Map Series Two (Sites, Features and Units Ruawai).
- The site is not listed as an “*Outstanding Natural Features*” or “*Natural Character*” as defined by the PRP.

4 STATUTORY ASSESSMENT

4.1 Proposed Regional Plan for Northland

4.1.1 Policies

Relevant PRP policies and how they are met by the proposal are summarised in Table 2.

Table 2: Relevant PRP Policies.

POLICY	COMMENT
D.2.2 Social, cultural and economic benefits of activities	The proposal is considered to provide a social, environmental, public health and economic benefits by reducing flooding.
D.6.1 Appropriateness of hard protection structures	The stopbank is proposed where an original stopbank was located and therefor deemed and appropriate structure and location.
D.6.2 Design and location of hard protection structures	
D.6.4 Flood hazard management – flood defences	The stopbank is a flood defence proposed to improve the resilience of the area by reducing the risk of flooding. The proposal is considered to provide a social, environmental, public health and economic benefits.

4.1.2 Assessment

Based on a total earthworks volume of approximately 23,494.4 m³, and due to the fact as the proposal is located within a flood hazard area which exceeds 1,000 m³ in a 12-month period, the proposed activity is considered a **Discretionary Activity** in accordance with Rule C.8.3.4 of the PRP.

Although a Discretionary Activity, as per Controlled Activity Rule C.8.3.3 for the completion of earthworks within a flood hazard area, Table 3 outlines the controlled activity matters of control and demonstrates that they are generally complied with in the proposal. The only non-complying activity is considered to be the total earthworks volume.

Table 3: Assessment Against Controlled Activity Rule C.8.3.3.

MATTERS OF CONTROL	COMPLIANCE
1. The design and adequacy of erosion and sediment control measures.	Refer to Appendix C for a copy of the project ESCP.
2. Effects of flood hazard risks, land instability and land subsidence on other property.	Refer to Section 1, Section 2, and Appendix B. The purpose of the proposed stopbank is to improve the resilience of the area by reducing the risk of flooding.
3. The location, extent, timing, and duration of earthworks.	Refer to Section 2. The earthworks programme is anticipated to be completed within a two-month period commencing summer 2023. Earthworks activities will be restricted to the hours of 7 am through 7:30 pm Monday to Friday, and 7:30 am through 6 pm on Saturdays.
4. The adequacy of site rehabilitation and revegetation measures to control erosion and sediment discharges.	Refer to Section 2. The stopbank will be stabilised and revegetated in grass following the earthworks programme. Stock will be excluded from grazing on the stopbank. There will be no future long-term erosion and sediment discharges from the stopbank.
5. Adverse effects on water bodies and coastal water.	Refer to Appendix C for a copy of the project ESCP. Potential adverse effects on water bodies and coastal waters will be managed and mitigated through the implementation of best practice controls during the earthworks programme.
6. Management of flooding effects and avoiding increased natural hazard risks on other property.	Refer to Section 1, Section 2, and Appendix B. The purpose of the proposed stopbank is to improve the resilience of the area by reducing the risk of flooding.
7. Adverse effects on the following, where present in adjacent fresh waterbodies or the coastal marine area: a. wāhi tapu, and b. mapped Sites and Areas of Significance to tāngata whenua (refer I Maps Ngā mahere matawhenua).	Refer to Section 3. The site is not listed as “ <i>Sites and Areas of Significance to Tangata Whenua</i> ”.

4.2 Kaipara District Plan

The site is zoned ‘*Rural*’ and is governed by Chapter 12 of the KDP.

Based on a total earthworks volume of approximately 23,494.4 m³, and due to the fact as the proposal is located within a flood hazard zone the proposed activity is considered a **Restricted Discretionary Activity** in accordance with Rule 12.10.1 of the KDP. Table 4 provides comment on the earthworks assessment criteria of the KDP.

Table 4: Earthworks Assessment Criteria (Rule 12.10.1 a)

ASSESSMENT CRITERIA	COMMENT
Where an activity is not permitted by this Rule, Council has restricted its discretion over the following matters when considering and determining an application for resource consent:	
1. Whether building consent has been issued and has already assessed the proposed earthworks (in such cases the matters considered under the Building Act 2004 will not be reconsidered here);	Not applicable to this application.
2. Machinery to be used and hours of operation.	Refer to Section 2. In accordance with KDC Engineering Standards 2011 earthworks activities will be restricted to the hours of 7 am through 7:30 pm Monday to Friday, and 7:30 am through 6 pm on Saturdays.
3. Effects on the locality, particularly the character and amenity values of adjoining sites /land uses.	Refer to Section 3 and Section 6. The site is not located within an Outstanding Natural Landscape (as per the KDP). Visual effects are not anticipated from the stopbank creation, as it will occupy a similar footprint to the original Bowergate Raupo stopbank. Therefore, no adverse effects on landscape and heritage values are anticipated. Additionally, the closest residential dwelling is over 300 m away and will benefit from the flood protection provided.
4. Effects on ecological values and in particular any Sites of Ecological Significance as defined by the criteria listed in Appendix 25G .	Refer Section 3. The site does not contain any known Sites of Ecological Significance.
5. Effects of excavation related traffic on the safety and efficiency of the road network and on the amenity of dwelling s on adjoining land.	Earthworks are to be undertaken away from public roads. Trucking of quarry overburden will be carried out for the temporary duration of works.
6. Effects on landscape and heritage values.	Refer Section 6. No effects on landscape and heritage values are anticipated.
7. The extent to which the proposal will affect the values of any Outstanding Natural Landscape identified in Map Series 2.	Refer Section 3. No effect is anticipated, as the site is not within an Outstanding Natural Landscape.
8. The extent to which the works meet the requirements of the performance standards in Rule 12.10.1 or the Kaipara District Council Engineering Standards 2011.	Refer Section 2 and Appendix B. The design of the stopbank and proposed earthworks programme (including controls) have been developed with view to compliance with the KDC Engineering Standards 2011.
9. Effects of dust and noise on sensitive receivers.	With respect to dust, Refer Section 6 and Appendix C. Any adverse effects associated with dust generation will be managed through the implementation of the project ESCP. With respect to noise, refer to Section 2. Earthworks activities will be restricted to the

ASSESSMENT CRITERIA	COMMENT
	hours of 7 am through 7:30 pm Monday to Friday, and 7:30 am through 6 pm on Saturdays and therefore in compliance with the Kaipara District Engineering Standards 2011 (Section 3.2.8).
10. If located in an Overlay, the extent to which the values identified in the Objectives and Policies for Overlays (Chapter 4) are present on the site, and the extent to which the proposal is compatible with those values.	Refer to Section 3. The relevant overlays to the site are Flood Hazards and Rural overlay (Chapter 12 of the KDP). The site does not lie within the KDC "Valued Environments Identified – The Overlays" (Chapter 4). As per objective 4.4.2 amenity value is proposed to be enhanced.
11. Effects on cultural and heritage values (as defined in Chapter 17), including any consultation has been undertaken with Tangata Whenua as appropriate.	Refer to Section 3. The site is located outside "Areas of Significance to Māori" as identified by the KDP.
12. The consistency of the proposal with relevant Objectives and Policies contained in Part A and Part C of the Plan with managing the values of the District including but not limited to those outlined in Chapters 2, 6, 7, 8 and 17.	Chapter 2 – District Wide Resource Management Issues - As per objective 2.4.10, the proposal endeavours to take a precautionary approach to managing hazards and their potential effects on communities and the natural environment. Chapter 6 - Ecological Areas – Not applicable. The site does not contain any known Sites of Ecological Significance. Chapter 7 - Natural Hazards – the proposed works is intended to mitigate effects of natural hazards (not exacerbate). Chapter 8 - Hazardous Facilities and Contaminated Sites - Not applicable. Chapter 12 – Rural – As per Rural Policies 12.6.5 and 12.6.7 adverse effects are proposed to be mitigated. An Assessment of Environmental Effects has been provided within Section 6 of this report. Chapter 17 – Historic Heritage - Not applicable as the site is not within a Category A heritage resource or Area of Significance to Māori overlay (KDP Map Series 2).
13. Any effects on the integrity of the electricity transmission line.	Not applicable. There are no electrical transmission lines within the site.
14. The volume, area and location of the works, including temporary activities such as: <ul style="list-style-type: none"> • Stockpiles. • Timing of the works. • Site remediation. • The use of mobile machinery near transmission line which may put the line at risk. 	Refer Section 2 and Appendix B.

