

Joe Franklin

From: Tracey Bowers <Tracey.Bowers@boprc.govt.nz>
Sent: Monday, 13 May 2024 8:37 am
To: Luke Faithfull
Cc: Katalin Maltai
Subject: RE: RM24-0128-PA Meeting - Glen Isla Coastal Protection Project - Waihi Beach

Good morning Luke

I hope you had a nice weekend

I have received the following response from Katalin Maltai:

The proposed sea wall is to be located along the seashore effected by coastal processes. When considering a hard engineering structure built in the coastal environment we need to look at the natural process effecting the structure and any adverse effects it may create. The applicant would like to find out if the structure is within the CMA would this trigger a consent. The CMA is defined in the RMA as follows:

coastal marine area means the foreshore, seabed, and coastal water, and the air space above the water—

(a) of which the seaward boundary is the outer limits of the territorial sea:

(b) of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of—

(i) 1 kilometre upstream from the mouth of the river; or

(ii) the point upstream that is calculated by multiplying the width of the river mouth by 5

The RMA does not define the time period in which MHWS needs to be considered. NZ Engineering best practice is to assess any structures for the design life of the structure and consider the process that will take place during that time.

Given the proposed location, during the lifetime of this structure it will be affected by shoreline erosion (as per WBOPDC Plan) which will move the MHWS further inland and the level of MHWS will increase significantly due to sea level rise. Our advice is that for the assessment of the proposed sea wall to take into consideration both erosion and sea level rise during the lifetime of the structure to decide if the structure is in the CMA area.

The intent is that any structure constructed today should have no current or future adverse effects on the environment, natural coastal processes, natural character and the community.

From a planning perspective, the proposed structure will not be located within the CMA on installation, therefore the relevant rules for occupation and use of a structure in the CMA will not apply.

However the location of MHWS may move further inland at some point in the future and the structure may become located within the CMA. At that time the relevant rules of the operative Regional Coastal Plan will apply and the structure may require resource consent for occupation and use of the CMA.

kind regards

Tracey Bowers

Senior Consents Planner

Bay of Plenty Regional Council Toi Moana

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Thriving together – mō te taiao, mō ngā tāngata

From: Luke Faithfull <luke.faithfull@mitchelldaysh.co.nz>
Sent: Friday, May 10, 2024 3:15 PM
To: Tracey Bowers <Tracey.Bowers@boprc.govt.nz>
Subject: RE: RM24-0128-PA Meeting - Glen Isla Coastal Protection Project - Waihi Beach

Thanks Tracey

 **Luke Faithfull**
Partner

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From: Tracey Bowers <Tracey.Bowers@boprc.govt.nz>
Sent: Friday, May 10, 2024 3:05 PM
To: Luke Faithfull <luke.faithfull@mitchelldaysh.co.nz>
Subject: RE: RM24-0128-PA Meeting - Glen Isla Coastal Protection Project - Waihi Beach

Hi Luke

I completely understand, however the cogs are turning very slowly in the engineering team at the moment, they are incredibly busy.

I have requested a response three times this week and have been promised a response by the end of the day today.

I hope I can provide it to you before the weekend.

Sorry for the delay

Tracey

From: Luke Faithfull <luke.faithfull@mitchelldaysh.co.nz>
Sent: Friday, May 10, 2024 2:45 PM
To: Tracey Bowers <Tracey.Bowers@boprc.govt.nz>
Cc: allan@newcrest.co.nz; craig@daviscoastal.co.nz
Subject: RE: RM24-0128-PA Meeting - Glen Isla Coastal Protection Project - Waihi Beach

Kia ora Tracey

Just following up again on the CMA memo comments, as you understand this matter is a priority for us to get squared away as it has implications for the consenting approach.

Ngā mihi

Luke



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From: Luke Faithfull
Sent: Wednesday, May 8, 2024 11:17 AM
To: Tracey Bowers <Tracey.Bowers@boprc.govt.nz>
Cc: allan@newcrest.co.nz; craig@daviscoastal.co.nz
Subject: RE: RM24-0128-PA Meeting - Glen Isla Coastal Protection Project - Waihi Beach

Kia ora Tracey

Just seeing if there was any progress on the CMA memo comments?