ASSESSMENT CRITERIA	COMMENT
<ul style="list-style-type: none"> • Compliance with New Zealand Electrical Code of Practice 34:2001. • Outcomes of any consultation with any relevant network operator. 	

4.3 Part 2 Resource Management Act 1991

The purpose of the Act is stated in Section 5(1) as being “to promote the sustainable management of natural and physical resources”. Sustainable Management means:

2. In this Act, “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 wellbeing and for their health and safety while –
 - a. Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
 - b. Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
 - c. Avoiding, remedying, or mitigating any adverse effects of activities on the environment”.

The activity allows for the sustainable management of the stopbank by forming it as a KDC asset to improve flood resilience in Ruawai. This in turn will provide social, environmental, public health and economic benefits to current and future generations. Health and safety of community is also improved with the reduction of flooding.

Adverse effects on the environment are considered no more than minor under the proviso that appropriate management procedures are in place during earthworks i.e., the implementation of the ESCP provided in Appendix C.

4.3.1 Regional Policy Statement for Northland

The Regional Policy Statement (RPS) for Northland (May 2016) outlines policies and methods to promote sustainable management of Northland’s natural and physical resources, in accordance with the Act, Section 5 (as outlined in Section 4.3 of this Report).

Relevant RPS policies and how they are met is outlined in Table 5.

Table 5: Relevant RPS Policies

POLICY	COMMENT
4.7 Supporting management and improvement, specifically; <ol style="list-style-type: none"> h) Exclusion of stock from waterways and areas of significant indigenous vegetation and / or significant habitats of indigenous fauna; 	h) The stopbank will act as a physical barrier to stock (stock should be kept off the stopbank).

POLICY	COMMENT
<p>7.2.2 Policy – Establishing the need for hard protection structures, specifically;</p> <p>b) <i>They will provide protection for concentrations of vulnerable existing development and the works form part of a long-term hazard management strategy that represents the best practicable option for the future; and</i></p> <p>d) <i>It can be demonstrated that the benefits of mitigation outweigh the adverse effects and that the form and location of the hard protection structure is such that any adverse effects on the environment are minimised.</i></p>	<p>The stopbank is considered a hard protection structure but is in keeping with protection measures in the Ruawai area.</p> <p>b) The work is part of the Raupo District Drainage Plan. The stopbank is a flood defence proposed to improve the resilience of the area by reducing the risk of flooding.</p> <p>d) A net benefit is provided by the proposed. The proposal is considered to provide a social, environmental, public health and economic benefits. Environmental effects associated with the construction of the stopbank are considered no more than minor under the proviso that the erosion and sediment control measures (Appendix C) are implemented for the duration of the earthworks programme.</p>

4.4 National Environmental Standards for Freshwater

In accordance with the recently amended Resource Management (National Environmental Standards for Freshwater (NES-F)) Regulations 2020, the proposal is considered a **Permitted Activity** (for earthworks and diversion of water) as “natural inland wetlands” have not been identified within a 100 m radius of the proposed works.

4.5 Summary

The adverse effects associated with the proposed activity have been assessed as less than minor (refer Section 6 of this Report). The proposed activity is consistent with the relevant rules, objectives and policies of the PRP, KDP, and NES-F, as well as the purpose and principles of the Act.

5 PUBLIC NOTIFICATION ASSESSMENT

5.1 Section 95A

Section 95A of the Act provides the ability for a consent authority in its discretion to publicly notify an application. It also sets out when a consent authority must publicly notify an application. Section 95A states:

1. *A consent authority may, in its discretion, decide whether to publicly notify an application for a resource consent.*

- 2-3. *Step 1: Mandatory public notification in certain circumstances*

Despite subsection (1), a consent authority must publicly notify the application if –

- a. *it decides (under Section 95D) that the activity will have or is likely to have adverse effects on the environment that are more than minor; or*
- b. *the applicant requests public notification of the application; or*

- c. *a rule or national environmental standard requires public notification of the application.*

4-6. *Step 2: if not required by step 1, public notification precluded in certain circumstances/ special circumstances*

Despite subsections (1) and (2)(a), a consent authority must not publicly notify the application if –

- a. *a rule or national environmental standard precludes public notification of the application; and*
- b. *subsection (2)(b) does not apply.*

7-9. *Step 3 and 4: if not precluded by step 2, public notification required in certain circumstances*

Despite subsection (3), a consent authority may publicly notify an application if it decides that special circumstances exist in relation to the application.

5.2 Section 95D

When considering the application for public notification under Section 95A of the Act, the Consent Authority is required to decide under Section 95D whether the activity will have or is likely to have adverse effects on the environment that are more than minor. Section 95D states:

A consent authority that is deciding, for the purpose of Section 95A(2)(a), whether an activity will have or is likely to have adverse effects on the environment that are more than minor –

- a. *must disregard any effects on persons who own or occupy -*
 - i. *the land in, on, or over which the activity will occur; or*
 - ii. *any land adjacent to that land; and*
- b. *may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect; and*
- c. *in the case of a controlled or restricted discretionary activity, must disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard reserves control or restricts discretion; and*
- d. *must disregard trade competition and the effects of trade competition; and*
- e. *must disregard any effect on a person who has given written approval to the relevant application.*

5.3 Summary of Potentially Affected Persons and Recommendations

The land where proposed earthworks will take place is owned by Six-O-Farms Limited whose details will be provided by KDC as part of the full resource consent application package.

It is considered that the nature of this activity is generally anticipated to not adversely affect any person (a net benefit is anticipated). The Applicant has therefore not undertaken any further consultation in relation to the proposed activity.

The Applicant does not request that this application be notified. There are no rules or national environmental standards that require (or preclude) public notification, and no special circumstances exist that warrant notification. As outlined in Section 6 the proposed activity will have a less than minor adverse effect on the environment. Therefore, NRC and KDC need not publicly notify this application for resource consent.

6 ASSESSMENT OF ENVIRONMENTAL EFFECTS

6.1 Location of the Proposed Stopbank

6.1.1 Amenity, Landscape and Cultural Values

The site is not listed by KDC as an Outstanding Natural Landscape, Area of Significant Ecological Value, nor Areas of Significance to Māori. No effects on amenity, landscape, or cultural values are anticipated. Visual effects are not anticipated from the stopbank creation, as it will occupy a similar footprint to the original Bowergate Raupo stopbank.

6.1.2 Soils Quality and Mahinga Kai

The Ruawai Flats host some of the most fertile and productive kumara and dairy farmland in Northland. Soils and farmland (natural resources) are not anticipated to be affected by the stopbank which will occupy the area of a former stopbank.

6.1.3 Overall Net Benefit

Overall, the stopbank is proposed to provide flood risk mitigation to the Ruawai area. The stopbank is intended to help prevent flooding by containing floodwater within the canal/drain. Social, environmental, public health and economic impacts associated with flooding are thereby reduced because of the proposal, providing a net benefit to the area and nearby community.

6.2 Proposed Earthworks Activities

6.2.1 Sediment Discharges

The proposed works border surface water (drain/canal and CMA) which is sensitive to sediments and suspended solids. For the duration of the earthworks programme controls will be implemented in accordance with the project ESCP (refer Appendix C) to ensure any potential adverse effects associated with the activity will be managed and mitigated in accordance with best practice.

Once formed and the vegetation re-established on the stopbank, runoff or sediment and there will be no long-term effects. Stock will not be permitted to graze on the stopbanks into the future.

6.2.2 Noise

The site is located within an area of open farmland. The nearest residential house is located over 300 m from the proposed earthworks area.

Noise generated through the completion of earthworks activities will be short term in duration and limited to the working hours specified in the Kaipara District Council Engineering Standards (2011); 7 am through 7:30 pm Monday to Friday, and 7:30 am through 6 pm on Saturdays.

6.2.3 Overall Summary

Overall, it is considered that any potential environmental effects associated with the proposal will be less than minor under the proviso that the mitigation measures detailed in the appended project ESCP, are implemented for the duration of the activity.

7 CONCLUSIONS AND RECOMMENDATIONS

7.1 Conclusion

KDC intends to reconstruct the Bowergate Raupo stopbank near Ruawai, as part of the Raupo District Drainage Plan. The purpose of the proposed stopbank is to improve the resilience of the area by reducing the risk of flooding.

Due to the expected quantity of earthworks associated with the proposal (approx. 23,494.4 m³) and the location of the proposed earthworks within a known flood hazard area, resource consents will be required to support the proposal as follows:

- Land Use Earthworks Consent will be required as a Discretionary Activity in accordance with Rule C.8.3.4 of the PRP.
- Earthworks Consent will be required as a Restricted Discretionary Activity in accordance with Rule 12.10.1A of the KDP.

Overall, it is considered that any potential environmental effects associated with the proposal will be less than minor under the proviso that the mitigation measures detailed in the appended project ESCP (Appendix C), are implemented for the duration of the activity.

7.2 Recommendations

The following consent conditions are recommended for inclusion in the resource consents documentation in accordance with statutory rules and best practice:

- Council shall be notified within two weeks of the commencement of earthworks at the site.
- Works shall be completed in accordance with the GWE Consulting Limited, Bowergate Stopbank Design Features Report dated April 2023.
- Earthworks associated with the proposal shall be completed in accordance with the GWE Consulting Limited, Erosion and Sediment Control Plan dated March 2023. No more than 25,000 m³ (in-situ measure) of earthworks be undertaken.

- We ask that the consent be granted for a **five year** earthworks period to allow for the two construction phases, stabilising and removal of erosion and sediment control measures.
- The GWE Consulting Limited, Erosion and Sediment Control Plan dated March 2023 shall be complied with for the duration of the works.
- The stopbank shall be stabilised and vegetated with grass following completion of earthworks.
- Hours of operation and noise limits will be managed as per the Kaipara District Engineering Standards 2011 (Section 3.2.8).

8 LIMITATIONS

This report has been prepared for the sole benefit of **Kaipara District Council** as our Client, and their appointed representatives, according to their instructions, for the specific objectives described herein. This report is qualified in its entirety and should be considered in the light of our Terms of Engagement with the Client and the following:

- a. Data or opinions contained within the report may not be used in other contexts or for any other purpose without our prior review and written agreement. Any reliance will be at the parties' sole risk.
- b. No responsibility is assumed for inaccuracies in reporting by the information providers. In no event, regardless of whether GWE's consent has been provided, does GWE accept any liability, whether directly or indirectly, for any liability or loss suffered or incurred by any third party to whom this report is disclosed placing any reliance on this report, in part or in full.
- c. GWE has relied on information provided by the Client and by third parties to produce this document and arrive at its conclusions. GWE has not verified information provided (unless specifically noted otherwise) and we assume no responsibility and make no representations with respect to the adequacy, accuracy, or completeness of such information. No responsibility is assumed for inaccuracies in reporting by the information providers.
- d. Only a finite amount of information has been collected to meet the specific financial and technical requirements of the Client's brief and this report does not purport to completely describe all the site characteristics and properties.

APPENDIX A
CERTIFICATE OF TITLE



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier **NA1044/273**
Land Registration District **North Auckland**
Date Issued 28 January 1953

Prior References
NAPR205/53

Estate Fee Simple
Area 31.2822 hectares more or less
Legal Description Section 73-75 Block XV Tokatoka Survey
District

Registered Owners
Six-O-Farms Limited

Interests

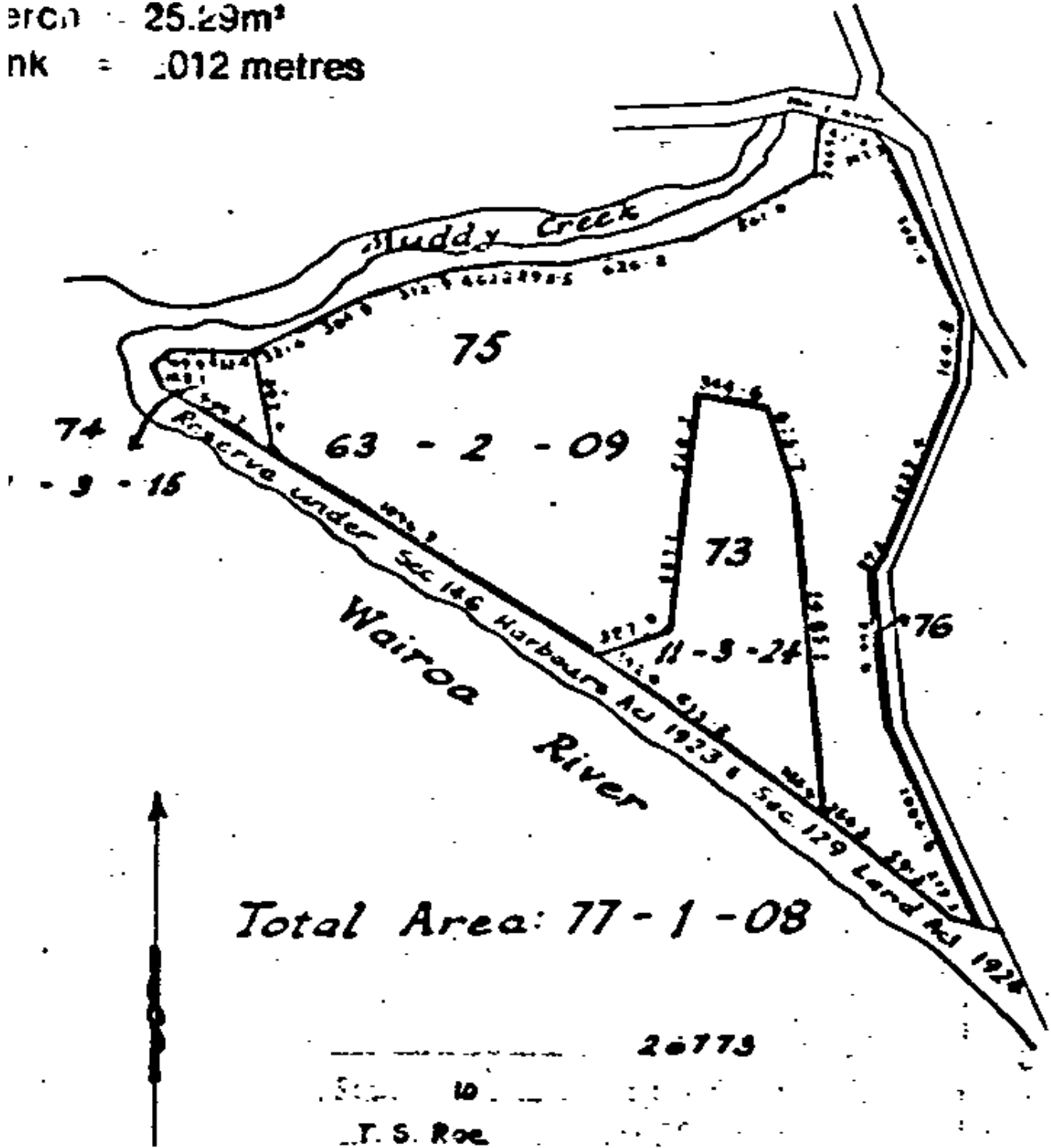
Subject to Section 59 Land Act 1948

Subject to a right to convey water and electricity over part Section 75 Block XV Tokatoka Survey District marked A on DP 533057 created by Easement Instrument 11351004.1 - 21.4.2020 at 12:18 pm