Ngā mihi

Luke

From: Tracey Bowers <Tracey.Bowers@boprc.govt.nz>
Sent: Friday, May 3, 2024 3:25 PM
To: Luke Faithfull <luke.faithfull@mitchelldaysh.co.nz>
Cc: allan@newcrest.co.nz; craig@daviscoastal.co.nz
Subject: RM24-0128-PA Meeting - Glen Isla Coastal Protection Project - Waihi Beach

Good afternoon Luke

Just an update, I have requested and am waiting on a final response re the location CMA from our engineers

I will let you know the outcome as soon as I have it.

have a great weekend

Tracey Bowers
Senior Consents Planner
Bay of Plenty Regional Council Toi Moana

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Thriving together – mō te taiao, mō ngā tāngata

From: Luke Faithfull <luke.faithfull@mitchelldaysh.co.nz>
Sent: Tuesday, April 30, 2024 10:47 AM

To: Tracey Bowers <Tracey.Bowers@boprc.govt.nz>

Cc: allan@newcrest.co.nz; craig@daviscoastal.co.nz

Subject: RE: Meeting - Glen Isla Coastal Protection Project - Waihi Beach

Kia ora Tracey

Thanks for your time last week to introduce the Glen Isla Protection Society proposal.

My notes are set out below, please amend or update as necessary.

Allan Fraser (**AF**), Craig Davis (**CD**) and I (**LF**) met with BOPRC Consents (Tracey Bowers (**TB**)) on Wednesday last week and the matters discussed are summarised below.

- Introduction:
 - o AF provided an overview of the site and the previous protection approaches and their failings – provided TB with a copy of the GIPS Information Memo

- CMA boundary
 - o CD provided an overview of the approach to defining the CMA boundary and described the structure and general location and approach to construction – provided TB with the CMA Boundary with the map with the structure location.
 - o TB advised that BOPRC engineers had stated that the approach was generally accepted but they wished to have a further (~50yr) sea level rise factor applied for changes over the life of the structure as they were concerned that the structure may end up in the CMA. CD advised his approach was conservative and he had applied a 0.5m factor for sea level rise and structure was still outside CMA. CD also said that, as part of the effects assessment, he will look at what size / scale of events may result in exposure of the structure and if any sand replenishment, etc would be required.
 - o TB said that she would circulate the formal feedback from the Engineers and CD would respond based on that feedback – LF proposed that the BOPRC and GIPS Engineers get together to work through any comments and then report back to Council and GIPS.
 - o LF spoke to the fact that we were consenting the structure now and not for 50 yrs therefore, as it was outside the CMA (subject to final confirmation from BOPRC Engineers) then Regional Council consents would be limited to the temporary activities associated with the construction and maintenance activities and that would allow a separation of the consenting processes between district and regional councils. TB generally accepted this is an approach subject to confirmation of the CMA boundary. LF said that once the CMA matter was confirmed and the construction methodology was progressed, he would provide a list of activities from which consent would be required from BOPRC for TB to confirm.

- Other matters
 - o AF and LF provided a summary of the options workshop and the process to date in developing the approach.
 - o AF advised that GIPS had engaged a range of experts to inform the application including a Landscape / NC expert, an Ecologist, Coastal process / engineer, noise and vibration.
 - o LF advised that the GIPS ecologist had been out on site and his initial observations were that there was limited ecological / biodiversity value within the proposed footprint of works and that the replanting of the footprint with dune species following the works would likely result in a positive ecological outcome.
 - o AF advised that GIPS intend to do a noise and vibration trial to assess potential impacts on neighbouring properties. LF said we request a methodology from the contractor to confirm no consents were required from BOPRC given the temporary works would only involve vehicles traversing the CMA (across Three Mile Creek) with the rest of the works occurring above the CMA boundary.

- Iwi engagement – TB had provided a list of iwi and MACAA groups to engage with. LF confirmed that the list was received and that we would progress iwi engagement once the CMA boundary matter had been resolved.
- Action points:
 - TB to provide response from BOPRC Engineer re CMA boundary
 - CD to arrange a meeting with BOPRC Engineers to address any outstanding matters. CD to provide an update on outcomes of any meeting.
 - AF / CD / LF to work with contractors to develop a general construction methodology that we can use to inform that activities which require consent

Ngā mihi

Luke



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-----Original Appointment-----

From: Tracey Bowers <Tracey.Bowers@boprc.govt.nz>

Sent: Friday, April 19, 2024 3:40 PM

To: Tracey Bowers; Luke Faithfull

Subject: Meeting - Glen Isla Coastal Protection Project - Waihi Beach

When: Wednesday, 24 April 2024 1:00 pm-2:30 pm (UTC+12:00) Auckland, Wellington.

Where: T: Ground Floor Meeting Room 3 [4/VC]

Hi Luke

Meeting as requested in the Tauranga Office.
Please let me know an agenda prior to the meeting.

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