12460341.5 Mortgage to Westpac New Zealand Limited - 1.6.2022 at 12:09 pm

area = 25.29m²

nk = .012 metres



**APPENDIX B
DESIGN FEATURES REPORT**

APPENDIX C
EROSION AND SEDIMENT CONTROL PLAN

Plot Date : 11:51 am, 28 Mar 2023

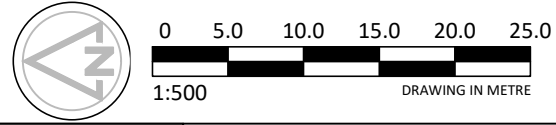
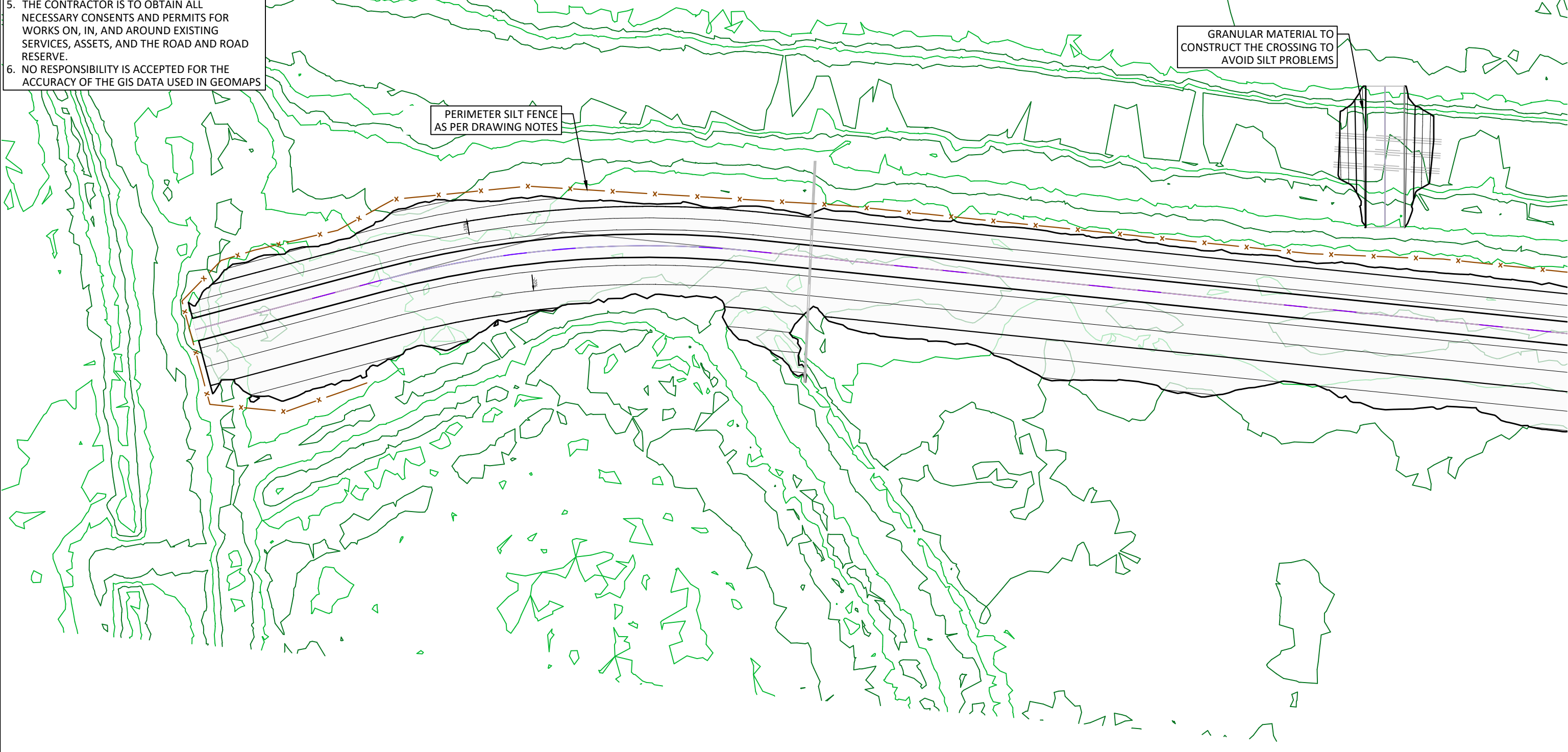
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- GENERAL NOTES:**
1. ALL DIMENSIONS AND LEVELS ARE TO BE CHECKED AGAINST THE SITE DRAWINGS PRIOR TO COMMENCING WORK.
 2. ANY VARIATIONS OR DISCREPANCIES ARE TO BE REFERRED TO GWE CONSULTING LTD FOR RESOLUTION.
 3. ALL SERVICES ARE TO BE LOCATED AND FLAGGED PRIOR TO COMMENCING WORK ON SITE.
 4. WORKS TO BE IN ACCORDANCE KAIPARA DISTRICT COUNCIL AND NORTHLAND REGIONAL COUNCIL STANDARDS.
 5. THE CONTRACTOR IS TO OBTAIN ALL NECESSARY CONSENTS AND PERMITS FOR WORKS ON, IN, AND AROUND EXISTING SERVICES, ASSETS, AND THE ROAD AND ROAD RESERVE.
 6. NO RESPONSIBILITY IS ACCEPTED FOR THE ACCURACY OF THE GIS DATA USED IN GEOMAPS

- SEDIMENT AND EROSION CONTROL NOTES:**
1. THESE PLANS DETAIL THE GENERAL SEDIMENT AND EROSION CONTROL MEASURES. ACTUAL CONTROLS ARE TO BE THE RESPONSIBILITY OF THE CONTRACTOR AND ARE TO BE ADAPTED TO SUIT THE CURRENT STAGE OF WORKS.
 2. ALL WORKS ARE TO BE IN ACCORDANCE WITH NORTHLAND REGIONAL COUNCIL AND KAIPARA DISTRICT COUNCIL, REFER TO DRAWING 230 FOR TYPICAL DETAIL.

EROSION & SEDIMENT LEGEND

SILT FENCE	
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REV	AMENDMENT	CAD	ENG	APPD	DATE
ISSUE STATUS:		FOR CONSENT			

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www.gwe.co.nz

PROJECT TITLE:	BOWERGATE RUAWAI STOPBANKS
PROJECT ADDRESS:	BOWERGATE STOPBANK, RUAWAI
CLIENT:	KAIPARA DISTRICT COUNCIL
DRAWING TITLE:	EROSION & SEDIMENT CONTROL PLAN SHEET 1 OF 4

PROJECT No :	J4302
DRAWING No :	220
REV	0
SCALE:	1:500 @ A3

Plot Date : 11:52 am, 28 Mar 2023

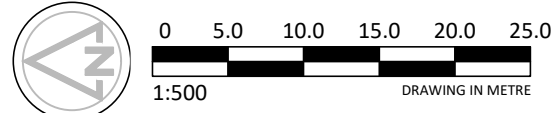
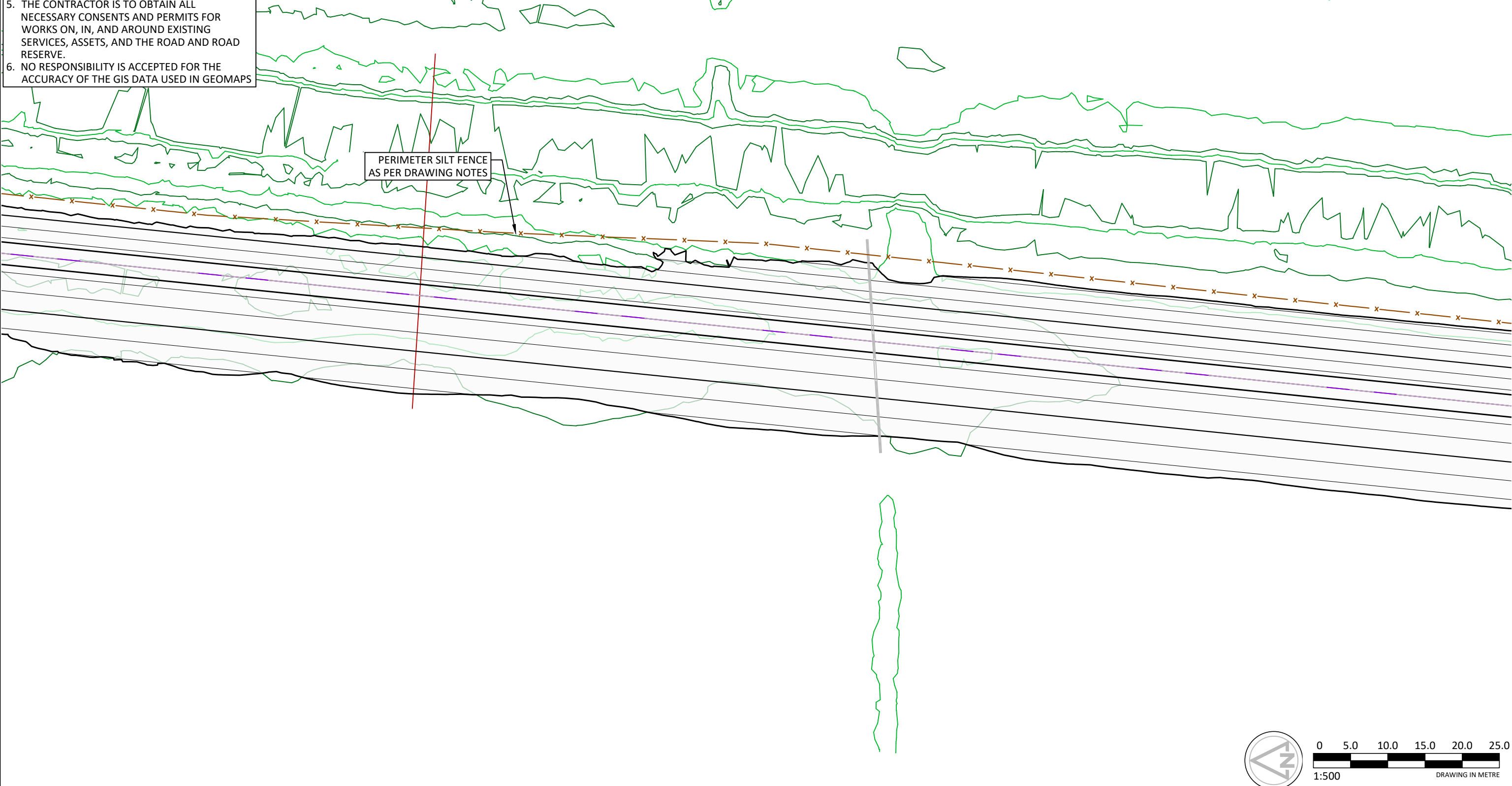
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EROSION & SEDIMENT LEGEND

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PROJECT ADDRESS:	BOWERGATE STOPBANK, RUAWAI	DRAWING No :	221
CLIENT:	KAIPARA DISTRICT COUNCIL	REV	0
DRAWING TITLE:	EROSION & SEDIMENT CONTROL PLAN SHEET 2 OF 4	SCALE:	1:500 @ A3

PROJECT No :	J4302
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REV	0
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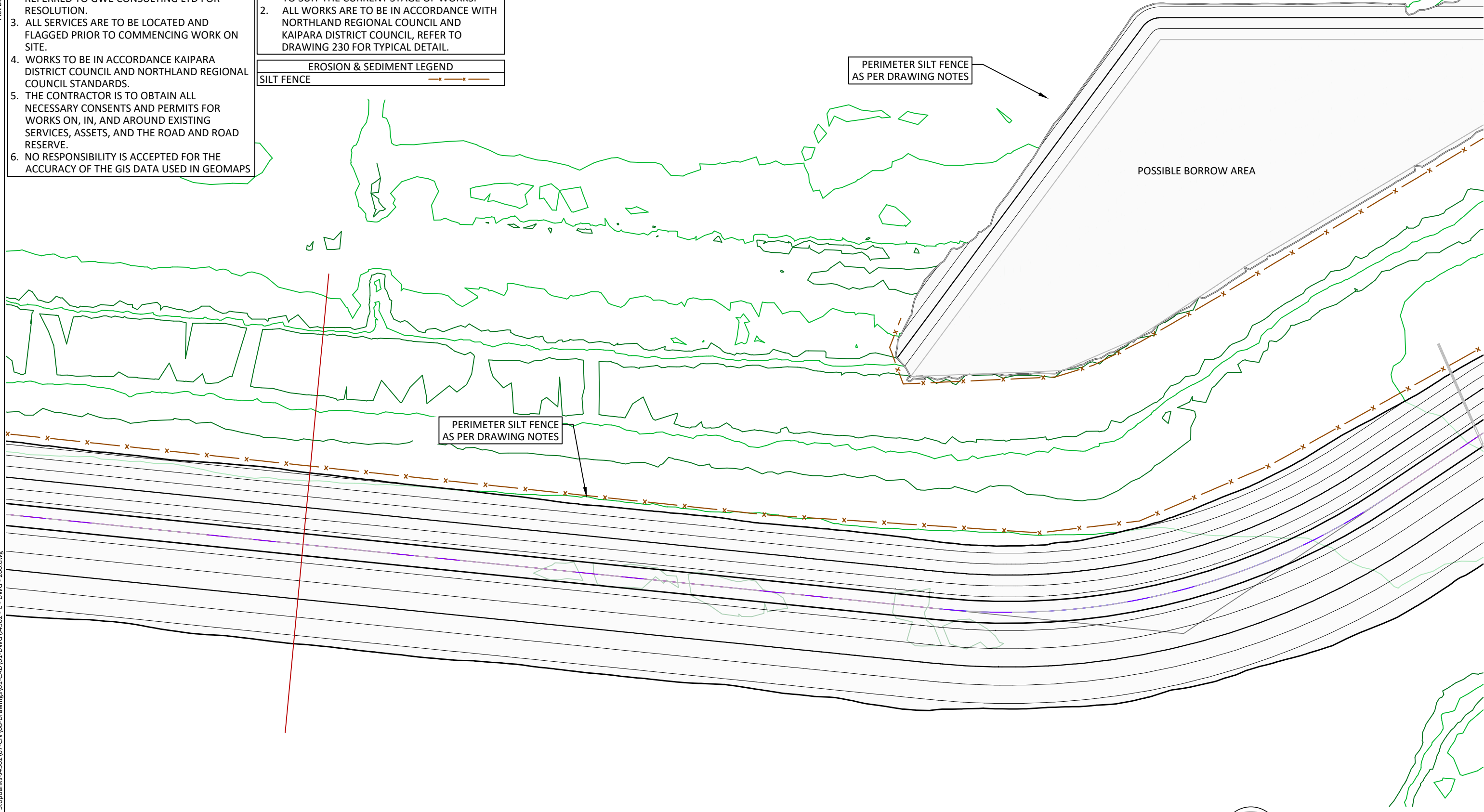
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EROSION & SEDIMENT LEGEND

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PROJECT ADDRESS:	BOWERGATE STOPBANK, RUAWAI	DRAWING No :	222
CLIENT:	KAIPARA DISTRICT COUNCIL	REV	0
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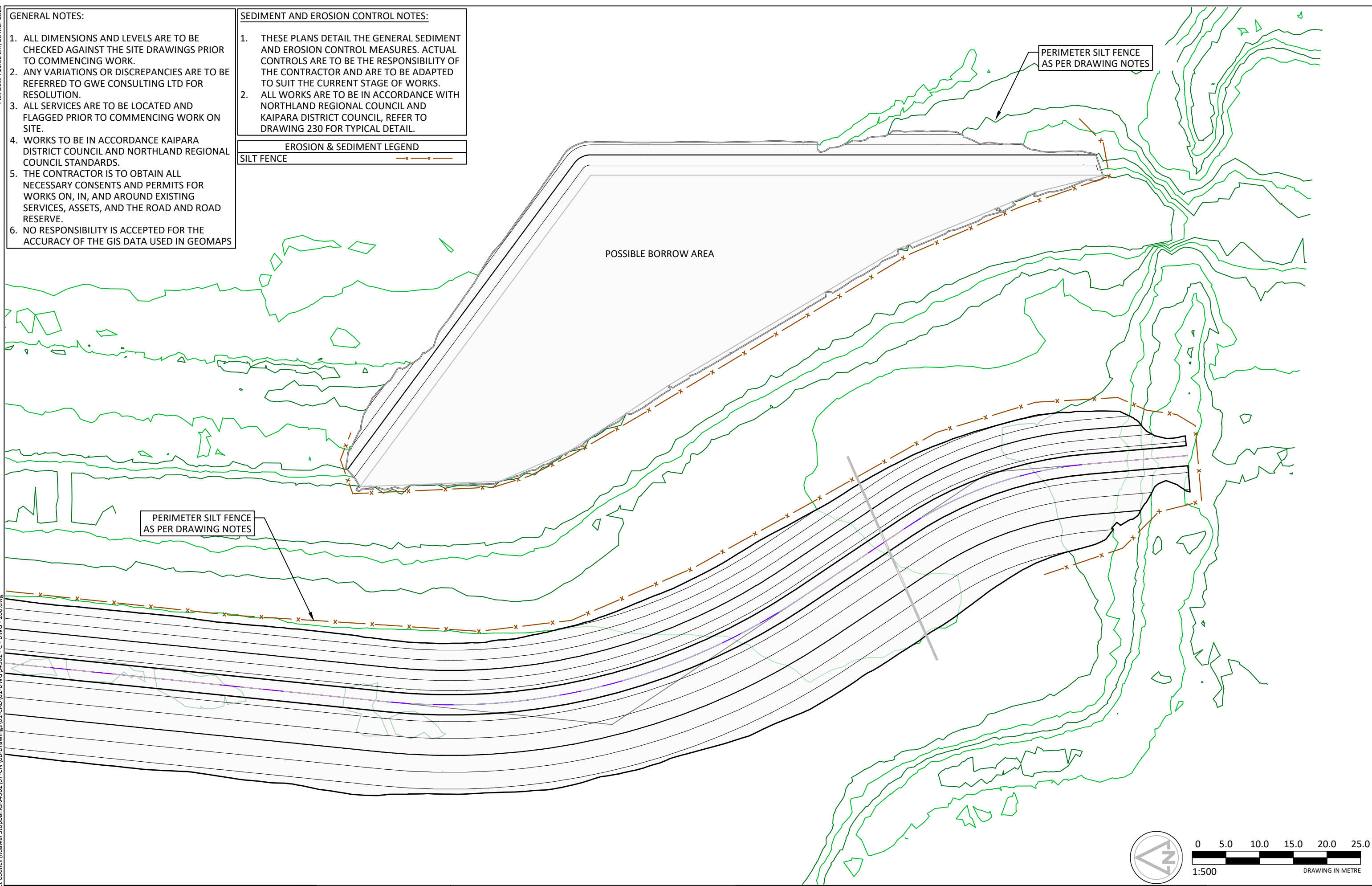
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EROSION & SEDIMENT LEGEND

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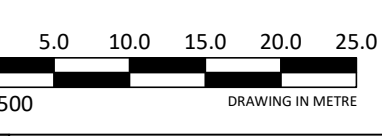
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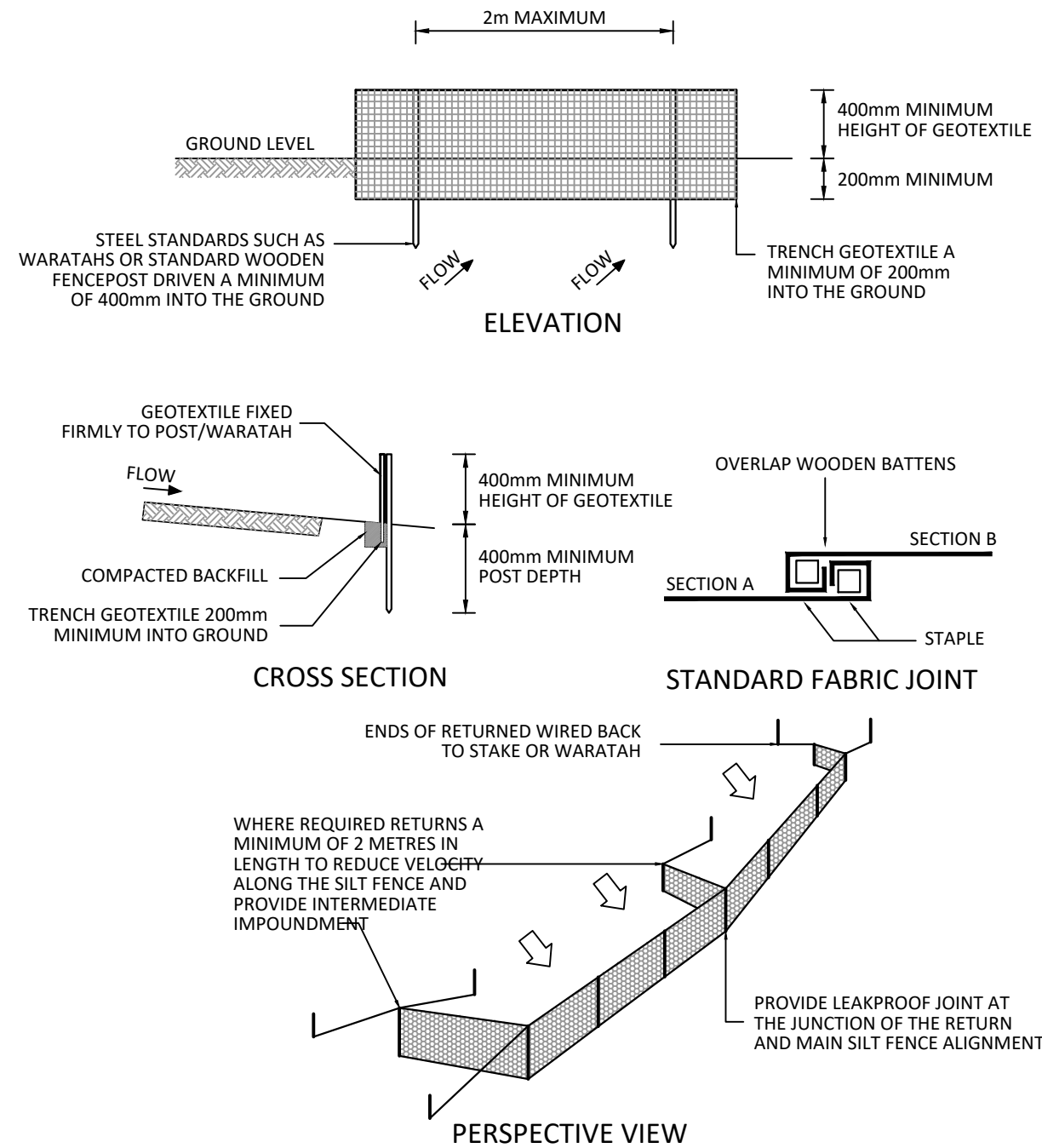
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DRAWING TITLE:	EROSION & SEDIMENT CONTROL PLAN SHEET 4 OF 4	SCALE:	1:500 @ A3



Plot Date : 11:52 am, 28 Mar 2023

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1 SILT FENCE CONSTRUCTION DETAIL Scale: NTS

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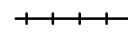
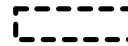



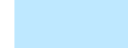


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PROJECT ADDRESS:	BOWERGATE STOPBANK, RUAWAI	DRAWING No :	230
CLIENT:	KAIPARA DISTRICT COUNCIL	REV	0
DRAWING TITLE:	EROSION & SEDIMENT CONTROL TYPICAL DETAIL	SCALE:	1:5 @ A3

APPENDIX D
RELEVANT COUNCIL PLANNING OVERLAY MAPS

Map Series One - Land Use Legend

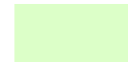

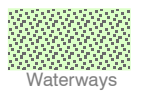







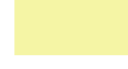





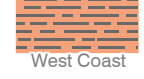





-  State Highway
-  Railway
-  Bridge or Causeway
-  Unformed Road
-  Cadastral Parcel Boundary
-  District Council Boundary
-  Sea, Lakes and Rivers

Landscape Areas

-  Outstanding Landscape Areas

Zones


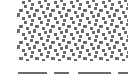



Each Zone has a Chapter in the Plan

-  Rural (Chapter 12)
 -  Kai Iwi Lakes
 -  Waterways
 -  West Coast
 -  East Coast
 -  Harbour
-  Business: Commercial (Chapter 14)
 -  Harbour
-  Business: Industrial (Chapter 14)
 -  Harbour
-  Residential (Chapter 13)
 -  Waterways
 -  West Coast
 -  East Coast
 -  Harbour
-  Maori Purpose: Maori Land (Chapter 15A)
 -  West Coast
 -  Harbour
-  Maori Purpose: Treaty Settlement Land (Chapter 15B)
 -  West Coast
 -  Harbour
-  Estuary Estates (Chapter 16)

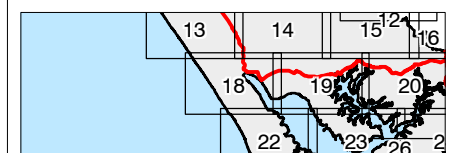
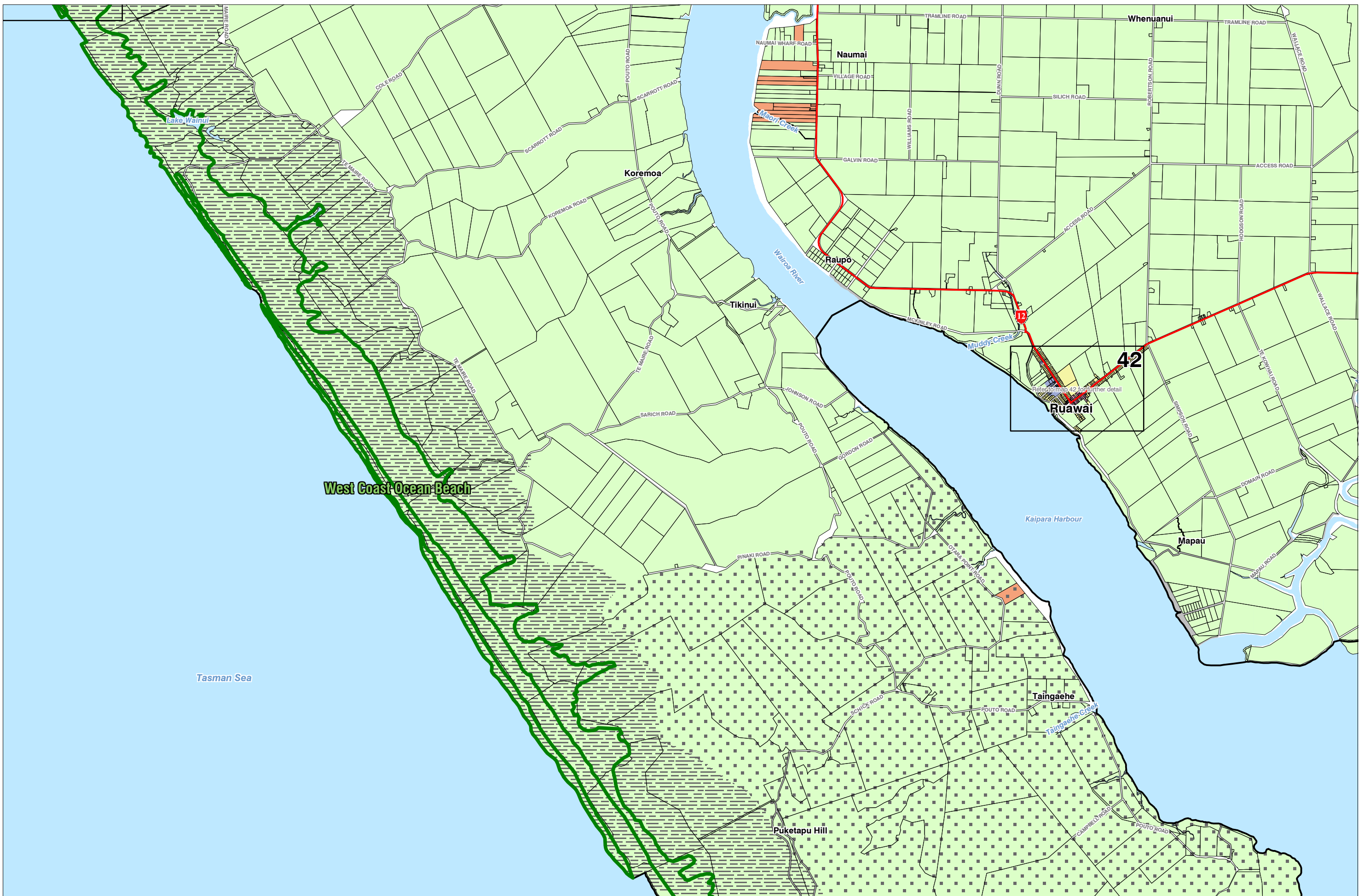
Overlays (Chapter 4)

Rules for Overlays are in each Zone Chapter.



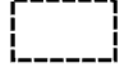
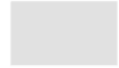


Look at the Zoning under the Overlay

-  Kai Iwi Lakes Overlay
-  Waterways Overlay
-  West Coast Overlay
-  East Coast Overlay
-  Harbour Overlay


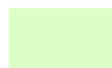



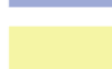
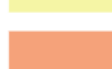






PROPOSED - KAIPARA DISTRICT PLAN - VARIATION 1 - LANDSCAPES - SEPTEMBER 2010









All Maps

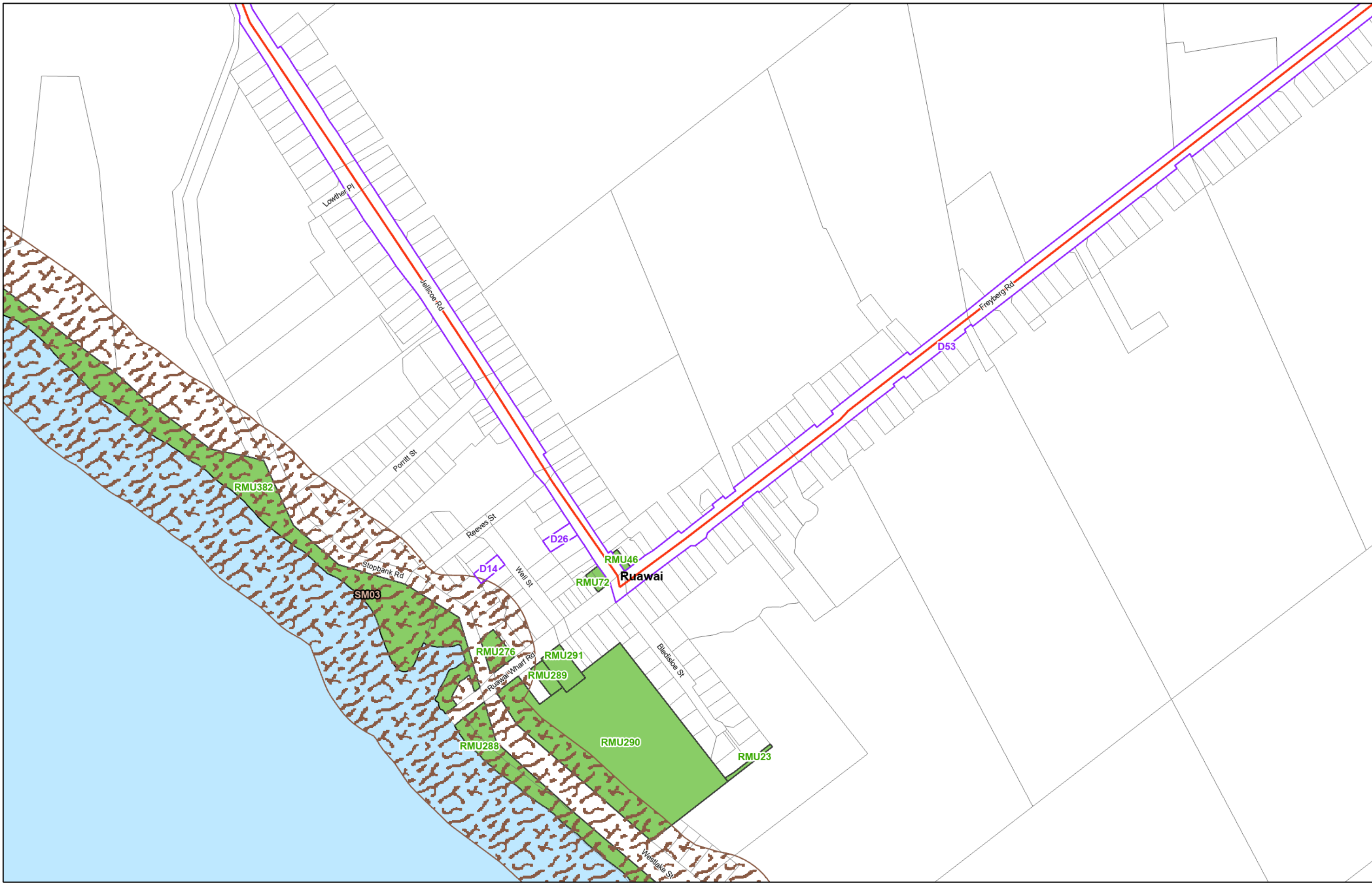
-  State Highway
-  Railway
-  Bridge or Causeway
-  Unformed Road
-  Sea, Lakes and Rivers
-  Parcel Boundary

Map Series One - Land Use

-  Estuary Estates
-  Rural
-  8m Height Restriction
-  Business: Commercial
-  Business: Industrial
-  Residential
-  Maori Land
-  Treaty Settlement
-  Estuary Estates
-  East Coast Overlay
-  Harbour Overlay
-  Kai Iwi Lakes Overlay
-  West Coast Overlay

Map Series Two - Sites, Features and Units

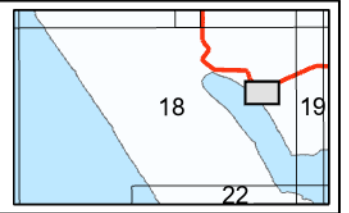
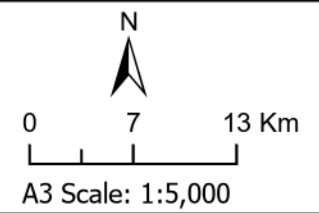
-  Heritage Resource
-  Notable Tree
-  Maungaturoto Dairy Factory Wastewater Pipeline
-  110-220 kV Electricity Transmission Line
-  50 kV Electricity Transmission Line
-  Designation Areas
-  Outstanding Natural Landscape
-  Reserve Management Units
-  Areas of Significance to Maori
-  Maungaturoto Dairy Factory Noise Contour Boundary (45dBA leq)

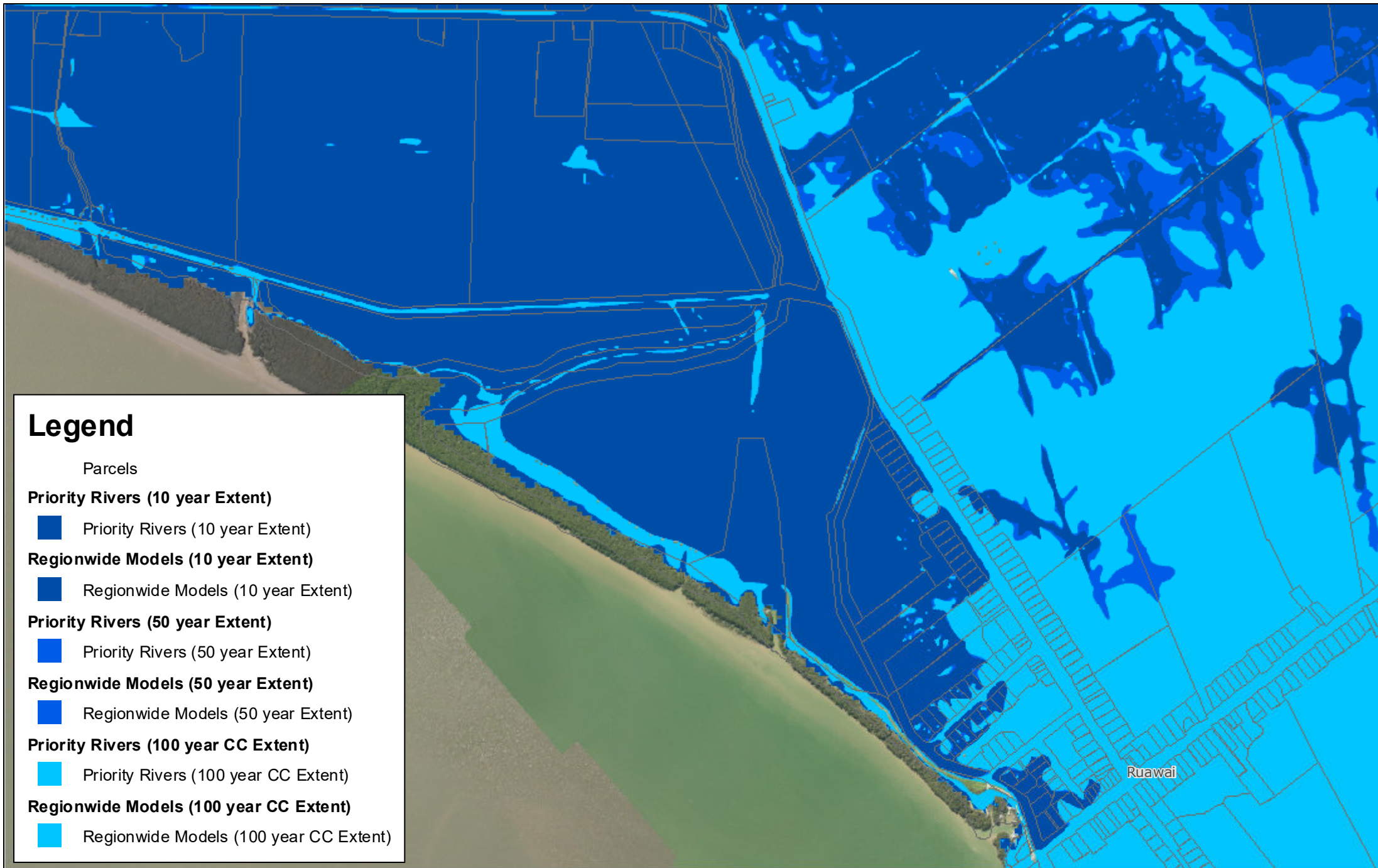


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 Cadastre from 19 March 2021.

KAIPARA DISTRICT PLAN - OPERATIVE NOVEMBER 2013

**Map Series Two
 Sites, Features and Units Ruawai**






Legend

Parcels

Priority Rivers (10 year Extent)

 Priority Rivers (10 year Extent)


Regionwide Models (10 year Extent)

 Regionwide Models (10 year Extent)


Priority Rivers (50 year Extent)

 Priority Rivers (50 year Extent)

Regionwide Models (50 year Extent)

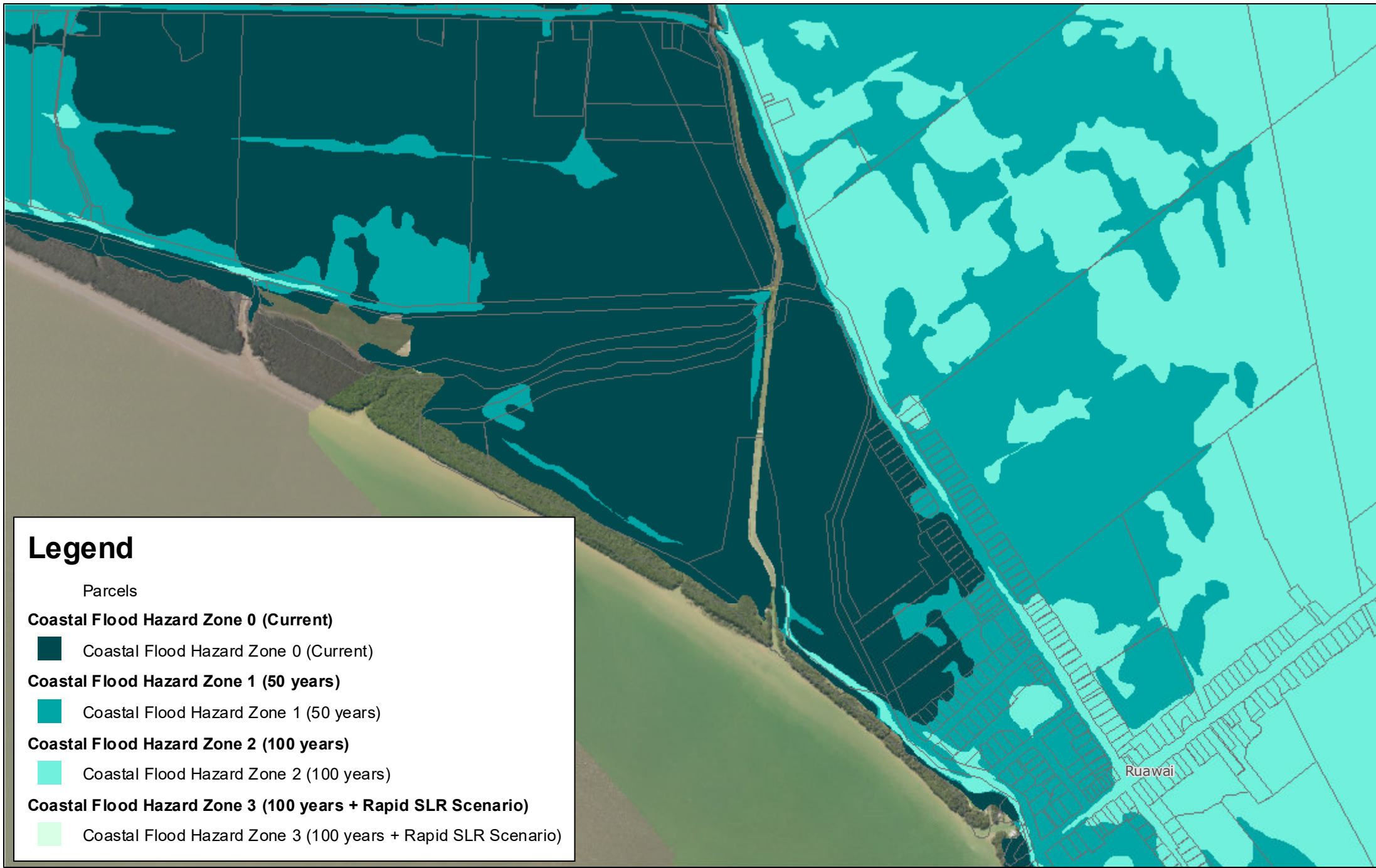
 Regionwide Models (50 year Extent)

Priority Rivers (100 year CC Extent)

 Priority Rivers (100 year CC Extent)

Regionwide Models (100 year CC Extent)

 Regionwide Models (100 year CC Extent)



Legend

Parcels

Coastal Flood Hazard Zone 0 (Current)

 Coastal Flood Hazard Zone 0 (Current)


Coastal Flood Hazard Zone 1 (50 years)

 Coastal Flood Hazard Zone 1 (50 years)

Coastal Flood Hazard Zone 2 (100 years)

 Coastal Flood Hazard Zone 2 (100 years)

Coastal Flood Hazard Zone 3 (100 years + Rapid SLR Scenario)

 Coastal Flood Hazard Zone 3 (100 years + Rapid SLR Scenario)